

[Deshantar (Weekly), December 2, 1990]

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NEPAL WATCH



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FOPHUR
&
PRO-DEMOCRACY MOVEMENT



INTRODUCTION OF FORUM FOR PROTECTION OF HUMAN RIGHTS

The Forum for Protection of Human Rights (FOPHUR) was established in 1984 in the backdrop of widespread violation of human rights by the autocratic Panchayati system. Its founder was Mr. Badri Prasad Khatiwada who also happened to be founding chairman of the first Teachers' Organisation. Mr. Khatiwada was the founder Chairman of the Forum. Immediately after its formation FOPHUR started its various activities mainly to educate and make people aware of their rights.

Till the formation of this Forum "human rights day" was observed only in the government sector. Radio Nepal used to broadcast speeches stating that human rights situation is very good in Nepal. Against this trend FOPHUR began to observe December 10, Human Rights Day, organising mass meetings. Considerable number of our activists were imprisoned in this process of celebrating human rights day. In 1985 and 1986 it organised mass rallies to observe the Human Rights Day in Metauda and Biratnagar. In 1986, it launched a campaign to collect signature to pressurize the government for the release of those political prisoners who had already served above ten years of imprisonment and whom the court had ordered to release. The campaign was jointly launched with Forum for Democracy and National Unity (FODENU) and the Committee for the Amnesty of Political Prisoners (CAPP). In the process, then President Mr Pandav Raj Ghimire and nearly 100 other activists engaged in the collection of the signature were arrested. Despite of it Forum was able to collect nearly 100,000 signatures from different parts of the country. As a result of it government was obliged to release Mr. Radha Krishna Mainali, Khadga Oli, Narad Wagle and others who were imprisoned for more than 14 years. At the same time progressive writer Mr. Mod Nath Prashrit, imprisoned for 8 years, was also released. In the same year it translated the Universal Declaration of Human Rights of UN in Nepali and distributed 20,000 copies in most of the parts of the country. At the end of 1987 people of Nepalese origin who were living in Meghalaya, India for a long time were evicted in masses. To protest it many organisations including FOPHUR organised protest demonstrations throughout the country. In connection with the protest demonstration Laxmi Pandey, a young student of Jhapa District died in police shootout. Immediately after the murder FOPHUR formed an Inquiry Commission under the leadership of former attorney general Ramananda Prasad Singh. The investigation report was brought to the public notice.

In 1986 General Secretary Mr. Prakash Kafle went to Manila in order to participate in a six week long training in human rights organised by the Free Legal Assistance Group (FLAG).

In connection with the Human Rights Day of 1988 it published a poster, and started publishing Human Rights Bulletin regularly and started to publish fortnightly Newsletter.

It concluded its first National Conference in Kathmandu on April 10, 1989 in which Swami Agnibesh, chairman of Bonded Labour Liberation Front, India also participated. More than 150 human rights activists representing different parts of the country formed an action committee under the leadership of renowned human rights activist Dr. Mathura Prasad Shrestha.

imprisoned for last 17 years. The poster became very popular. At that time it formed a council of 100 members and a central committee of 25 members. The committee consisted of Dr. Mathura Prasad Shrestha as Chairperson, Mr. Prakash Raj Kafle as General Secretary, former Chairman Badri Prasad Khatiwada and Pandav Ghimire as advisors, and Former Attorney General Ramananda Prasad Singh and other advocates as members.

After this conference FOPHUR tried to make its activities more regular and systematic. In view of the prevailing autocratic repression it set up a clandestine office and started functioning with a very limited financial source which came mainly from public. Gradually relationship and contact with many international human rights organisation was formed.

In addition to the above tasks the Forum has done following:

- In 1988 a strong earthquake struck Eastern Nepal and claimed many lives. As soon as the destruction was known its advisors and General Secretary visited Dharan, and formed a relief committee. It collected medicine, food and clothing raising the fund but the autocratic government arrested Mrs. Lila Shrestha, convener of the committee, and all other members of the committee.
- In the same year when relief materials were being distributed, Former Rastriya Panchayat Member Karna Hyonju was killed as a result of government conspiracy. In the excuse of finding the culprit the government with a malicious intention of exterminating the opposition, not only arrested hundreds of people but also implicated them in the murder case of Karna Hyonju. FOPHUR felt necessity of a fair inquiry and its General Secretary along with Sushil Pyakuryal prepared an investigation report on "Hyonju episode" and brought it to the public notice.
- In 1989 FOPHUR made an arrangement of family reunion for those leftist political prisoners who were in prison for 17 years.
- On January 3, 1989 the government released Mohan Chandra Adhikari and 12 other political prisoners because of changed international situation and mounting pressure within the country.

The Forum immediately made arrangements for their accommodation, food and clothing. It also provided them travelling expenses to go back their home.

In the beginning of 1990 the political forces of Nepal, the Nepali Congress and the United Left Front called for a movement to restore democracy. Considering democracy an inalienable condition for human rights the FOPHUR decided to help the movement actively and made a plan of action accordingly. In order to collect the facts about the movement and to make them known to the world, it formed different action groups and began to send messages to 17 different human rights organisations in Asia and Europe through Fax.

Chairman of the FOPHUR Professor Dr. Mathura Prasad Shrestha tried to involve medical personnel and other professional organizations in the struggle for the protection of human rights in the country. It is well known that he remained in the forefront of human rights activities. During the 50 days of the movement he was sent to the jail twice.

with a view, to promote the world opinion against the government repression in the people's struggle FOPHUR sent its General Secretary Mr. Prakash Kafle in a tour of various European countries. He visited the Netherlands, West Germany, Switzerland and other countries enroute to orient them about the violation of human rights in Nepal and request to pressurize Nepalese government to maintain human rights in the country, and facilitated to form Nepal Support Groups in some of those countries. Likewise, Secretary Mr. Gauri Pradhan went to Delhi to propagated the cases of violation of human rights, and tried to build public opinion through mass media.

Nepal's political situation has taken a giant leap towards a new era following the down-fall of Panchayat system and beginning of multiparty interim government. People are getting some of their rights such as rights to form associations, to profess the ideology of their choice, and to go to the people. In this present circumstances FOPHUR has been able to take ahead its activities in a more expansive and diversified way. On the one hand, there is a necessity to become more active in the preservation of human rights, and on the other hand, it has to fulfil its responsibility of providing relief to injured and support to the families of those who reached martyrdom during the movement.

Ans "FOPHUR & PRO-DEMOCRACY
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ACTIVITIES OF FOPHUR

- Navin Sharma

Forum for Protection of Human Rights (FOPHUR) has been fighting for the rehabilitation of human rights remaining fully committed to the International Declaration of Human Rights since its founding in 1988. Its activities were mainly concentrated on opposing the black laws of against the Panchayat regime and the suppression of the people by the Panchayat Government before the democratic movement. At the sametime FOPHUR also conducted activities designed to help the political prisoners and to create awareness about human rights. However, after the successful conclusion of the mass democratic movement and the democratic environment obtaining today, it is now concentrated on creating awareness about human values and norms and on raising alertness against the potential violation of human rights.

FOPHUR received a new organisational dimension after its national conference held on 26th of Chaitra 2045 B.S. The above mentioned national conference elected a central committee and a council consisting of personalities representing different social organisations, professions, classes and the parties and expressing full commitment to human rights. After that FOPHUR has conducted its activities by creating public awareness about the human values and norms, collecting and investigating the incidents of the violation of human rights and by providing relief assistance. I have classified the activities of FOPHUR under following four points.

a. Activities on International Solidarity

1. FOPHUR has been publishing an HR newsletter covering the events of the violation of human rights in order to disseminate the information on the violation of human rights.

2. FOPHUR has occasionally published research oriented articles and reports in a human rights bulletin.

3. It observed Filipino Solidarity Day under the joint auspices of FOPHUR and GRINSO. On this occasion FOPHUR, ACFOD and GRINSO published a poster demanding the dismantling of military bases in the Philippines. That day a protest march was also organised in order to hand over a protest letter to the Embassy of USA in Kathmandu.

4. During the period of democratic movement General Secretary of FOPHUR Prakash Kafle and secretary Gauri Pradhan visited various European countries in order to build public opinion in favour of democratic movement. FOPHUR also published a booklet entitled "FOPHUR and Pro-democracy Movement.

5. The Forum has established relationship with more than 60 different organisations concerned with human rights and is receiving and sending information about the violation of human rights through the help of Fax, letters and direct relationship with human rights activists.

6. During the period of the movement FOPHUR invited world renowned human rights activists like Monk Smith, father Tymm and helped them investigate into the human rights situation in Makwanpur, Chitwan and Kathmandu valley.

7. FOPHUR participated in various international seminar and exchanged experiences.

8. It provided financial help to two SriLankan refugees and made arrangement to provide them with travelling expenses and accommodation.

9. On July 30, 1990 Bhutan Support Group, Nepal, has been formed under the auspices of FOPHUR with a view to provide help to the people of Bhutan in their struggle for human rights and democracy.

Activities Designed to Raise the Consciousness of the People

1. FOPHUR has distributed the brochures containing the UN International Declaration of Human Rights as part of its programme to disseminate human rights education among the people.

2. It has published and distributed posters showing Nepalese women's role in the various sectors of social activities. It also published and distributed a poster showing the problems of drinking water in Kathmandu with a view to disseminate health education among the people.

3. On December 10, 1989 FOPHUR observed World Human Rights Day at the premises of Tri-Chandra Campus in collaboration with Human Rights Organisation.

4. After the democratic movement FOPHUR prepared 'T-shirt' with the logo of FOPHUR and sold them to raise fund to support its activities.

Support to the Victims of Human Rights Violation

1. FOPHUR published posters and brochures in order to press for the release of political prisoners detained in connection with Jhapa movement.

It provided material help to the political prisoners specially those living in the jails of Kathmandu under the black laws during the Panchayat regime. At the same time it also organised reunion of the family members of the prisoners imprisoned in connection with Jhapa Movement.

2. FOPHUR organised a reception in honour of the political prisoners related with Jhapa Movement after they were released.

3. FOPHUR stood guarantee for the release of five dissolved RP members and the senior members of Nepali Congress when they were arrested for participating in the mass meeting held in Itumbahal.

4. Immediately after the movement it conducted programmes to provide relief aid to the family of martyrs and the injured persons.

Regarding this programme, FOPHUR ran a free health clinic in Bhaktapur, Kirtipur and Chitwan in co-operation with Human Rights Violation Fact Collection Committee, distributed relief aid in Jhapa, Butwal, Janakpur and other places. The activists of FOPHUR visited the residence of the martyrs families and hospitals and provided financial help. It distributed Rs 1,500 each to each of the families of the martyrs and is making arrangement for free education to the children of the martyrs.

5. FOPHUR assumed guardianship of Tara Khadka made disabled during the movement and made arrangement for his rehabilitation at the Jorpati disabled home. Likewise, it jointly sponsored a cultural programme together with a cultural organisation called 'Astha' and collected fund for the help of the victims of the movement.

6. FOPHUR rescued Miss Kabita Maharjan, an AIDS patient from a DSP's custody and provided financial help for her rehabilitation.

Research and Survey

1. FOPHUR compiled the data about Narayan Man Bijukchhe and his friends who were implicated in the case of Karna Hyarju, prepared a report and published it.

2. It prepared a report about the persons made to disappear during the time of bomb explosions. General-Secretary Prakash Kafle is working in a commission constituted to look into the cases of the missing prisoners.

3. FOPHUR conducted field survey to evaluate the condition of the bonded labourers in Chitwan.

4. Most important of all, FOPHUR held a seminar on Consultation on Constitutionalism in order to provide suggestion to the Constitution Recommendation Commission. In the seminar jurists like P.N. Bhagwati, Clarence Dias, Kamal Hossain, Dr Neelam Tiruchelbam and M.A. Sabur held wideranging discussions with the jurists and legal experts of Nepal. The Consultation lasted for 3 days from June 28 to June 30, 1990.

HR Bulletin
Sept. 1990

Interview with Prakash Kafle

[Known as a leftist intellectual Mr Prakash Kafle is the General Secretary of Forum for Protection of Human Rights (FOPHUR)].

Q - Do you feel easy to continue human rights activities in the present situation ?

A - Definitely, it is easy to work. But, we are still unable to work freely as the 'tradition' of police brutality and the conspiracy of charging false cases against political activists are still prevailing.

Q - How do you communists work fairly on human rights activities ?

A - This is a wrong conception to say that the communists do not work fairly. I feel communists are deeply interested in human rights. Communists ideology and 'human rights', I believe, are synonymous. Human rights which we call are not only the rights of press freedom and freedom to association but also the right of health, education and so on as clearly mentioned in the Charter of the United Nations. See, the conception that 'only the Nepali Congress should work for human rights but communist should not work for it' does not have any genuine logic.

[Chhalphal (Weekly), Nov. 4] ¹⁹⁹⁰

Information Update Nepal

Council of Ministers to be Reconstituted

According to a reliable source, the cabinet would be reconstituted in near future. Three of the ministers would be sacked and about a dozen ministers and ministers for state would be included. Most of the ministers to be introduced in the new formation belong to Nepali Congress, the source has said. It claims "The three ministers who are going to be sacked belong to Nepali Congress as well as the left factions".

[Punarjagaran (Weekly), Nov. 13]

According to a rumour, Dr Mathura P. Shrestha, J.N. Khanal (ULF) and Yog Prasad Upadhyaya (NC) would be sacked and 10 new faces would be introduced. Seven of them are believed to be from NC. The changes are being made in view of the coming general elections, it is learnt. Some also say that no ministers would be sacked, but the cabinet would be expanded.

[Hindu (Daily), Nov. 14]



Human Rights NEWSLETTER

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FOPHUR CENTRAL EXECUTIVE COMMITTEE REORGANISED

FOPHUR central executive committee was reorganised on November 10, 1990. The national conference of the central council members elected a twenty-five member central executive committee.

The national conference elected Dr Mathura Prasad Shrestha chairman and Mr Padma Ratna Tuladhar and Mrs Bishwesara Dahal vice chairmen of FOPHUR.

Similarly, messers Prakash Kafle, Gauri Pradhan and Navin Sharma have been elected General Secretary, secretary and the treasurer respectively, while Ramananda Prasad Singh, Prof. Harsha Narayan Dhauvadel, Dr Madan Upadhyaya, Badri Khatiwada, Subash Nemang, Bhim Rawal, Dwarika Shrestha, Sushil Pyakurel, Jaya Krishna Yadav, Krishna Prasad Siwakoti, Bishwa Kanta Mainali, Malla K. Sundar, Radha Krishna Mainali, Devi Prasad Ojha, Dr Arun Sayami, Mrs Kunta Sharma, Mrs Lila Shrestha, and Ms Mina Pandey have been elected members of the central committee.

FOPHUR TO ORGANISE ELECTION OBSERVATION

Forum for Protection of Human Rights has decided to organise an election observation team in order to monitor the forthcoming general elections purported to be held in April 1991.

This was decided by the central committee meeting held at the central office of FOPHUR on November 11, 1990. Mr Prakash Kafle has been chosen as the convener of the team while Mr Biswa Kanta Mainali and Mr Dwarika Prasad Shrestha have been given the responsibility to organise the observation team.

According to information election observers from various countries in Europe, America and Asia are to participate in the observation team. FOPHUR has already made correspondence with some prominent international figures in order to ensure their participation in the observation.

FOPHUR's Central Committee Formed

A meeting of the Central Council of the Forum for Protection of Human Rights Saturday unanimously constituted a 25-member Forum for Protection of Human rights under the chairmanship of Health Minister Dr Mathura Prasad Shrestha.

The executive committee, of the FOPHUR includes Padma Ratna Tuladhar and Mrs Bishweshwara Dahal as vice-presidents, Prakash kafle as general secretary, Gauri Pradhan as secretary and Navin Chandra Sharma as treasurer.

The committee members are Ramananda Prasad Singh, Dr Harsha Narayan Dhaubhadel, Dr Madan Prasad Upadhyaya, Badri Khatiwada, Subhas Newang, Miss Mina Poudyal, Bhim Rawal, Dwarika Shrestha, Sushil Raj Pyakuryal, Mrs Kunta Sharma, Lila Shrestha, Jayakrishna Yadav, Mrs Radha Sahani, Krishna Prasad Siwakoti, Bishwokant Mainali, Radha Krishna Mainali, Devi Ojha, Dr Arun Sayami and Malla K. Sundar.

Representatives from the International Foundation for Electoral Systems (IFES) and the National Democratic Institute (NDI) are in Kathmandu to conduct survey determining how the US can assist with election procedures in Nepal.

IEFS is a Washington-based organisation, supported by aid through the Democratic Pluralism Initiative.

[TRN (Daily), Nov. 1] '90

Information Update Nepal

Part IV Nepal and the World

US Aid for General Elections

According to the American Ambassador, Julia Chang Bloch, 20 percent of the US aid program "Multi-party Democracy Initiative" had been earmarked for Nepal. The aid would be used for ballot boxes and other equipment, technical services, training, and study tours for the forthcoming general elections in Nepal, she added. (Gorkhapatra, July 13).

(Reqmi)

HUMAN RIGHTS ORGANISATIONS

Of late a number of Human Rights Organisations have come into being in Nepal. Besides more and more individuals seem to be attracted to the cause of Human Rights everyday. Mostly former political activists are drawn to Human Rights activities in growing numbers. In fact, it is very difficult to distinguish a political activist from a Human Rights activist in Nepal. They seem to converge and merge. Mention may be made of people like Rishikesh Shaha, Nutan Bahadur Thapaliya, Badri Prasad Khatiwada, Pradeep Giri, Durga Subedi and the like. Each of these gentlemen is actually a political activist. Some of them had frankly taken recourse to illegal and underground methods of political activities in the past. In the process they seem to have grown wiser. Now they seem to take the autonomy of law and the importance of due process of law more seriously. It is primarily due to efforts of these gentlemen that the fight for Human Rights has gathered a new momentum in Nepal. Human Rights are now a burning topic in Nepal. Even HMG Nepal seems to take cognizance of the changed circumstances. Recently the government has legislated laws and rules for imprisonment and prisoners afresh. Besides the government has also brought and blessed a full-flagged organization of Human Rights. Even at this moment it is rumoured that lawyers who are already members of the Nepal Bar Association are in the process of establishing a Human Rights Organization of their own. Some Human Rights Organisations seem to exist only on paper. In fact all the political groups appear to be interested to float a Human Rights Organisation of their own. All of them naturally do not take off. But they exist nevertheless. Examples may be cited without difficulty. Mr Shakti Lamsal reportedly heads Nepal Civil Rights Union. Nothing much is known about it. Occasional statements do appear in the name of this organisation. This organisation appears like the front organisation of one of underground communist group. There is yet another Human Rights Organisation headed by Prof. Hare Krishna Shah. It was founded in 1976 in Banaras. A number of appeals and pamphlets have been published on its behalf. All such publications are however overtly political. The Organisation does not seem to have been interested genuinely on the question of Human Rights. Consequently, the Organisation may be said to have

been a political front once again. Lately nothing much has been heard of this organisation too. In fact the following organisations seem to dominate largely the Human Rights in Nepal today.

Human Rights Organisation of Nepal (HURON)

HURON is by and large the most respected as well as famous Human Rights Organisation. The formal inauguration of HURON is said to have taken place on 10th Dec. '88. But the activities of most of its founders go back to many years. The Inaugural Convention elected. Mr. Rishikesh Shaha its President. Mr. Shaha is probably the most eminent Human Rights activist in Nepal. His concern and commitment for Human Rights are known internationally. Recently Human Rights Watch U.S.A. honoured him as one of the two representatives from the Asian Region. Besides Shaha HURON has enlisted the support of most of the major Human Rights activists in Nepal. Its membership cuts across party affiliations. It has a Constitution and a number of definite rules and conventions have been established. At the moment its office is located at Ram Shah Path. Initially there was a big furore regarding the display of its signboard outside its office. The police forcibly took away the signboard. HURON moved to the court. The case is still pending. The organisation was not deterred!

Most of the Human Rights Organisations in the Third World do not pay meticulous attention to their Constitution, Convention and rules. This is one of the common shortcomings of voluntary organisations and NGO's. HURON may be said to be an exception to the rule. A working committee meeting of HURON is a democratic sight. It takes place every month. Mr. Shaha, the President has mostly a tough time pacifying his party colleagues. Since HURON is a multi-party, multi-class, and multi-ideology forum the furore is understandable. What seems to bind the members together is their concern for Human Rights. HURON may go from democracy to anarchy it is feared. The critics of HURON point out the lack of discipline and cohesion among the rank and file of HURON. HURON has within its rank representatives from political

HUMAN RIGHTS ORGANISATIONS

groups of all shades. Mr. Shaha himself is a renowned Liberal politician. Dr. Devendra Raj Pandey the Vice-President is a distinguished economist. Mr. Marshall Julum Sakya represents the Nepali Congress-the largest opposition party. Padam Ratna Tuladhar a left oriented though independent member of the National Legislature is also member of HURON Executive Committee. Pradeep Giri, Kapil Shrestha and Gopal Chintan are general-secretaries. Pradeep Giri is an eminent political thinker and activist. Kapil Shrestha is a former general-secretary of Nepal Professors Association. Apart from these luminaries HURON can also boast of proper representation of most ethnic and linguistic minorities of Nepal. So HURON can be described as a fairly living and vibrant Human Rights Organisation.

HURON is however still weak and disorganised with respect to research and documentation. Its literature is rather meagre. The office-bearers and the leaders complain of financial constraints constantly. The office is run on the basis of personal contribution of its members. The office has a small budget of Rs.3,000/- per month. At times even this budget is beyond the means of HURON.

FORUM FOR PROTECTION OF HUMAN RIGHTS (FPHR) :

The FPHR is the other important national organisation obtaining in Nepal today. The Forum has been active for some years past. Its existence was for the first time reported in July 1984 in Matribhoomi Weekly. Reportedly the Forum was founded by some enthusiasts at Birgunj. Mr. Gopal Chandra Gautam, Pandav Raj Ghimire, Yadav Prasad Upadhyaya, Nandan Aryal and Badri Prasad Khatiwada were among the founder-members. Mr. Khatiwada has been known as the Convener of the Forum. But later the composition of the organisation was changed. Mr. Pandav Raj Ghimire from Janakpur was declared its President. An executive committee of 18 persons was also announced. Recently the Forum seems to have undergone yet another organisational re-shuffle. The recently held convention opted Dr. Mathura Prasad Shrestha to head it. The chronic re-shuffle and restructuring of the office-bearers of the Forum does not seem to have affected the functioning and the routine work of the organisation, however. In fact the reasons for such a performance may not be far to seek. The change of President and the other office-bearers does not seem

to alter the actual executive personnel of the Forum. Two or three dedicated persons seem to run the organisation right from the inception. Mr. Prakash Kafle, Mr. Badri Khatiwada and, Mr. Sushil Pyakhurel run and control the organisation in the final analysis. Unlike HURON, FPHR cannot be accused of lack of discipline and cohesion. In fact FPHR has often been criticised for its highly centralised as well as personalised style of functioning of its leadership. The Forum may be described to have run through the principle of democratic centralism. It has an image of essentially a cadres organisation. The Forum has often tried to broaden its base among eminent and notable people in Nepal. Somehow it has failed in the effort. There has been considerable heart-burn among its members regarding the reportedly high-handed manner of the leadership. Worse still the Forum activists are not believed to have run their organisation with regard to its rule and the due process adopted thereupon. In its early phase the Forum practically had no Constitution. Later a committee for Constitution comprising of Ramananda Prasad Singh, Kedar Prasad Koirala and Gopal Chintan was set up. The draft constitution however was never put to practice. Such irregularities led to disenchantment of a number of its members. Such criticisms have made the Forum a little unpopular among the elites in Kathmandu. The Forum however persists in its pursuits. It is particularly known for its prolific publication. It has also been celebrating Human Rights Day from time to time. Two years back the Forum also conducted a campaign for the release of political prisoners. Nearly 17,000 signatures were obtained from all over the country. There was however some controversy regarding the actual submission of the petition. They were however accused of being partisan even while the campaign was being conducted. They were publicising for the release of prisoners of their own group exclusively.

By and large HURON and FPHR are the two most important Human Rights Organisations in Nepal. It is chiefly due to persons associated with them that the suppression of Human Rights in Nepal has been largely publicized. Of late even His Majesty's Government seems to have become alert to the propaganda of these organisations. HMG has probably good reasons to worry as both the organisations are largely manned by people frankly hostile to the political system obtaining in Nepal. So HMG seems to have inspired and blessed the formation of still a third Human Rights Organisation in Nepal.

HUMAN RIGHTS ORGANISATIONS

HUMAN RIGHTS ORGANISATION OF NEPAL (HURAN):

The leaders of the newly founded organisation would however strongly object to the above description. Mr. Krishna Prasad Pant, President of the new organisation however does not see any direct relationship between human rights and political system. No country or the political system in the world has been able to secure complete set of human rights according to Mr. Pant and every political system seems to negate one or the other generation of human rights. A formal replacement of a certain political system by another is no guarantee for the realisation of Human Rights in a society. A fundamental restructuring of society rather than polity is the necessary precondition for the full realisation of human rights. Mr. Pant however does insist for an establishment of rule of law. How does he reconcile the conflicting claims of rule of law and autonomous polity is however not clear. Besides Pant also admits the need to solicit official assistance in pursuit of human rights in a society like Nepal. The government and state of developing nations have often introduced the very notion of human rights. The governmental institutions also happen to be guardians as well as initiators of many social reforms. With such views Pant and his organisation seem to have been patronised openly by the Government of Nepal. Pant has been receiving considerable publicity from official media in Nepal. In fact, Pant's organisation has already been registered by the government officials also. Even the draft constitution of HURAN promises to come into effect after the official sanction. Its office-bearers have also been announced. Dr. Laxman Kumar Upadhyaya is the general-secretary and Mr. Pawan Kumar Ojha is its treasurer. Of the seven members of the executive committee five happen to be lawyers. The other two are journalists. Interestingly all of them are supposed to have close links with the establishment. No wonder the organisation is not prepared to bring the Panchayat System into question. HURAN refuses to see any relationship between the Panchayat System and the observance of human rights in Nepal.

Relatively a new-comer in the realm of human rights activities, HURAN does not have much to speak of its activities within Nepal. Nonetheless the President of HURAN has already toured Europe to enlighten the Europeans about the "real" situation of human rights in Nepal. Compared to India and other South Asian countries HURAN seems to find Nepal a veritable

haven for human rights. It is for the West to realise the import of good news from the Wise Men of the East.

Other than these Human Rights Organisations, Nepal also witnessed formations of a number of Amnesty International's groups of late. Once there used to be a recognised Chapter in Nepal. The Chapter ceased to function due to personalistic rivalry. Recently a number of groups have come into being independently. Such groups also suffer from political rivalries. As it would be most AI groups are launched by political activists. They are naturally reproducing respective political complexion. Such a situation has marred the healthy growth of AI as well as Human Rights activities in proper.

Far more troublesome however is something else. In most of the cases as in the Third World, Human Rights Organisations do not seem to pay meticulous attention to the rules and values they espouse and mouth. The organisations mostly do not possess proper Constitution or the rules. If and when they are agreed to adopt a Constitution the document is rarely heeded to and observed. Anyway ideal may prevail upon the actual in the long run. The ideals of Human Rights are luminous enough for any of us to be pessimistic in the long run.

MAHENDRA BIKRAM SHAH AWARD

Mahendra Bikram Shah Public Memorial Trust is probably the only organisation of its kind in Nepal. It awards a prize of Rs. 10,000/- every year for a monograph on Human Rights of 2500 words. In fact entries are asked every year from interested people to write on a subject set by the Trust relating to certain aspects of human rights in Nepal. Of the submitted entries within the stipulated date the one adjudged the best is given then prize money along with a citation. Needless to say the award has gone a long way to inculcate interest for human rights among the students, youths and intellectuals in Nepal.

The award was founded about 8 years back. Mr. V.P. Shah now a resident of U.S.A. has forwarded in the money of his father Late Mahendra Bikram Shah. Mr. Mahendra Bikram Shah was a liberal democrat of considerable stature. He was the first President of National Democratic Congress (1949) founded in Calcutta to launch the armed struggle for democracy against the then Rana rulers. Mr. Shah is remembered

HUMAN RIGHTS ORGANISATIONS

as one of the more prominent organisers of 1951 revolution. Later, he withdrew from active politics. He however retained his deep and abiding interest in the matters of public affairs in general and civic rights in particular. He was a man with a broad vision of life and society. His vision was however informed with deeply held convictions along liberal-democratic beliefs. The Trust bequeathed by V.P. Shah, is managed by a committee. The committee consists of Mr. Rishikesh Shaha, Mr. Nutan Bahadur Thapaliya, Mr. V.P. Shah, Ms. Lok Rajya; Laxmi Shah, Mr. Ramananda Prasad Singh and Dr. Tej Singh Malla. On 13th August, the birthday of Mr. Bikram Shah a

3 man committee of examiners is appointed annually that examines and declares the award to the best essay submitted. To date a number of eminent intellectuals and journalists have been honoured with the award. The copyright of the awarded monographs belong to the winners. The Trust however, has not published any of them so far. When contacted the sources close to the Trust came out with an interesting explanation. They feared legal and political consequences of such publications. In fact Nepal still has almost draconian laws so far as publications are concerned. No wonder self-censorship is the dominant mood in the society. Recipients of the award are :

Name	Profession
1. Mr. Kumar Nepal	Poet, Writer.
2. Mr. Purosottam Dahal	Journalist.
3. Ms. Sushila Karki	Lawyer and Human Rights Activist.
4. Mr. Ram Chandra Poudyal	Political Activist.

The Rising Nepal
Oct. 29, 1990

LETTERS

Beware!

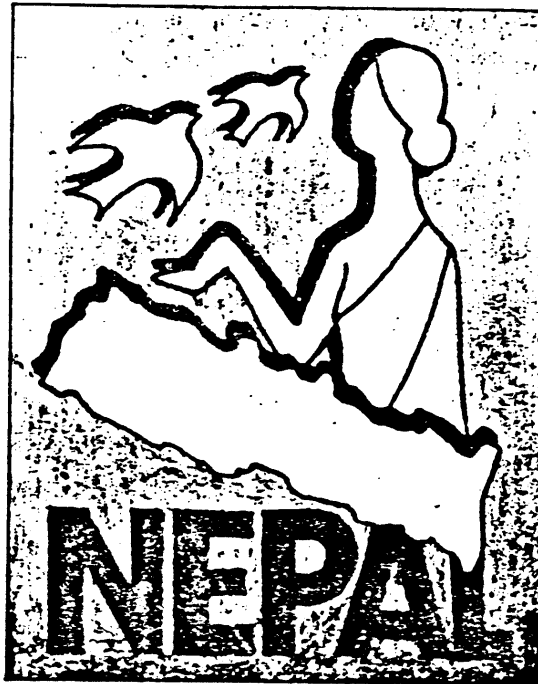
We, two human rights groups from Germany, want to inform and at the same time warn the Nepalese people NOT to fall victim to fake agents promising jobs in Germany. Do not be-believe a single word and do not pay a single paisa! There are neither jobs nor permission to work here. These illegal agents, mainly Nepalese or Indian, are all liars. All they want is your money! We request the concerned authorities to look into this matter and we request the political parties and organisations to warn about all forms of human trafficking (including women) taking place in Nepal. The election campaign would be a good opportunity to make this problem known in the remote areas. We also request Radio Nepal to take up this matter.

The fake agents charge Rs. 50,000 and an overpaid ticket. Once the Nepalese arrive they're left stranded without money, without a return ticket and sometimes without their passports. Between 1980 and 1988 a maximum of 50 Nepalese came to the then FRG,

known because most of the stranded Nepalese then ask for political asylum. By unknowingly? - misusing the German constitutional right to seek political asylum they are harming the genuine political refugees and heating up the debate about this right in Germany. Unfortunately Germany does not consider herself an immigration country. People from non-EC countries are not allowed to work or study here without prior permission. Nepalese do have the privilege to come to Germany as a tourist without a visa although Germans need a tourist visa for Nepal. But they are not allowed to work here. The same applies to asylum seekers whose case is pending which might take up to five years! (We don't agree to this policy but that is another matter).

The only persons making a profit are the illegal agents. The victims will face severe hardship. To avoid this do not fall into the trap!

Nepal Watch,
Human Rights Forum



Women and the Democracy Movement

by
Hsila Yami

Hsila Yami has been a friend and supporter of Manushi since the very first issue. She came into contact with Manushi as a student at the school of architecture in New Delhi. She returned to Nepal after finishing her studies. Since then she has been involved with the democracy movement in Nepal. In this article she gives an account of women's role in that movement from a leftist viewpoint. We would welcome other viewpoints and more detailed accounts of the current situation. This piece combines information from an article she sent as well as two of her later letters written while she was underground:

THE Himalayan country, Nepal, simmering with discontent for the last 30 years, finally exploded on April 6, 1990, and is now passing through historic transformations. The so-called partyless *panchayat* system was forced upon the people of Nepal in 1960, after the late King Mahendra staged a military coup against the then parliamentary system. Under the active patronage of the royal palace, the *panchayat* system virtually reduced this

otherwise self-reliant country into an ever-begging country. Nepal is fast sliding towards first position amongst the poorest countries in the world with its per capita GNP of \$160.

The main problem with the *panchayat* system was that it was a partyless system, and didn't allow opposition parties to play a role. As a result there was no system of checks and balances. Corruption, nepotism, red tapism was the result.

It was not that the *panchayat* system altogether ignored women. In fact, under the second constitutional amendment there was a provision that there must be at least one woman representative either by selection or by nomination on each village *panchayat*. But as for the rest of the *panchayat* system, leadership of women was imposed from the top. As a result they never represented the women of Nepal. Nepal Mahila Sangathan functioned as one of

the class organisations of the *panchayat* system. It had a wide network of organisational units within the country. But it operated more as a show-piece, its main function being to organise the birthday of the Queen. How ineffective this organisation was is proved by the fact that it never gave any statement condemning even the most heinous crimes against women. The organisation did nothing to prevent trafficking of women to India. In many areas like Nuwakot, Sindhupal Chowk, the local *pradhan panchas* played a key role in procuring these women for prostitution.

The *panchayat* system bred *goondas* who were used to intimidate active students. The system would even use its reserve of Karate and Tykondo players to punish the active leaders. This was specially so during the recent democratic movement. In fact the raiding of the girls' hostel in Pokhara was done jointly by police personnel and hired ruffians. These hooligans perpetrated rape and eve teasing while the State did nothing to control them. In the name of Hindu religion, the rights of women were badly curtailed while blue video movies were openly shown in the lanes of cities like Kathmandu, Dharan, Biratnagar, Pokhara. In the name of encouraging tourism, the government played silent spectator to the growing prostitution within the country.

Unemployment is widespread and large numbers of Nepali youth are forced to migrate to India to do all sorts

of unskilled jobs. According to Dr Gilada of the Indian Health Organisation, about 100,000 Nepali girls land up in various prostitution centres in India every year. More than 35 per cent of prostitutes in Bombay alone are of Nepali origin.

The despotic *panchayat* system stayed in power for 30 years because the opposition was weak and disorganised. It was the historic alliance between the otherwise banned Congress and Communist parties which provided confidence to the people to root out the *panchayat* system.

Women in the Movement

One new element of the recent movement was the participation of women, children and old people. The different programmes organised by various political parties were able to mobilise all sections of the people, from pilots, engineers and doctors to housewives, the aged and schoolchildren.

The movement was directed not only against the dictatorship but also against hunger. Women are the first victims of hunger, the first to feel the pinch of scarcity. With the growing in-

flation in Nepal, especially after India enforced an economic blockade against Nepal in March 1989, scarcities had reached intolerable proportions.

Before February 18, the date declared for the launching of the movement, an incident in Pokhara on February 12 had already prepared the ground. On that day, hired ruffians and stormtroopers along with the police raided the girls' hostel on Prithvi Narayan campus. That day the students had organised a meeting to celebrate the release of Nelson Mandela. The girls were dragged out, stripped naked and mercilessly beaten. They were then dumped into trucks and taken into police custody. The worst victim was Ms Laxmi Karkee, a student leader. She was widely rumoured to have died in custody but managed to survive. In her own words: "Lathis, boots and fists were showered on every part of my body. I told them that some day people would punish them. The police then showered blows even more severely and pierced lathis into my private part. I fainted. When I regained consciousness I realised that all my clothes were in tatters, and when I asked for water I was

abused and told that I deserved urine." The very fact that this gruesome incident took place right under the nose of the royal family holidaying in Pokhara, enraged the people.

On February 20, in Jaduguwa village, Janakpur district, three women were shot dead. The incident took place when a group of policemen went to arrest one of the activists. Women pro-



tested and were suddenly sprayed with bullets, as a result of which many got wounded. Janaki Devi Mandal, aged 50, Bhuwanshwari Yadav, aged 46, and Sonawati Devi Yadav, aged 30, were killed on the spot.

On February 22, about 100 women in Biratnagar participated in a silent protest march, their mouths covered with black cloths. They had come out to protest against harassment of women and children by police patrols on the pretext of searching for activists. They also demanded democracy in Nepal. About 25 women were arrested that day. The same day in Hclanda, about 50 women were arrested from a protest rally. In Butwal, in western Nepal, five women activists were arrested from a protest rally.

On March 8, international women's day, women from all walks of life assembled in Padma Kanya Women's College in Kathmandu. They tied black bands on their arms to protest against the atrocities in Pokhara and Jaduguwa. Professional women and housewives spoke and voiced their firm pledge to fight for democracy and to overthrow the government. Five participants, including myself, were taken into police custody.

In Jhapa, in the east, about 500 women participated in a rally to celebrate international women's day and to protest against the government. About 1,000 women in Siraha took to the streets demanding democracy. In Biratnagar, about 200 women participated in a protest rally and four were arrested. In Palpa, in the midwestern region, five, and in Butwal, about 33 women activists were arrested.

On March 13, about 2,000 women led a huge protest march in Narayanghat. They came onto the streets with their children, armed with sickles. About 200 women were arrested and taken into the dense jungle of Chitawan. They were detained there for three days without food, shelter or security.

On March 20, the coordinating committee, established to coordinate various professional organisations, had arranged a seminar on "The Role of Intellectuals in the Present Context of Nepal." All 700 participants and the speakers were taken into custody. Of these about 40 were women, of whom four, including myself, were jailed. The presidents of two human rights associations were also arrested.

On March 31, an unprecedented mass upsurge of people of Patan, in the Kathmandu valley, liberated the city from the clutches of *panchayat* administration. Old people, children, and women took to the streets in large numbers in a spirit of do or die. Women farmers were armed with agricultural tools. Community kitchens were established at important junctions.

The liberation of Patan encouraged the people in Kathmandu city. On April 6, the streets of Kathmandu swarmed with people protesting against the royal declaration which had not given any sign of doing away with the *panchayat* system. This day was a turning point for the movement. Every residential area voluntarily organised distribution of water, sometimes even oranges. Water was sprinkled from the tops of houses to cool off the protesters. People swarmed towards the palace, but before they could reach there, they were indiscriminately fired upon. That day more than 200 people died in indiscriminate firing. Among them were several women, including 11 year old Rekha Riyal.

Another new element of this movement was that even school-children took to the streets, shouting: "We want democracy!" Tear gas was thrown into school premises and school-children taken into police custody. Old people, including women, mobilised themselves in their own way. For example, one programme was assembling in temple complexes to offer prayers in support of the movement. There was also a programme of beat-

ing empty utensils and plates to protest against rising prices, in which housewives participated. Blackouts called by political parties mobilised almost every household in support of the movement. Those houses defying the blackout were stoned.

Women also helped the movement in many indirect ways. Before the planned protest march, many activists had to go underground because arrests had begun much before February 18. Women and children helped to pass messages and safeguard activists from arrest.

Ironically, one method used to mobilise inactive communities was sending them *chura pote* (bangles and beaded necklaces worn by women). This gesture symbolised the cowardice of these inactive communities. When the first incident of violence occurred in Bhaktapur, in Kathmandu valley, where 12 people were shot dead, the people of Bhaktapur sent *chura pote* to the people of Patan. Patan got mobilised and then sent *chura pote* to Kathmandu. There were reports of the sending of *chura pote* to other places like Dharan and Birganj.

The 50 day movement finally simmered down after negotiations between the royal palace, the Congress party, and the United Left Front. The *panchayat* system was dissolved and a multiparty system was declared within the framework of the old Constitution. Right from the formation of the interim government I have not been satisfied with the way things are going on. The interim government committed a big political blunder by compromising with the royal palace without smashing the old *panchayat* Constitution. The whole movement was to overthrow the *panchayat* system but the present interim government was in such a hurry to form its government that it didn't bother to root out the *panchayat* Constitution. As a result of the conspiratorial role of the palace the present government is virtually ineffec-

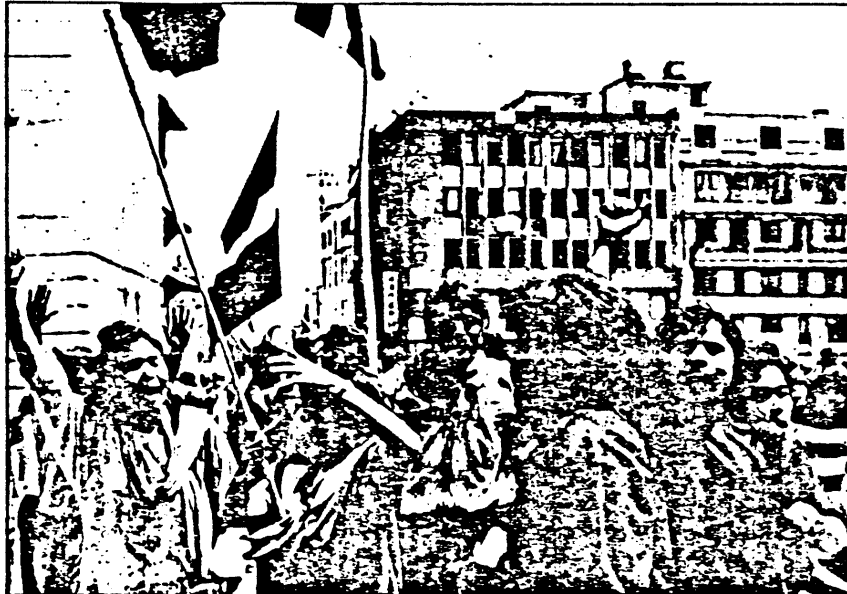
tive. To top it all a polarisation is taking place. The royal palace and Congress are aligning against the Communist forces. In Nepal, the Communists are a growing force and as a result Congress needs the royal family more than the king needs himself. The manifestation of this alliance is clearly seen in the incident of the Teej. On August 23, the day of Teej, when women all over the valley assembled in Pashupati Nath temple to dance and sing, the Queen's car was brickbatted by the people gathered there. I was taken into custody for intense interrogation. They were trying to

project me as an extremist, as a terrorist. There is a strong rumour that the incident was planted by the palace to gain the sympathy of people and to sabotage the reform of the Constitution which undermines the position of the royal palace. After I was subjected to intense interrogation in police custody on account of the Teej incident fresh warrants

have been issued for my arrest. In fact warrants have been issued against all the top women activists of Nepal following the stoning incident. The drama of pelting stones at the Queen's car has been used as a good excuse to harass and intimidate the activists of the recent movement. Among those implicated are Laxmi Karkee, the heroine of Pokhara episode and a central executive member of All Nepal Women's Organisation, Pampha Bhusal, the general secretary of All Nepal National Women's Forum, and Brinda Pandey, the president of Kathmandu unit of All Nepal Women's Organisa-

tion. There are more than a dozen male activists who have likewise been implicated in the same case. We all will be charged under the State Offence Act under which the maximum penalty is death, the minimum penalty is 10 years' rigorous imprisonment. Already 12 have been taken to jail under this case (they were taken into custody immediately after the Teej incident). This conspiracy has been hatched against all of us by the royal group and Congress party to do away with the left supporters and left members.

The United Left Front is quite ineffective as they are being domi-



nated by the Congress and the royal family. Hence I am in hiding these days.

All those warranted and arrested are either sympathisers or members of left parties. As a result, till date no new Constitution has been promulgated. Although the new reformed Constitution has been drafted by the alliance of three groups, Congress, Communists and the royal palace, the royal palace is intervening to reform it in a manner that favours them.

No fundamental changes have been introduced in the laws relating to women. Not much has changed in

their daily lives either. Women of Nepal have no claim on parental property. Only unmarried women over the age of 55 can share parental property and they must remain unmarried if they are to retain this share. Married women can claim a share in the husband's property only after 15 years of conjugal life or if they are over 35 years of age. After divorce women are not entitled to a share in their husbands' property. Abortion is illegal in Nepal.

Women's Organisations

What is more exciting, however, is that many women's organisations have sprung up after the movement. Some of them, especially those affiliated to political parties, were functioning underground during the *panchayat* period. Already, many activities are taking place. There was a mammoth rally of women organised by the All Nepal National Women's Forum (ANWF) in the open air theatre. This is some

thing very new and daring in Nepal because it had never been allowed under the *panchayat* system.

Another programme which created quite a sensation in Kathmandu was the protest against the beauty contest and fashion show that was to take place in a five star hotel. Women and men organised by ANWF went ahead with the protest programme and managed to stop it. It was quite a challenge for us because we had to travel a long distance to protest at 8 p.m. But we were overwhelmed by the turn-out of women, numbering about 100. One good thing so far is that men help us in

our efforts. This particular incident created a controversy in our society.

All Nepal Women's Organisation called a mass rally against the rape of an 11 year old girl by hoodlums. In the first week of July a rally was organised in Dharan, in eastern Nepal, against the escalating prices.

About a dozen women's organisations are actively operating in Nepal today. Most of them are affiliated to political parties. What is missing is a spirit of close cooperation among them. Just as political parties are suspicious of each other so are the various women's organisations.

Besides these active organisations there are other women's organ-

isations which live on foreign donations and arrange seminars in five star hotels - these are not at all action oriented.

I am a member of ANWF which does not have any party backing. Women involved in it are mainly left sympathisers. The president of this organisation, Ms Pariyat, a 50 year old, is a famous writer who has written several novels depicting the plight of women. We have started Asmita, a monthly 10 page publication of poems on women and we sell it for Re 1. Our idea is to encourage women to express themselves. We are apprehensive about women's position in the new reformed Constitution since

complete sovereignty of the people is not yet guaranteed. The very fact that there is no women's representative in the nine member Constitution Reform Committee is a matter of concern. In the present interim government Shaha Pradhan, the only woman amongst 11 members, holds the portfolio of commerce and industry.

The issue of inheritance rights is now being raised by all women's organisations. The latest issue of Manushi on women's inheritance rights was very useful for us. The interim government is amending the old Constitution and women's issues will also be taken up.

Hence, the movement for women's rights in Nepal has only just begun. ■

The Rising Nepal 24.8.90

SOME "RENOWNED" POETS ON WOMEN

Drum, Savage, Sudra (untouchable class), Animal and Women,
These are to be beaten.

- Poet Tulsi Das (India)

Which is main entrance to hell? - Women.
Takes to hell by their delusion.

Which is prime reason of evils? - Women.
Keep yourself away from elusion.

- "Pioneer" Poet Bhanu Bhakta (Nepal)

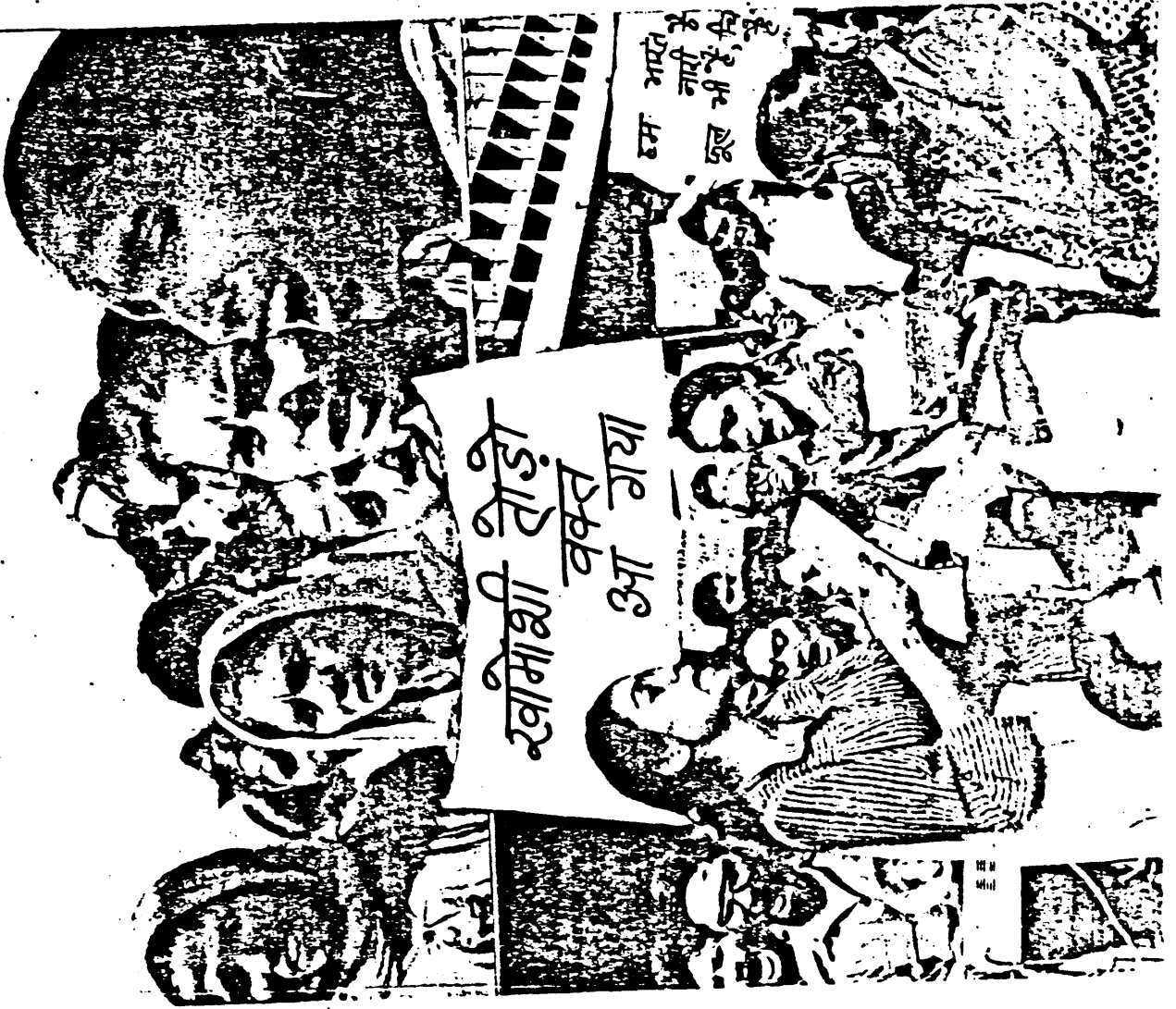
Woman who serves husband will get heaven of joys.

- Manusmriti (4/155)

MANUSHI

MORE THAN A
MAGAZINE
A CAUSE

A JOURNAL ABOUT WOMEN AND SOCIETY



16

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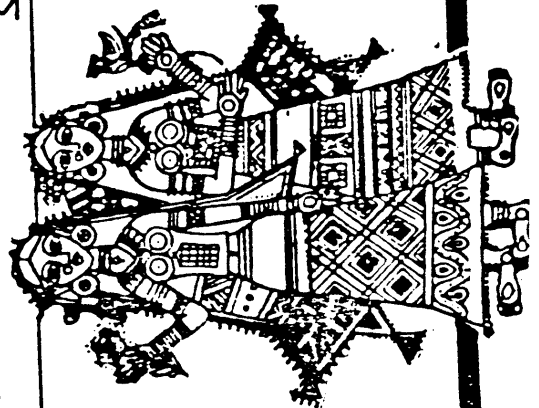
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LAXMI KARKI SPEAKS OUT

On the eleventh of February the Student's Union of Prithvi Narayan Campus in Pokhara organised a mass gathering to pay honour to the newly freed African leader Nelson Mandela and to register a protest against the dismissal of the three lecturers of Prithvi Narayan Campus because of their involvement in multiparty political activities.

Hardly seven hundred people had gathered at the campus premises when the police encircled the venue and fired teargas shells without any provocation. When the students were fleeing twelve or fifteen policemen entered in to the campus premises in mufti and began to beat me indiscriminately, pulling my hair and using foul words. They charged me of inciting the students and undermining the government.

Even after I told them that I was ready to face arrest and wear handcuffs, they continued to abuse and beat me. When I told them I shall be avenged on by the people, one police officer ordered one of his men to insert a baton into my genital. But I resisted vehemently and their attempt could not succeed. They stopped when a policeman intervened. They dragged me out of my room shouting abuses and threatening to kill everybody and destroy everything.

During the manhandling I lost consciousness and when I came to in D.S.P. Office I found that my sari was torn and I was half naked. One



police was pulling me from the front and another was pushing me from behind. In such a desperate situation I felt thirsty and spontaneously asked for water. "Give some urine to this slut", a callous voice vaguely ringed in my ear. I shut up. They forced me to climb down but I could not.

At that point a police van arrived and I was pushed inside it. They took me to DSP office and asked my name and address. There were many other student activists also. In the meanwhile some policemen including some female cops arrived and showered me with new abuses. When I tried to rebut I got more abuse as a consequence.

Towards 6:30 p.m. I was handed over a detention paper under Public Security Act. When they gave me detention order there were two teachers, one businessman and two students. I was taken from CDO office through military barrack to the prison. They transferred me to the prison at 9:00 pm. There, I was given second class food. We demanded for first class food but they gave us Mansuli rice instead of fine rice which we were entitled to get. On the 18th of February two of my female friends

came to see me. I had not been allowed to see anyone before that. We were deprived of newspapers and any outside information. When we saw any outsiders we used to greet them but after two days we began to be detained in our rooms.

They had detained us in the kitchen in order to prevent us from agitating. They kept a mute girl and a mad woman with us. We had to go out to the open gutter to pass water. Whenever we came out the policemen used to tease us. We had to share the same water tap with the cops which meant frequent harassment by them. We lodged a complaint to the jailor but to no avail. When we began to be detained all the time, we tried to get the peons to open the door for us but nobody came to open it and we were forced to pass water with in our own room. Our friends used to bring food for us from outside, but they did not give it to us.

When police atrocities went on increasing we were forced to put up resistance. We contacted with the friends in male wards and informed that the policemen were misbehaving with us. Hearing that political prisoners mounted on the roofs and began shouting slogans against the ill-treatment. Miss Chandra Kumari Gurung and I also joined in the slogans. When we had shouted slogans for sometime a band of nearly 100 policemen came and shoved down the agitators from the roof. We showed black flags and lodged protest but the prison authority took no action whatsoever. The jail doctor of course gave me medicine. The DSP came to visit the jail but he did not do anything to change the situation.

On the morning of 27th of Chaitra DSP called me out. He congratulated me and told me that I had various cases against me. He suggested me to report to the office of CDO or the Zonal Commissioner if they caught me. "I am sorry", "I beg apology", he said.

Before that Nepal Television had taken my interview on 25th of Chaitra. They forcibly made me stand before the camera. The Nepal Television distorted what I had said and tried to deceive the people. However I openly showed my resentment and stood my ground. I am happy that I have come back into the warm embrace of the people because of their heroic struggle. I owe them my deepest gratitude.

HR / 8

HR Bulletin
(by FOPHUR)

Vol 2, No. 4, Sept. 1990

18

Well done!

Against
"Ms. Tourism"
in Nepal
and
against
"Ms 2047"

Protest Stops ^{RV} 1990 Beauty Contest

Kathmandu, June 16 (RSS): Strong opposition by the All Nepal National Women's Forum (ANNWF) and various other disputes disrupted a beauty contest which was being organized here yesterday by Image Boutique.
on behalf of the Hotel Management also gave a written statement pledging not to organize such programme in the future.

Prior to the contest last evening a mass of people converged at Kathmandu Hotel at the call of ANNWF. The organizers had to announce the closing of the programme after some others created disturbance raising arguments against the beauty contest.

They carried placards which read "exposing the body in the name of democracy is vulgar," "women are not objects of entertainment," "beauty is not in the body but in the mind," etc. Talking to journalists after announcement, organiser Pramila Acharya said that it was her profession to design garments for women.

A plastic model representing a typical Nepali woman was also exhibited by the protesters. Similar programmes had already been organised thrice by her in Kathmandu and that the programme aimed to show samples of clothes but not to expose women's body or bring disrepute to Nepali culture.

ANNWF general secretary Pamfa Bhusal, and Hisila Yami, addressing the mass condemned the beauty contest as very hazardous especially at a time when a movement is on for the rights of Nepalese women. She explained that she was unable to cancel the beauty contest programme planned four months ago with just 12 hours notice.

Following the protest, the beauty contest organizer and head of Image Boutique issued a written statement pledging not to organize such contests in the future. Eleven girls were to display twenty-two designs of garments at the programme sponsored by Thai International and Coca-Cola.

The protesters were calmed down after Bharat Prasad Joshi already been sold for the 45-minute programme, it is learnt.

THE RISING NEPAL
Nepali year: 2047
(1990/1991)

NOTICE

The organisers of "MS 2047 FASHION FLASH 90" regret the inconvenience caused to all patrons for the cancellation of the programme due to reasons beyond our control.

The clothes in this boutique are VERY VERY expensive and are meant for foreigners only

The Rising Nepal 21.6.90
LETTERS

Shocking Disgrace

The show-down that took place outside Hotel Kathmandu on Friday, June 15 by women who claimed to be communists was shocking and disgraceful. Fashion shows are nothing new to the Nepalese people, and several such shows have already taken place in the past. The only new thing about the show that was to be organised by Image Boutique was that one of the girls was to be chosen as Ms. 2047. A title of Ms. Tourism was also to be decided. The winners of these titles would have been sent to Spain and Italy to represent Nepal in tourism activities there. The girls were going to be judged on the basis of their wit, intelligence, personality and beauty.

All of us girls who were participating come from respectable families. We obtained permission to participate from our parents. The clothes to be modelled were very decent—ordinary casual wear and evening wear for summer. None of the dresses were vulgar in any sense. The accusation that we were being exploited is sheer nonsense. We wouldn't have participated if we felt we were being exploited. If wearing a skirt means exploitation then we wonder what dresses the women of Nepal should wear from now on.

A prerequisite for development is that we should be aware of the happenings around the world today. Fashion shows and beauty contests are events that people keenly look forward to. Even countries like the Soviet Union and Poland have started hosting such events.

Nepal Television had come to record the show we were participating in. In fact, the chief

of Nepal Television was one of the judges. But we were appalled to watch the NTV broadcast of the completely one-sided news in favour of the protestors.

The protesting group was shouting all sorts of slogans, including those against women participating in such shows. What are women expected to do? Just stay home and cook? If fashion shows are to be stopped, so should Nepali movies or maybe men should dress up as women to take the place of actresses. Then there shouldn't be female signers either. Suppose all our female doctors, executives, teachers and other working women of different sectors start staying home. What will the state of our country then be?

If the kind of rowdiness that took place outside the venue of the fashion show is allowed to continue and those involved allowed to get away with it, no citizen can feel safe.

We demand that this matter be seriously looked into and justice done. Instead of working together, women seem more interested to fight each other. What we cannot understand is how could these women wrongly humiliate other women. If this group is in fact so concerned about safeguarding the honour of Nepalese women, why don't they go to red-light areas abroad where a sizeable number of Nepalese women are being forced to sell their honour.

We hope all readers of this newspaper will understand us and help us in our efforts to clear the wrong accusations levelled against us.

Participants of "Fashion Flash '90"
Kathmandu

Fundamental Rights Violated 1990

Kathmandu, June 22 (RSS):

Miss Pramila Acharya, proprietress of the Image Boutique, addressing a press meet here Wednesday claimed that her fundamental rights had been violated by the All Nepal National Women's Forum which organized a protest against a beauty contest and prevented it from going ahead.

She described the protest and allegations made against her as totally illegal, baseless and fabricated.

In answer to a question she said she is going to court.

She also displayed 22 dress varieties which she was going to display at the beauty contest last Friday.

The dresses priced Rs. 250/- to 2000/- per piece look sober enough.

?! →

(Women!)

LETTERS

Beauty And The Beasts

Yes, I am for beauty contests because I am an architect. Just as I appreciate right proportions, aesthetic values, right colour combinations in buildings, so I am for similar values in the human body. But all the beauty contests that take place all over the world including Nepal these days are very different from the essential aesthetic appreciations that are suppressed to take place in such events. First, the existing forms of today's beauty contests are heavily sex biased. I wonder why the most powerful of human beings, males, are not appreciated for their body beauty.

Secondly, why are beauty contests always funded by multinational corporations and by industrial houses? What do these profit seeking business have to do with beauty contests? And what actually transpires from beauty contests? Somehow, I cannot help smelling rat-in the whole drama.

What actually then goes behind these beauty contests? Young, good looking women are paraded almost without clothes. Yes, today's is the world of advertisement, the world of communications. No matter what quality a product

has, if it has a big say in the advertisement world it sells like hot cake. So in order to sell a product, it has to be compared with the most titillating, most rapturous, emotion-arousing living product. In a heavily male-value dominated world, women are looked upon as symbols of beauty and sex, to be possessed and captured. So what better living object would they find other than young women who can allow such feelings in their products? It is here that the hidden purpose behind beauty contests is exposed. Young women are paraded not for appreciating their beauty and proportions, but so that the highest bidder of the industry can buy their body later on to be compared with the most weird products such as wine, shaving lotions, cars, etc.

I am afraid I see no comparison between my concept of beauty contests and those events that take place all around the world including the so-called socialist countries like China and USSR. If a human being is a dignified entity then vilifying this dignity in the name of beauty contests has to be stopped.

Ms. Hisila Yami
Kathmandu 24.6.1990

1990

THE RISING NEPAL

Women's Party Formed

Kathmandu, June 14 (RSS):

Nepal Mahila Prajatantra Party has been formed with Mrs. Kishori Acharya as its chairperson.

The objective of the party is to safeguard multiparty democracy gained through the recent popular movement in Nepal as well as to protect and preserve the rights and interest of Nepalese women.

The 11-member central committee of the party includes Miss Vijaya Rana, Mrs. Shyam Kumari Rai, Chandra Devi Shrestha, Kusum Tulachan, Mina Devi Sharma, Harilaxmi Maharjan, Nani Maharjan, Ashok Maya Maharjan, Miss Pramila Sharma.

Journalist Bhim Narayan Shrama is the advisor to the party.

Beauty Contest Protested

All Nepal National Women Forum organised a demonstration protesting the 'Beauty Competition' which was to be observed at Hotel Kathmandu, Maharajgunj.

The competition, organised by Ms Pramila Acharya of 'Image Beauty', has been stopped due to protest.

[Nepalipatra (Daily), June 17]

Rapist Remanded

90

Butwal, June 27 (RSS):

Rupandehi district court additional judge Dambar Bahadur Shahi has remanded Dhana Bahadur, one of five arrested on the charge of rape. The other four accused will be released on bail.

They are Bhupendra Shrestha, Sajakpratap Shakya, Mahabir Gurung and Dalsingh Pun.

All five implicated in the prime are employees of the tax post at the Butwal industrial estate in Butwal municipality.

They have been charged with raping a 17 year old girl on May 27. The girl was taking a drink of water at the industrial area where two of the accused blindfolded her and took her to a nearby forest where all five gang raped her, it is stated.

Police arrested the five and filed a case at the district court after women working at the industrial estate agitated for action against the accused. They completely blocked highway transportation and surrounded the tax post.

28.6.90 RN

LETTERS

Vulgar Or Virtuous?

I was shocked to read the letter by the "Participants of Fashion Flash '90" (TRN, June 21, 1990) in which they attempted to defend their show. Women should always be respected and when I say this I recall the saying, "The gods are happy where women are respected."

Our hard-won democracy does not mean that people can transgress the limits prescribed by our society. We should always remain within the perimeters of our society. I was rather puzzled by the participants' attempt to defend beauty contests and fashion shows as pre-requisites for the

development of the country. To be sure, development is in our energetic and able hands, creative and good brain, and pure and honest heart.

The participants claim that the dresses which were to be used in the show were casual dresses. Dresses that people do not prefer to wear out in the open can hardly be called "casual wear."

Lastly, I hope the authorities concerned will realise the negative effects of such activities and take appropriate measures.

Pramesh Prasad Pradhan
Jyatha, Thamel,
Kathmandu

The recent protest at Kathmandu Hotel against the fashion show that was to be held there was unfortunate, unnecessary and undemocratic. It appears that the protestors lacked a clear understanding about the purpose of such shows. We have watched many fashion shows at home and abroad. In such shows, the audience is engrossed in the designs and styles of the dresses displayed by the models and not at all interested in the bodies of the models themselves. Besides, the main purpose of holding a fashion show is to promote sales of dresses of latest designs and styles.

If the protestors are genuinely concerned about exposure of the female body, then there are many things around the Capital that may

appear vulgar to them; for instance, the sight of females of all ages in bikinis by the swimming pools, the erotic carvings and symbols of fertility in our temples, and all the advertisements with our famous screen artistes over television, among others.

The protestors do not have to preach to the public that beauty is not in the body but is in the mind. This is a rather obsolete form of thought. If the protestors had any political motive that evening, then we would like to suggest them to work towards rescuing the innumerable Nepalese women in brothels abroad. This would be more worthwhile than protesting a fashion show.

Pavitra Tamang and
Friends

New Road,
Kathmandu

ANNWM Says Beauty Contests Carry No

Justification

Kathmandu, July 8 (RSS):
Different speakers at a symposium on "The Beauty Contest in the Context of Nepal" organised by the All Nepal National Women's Munch central ad hoc committee here yesterday expressed their opinions that in view of the very poor condition of the Nepalese women the beauty contest carried no justification.

They said that it would not be proper to import the pervasions of the Western cultures into Nepal.

The speakers included president of the Munch and noted literatureur Parijat. Mrs. Bhuvanewari Satyal, general secretary of the Munch Pampha Bhusal, Bikasananda Yogi of the Ananda Yog Centre, member of the Munch Mahalaxmi Shrestha, Gyamu Pyakurel of the Kalikasthan Women's Society, advocate Mohini Maharjan, Manab. Shastri, Steve Michaels, Manik Lal Shrestha and Mina Acharya.

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30.6.90

LETTERS

Undemocratic?

Change in any society is inevitable. History has proved that the world cannot stay as it began, and Nepal, though a small Himalayan kingdom, cannot be an exception.

What is fashion and what is the influence of fashion in today's world? What began as to protect the human body from nature has eventually developed into an art. Fashion is an art, a continuous progress of human aspiration. The inflow of fashionable garments from all over the world has proved that women of today have the right to dress up to their interest and convenience.

In spite of changes, yes, we are living in a male dominated society, as Ms. Hisila Yami says (24 June TRN). But in the name of fighting for justice and equal rights for women, protestors challenged the norms of democracy, in the most undemocratic way, on 15 June at Kathmandu Hotel, which was witnessed by 300 people. The people who staged the protest came to my boutique on 31st Jestha and demanded that I stop my programme, thus giving me 11 hours notice. Secondly, they compelled me to sign a paper, which mentioned that I would not be conducting similar programmes, which was witnessed by press people, audience and guests.

Ms. 2047 Evening was publicly announced in the print media, four months before the programme date and was a publicly accepted programme. It specifically mentioned Image Boutique's fashion collection of 1990. We had decided to give the Ms 2047—Lady of the Year title to one of the participants, based on her intelligence, confidence and personality. Is

that supposed to be an exploitation or an incentive to young women? Is it breaking the law to have the combination of brains and beauty? If this can be defined as exploitation, then what about the children who were made to participate in the rally? Is it not a crime to exploit human minds at such a tender age, not knowing what the cause was. In the name of emancipation for women are we not going back to a bygone era as to "how a woman should be attired?"

Yes, I am for beauty contest which is based on her concept, says Hisila Yami in TRN dated 24 June. What about a designer's concept of Ms 2047, which never came to the public? Did she or the public get to discover my concept, design values on designing? Beauty does lie in the art of dressing up and my art is designing and creating women's wear, or in the name of protecting exploitation of women should men be attired in women's wear too?

If democracy means not being entitled to pursue one's career, then the idea of democracy ceases to exist in the minds of the Nepalese citizens. Is it democratic to impose one's views so undemocratically? If entering a private boundary, intimidating the organiser, compelling her to stop the programme is not a sabotage of my human right, then it betrays the definition of democracy. It definitely is going to take a long time for women to realize and exercise real democracy and equal rights for themselves.

Pramila Acharya
Image Boutique,
Kathmandu

LETTERS

A Proud Protestor

I was at the protest against the beauty contest that was to be held at a local hotel recently with my four-year-old daughter on my shoulders. I am offended by the organiser Ms. Pramila Acharya's accusation in a weekly paper that my daughter was used for adverse publicity against the contest.

I was at the protest because I would rather appreciate that my daughter value education, read useful books and creatively try to solve the bigger problems in the world than think about designer cosmetics, clothes and jewellery from New York and Paris. My children need not be obsessed with stylish clothes.

Ms. Acharya claimed that there was nothing wrong with what she was doing because she designs "modest" looking clothes. I do not care how people dress. I am worried that my daughter's conception of what people should look like and live for will be manipulated for the profit of others. Beauty contests make people compete according to preconceived notions of what women should look like. They deny the more important beauty which is inside the person and in what

they can do with their lives. In her statements, Ms. Acharya only talked about a fashion show. What about the advertisement in TRN that said "more than just a fashion show" and "selecting Ms. Nepal 2047"? If she really cared about Nepali women, she could have received her ideas from them instead of importing the obviously alien designs also implied by the illustration in the advertisement. She said that she would lose a four month investment if she stopped the show, but the show would have affected people for their entire lives. Furthermore, most of us could not have afforded the Rs. 199 admission charge, even with the "complimentary beer", much less the clothes. It is important that these alien influences be stopped before these become endemic here. I brought my daughter in protest because I wanted her to learn integrity and not be deceived by flashy but negative publicity. And I am proud that I did so.

Kiran Shrestha

Galko Pako,
Kathmandu

5.7.90 / Rising Nepal

LETTERS

On The Other Half ♀

IN your editorial of May 28, 1990 entitled "The Ignored Half," you argue that while "no one would grudge women forming associations or organizations.... (women) should, as equal partners to... development efforts.... realise that the nation can ill-afford to be bogged down with contentious issues." You suggest that women can "avoid" this contention by electing "qualified women" from their women's organizations, who are "to parley with the concerned authorities for (women's) upliftment."

First, you assume as the basis of your argument a situation that simply does not exist. There is no way that you can truthfully assert that women have been and are "equal partners." Women are equal neither in property and inheritance, in domestic and political decision making, in the control of their bodies, in education, nor even constitutionally in Nepalese citizenship. From a logical point of view a false assumption makes the argument false.

Second, you are unclear about what you refer to as "contentious issues." Is it that women want to balance an imbalanced order? Is it that they no longer want to suffer from the results of decisions over the lives of their communities, families and themselves from which they were excluded? Is it that they are tired of wife battering, dowry murders, rape and less violent forms of repression? Of husbands driven to alcoholism because norms prevent them from sharing decisions and problems with their wives? Of endemic rural indebtedness and absentee landlordism into which they have been contracted without their consent, but which exact the greatest hardship on the lives of women and children? Of coercive economic dependence on husbands and other male relatives? Of the effects of declining productivity, deforestation, social breakdown and environmental collapse in Nepal and worldwide?

If these issues are contentious, it is because women, their children, and their male relatives have been stuck with them, and not because, finally thank god, women are trying to address them before it is too late for all human beings. To "avoid them" with another thirty years of parliamentarianism, as you in essence suggest, is tantamount to saying that people should also have never gotten involved in the "people's movement." Where, by the way, are the "women's representatives" on the constitution drafting committee? Women and thinking men are not creating "contentious issues" by organizing themselves, they are trying to solve them.

Third, women have a right and interest in addressing these contentious issues, not simply because they have "been making valuable contributions for overall development (a dubious word), especially in agricultural, health and educational sectors," as you grant to them, but because throughout history women have had the most central and least recognized role in all aspects of the production and reproduction of society. Women reproduce society and the nation biologically and socially through their labour. They bear, give birth to, and raise each generation of children. They carry the double burden and double job of nurturing and maintaining the workforce in the home, and of labouring as part of it outside the house in the fields, offices and factories.

With the development of property as a basis of society, power came from the exclusion of groups of society from access to property, not of inclusion into a wider community. Due to women's central role in reproduction of the society, a basic means of exclusion was to restrict inheritance to the patrilineage by cutting women from rights in their parti—and matrilineages, which effectively cut women from rights in society. It is no surprise that the greatest ideological repression of women, consequently, is among the propertied classes—

high castes, aristocracies, and bourgeoisie—while the economic burden of this repression falls on the poorest.

The most widespread systematic repression of women appeared in 19th century Victorian Europe, with the rise of a new form of organization of ownership represented by the appearance of monopoly capitalism. Hundreds of family organized businesses were being consolidated into single corporations, such as General Electric Company, Shell Oil Company, Hoechst, and U.S. Steel (to give a few familiar names). Family organized business was fighting for its life, and consequently the repression of women that was at its basis reached its extreme. Freud developed his psychological theories on the basis of studies of the extreme psychological damage experienced by middle class Viennese women due to this repression. The dowry murders, bogus suicides, and the resurgence of *suttee* are symptoms of the full maturation of the same process in the subcontinent.

Although the lower class women could not afford the luxury of psychiatrists, especially of the stature of Freud, an even greater burden was forced on them. The vulnerable position of women and children was used to force down individual wages and the share of the product going the workforce in general. Women and children were thrown into the mines, mills, and other labour intensive industries, working for obscenely low wages with the spurious justification that they did not have families to support, when in fact it was their desperation that brought them to work under such miserable conditions. This process is now being repeated with the expansion of trans-national corporations into the developing or, more correctly, the "de-industrialized" world (since countries such as Nepal used to produce all their own manufactures). Women and other vulnerable elements of the global population are being recruited into the textile, electronic and other factories to drive down the high wages and destroy the powerful labour organizations in the United States and Europe.

Existing ideologies, such as of religion and science, have been twisted from their historical context and emptied of their content to further repress women, often with the willing assistance of priests and intellectuals. Witness the orthodox religious inspired anti-abortion movement in the United States and the resurgence of *pardah* and *suttee* in Asia. The division of men and women is being used to place populations across the globe against each other as never before experienced in world history. The women's movement is one aspect of a growing global consciousness that is crossing the old divisions to unite women and men across the world to save it.

It is not surprising that since women have created and nurtured society, they have the deepest commitment to revive and save it. After seven thousand years of the most universal and intimate division and estrangement of one half of humanity against the other half, a division which has been incorporated into all subsequent divisions and estrangements—of city against countryside, caste against caste, class against class, and now a truly international division of labour—it is time to end this ill-begotten experiment. It is time that half of all children are no longer from birth doomed to be repressed, and that the other half are doomed to repress. The division of man against woman which is at the basis of all other divisions, must be ended in order to end the division of human against human. The stakes are the future of the planet. Thus, women and thinking men have decided that it is time that women and men organize and participate equally in reshaping the world. "For," quoting you, "is this not what democracy is all about?"

Jamuna Shrestha and
Stephen Mikesell
P.O. Box 3170
Kathmandu

The Rising Nepal

8.6.1990

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Women-Trafficking

Prakash Kafle is one of the leading human rights activist in Nepal. He is associated with a number of voluntary organisations. He is currently the General-Secretary of Forum for Protection of Human Rights.

Human Rights could be generally defined as those rights which are inherent in our nature and without which we cannot live as human beings.

Human Rights and fundamental freedoms allow us to fully develop and use our human qualities, intelligence, talents and our conscience and to satisfy our spiritual and other needs. They are based on mankind's increasing demand for a life in which the inherent dignity and worth of each human being will receive respect and protection.

The above wishes of the United Nations express its willingness to work against the inhuman activities such as woman trafficking, prostitutions and so on. In Asia especially Thailand, South Korea, the Philippines and Nepal are known as woman trafficking areas. There is no doubt that this problem is linked with the socio-economic situation of a particular country and besides the government attitude, people's awareness, NGOs role also cannot be excluded from this problem.

The exact figure of Nepali prostitutes in India cannot be fixed, but even then a rough estimate puts the number at more than a hundred thousand female children and women that are engaged in brothel houses of different parts of India.

In some parts of Nepal women trafficking has become a part of the culture. In fact when I visited the northern part of Makwanpur district I have been witness to a mother's chiding of her daughter thus: "What to do with you? Your face is not at all beautiful and now you cannot be admitted in brothel houses in India".

Nepali prostitutes in India are not organised and very few non governmental organisations are paying interest to this matter. It is rather difficult to work among them and the problem is also complicated. We have very little information about the Nepali prostitutes in India. Although some NGOs have done research in Nepal on this subject and newspapers have also been reporting this problem, getting first-hand information, working with them, rescuing and organising them has not been worked out as yet. The Asian Task Force meeting in Chiangmai, Bangkok paid a great deal of attention to this subject and the NGOs that were participating in that meeting decided to work in this field. In Nepal, the Forum for Protection of Human Rights (FPHR) has also decided to look into the problem of women trafficking.

In December 1986, a demonstration was jointly organised by "Asahaya Tiraskrit Nari Sangh" and "Samyukta Nepali Sat-

yashodhak Pidit Mahila Sangh" in Bombay. About 300 Nepali prostitutes who held a peaceful demonstration demanded an end to the alleged police atrocities against them, issuance of license or identity cards, free health care facilities in Red Light Areas and establishment of Rehabilitation Centres. Since then no news has emerged about such an organised demonstration in India. But one Nepali woman who had returned from the brothel said in the following terms:

Give freedom to our men, give them land and green fields. Land and green fields alone will contain these girls. Nothing else can."

The above sentence shows the sensitivity of the problem, and the society's response.

Regarding this problem His Majesty's Government has not shown any concern to stop woman trafficking and rehabilitate them. As a result the number of such women is increasing and girls are disappearing from different places. Many women are conned by brokers and at times without realising they fall into the trap. Some individuals and groups are also actively involved in abducting young women from Nepal. Most of the Nepali women are sold in Bombay, Calcutta, Delhi, Kanpur and Madras. One research conducted by a NGO mentions that in Sonagachi, Calcutta one the

biggest red light areas in Asia more than 40% prostitutes are Nepalese. These Nepali girls according to them are sold for Rs.3000/- to Rs. 1000/- Except for two meals and Rs.5/- per day they receive nothing. Generally they are not well looked after. Rather if they get sick they are kicked out as they become useless for sex purposes.

Here I want to cite two true stories that may sound strange to you. Nevertheless they are true.

Would you believe that lust for money can even lead a husband to sell his own wife? This is the story of Mrs. Sita Banjara of Kushadevi Village Panchayat of Kavre district.

Mrs. Banjara who was sold by her own husband has been freed from a brothel on January 9 of this year with the help of Middle East Regional Committee of All India Emigrant Nepali Association. She was sold by her husband, Dev Sharau Banjara at Shree Durga Das Mitra Street Block No -15 F of Sonagachi, Calcutta for ten thousand Indian Rupees. She said in her statement, "Twelve years ago I was married to Dev Sharau who lives in Subba village panchayat, Owing to his family's injustices and misbehavior I stayed at my parent's place. Meanwhile when I happened to know that my husband got married with another woman, I registered a petition at Dhulikhel District Court. Later on we were reunited. After a short while my husband proposed a tour of Calcutta. At first I declined to go, but later on I could no longer resist. I reached Patna with my husband. From Patna we went to Asansol and stayed in Geeta Chetri and Sanu Gurung's room. Mr. Sanu Gurung took me to Sonagachi I could not know where my

husband went, but it was all clear to me that I had been sold. When I would not comply to get involved in brothel affairs, I was tortured and compelled to do so."

The second story is of a woman 20/22 years old, from the hills innocent in the ways of the world built of medium size, normal complexion who had to go through the pangs and tortures of a brothel along with her small kid.

The woman we are talking about is Radha Bishwakarma. Radha got married to Chakra Bahadur in February 1985. As the family depended on agriculture rather than carpentry, the elderly carpenter separated the land for his eldest son and daughter-in-law, after their marriage and also built a cottage for them adjacent to their original house. Radha says that they do not have their own land as the land they cultivate belongs to a landlord and their house is built on noman's land. They were facing difficulty in coping with their daily needs with the earnings from their land and labour. It transpired from what Radha said that their hard life gave rise to conflict, misunderstanding and quarrels. Life was going on like this. Later a baby girl was born. Now Chakra had a hard time in looking after the family, so he started looking for a job.

In the meantime a strange Bhramin turned up in the land where Chakra and his younger brother were working. It was on June 20, 1989. That Bhramin introduced himself as the nephew of Kaste and an old acquaintance of an elderly Thakuri. He also mentioned that he was working as a guard at the depot of Iron bars brought for some construction work in the village. Eventually he was instrumental in selling Radha to a brothel in Delhi. Chakra escorted

this broker to the Thakuri's place. Thakuri ran a shop that sold liquor, meat and cigarettes in the village. The Thakuri was highly hospitable to the broker by serving him meat and drink. The broker addressed Thakuri as Didi (elder sister). He wanted to take a bath and Chakra was asked by Thakuri to take him to the bathing place. The broker then said, "I have found a nice job of guard in Dang (Western Nepal). A living room has also been kept intact. I have arrived here because a man asked me to find out a job for him. But you look quite miserable. Come along if you intend to get a job. Take your wife and daughter along with you. But don't disclose it to others. If disclosed, you won't get the job. This naturally enkindled a new hope for the hapless Chakra, who was looking for a job. But he did not agree to bring his wife and daughter on the same day. Chakra kept on sitting at Thakuri's till the broker had finished bathing and eating. When Radha arrived with meal, she did not see Chakra there, so she went to Thakuri's to see Chakra.

In the course of their conversation the broker tried to flatter Chakra. He said "I am also doing a job there and getting three thousand rupees. If you bring your wife along with you, she would cook for us. This way could earn a lot".

On 24 June, 1989 Chakra with the consent of his family, accompanied the broker to Dang. But the broker did not take him there. They stayed at some one's house for three days. In the meantime the broker succeeded in persuading Chakra to take his wife. On 26 June, 1989 Chakra reached home around 10 p.m. in an intoxicated state. Radha was chatting with her mother-in-

HUMAN INTEREST

law inside the original house. Everybody was stunned to hear that he had come to take away Radha. When he became insistant Radha had no choice but to accept it. Later in the night they sneaked out of the house without letting anybody know it. Little did Radha realise what was in store for her. Radha narrates this incident in a pathetic manner. They reached Delhi by train on June 30. They got out of the railway station and the broker took them to a room. The broker rang up someone and asked Radha to stay with the baby, while they went out to look for job. A moment later a beautiful young girl appeared smilingly. She took Radha's daughter into her lap affectionately, Radha was given Kurta and Salwar to wear. Later they made her take off her "Pote" telling her that it was not the custom there. Radha protested by saying that it

could not be taken off as long as her husband was alive. It was forcibly taken away from her and she was taken to another place. Radha was astonished to see only girls. When she was teased by others, she asked them to take her back to the previous place. They then started to abuse and beat. Suddenly it dawned on Radha, that the place was a brothel.

Radha was subjugated to the life of a prostitute since June 30. Finally, Radha had to yield to protect herself and her child. This life lasted until 20 August 1989. She managed to escape from hospital on Sept 4 with the help of All India Emigrant Nepalese Association. Radha was sold for seven thousand rupees by the broker. Her child was kept quiet by administering sedative drugs. Frequent quarrels broke out among the 50 to 60 pros-

titutes at the brothel. They were paid only for their make-up. They were not allowed to get out alone except under strict supervision. The business hours were between 10 A.M to 12 P.M. Most of the prostitutes were Nepali including the guards and cooks. But they were not allowed to speak with the prostitutes.

Sita and Radha are the few lucky ones to escape from the vicious circle of women trafficking. Every day newspapers report of one more trafficker being held and charged guilty on this account. But is it enough just to simply hold such people in detention? The malaise is deep and intricately woven with the poverty that abounds. God alone knows how many more unlucky Sitas and Radhas even at this moment are doing their rounds for no fault of their own.

UNHCR TO RETURN TO NEPAL

After a long absence, the United Nations High Commissioner for Refugees is returning to Nepal, following the agreement of the Nepal government.

The UNHCR was involved in the resettlement of Tibetan refugees in Nepal in the 1960s, but it closed its office in the early 1970s, as more pressing refugee problems elsewhere demanded attention. There remains at least 15,000 Tibetan refugees in Nepal, many living in very difficult conditions.

The Tibetans are hopeful that UNHCR may once more, in its quiet and diplomatic way, be able to intercede on their behalf. Publicly, the Nepalis are permitting UNHCR to come in for the purpose of assisting refugees from Iran and Afghanistan. However, these are very few when compared to the number of Tibetans.

Diplomatic sources suggest the international community revived its concern after Nepal insisted on forcibly repatriating 26 escapers

from Tibet last year. They were given, handcuffed, into the custody of Chinese officials, for a fate unknown.

Persistent reports from the mountains of Nepal suggest that any escapers who cross into Nepal are firstly robbed by Nepali police of all their savings, and then forcibly repatriated, or, if they are lucky, are left penniless to walk as best they can, to refuge in India, if they can evade further interrogation at the innumerable Nepali police checkpoints along the route.

For Tibetans hoping to take up religious life, it is necessary to escape Tibet. Once they are across the border into Nepal, their troubles, far from being over, are only beginning. Perhaps it is in tacit recognition of the many abuses, unseen by the outside world, that the UNHCR is to quietly make its presence felt.

—A correspondent

THE RIGHTS OF THE CHILD AND CHILD LABOUR

Mr. Gouri Pradhan is the Co-ordinator of Child Workers In Nepal (CWIN) and Ms. Rupa Dhital its Associate Member. CWIN is a social action group which was founded in January 1987. It is concerned with the rights and welfare of Nepali children. It has been advocating for the basic rights of Nepali children while at the same time building up awareness among the people to fight against the exploitation of children in general and child labour in particular. It has also conducted several research and survey in areas where children are most exploited and their rights violated.

Case studies:

"I slaved in that house for four years. One of my relatives brought me here promising me to send me to School but she put me at her master's house as a servant on condition that they pay a monthly wage of Rs. 150. Even after 4 whole years they have neither given me my wages nor have arranged a single thing for my study. I have studied upto six grade in my own village and my precious four years are just wasted being a servant to mother. I had not come here to earn money as my home condition is okay So I finally decided to go back home. I asked for my wage from the master but my mistress got mad and immediately drove me out of the house beating me like anything. With nowhere to go I went to my relative's place who had brought me here. She is working in my mistress's sister's house. She gave me not only shelter but also sympathy and even took my side. But the shameless and callous mistress didn't hear her and threw a bucketful of boiling water over me. The other day I went to the local police station KUPONDOL, and filed a report against her. The Head Con-

stable of the Police Station took me there again. In front of him I was beaten and the Head constable just stood watching all these things in silence. Now tell me where am I to go for justice?"

This is a painful story of a young girl named KALPANA KHATI-WADA from OKHALDHUNGA district. According to her she used to work for Raju Tuladhar in Patan. She said "I am exploited so much. They made me work for four years just deceiving me." Even laws and police are silent in front of me. Isn't there anybody to punish such exploiters?

AMIT MAHARJAN is a street beggar. A eight year old small boy, his skin is covered with dark patches and wounds. He remembers that the evening when his mother asked him to wait for her as she went to look for rice. The water was boiling and he waited. Night came, he still waited but his mother didn't come back. She never did. The next day his neighbours told him that she had eloped.

Amit had already lost his father and little sister. They never owned a house and slept in a "pati"-an old type of religious shelter near the

temples. His father had been accused of stealing idols from the temple nearby. Immediately after his release, he died. His younger sister was already dead when his father came home.

Amit, an abandoned child, joined the others like him in the streets and become a beggar. The more tragic reality than this plight of his is that he couldn't get admission in any of the government run orphanages and homes when Child Workers in Nepal (CWIN) tried to admit him in those places. PASANG SHERPA is a "KHATE"-local slang for rag pickers. He is 13 years old and has been surviving on rag picking for about 5 years now. Five years ago, a mere 8 year old boy, he ran away from his home, in SOLUKHUMBU, a mountainous village near Mt. Everest where he lived with his father, step mother and sisters. Life was real hard at home having to carry heavy burdens on the shoulder and sharp blows of the step mother on the head. Moreover the glittering attraction towards city was always in his mind.

In Kathmandu, he was first employed as a Kanchha in a local res-

RIGHTS OF THE CHILD

restaurant where life was even more difficult than at home and the cruelty of his master was more than he could bear. One day he ran away from there and joined the street kids living on garbage picking. He practices all the regular things the street kids do, such as smoking, drinking, watching vulgar movies and stealing. He is used to the police harassments and has experiences of police custody.

He lives in dirty surroundings eats in dirty places at the slums and sleeps in the junkyards. Local dealers of the junkyards keep their earnings and even give loan to them because these children are a good source of income. One day he may earn Rs. 30 to 50 and an other day nothing as he may feel too lazy to go to pick up rags or it may rain which makes their work impossible as the junkyard do not accept wet rags, plastics and the kind.

He wants to be a rich man and wants to go back home. For this he wants to go to school and likes to have a big job. But nobody knows when his dreams will be realised. These are only a few examples of thousands of cases. For these children surviving is a real crisis. Love and care, education and training, joy and recreation their entire childhood is denied them. For them the name of the game is survival—mere survival and uncertainty is the future.

This is undoubtedly the tragedy of our times and the greatest challenge to our future.

CHILD LABOUR AND VIOLATION OF THE CHILDREN'S RIGHTS:

The UN proclaims every child's right to have parental love, care, nutrition, medical care, education and recreation, name and nationality, protection from neglect, maltreatment and exploitation. The

right to be brought up in a spirit of peace and universal brotherhood without prejudice of any kind and to learn to be a useful member of family.

National laws of many countries are just repeating the same thing. But how far these rights have been enjoyed by our children in reality is the question.

A child working 10 to 14 hours a day in carpet weaving factories for Rs. 10 a day; a child working from dawn to dusk as a domestic servant just to have two simple meals a day; a child living and sleeping on the streets; a child surviving on garbages; a child begging in the street; a child forced to prostitution; a child entitled as bonded labour as soon as he is born, a tragic reality of the situation of our children, simply seems to ridicule the rights of the child.

In Nepal, 60% of the 17.5 million population's survival is still a stumbling block and as a result 4.8 million children are compelled to work in order to stay alive. These workers are found in almost all sectors of rural and urban economies. Over 80% of the working children are to be found employed in agricultural and allied occupations in the countryside. The 20% are engaged in cities in almost every occupation, such as domestic work, restaurants, constructions, carpet weaving, shoe shining, automobile repair, potting, carpentry as well as candle, match biri, soap making and in confectionery. There is virtually no sector the child labour is not employed. But it is without any doubt that the child workers are exploited and violated in their everyday life. As for the law in Nepal, there is no special Act which prohibits child labour and describes the rights of the child. The Civil Rights Act 1957 (2012) states that employing chil-

dren below the age of 14 is forbidden. It is needless to say that the law is not put into practice.

It will not be out of context to mention here some problems that existing laws in the field of child labour. First, there is not even a proper definition of a child in Nepali law. Secondly there is confusion regarding the age of children in every sector. For instance, our law in general has considered 16 years as the competent age for the right of legal transaction. Whereas adult franchise right is provided only at 21 years. Similarly 16 years is fixed for the governmental service whereas "Kata Bharna Sewa Sarta Niyam" 2018, has fixed it for 15 years. Thirdly, they are not protecting the rights of child. Fourthly, child born outside of wedlock, rape, within blood relations are considered as illegitimate and are denied the rights of social status, relationship, parental love, and citizenship even. Similarly, in terms of juvenile delinquency in Nepal an appropriate law dealing with delinquent child, court system, reform houses are not yet conceived. It is clear that the existing law in Nepal, does not in any aspect preserve the rights of the child nor there is any hope of prohibiting child labour through the strings of laws. A child is fired-out of job without a single rupee just because he broke a glass while working, another is detained in police custody because he was found sleeping on the pavements. Again another is beaten mercilessly just because she asked for the wage of her work. There are several cases like these to be heard everyday. So the violation of the rights of the child, as we consider the insult to the human dignity itself as well, is in common practice.

CHILDLABOUR: CAUSES, EF-

EFFECTS AND RESULTS: CAUSES:**1. Poverty:**

The unequal distribution of wealth results in chronic poverty where the child is forced to work. In Nepal more than half of the population subsists below the poverty line. In such families the daily hand to mouth problem creates severe constraints such that the vulnerable family has no choice but to use young children for survival of the family. They have no knowledge and leisure to think about the issues like violation of the rights, risk and inhuman exploitation as long as their child gets a place to work.

2. Indifference of the socio-political and cultural system:

In our country where there is not even a single law to protect child and children's rights, the existing socio-political system is totally indifferent towards the growing problem of child labour. The government of Nepal does not want to raise the issue of child labour. The close linkage of bureaucracy, and foreign investors has also created circumstances to attract the child labour. For this, the government of Nepal has linked its interest to the interest of the bureaucrats and feudal lords. The industries which use child labour on the other hand lead the government to neglect the enforcement of labour laws pertaining to child labour.

3. Urbanization and attraction towards the cities:

Urban areas have tremendous attraction to the people living hard life in the remote areas and countryside. Especially the young boys who undergo severe life at home and/or maltreatment of step-mothers, who don't have the chance to go to school, are easily drawn to the city and its glittering attraction. So they run away happily but pass a

life of hell.

4. Child labour in demand:

The employers prefer children to work for them because they are cheap, sincere, and are easily controllable. Moreover it is not considered illegal to hire child labour in our country. The demand of child in the labour market is very high.

5. Ignorance and traditional perception towards child labour:

Most of the people in our country are unaware of a child's rights, even the educated ones. The traditional perception towards child labour has always been "the child works because he/she is born poor. If he does not his family can't feed him/her" or more an intellectual on "poverty cannot be eradicated in a short period, so child labour must be tolerated. It is also because of conservative religious thinking the children of the family are thought to practice the family profession.

EFFECTS:

Long working hours, inadequate nutrition, unhealthy working condition and monotony of work as well as exposition to the adult world prematurely, have an effect on the overall development of the children directly, namely physical, mental, psychological, spiritual, social and moral. Moreover, they are economically and sexually exploited. In essence they are deprived of every basic need.

Children are looked upon as the symbol of hope, trust and innocence. When these signs of childhood are replaced by hunger, fear, betrayal and suspicions, we really need to reflect upon the society that has been created. If not it will be the biggest threat to the humanity as a whole. The result of the child labour problem may affect the society in the following manner:

a. Economic:

The unskilled, uneducated and ignorant child workers grow up into the adults of the same type. The development of a sound economy requires an educated, skilled, creative and dynamic work force. With the exhaustion of all natural resources & with unskilled manpower, there's little to be expected for the future of the nation as a whole.

b. Socio-cultural:

The existence of child labour has created a deprived group of young people existing at the very marginalised condition. Many are forced to lead harsh lives where crime, alcohol and drug abuse, gambling and violence are an everyday occurrence. On the other hand, for the girls working specially in the garment factory, there is no moral security. They are often sexually harassed and are even trafficked into India. Thus the child labour may be result of many anti-social activities.

c. Political:

Today the term, consequences of the exploitation of child labour, on our future economic and social development are only beginning to be felt. As the problem multiply and begin to affect our lives, directly, solutions becomes more difficult. It is now for everyone to face the problem constructively and seek political answers before matters spiral out of control. Child Labour abolition and the protection of the Rights of the Child is an urgent need of our reality. The exploitation of the young generation today is of course a big challenge to the social development. Social development cannot be realized in the absence of public participation nor it can be made effective without fulfillment of the government obligations. So child labour and the

RIGHTS OF THE CHILD

rights of the child should be our close concern with effect our social, political and economic conditions of the society. If we wish our future to be secured, we need to take immediate actions on the following:

1. Build up movement:

- to arouse public awareness for the rights of the child,
- to create equal opportunity of the right to education for all children,
- to introduce laws and regulations for the protection of the children's rights and to enforce them accordingly,
- to resettle and rehabilitate the

children who have nowhere to go, and,

- to co-ordinate all genuine NGOs to respond to the needs of the children properly who are in most difficult circumstances.

2. Pressurize the government:

- for the effective enforcement of the laws and regulations,
- for the effective utilization of the international grants and the national budgets allocated for child development and child welfare,
- for the maintenance of the UN Declaration on the RIGHTS OF THE CHILD and for the ratification and adoption of the UN CON-

VENTION ON THE RIGHTS OF THE CHILD.

8. Act immediately to respond to the problems of our children:

- by respecting children as the future of the nation,
- by contributing and collecting support for the benefit of our children,
- by organizing activities in individual, group, community and national basis,
- by exposing the facts and figure about the problems and exploitation of children, and
- by joining the MOVEMENT FOR THE RIGHTS OF THE CHILD.

Wer sich auch allgemein über die Menschenrechte für Kinder informieren will, soll bei UNICEF, Steinfelder Gasse 9, 5000 Köln 1 den neuen Report

"Zur Situation der Kinder in der Welt" anfordern. Kostenlos für Presse u.ä. 1405. Er enthält auch die "Konvention über die Rechte des Kindes" u.v.a.

(Hat natürlich Schwächen, aber das wäre mal ein Thema für sich) tu

The UN Convention on the Rights of the Child at a Glance

Preamble		Article 29	Aims of education -
Part 1		Article 30	Children of minorities, indigenous children
Article 1	Definition of child	Article 31	Play and recreation
Article 2	Non-discrimination	Article 32	Economic exploitation
Article 3	Best interests of the child	Article 33	Narcotic and psychotropic substances
Article 4	Implementation of rights	Article 34	Sexual exploitation
Article 5	Parents, family, commu- nity, rights and responsi- bilities	Article 35	Abduction, sale and traffic
Article 6	Right to life	Article 36	Other forms of exploitation
Article 7	Right to name and nation- ality	Article 37	Torture, capital punishment, deprivation of liberty
Article 8	Preservation of identity	Article 38	Armed conflicts
Article 9	Non-separation from par- ents	Article 39	Recovery and reintegration (following abuse, torture, armed conflicts, etc.)
Article 10	Family reunification	Article 40	Juvenile justice
Article 11	Illicit transfer and non- return of children abroad	Article 41	Rights in other national or international instruments
Article 12	Expression of opinion	Part II	
Article 13	Freedom of expression and information	Article 42	Dissemination of the prin- ciples and provisions of the Convention
Article 14	Freedom of thought, con- science and religion	Article 43	Establishment of the com- mittee
Article 15	Freedom of association	Article 44	Reports from States parties
Article 16	Privacy, honour, reputation	Article 45	Methods of work of the committee
Article 17	Access to information and media	Part III	
Article 18	Parental responsibility	Article 46	Signature
Article 19	Abuse and neglect (while in family or in care)	Article 47	Ratification
Article 20	Protection of child who is deprived temporarily or permanently) of family environment	Article 48	Accession
Article 21	Adoption	Article 50	Amendments
Article 22	Refugee children	Article 51	Reservation
Article 23	Disabled children	Article 52	Denunciation
Article 24	Health care	Article 53	Depository
Article 25	Periodic review of children in care	Article 54	Authentic texts
Article 26	Social security		
Article 27	Standard of living		
Article 28	Education		

These names of articles are for ease of
reference only. They do not form a part of
the adopted text.

Missing: The Environment

VOICE OF CHILD WORKERS

Issue No. 8

Newsletter of CWIN

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June 1990

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FEATURE

Children and the Pro-democracy Movement

* Panchayati

Byavastha Murdabaad," "We want Democracy" or "Hang Mariche", small children used these slogans while playing with their friends as if humming a tune. Other times they played "Julus" throwing up their arms and chanting the slogans at the pitch of their voice. In the demonstration itself, some of them joined running barefoot and breath-



less. It was an entirely new experience and a new game for these children where they could join the grownups. The huge mass of people on the streets amidst the khaki dress of the police was so tempting that the young ones soon lost themselves in its attraction. For once nobody could control them with "don'ts" and so it was not long before the children were quite addicted to these demonstrations quite fearless of the tear gas, lathis and the gunfire. All children, school going and street, bigger and smaller alike participated the people's movement as much as they could. They had a good times and hard times, were arrested and killed thus becoming an equal partners to the grown ups in this strange game which brought a big turn over in the country. Knowingly and unknowingly the children supported on the freedom cry of Nepali people which, after the 50 days struggle of bloodsheds, arrests and tortures brought the political freedom to the Nepali people thus ending the 30 year old autocratic Panchayati System.

Secondary school students whole heartedly backed up the college students in their strikes and demonstrations, fought the police with acid bottles from the lab, were arrested and were tortured in the same manner as the 'college students.' The lower secondary students took fun on burning effigy of the system in their school courtyards, went on strike and of course, were not spared by the police.

The children walking on the streets were looked down upon with suspicion and were searched where some of them actually revealed the banned party flags and leaflets. The children encountered many many arrests, rounds of tear gas, a lot of police firings, men shot

by the bullets, people carrying the wounded to the hospitals amidst firing and many more scenes which were definitely not good for the young eyes.

They soon learnt to hate police and were soon equipped with the knowledges such as 'people are demonstrating because people's demands have not been fulfilled,' (though a number of them are not sure what the 'demands'

are), a tear gas can be made effectless if covered with a wet rag and they learnt arts such as to act innocent with the police or to run through their legs and hide in the dark lanes.

They experienced curfew for the first time in their life. The street kids who spend their days and nights by the old city gates, inside garages and in junkyards during the curfew times saw a strange sight - military men wandering in the streets in their jungle dress carrying machine guns. They talked about machine guns and pistols and conveyed each other their secret dreams to shoot down 'saale police' if ever got hold of the machine gun. The kids have thus learnt to love the violence they have experienced. Even the meekest of them expressed the desire to 'kill the damn police' if ever get hold of the machine-gun.

Innocent children got caught in the sudden firing around market areas on the various days and were shot dead. Innocent children were shot for 'violating the curfew.' Even infants were shot in their mothers back by the blood thirsty military while walking out from the hospital during curfew times. The Nepali children especially from the 'active' cities like Kathmandu, Bhaktapur, Narayanghat, Hetauda etc. have thus seen a lot, experienced things they should not have and things which will certainly make a deep impression in their future.

The success of the pro-democracy movement which brought a great political change in the country is thus partially colored with the blood and spirit of the young ones. Does this political change means any change in their lives, their future? Future itself will tell and the children are the future !

NEWSBRIEF

CWIN NEWS

CWIN Appeals for International Solidarity

On March 29, 1990, CWIN made a protest for arresting, beating, torturing and detaining of children during the pro-democracy movement; and it supported the children's involvement in the demonstrations against the gross human rights violation in Nepal.

CWIN also appealed to the international community, particularly to those who are concerned to the rights of the child to protest the government repression over the people of Nepal. It also raised the questions for the violations of different Articles, like Article 13 - Freedom of expression; Article 14 - Freedom of thoughts, conscience and religion; Article 15 - Freedom of peaceful Assembly ; Article 16 - Protection from Unlawful Attack and Article 37 - Torture and Deprivation of liberty as mentioned on the UN Convention on the Rights of the Child. It is noted that Nepal is one of the signatories of the convention.

Responding CWIN's appeal, many international Organizations including Anti-Slavery Society, Law Asia, Bonded Labour Liberation Front (INDIA) and other noted Human Rights and Child Rights Organizations had sent their protest letters urging the government of Nepal to respect the rights of the child in Nepal.

Campaign Poster Released

A campaign poster on the Rights of the Child, which is published by CWIN in co-operation of UNICEF - Nepal is released and the posters have already been distributed throughout the country. CWIN members and the children at the CWIN common room have contributed to stick posters on the street walls at different parts of Kathmandu. The campaign poster which promotes a message to defend the rights of the child is in great demand. The posters are also being distributed through the several voluntary and social organisations in different parts of the country.

CWIN Legal Advisor Freed After 2 months

Mr. Subash Nemwang, the legal advisor of CWIN was arrested and jailed for about 2 months during the pro-democracy movement. He was arrested from his home prior to the movement and was freed 2 months later on April 11 after king announced the party freedom in Nepal. Mr Nemwang, a well known legal activist is former secretary of Nepal Bar Association and also a Child Rights activist.

DEFEND THE RIGHTS OF OUR CHILDREN

CHILD WELFARE ACTIVITIES AND SSNCC

Social Service National Co-ordination Council (SSNCC) was founded in 1977 with a view to organize and co-ordinate the social services more pragmatically. The SSNCC was constituted by HM King under the chair of HM Queen Aishworya. To facilitate working, SSNCC had set up six co-ordinating committees which includes the child welfare co-ordination committee (CWCC).

A lack of co-ordinating body in the field of social services was felt for a long time to prevent unnecessary duplication of works and to develop understanding and co-operation to the national cause among the social workers. But from the initiation of SSNCC to now, it has been a matter of controversy in the field of social services. And ultimately SSNCC had turned away from its role of social service (co-ordination) to the political supremacy, many genuine social workers and social organisation had to abandon their participation in social development. Independent views other than Panchayati politics were not given chances to get involved in the field of services which were concentrated within Royal Family and this was led by Queen Aishworya.

'Child Welfare' had been an untiring slogan of 'Child Welfare Co-ordination Committee,' one of the six co-ordinating committees of SSNCC. The committee was organised objectively with a focus on strengthening the planning and operation in the field of Child Welfare activities in Nepal. But most of its times were spent in expensive seminars, ceremonial activities and in management of 'Rastriya Bal Kosh' (National Children's Fund).

Rather than finding solutions to the alarming issues of Child labour, Street children, Girl trafficking and Bonded children,

Bal Mandir and CWCC always seemed occupied with expensive seminars and ceremonies. Nepal Bal Sangathan (Nepal Children's Organisation) boasts that it has Bal Mandir (Children's Home) opened in every districts and that thousands of the children are being benefited through them. But just look at their everyday activities make one wonder whether our underprivileged children are really benefited. Frankly speaking its activities like Day Care Centre, Income-generating trainings, Pre-primary and primary schools, Children's Homes, Child sponsorships and Scholarships have not reached the needy. Our 4.8 million children who are deprived from their basic rights of nutrition, health and education and are forced to work for survival is a sample example for SSNCC, CWCC and NCO. SSNCC should know the fact that there are about 500 homeless children who bed on the streets of Kathmandu. We believe they also should have gone through the reports that everyday about 33 girls below 16 being trafficked into Indian cities are forced to sell their honour.

SSNCC had been working as the focal point of power and resources. It was involved more as political organisation than a social one. The queen's supremacy in SSNCC was always a threat against the development of NGOs in Nepal. The special involvement of royal families with special powers in social fields has weakened the field of 'Child Welfare' equally like others.

But with the arrival of Democracy in Nepal queen Aishworya has recently resigned from her post as chairperson of SSNCC. Now the time has come to correctly appraise and use our resources for the real development of the society.

BITTER FACTS

1. More than 100 children below 16 years, both from schools and streets were arrested during the repression over the pro-democracy movement, begun from Feb. 18, 1990.
2. More than 15 children including one street boy named Rajan Rayamajhi (11 yrs.) were shot dead during the attack over the pro-democracy movement.
3. About 500 children have lost either their fathers or mothers who were shot dead by police and military firing during the pro-democracy movement.
4. About 500 street kids who spent their nights in the street pavements were very much troubled by the police at night. And many of them went back to their villages during the curfews.
5. The position of girls enrollment in primary, lower secondary and secondary schools in 1987 is 30.6%, 26.2% and 24.3% respectively.
6. The girls enrollment in secondary school in far western region is 9.60% whereas boy's position is as high as 90.40%.
7. The male and female teachers ratio in Nepal is 99.16% and 0.84% respectively.
8. Over 70 percent of children between the ages of one and two are categorised as undernourished, with almost 8 percent severely malnourished.
9. Each 300 children below 6 years have facilitated one primary school in Nepal.
10. Each 9900 children below 14 years have received the facility of one medical doctor in Nepal.

The Rising Nepal

LETTERS

Mixed Feelings

When Nepal, years ago, opened her doors to the outside world and invited the foreigners to come, one could have foretold that quite a few of those foreigners would succumb to the exceptional grace and beauty of Nepalese women. And so, indeed, they did. As a result, nowadays we have well over a thousand "mixed marriages" in Nepal: Western husbands and Nepalese wives.

Love knows no borders and no nations; it is universal. Thus it is only natural that these "international marriages" are increasing worldwide wherever nations come into closer contact. Nepal is no exception.

Few will deny that those foreigners who choose their marriage partners from the daughters of this country have a very special relationship with Nepal, in most cases distinguished by strong emotional bonds, by love and sympathy for the country and its people.

Considering all this, it is a shame to see that these "mixed couples" in Nepal nowadays are treated like virtual outcasts: They are even denied the basic right each family needs for its very existence: the right to live together in union, as husband and wife, as parents and children.

What is the legal situation? - Due to recent Nepalese law, normally a foreigner is not allowed to stay longer than 3 months

per year in Nepal; if he is married to Nepali woman, he is granted the "privilege" to stay 4 months (!) per year with his family.

What does that mean for such a "mixed" couple? - It means that for instance I, a German being married to a Nepali lady since 5 years, having a 4-year-old son and a 2-year-old daughter with her, will have to leave alone my little children and my wife for eight months every year, without being able to help and give support even in case of severe illness or any other urgent need, as I will not be allowed to re-enter the country once the 4 months are spent. Now every reader who is married and has children himself can easily imagine what that means for a father and husband.

There can be only one conclusion: Nepal, where the bonds of the family have always been respected and highly valued, has to abolish this law, which separates wives from their husbands, children from their fathers, as soon as possible.

Besides, it is hard to understand why Nepal discriminates her own daughters. A Western woman married to a Nepali has no problem at all to stay in the country. Should not the daughters of Nepal enjoy the same right, the right to peacefully stay with their children and husband in their motherland?"

Jurgen Schick

Bishalnagar

26.6.89

JULY 23, 1989 SUNDAY 3

Important Information For All

"Foreigners Married To Nepalese wives"

In the current situation, it seems to be useful that the members of our small, but significant "Minority Group" should meet to share experiences and discuss problems.

Therefore anyone belonging to this group, husbands and wives, is kindly invited to attend a

Meeting at the MALLA HOTEL. On Monday, 24-7-1989 at 5.30 pm

LETTERS

Sharing The Feelings

In his letter Mixed Feelings (TRN, July 26), Jurgen Schick has raised the issue of naturalisation of aliens in Nepal. It is sad that the aliens who have made up their mind to stay in Nepal by marrying Nepalese women should face

problems. I think the issue is of human nature and deserves to be looked at accordingly for necessary actions.

A.K. Baral

Lazimpat,

Kathmandu.

RN 28.7]

LETTERS

Puzzled

This refers to the letter "Sharing the Feeling" by A. K. Baral (TRN, August 20) which concurs with A. K. Baral's views and sympathise with Jurgen Schick's situation on humanitarian grounds. But I found it rather puzzling when Schick failed to look at the other side of the coin while finding fault with the immigration regulations of Nepal.

regulations prior to getting married to a Nepalese woman? If he did why did he marry her in the first instance? Well, if he loves his wife and children so much why doesn't he take them with him to his home country. He could later have visited Nepal from time to time for his wife's sake.

L.B. Limbu

Did or didn't he know about Nepal's immigration

Maharajgunj, Kathmandu

13.8.89

21.8.89

TRN

LETTERS

Abuse Or Discrimination?

It is amazing to see some foreigners abusing the liberal hospitality that this country has been extending to them. Yes, this letter refers to the one written earlier by one Jurgen Schick (TRN, 26 July).

Now here is a Western gentleman (?) who, after having married to a Nepalese lady, thinks it proper to project this country as a place which follows inhuman policies, particularly when it comes to a case of marriage between a Nepalese woman and an expatriate man. Jurgen Schick charges that Nepalese laws treat "mixed couples" as outcast, deny them the right to live together, discriminate against daughters. To him it is a shame. And he thinks it fit to demand that certain laws of this land, together with value systems attached to them, be abolished.

This, in fact, a case of gross abuse of our

hospitality. Had Nepal been a country like the one he describes, would it have been possible for him to marry a Nepalese girl? And had Nepalese been an intolerant lot, as he suggests them to be, he would not have seen his complaint published in a newspaper like *The Rising Nepal*.

The last and important point: when a girl is married to a boy she goes with her husband and leaves parental home for good. It is a universal fact, and I'm sure a German like Jurgen Schick is well aware of it. He is supposed to take his wife and children to Germany, which is their rightful abode. He is most welcome to visit this country - his *sasuralee* -- once in a while and the time given for such purpose - four months - is more than adequate.

Shishir Baboo
Kathmandu

I strongly support the views of Jurgen Schick (TRN Letters, July 25) that it is quite unfair that a foreign male national married to a Nepalese woman is given only four months residence permit while a foreign lady married to a Nepalese man do not have to face such problem in residing in Nepal.

This is doing discrimination on the basis of sex. I recall an interesting case about a Nepalese lady married to a foreign national whose first child was born in her husband's country. Now when she is here in her home country, both her husband and child are facing problem to live with her, because they

are required to show daily an exchange certificate of ten US dollars each.

Yet another case about a Nepalese lady is also interesting. The lady in question who is married to a foreign national is presently in her eighth month of pregnancy but her husband will have to leave Nepal and her soon because his four-month visa is due to expire.

I don't know whether such cases will inspire the authorities concerned to take more practical approach in regard to the immigration laws of the land.

Omraj Upadhay
Maitighar 6.8.89 R.N.

LETTERS

Why This Discrimination?

I've been following the comments on Mr. Jurgen Schick's letter (TRN, July 26) with keen interest. The comments of Sishir Baboo (TRN Aug. 6) are disgusting. I agree with A.K. Baral (Aug 2) and Omraj Upadhaya (Aug 6) and feel that the authorities concerned must change the present immigration law. I have sympathy and concern for the plight of Nepalese women whose foreign husbands are not allowed to remain in the country for more than four months.

If, I, as a mature, educated Nepali woman well over 30, decide to marry a foreigner and wish to continue to live in my country with my for-

eign husband, the law should allow him to live with me along with equal rights for him too—the very same rights that the foreign women married to our Nepalese men enjoy under the law.

If the law cannot do anything for the Nepalese women married to foreigners, then the Nepalese men married to foreign women should also not be allowed to let their foreign wives remain in Nepal for more than four months.

There cannot and must not be one law for a Nepali woman and a different one for a Nepali man.

Miss D.S. Kansakar
Kathmandu

LETTERS

The Middle Way

I am an American citizen married to a Nepali woman. My wife and I have two children and I have been in Nepal for seven years. Because my work (as a writer) is connected with tourism, I have seldom had problems with my visa and in fact have only visited my home once. But, I can sympathize with the foreign men married with Nepalese women and their wives for the insubstantial visa provisions provided for foreign men.

At present the foreign women are given citizenships if they marry a Nepali, but foreign men are only given visa for four months per year. The solution given by Miss Kansakar (TRN, Aug. 21) probably reflects the views of many. The foreign men should also be given same rights as enjoyed by the foreign women. But, I feel

that complete citizenship is not a perfect answer than the present provision. What is needed is a middle way between the two.

If my wife wishes to become an American citizen she must obtain a Green Card and go with me to America and live continuously for five years. Only then is she entitled to citizenship. During the five years, if she went, the U.S. government would make occasional surprise checks to make sure she was still married and in fact staying in the U.S. Nepal could adopt a similar policy and thus weed out insincere people who only wish to marry Nepalese girls for their own private aims. Isn't this the Middle Way?

Richard Josephson
P.O. Box 3843
Kathmandu

Sp.A. 89

Die neue Verfassung bleibt ungerecht,
s. auch 9(s) 40

PART 2
CITIZENSHIP

Verfassung
Nov. '90

8. Citizenship at the commencement of Constitution : Following persons, who have their permanent residence in Nepal shall be deemed to be the citizen of Nepal:

(a) person who is a citizen of Nepal pursuant to the provision of either Article 7 of the Constitution of Nepal, 1962 or section 3 of Nepal Citizenship Act, 1964;

(b) a person who is a naturalised citizen of Nepal pursuant to the provisions of section 6 of Nepal Citizenship Act, 1964.

9. Acquisition and Termination of Citizenship after the Commencement of Constitution : (1) A person who is born after the commencement of this Constitution and whose father at the time of his birth is a citizen of Nepal shall be a citizen of Nepal by descent.

2. (2) Any child who is found within the Kingdom of Nepal but the whereabouts of whose parents are not known shall, unless the father of the child is traced, be deemed to be the citizen of Nepal by descent.

(3) Whenever any territory is acceded to the Kingdom of Nepal, all persons having their domicile within such territory shall become the citizen of Nepal subject to the provisions of the existing law.

(4) After the commencement of this Constitution law may regulate the acquisition of citizenship of Nepal by foreigners, besides other matters on the fulfillment of following conditions :

- (a) He can read and write the national language of Nepal;
- (b) is engaged in an occupation in Nepal;
- (c) has renounced his present citizenship; and
- (d) has resided in Nepal for at least fifteen years.

(5) Notwithstanding anything provided in clause (4), ^{notaman!} a woman of foreign nationality having matrimonial relation with a Nepalese citizen and having initiated proceedings for renunciation of her foreign citizenship, and any other person, who, having renounced the citizenship of Nepal had gone to a foreign country, and who has renounced his foreign citizenship, shall be qualified to become a citizen of Nepal.

(6) Notwithstanding anything provided in sub-clause (c) and (d) of clause (4), the son or daughter or a descendant of a citizen of Nepal who has resided in Nepal for a period of two years shall be qualified to become a citizen of Nepal on the terms and conditions as specified by law.

Provided that this clause shall not be applicable in the case of children of naturalised citizens.

(7) The termination of the citizenship of Nepal shall be determined by law.

Land Rights and Ethnic Conflict in Nepal

Thomas Cox

Studying land rights in Nepal reveals serious ongoing conflict between dominant high-caste Hindus and some ethnic minorities, in the process shattering the myth about Nepal being a country of ethnic harmony. Land reform legislation has done more to hurt these minorities than help them.

THERE is a myth prevalent among many people that Nepal is a land of ethnic harmony where Hindus, Buddhists and Animists all get along. Indeed, many people (especially Nepal's ruling elite) point to current strife in India, Sri Lanka and Bangladesh to support claims that Nepal is the only country in South Asia that has not been afflicted with chronic conflict between different ethnic groups. Current ethnic relations in Nepal however, when looked at from the perspective of land rights, reveal tremendous conflict between politically and economically dominant high caste (*Brahman, Chetri and Thakuri*) Hindus and Buddhist and Animist ethnic minority groups. What follows is a discussion of how Limbu, Chepang and Tharu tribes have lost much of their lands, and the consequences of this for members of their respective societies.

LIMBU

The Limbu are a Tibeto-Burmese tribe who live in the Illam district of far eastern Nepal [see Caplan 1970; Jones 1976; Upreti 1975]. The Limbu have lived in Nepal for over a thousand years, and were the first human inhabitants of Illam district [Bista 1987]. The Limbu economy is characterised by subsistence agriculture, livestock husbandry, commerce and military service [Upreti 1975]. Limbu are socially organised into patrilineal clans known (in the Limbu language) as *suhang*. Limbu have an Animist religion which emphasises the worship of deities believed to inhabit the mountains, rivers and earth [Bista 1987]. The primary religious authorities among the Limbu are shamans (known as *fedangma* who preside over important rituals and social events such as weddings, birth rites and funerals [see Sagant 1985].

From 1774, when Illam was forcefully incorporated into the Nepali state by Prithvi Narayan Shah, until 1886, the *kipat* tenure system enabled Limbu to maintain ownership and control over their tribal lands. Under the *kipat* system, all land in Illam district was the common property of Limbu, and could not be sold

to members of other ethnic groups [Jones 1976; Caplan 1970; Upreti 1975]. In the 1800s *kipat* land in Illam was so plentiful that the Limbu could not do all the agricultural work themselves. To make up the labour deficit they hired *Brahman* tenants, who cultivated the land in return for a share of the produce [Caplan 1970].

In 1886, however, the Nepali government passed a law which converted all cultivated *kipat* into *raikar* tenure. What this meant was that all land in Illam could be claimed for ownership by whoever cultivating it at that time. As a result of this legislation most cultivated land owned by Limbus suddenly became the property of *Brahmans*, making them the economically dominant group in Illam. This economic dominance, along with literacy, control over government positions in Illam and knowledge of Nepali law, enabled *Brahmans* to continue their takeover of Limbu land [Caplan 1970].

The 1886 legislation impoverished many Limbu, forcing them to borrow money from *Brahmans* by using their remaining land as collateral. After the loan contract was signed *Brahman* moneylenders often added 'a few more zeros', making it seem that the Limbu debtor had borrowed much more than he actually did. When the Limbu could not pay back the money the *Brahman* would possess his land [Caplan 1970]. *Brahman* manipulation of loan contracts was facilitated by the fact that Limbu were generally illiterate and depended on *Brahmans* to make up all contracts and forms.

All the Limbu had to have a form (signed by a government official) verifying their claims to *kipat* land. Many of them, not knowing the significance of this land claim form, would lose or damage it. Realising this, *Brahmans* often challenged Limbu land ownership claims. When Limbu could not produce the proper forms the *Brahmans* would often take the land in question [Caplan 1970].

The continuing loss of tribal lands created profound economic and cultural stress in Limbu society. In the 1930s the Limbu mounted a revitalisation movement, known as Satya Hangma, in an effort to combat the stress and cultural

disorientation caused by the loss of their land. The leader of this movement, an ex-Gurkha soldier called Phalgunanda, claimed that by returning to traditional customs and to religion, the Limbu would become powerful enough to push the *Brahmans* out of Illam and regain their land. Phalgunanda died in 1946, and with him the Satya Hangma movement [Jones 1976].

In 1948, resentment over usurped tribal land exploded into a Limbu uprising in which dozens of *Brahmans* were killed. This revolt, however, was quickly put down by Nepal's Rana government [Upreti 1975].

In 1968, the Nepali government abolished the *kipat* system of land tenure, resulting in the loss of the Limbu's remaining tribal lands [Dalal 1985]. Many Limbu are now tenants on land which they once owned. Indeed, over 70 per cent of the remaining Limbu owned land is currently mortgaged, primarily to *Brahman* settlers in Illam [Pye-Smith 1988].

CHEPANG

The Chepang are a Tibeto-Burmese tribe, 9,000-strong who live in the central Nepali districts of Dhading, Makawanpur, Chitwan and Gorkha [Bista 1987]. The Chepang have lived in Nepal for at least 500 years, and were the first inhabitants of the districts in which they live [Rai 1985]. At one time virtually all Chepang lived a nomadic, hunting and gathering life. Over the last 100 years however, the Chepang have become increasingly dependent on agriculture. Most Chepang now subsist on a combination of their own agricultural produce, and game and fruits collected from the surrounding forest [Rai 1985]. The Chepang are organised into exogamous, patrilineal clans, each of which have their own patron deity, which inhabit certain natural features such as mountains, rivers and the earth. Chepang religious activity centres around the worship of these clan deities [Bista 1987].

In 1854, the Chepang were given *kipat* tenure over their extensive territory, by Nepal's Rana government, as a reward for military service rendered during the Nepal-Tibet war [Rai 1985; Gurung 1988]. In 1928 however, the Nepali government abruptly converted the Chepang's *kipat* land into *raikar* tenure, which essentially meant that the Chepang lost ownership over all their uncultivated tribal land [Bista 1987]. Hindu (mostly *Brahman* and *Chetri*) settlers began pouring into Chepang territory to take over the 'available' land. The loss of Chepang land to Hindu settlers has been a continuing process, from 1928 up to the present day [see Rai 1985; Pye-Smith 1988]. Nor has this loss of land been confined to unculti-

vated Chepang territory that was previously held under *kipat* tenure. In many cases, *Brahmans* have asked to rent or borrow cultivated Chepang fields for a season or two, to cultivate a particular crop. When the crop season was over and the Chepangs asked for their land back, the *Brahmans* refused, and used their superior political and economic clout to maintain possession over the usurped property [Pye-Smith 1988]. In other instances, *Brahmans* have made a *mit* (ritual friendship) with a Chepang, given them some minor gift, such as a small amount of rice, and then coerced them into giving cultivated land in return [Pye-Smith 1988]. In still other cases *Brahmans* have unilaterally taken over cultivated land for which Chepang have not maintained proper ownership and registration papers [Rai 1985]. This usurpation of land has been greatly facilitated by widespread illiteracy and lack of education among the Chepang. As a result of losing their land the majority of Chepang have become seriously impoverished. Most Chepang have been forced to borrow money, often at usurious rates, to meet their basic needs [Bista 1987], and in at least one Chepang community there is widespread starvation [Pye-Smith 1988].

THARU

Tharu comprise a large tribal group of over 4,00,000, who live in scattered settlements throughout Nepal's southern *terai* (plains) region. Tharu have lived in Nepal's *terai* for over 600 years and were probably the first inhabitants of the region. They speak an Indo-European language related to Hindi, Bhojpuri and Maithili [Bista 1987]. Tharu have an Animistic religion which revolves around the worship of deities believed to inhabit the earth, forest and people's houses [see Rajure 1982]. The Tharu also pay homage to ancestral and clan deities. The primary Tharu religious figures are priests known as *garuwa* [Rajure 1982]. The Tharu economy consists of subsistence agriculture supplemented by fishing and some gathering of wild fruits and vegetables.

Until the 1960s Tharu were the only inhabitants of the Dang Valley which lies just north of the Silwak hills in the Rapti zone of West Nepal. Their isolation was facilitated by a particularly virulent form of malaria to which the Tharu were immune (as a result of sickle cell resistance), but which seriously affected everyone else. In the early 1960s a highly successful malaria eradication programme enabled Hindu Nepalis (mostly *Brahmans* and *Chetris*) to settle in the Dang Valley in large numbers.

Some of these Hindu settlers laid claim to previously unowned, uncultivated land which they cleared themselves. Many *Brahmans* and *Chetris* however, used

threats and/or actual acts of violence to force the Tharu to sign over their land. In other cases they would just take over cultivated land (for which the Tharu did not have ownership papers), and register it in their own name. In still other cases *Brahman* and *Chetri* settlers would, as they did with the Limbu tribe, take advantage of Tharu illiteracy to manipulate the figures on loan forms (for which Tharu land had been used as collateral) so that the Tharu debtor would be forced to give the *Brahman* or *Chetri* moneylender the property to pay off the debt.

The takeover, of Dang Valley land by *Brahman* and *Chetri* settlers rendered at least 15,000 Tharu completely destitute. At least 6,000 of them fled the Dang Valley to look for land in other parts of the *terai*. Most of the others stayed on as tenants on what was now *Brahman* or *Chetri* property. Loss of land has impoverished most Dang Valley Tharu to the point where many suffer from malnutrition. It has also created a crisis of Tharu cultural identity. Dang Valley Tharu find themselves economically unable to sustain many of the traditional cultural institutions which flourished before the influx of Hindu settlers. In an effort to regain cultural autonomy and economic well-being, many Dang Valley Tharu have turned to political activism. This activism has taken the form of political groups which have been formed for the express purpose of protecting Tharu rights, in the face of oppression by landlords. The landlords, in many cases, have responded to this political activism with renewed oppression, threatening to and/or stripping many Tharu of tenancy rights. In July 1989 there was a violent clash between landlords and Tharu in the Dang Valley over ownership rights to a particular tract of land.

Limbu, Chepang and Tharu are by no means the only minority ethnic groups in Nepal to have much of their land usurped by Hindu caste settlers. The Sunuwar, a small Tibeto-Burmese tribe indigenous to the Ramechhap district of east Nepal, have been seriously impoverished by the loss of most of their tribal lands to Hindu caste settlers [Fournier 1980]. Similarly, the Bote, a tribe living in the Tanahun district of central Nepal, have recently lost much of their lands to *Brahmans* [Subba 1989].

FAILURE OF LAND REFORM

In 1964, the Nepali government, under pressure from the United Nations and other international organisations, agreed to implement a national land reform programme. The original land reform proposal for Nepal was formulated by foreign advisors, most from the Ford Foundation. The palace secretariat and officials at the district and village level however, created

loopholes in the resulting land reform law which allowed them, and the local elite with whom they had close ties, to maintain large land holdings [Rose 1977]. For example, individuals in Nepal can register their land under the names of relatives and friends, to give the appearance of redistribution when, in fact, the property remains under the ownership and control of a single family or individual [Pandey 1985].

The vast majority of landlords in Nepal have taken advantage of the loopholes in land reform legislation to retain ownership over all their original property. Land reform in Nepal has been a failure, a gross 'caricature' of the original proposal [Rose 1977]. Indeed, land reform legislation has done more to hurt ethnic minorities in Nepal than to help them. For example the Land Reform Act included a compulsory saving scheme in which a percentage of every farmer's agricultural income was deposited with local government officials, to be returned after five years with five per cent interest. The misappropriation of these compulsory saving funds was so rampant however, that the scheme created financial hardship, rather than benefits, for the majority of involved farmers [see Pandey 1985, 48-49]. Members of Buddhist and Animist ethnic minority groups were especially exploited by the compulsory saving scheme, as they were generally not as literate or knowledgeable about Nepali law and bureaucracy as Hindu caste Nepalis. In 1973, the Nepali government, in response to widespread public protest, finally did away with the compulsory saving scheme [Pandey 1985]. The Land Reform Acts of 1964 and 1968 also forbade members of ethnic minority groups from clearing and cultivating most tribal lands that were previously held under *kipat* tenure [Rai 1985]. Thus 'land reform' legislation, by depriving many ethnic minority groups access to land that was originally theirs, has actually worked completely against its stated purpose.

Another major consequence of the failure of land reform (and continued usurpation of tribal lands) has been to drive many members of ethnic minority groups to India and the Middle East in search of work. Indeed, in India alone there are between two to three million people of Nepali origin [English 1982]. Some migrant workers (and especially those who have served in the Indian and British armies) have been able to return to Nepal and even buy back some of their lost property [see Caplan 1970]. The majority however, are fortunate if they can adequately support their family with earnings from abroad.

For many of Nepal's ethnic minority groups the failure of land reform, and continued loss of tribal lands, has created an economic and cultural crisis. Land, for most ethnic minorities, is the primary pro-

vider of food, and income for clothing, medicine and education. Land also constitutes the wealth, and autonomous space, necessary for ethnic minorities to sustain the religious and cultural institutions which define their identity as a people. Loss of land has not only impoverished many ethnic minorities in Nepal, but has also, in many cases, created severe cultural disorientation. The dual crisis created by the loss of land is, indeed, one of the major reasons why ethnic minorities gave widespread support to the recent movement which successfully toppled Nepal's *panchayat* regime. Outstanding in this regard were the Tharu (especially those in the Dang Valley), a group especially radicalised by land rights violations, whose organisation, numerical strength and motivation made them a valuable asset to the movement. Protecting the land rights of Tharu, Chepang, Limbu, Sunuwar, Bote, and other ethnic minorities in Nepal, is an important challenge facing Nepal's newly established coalition government.

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TAMILNADU PETROPRODUCTS LIMITED

6 Nungambakkam High Road, Madras - 600 034

NOTICE

It is hereby notified for the information of the public that TAMILNADU PETROPRODUCTS LIMITED proposes to make an application to the Central Government in the Department of Company Affairs, New Delhi, under sub-section (2) of Section 22 of the Monopolies and Restrictive Trade Practices Act, 1969, for approval to the establishment of a new unit. Brief particulars of the proposal are as under:

1. Name and address of the applicant:

TAMILNADU PETROPRODUCTS LIMITED
6 Nungambakkam High Road
Madras - 600 034

2. Capital structure of the applicant organisation:

Authorised Capital : 10,00,00,000 Equity Shares of Rs. 10/- each
Issued, Subscribed and Paid-up Capital: Rs. 48,75,00,000/-

3. Management structure of the applicant organisation indicating the names of the Directors including the Managing/Whole-time Directors and Manager, if any:

The Managing Director is in charge of the day-to-day management of the Company under the superintendence, control and guidance of the Board of Directors.

Board of Directors

Thiru R Nagarajan — Chairman
Thiru A C Muthiah — Vice Chairman
Thiru P S Balasubramanian — Managing Director

Thiru A C Chakraborti
Thiru J B Dadachanji
Thiru K D Dudhmal
Thiru Mohan Verghese Chankath
Thiru M R B Punja
Thiru Rakesh Kacker
Thiru K V Ramanathan
Thiru V D Shah
Thiru R Shivakumar
Thiru R Soundararajan
Thiru P R Sundaravidvelu

4. Indicate whether the proposals relate to the establishment of a new undertaking or a new unit/division:

New unit

5. Location of the new undertaking:

Manali, Madras - 600 068

6. Capital structure of the proposed undertaking:

Not applicable

7. In case the proposals relate to the production, storage, supply, distribution, marketing or control of any goods/articles, indicate:

Production

i. Name of goods/articles : Acrylamide/Polyacrylamide
ii. Proposed licensed capacity : 5,000 TPA—Acrylamide
3,000 TPA—Polyacrylamide
iii. Estimated annual turnover : Rs. 64 crores

8. In case the proposals relate to the provision of any service, state the volume of activity in terms of usual measures such as value, income, turnover, etc:

Not applicable

9. Cost of the project

: Rs. 42 crores

10. Schemes of finance, indicating the amounts to be raised from each source:

Internal Resources, Rights/Public Issue of Convertible Debentures and Loans from Financial Institutions

Any person interested in the matter may make a representation in quadruplicate to the Secretary, Department of Company Affairs, Government of India, Shastri Bhavan, New Delhi within 14 days from the date of publication of this notice, intimating his views on the proposal and indicating the nature of his interest therein.

For TAMILNADU PETROPRODUCTS LIMITED

M B GANESH
SECRETARY

Dated the 4th June 1990

October 4, 1990

45

For further information:

Hiram A. Ruiz

U.S. Committee for Refugees

1025 Vermont Ave NW, #920

(202) 347-3507



NEWS

FROM
THE U.S. COMMITTEE FOR REFUGEES

TIBETAN REFUGEES FORCED BACK BY NEPAL, JAILED BY CHINESE AUTHORITIES

Confirmation has just reached the U.S. Committee for Refugees (USCR) that on August 7, 1990, Nepalese border police in the Humla area forced 43 Tibetan refugees back across the border into Tibet. The refugees were arrested by Chinese authorities and jailed in Gutsa prison, Lhasa.

In an October 3 letter to the Nepalese Ambassador to the United States, USCR director Roger P. Winter expressed "profound concern" over the refugees' forced return, and asked the Nepalese government "to move decisively to prevent further forced returns of refugees to a country where their lives or freedom could be threatened."

"Although Nepal is not a signatory to the UN Convention and Protocol Relating to the Status of Refugees," Winter said, "the Nepalese government has traditionally allowed Tibetan refugees to remain in Nepal in safety." He added that USCR hoped the recent refoulement did "not reflect the policies of the Nepalese government."

More than 10,000 Tibetan refugees currently live in Nepal. They are among more than 100,000 Tibetans who, following the lead of the Dalai Lama, fled their homeland in 1959. At that time, repression by the Chinese authorities--who had invaded and occupied Tibet in 1950--increased substantially following mass uprisings against Chinese rule.

Several hundred Tibetan refugees manage to evade Chinese border guards and escape into Nepal or India every year, but others who try never make it. In June 1989, 7 Tibetans were reportedly killed by Chinese security forces while trying to cross into India. In September 1988, Nepalese border guards handed over 26 Tibetan asylum seekers to the Chinese authorities.

Recently, there has been an increase in the number of Tibetan refugees escaping to Nepal--an estimated 320 in the past two months. More than 275 of the refugees have reached Kathmandu, the Nepalese capital, safely and have been allowed to remain or proceed to India. They are receiving assistance from the Tibetan Welfare Center and the UN High Commissioner for Refugees (UNHCR), but both agencies are strapped for funds and have appealed for international assistance to be able to aid the refugees.

The recent influx began after the lifting of martial law in Tibet on May 1. Chinese authorities imposed martial law in March 1989, after pro-independence demonstrations by Tibetans in which an estimated 60 to 250 unarmed demonstrators--including a number of Buddhist monks--were killed. Thousands of Tibetans were reportedly arrested during the 14 months martial law was in effect.

USCR policy analyst Hiram A. Ruiz, who has recently returned from Nepal and Tibet, interviewed some of the recently arrived refugees in Kathmandu. One of them, a monk, described having been jailed and beaten by the Chinese authorities for his participation in the pro-independence demonstrations. "They kicked me in the stomach and hit me in the shoulders and on my back with a stick," he told Ruiz. "At night, although it was cold, they made me take off my clothes and stand naked in the courtyard." After 5 months in prison he was released--but prevented from returning to his monastery by Chinese officials. Approximately half the refugees currently arriving in Nepal are monks or nuns.

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12 Tibet Press Watch / Vol. II, No. 8

Die Leukozyt-Antigene beweisen es endlich:

Tibet ist ein Teil Chinas!

In Nummer 34/1990 erbrachte die amtliche Wochenzeitschrift Beijing Rundschau den endgültigen Beweis dafür, daß die Tibeter Chinesen sind. Des Unterhaltungswerts halber wird der vollständige Text hier abgedruckt, gefolgt von einem Kommentar von Claude Sarraute in Le Monde vom 9. Januar.

Forscher erbrachten jetzt den wissenschaftlichen Beweis, daß die tibetische (Zang-)Nationalität, deren Angehörige vor allem im Autonomen Gebiet Tibet, aber auch in den Provinzen Qinghai, Gansu, Sichuan und Yunnan leben, von den chinesischen Nordvölkern abstammt.

Mitarbeiter des Beijinger Forschungsinstituts für Kinderkrankheiten untersuchten 233 Blutproben von Tibetern in Lhasa und Xigaze. Beim Vergleich der Leukozyt-Antigene dieser Stichproben mit den Daten der gleichartigen Proben von Chinesen aus 18 anderen Regionen des Landes sowie von Einwohnern Nepals und Indiens stellten sie fest, daß die Erbmasse der Tibeter mit der der chinesischen Nordvölker übereinstimmt, von der Erbmasse der Nepalesen und Inder jedoch stark abweicht. Leukozyt-Antigene sind bei der gegenwärtigen Erforschung

des menschlichen Körpers die kompliziertesten Vererbungsmerkmale. Die Erforschung der vererbaren Immunität klärt also die Frage der Abstammung der tibetischen Nationalität.

Da Sitten, Gebräuche, Kleidung und Sprache der tibetischen Nationalität überhaupt nicht mit denen der Han-Nationalität oder der anderen nationalen Minderheiten in China übereinstimmt, gab es immer wieder Kontroversen über die Abstammung der tibetischen Nationalität. Obwohl die Geschichte klar beweist, daß Tibet immer chinesisches Territorium war, behauptete eine Handvoll Separatisten dennoch, Tibet sei ein unabhängiges Land, und es gäbe keine Blutsverwandtschaft zwischen der tibetischen und der Han-Nationalität. Jedoch bestätigten die wissenschaftlichen Forschungsergebnisse unstreitig, daß die Tibeter in der Geschichte aus dem Süden der Provinz Gansu sowie der Provinz Qinghai südlich gewandert waren und im Laufe der Zeit, abgetrennt durch das Himalaya-Gebirge, eine eigene Nationalität bildeten, aber trotzdem ein untrennbarer Teil der großen Vielvölkerfamilie der chinesischen Nation sind.

paar weißer, roter oder gelber Blutkörperchen — erinnert Sie das nicht an irgendetwas?

Mich schon. An die Theorie der Nazis. Keiner hat es jemals gewagt, weder vor Hitler noch danach, die einfache, simple Annexion eines Landes mit Hilfe angeblicher Ähnlichkeiten der Rasse, von denen jeder weiß, daß sie nicht aufrecht zu erhalten sind, zu rechtfertigen. Der Führer, dem hat es als Argument gedient, um Österreich und die Tschechei zu besetzen. Und wenn wir schon an diesem Punkt sind, dann frage ich mich, worauf wir eigentlich warten, um auf den Spuren Wilhelms des Eroberers den Ärmelkanal zu überqueren angesichts der Tatsache, daß zwischen Briten und Normannen — was die Gene betrifft — es ziemlich dasselbe sein dürfte.

Daß sich nach einem halben Jahrhundert systematischer Massenverdummung letzten Endes Marxismus-Leninismus auf Nazismus reimt, das wird niemanden erstaunen. Bleibt in diesem speziellen Fall, daß, wenn alle Tibeter Chinesen sind, auch alle Chinesen Tibeter sind. Und da weiß ich denn wirklich nicht, warum Deng nicht seine Paläste in der Verbotenen Stadt, zwei Schritte vom Tiananmen-Platz, an den Dalai Lama abtritt.



Tibet-Forum 3/90

Gelbe Blutkörperchen

Kommentar von Claude Sarraute

Drücken Sie Ihre Zigaretten aus und schnallen Sie sich an! Wir starten heute zu einem irren Trip! Es geht um den Dalai Lama, den lebenden Gott eines unterworfenen, geknechteten Volkes, der vor nun bald 40 Jahren von Mao ins Exil getrieben wurde — also, er ist genauso wenig Tibeter wie Sie oder ich. Er ist ... Chinese! Doch, doch, ich schwör's Ihnen, das ist offiziell.

Experten vom Institut für Kinderkrankheiten in Peking haben genetische Ähnlichkeiten zwischen den Tibetern und der Mehrheit der Chinesen, den Han, festgestellt. Aber es kommt noch besser: ihre Antigene sind verschieden von denen der Nepalesen oder Inder! Also sind sie

Teil der chinesischen Nation, ich zitiere. Also ist Tibet chinesisches Territorium. Also will die Handvoll tibetischer Separatisten, die die Unabhängigkeit fordern, ich zitiere immer noch, die unwiderlegbaren Fakten der Wissenschaft ignorieren.

Nicht schlecht! Die Unabhängigkeit eines Volkes von einer Blutprobe abhängig zu machen, eine Religion zu leugnen, eine Kultur, Sprache, Tradition, die seit Jahrtausenden bestehen und völlig eigenständig sind, deren wenige Anleihen gerade nicht von China kommen — denn aus Indien haben sich die tibetischen Mönche im 7. Jahrhundert ihr Alphabet geholt! — alles auszulöschen wegen ein

«Nepals Zug muss endlich auf die Schienen»

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Entwicklungszusammenarbeit in der Sicht des heutigen nepalesischen Finanzministers, eines Mannes, der sie früher kritisierte

MIT DEVENDRA RAJ PANDAY
SPRACH ROUF PROBALA*

Herr Minister, wie haben acht Monate Demokratie den einfachen Nepalesen gebracht?

Die Erwartungen der Menschen sind so hoch wie der Himmel, und dies ist ein Problem für die neue Regierung. Die Nepalesen haben jahrzehntlang unter dem Panchayat-System gelitten, jetzt möchten sie endlich ein besseres Leben. Das ist verständlich. Aber die Verhältnisse lassen sich nicht so schnell ändern.

Die wirtschaftliche Entwicklung macht uns Kopfzerbrechen. Sie ist ein zweischneidiges Schwert. Als Finanzminister wüßte ich die gewaltige Bürokratie zurückzuschneiden. Sie ist aufgebbläht und fetten. Im alten Panchayat-System stellte jeder Minister noch und noch Leute ein, illegal und ohne faire und offene Stellenbewerbungen. Solche Leute finden sie heute überall, in der Verwaltung und den öffentlichen Betrieben, und wir konnten bisher aus politischen Rücksichten dagegen unternehmen. Aber woher sollen wir das Geld für die Löhne dieser Leute nehmen? Unser Budgetdefizit wächst. Wir müssen mehr Geld in Umlauf setzen. Aber dadurch treiben wir die Inflation hoch. Die Preise steigen, und die Zehne zählt am liebsten die Bevölkerung. Das ist ein fataler Fehler.

Aber jetzt stehen die neue Verfassung und die Wahlen zunächst auf der Dringlichkeitsliste.

Vom neuen Problemberg

Sie haben viele Jahre Erfahrung in der Entwicklungsarbeit. Welchen Entwicklungsweg müsste Nepal in den nächsten Jahren dem zugehen?

Die Amerikaner würden sagen, dies sei eine Millionen-Dollar-Frage. Eine Analyse der Probleme Nepals ist leicht und schnell gemacht. Die richtige Strategie zu finden ist eine andere Sache.

Wir müssen sicher die Arbeit angehen. In Nepal verhungert jeder Niemand. Aber die meisten Nepalesen sind autark. Das müssen wir etwas tun. Aber was? Wir müssen ihnen die Möglichkeit geben, etwas Einkommen zu verdienen. Und wie können sie sich ein Einkommen verdienen? Wir müssen ihnen Arbeitsplätze schaffen. Man reden wir aber von einem Land, in dem die Bevölkerung jedes Jahr um 2,6 Prozent wächst. Der jährliche Zuwachs von Arbeitskräften ist noch höher.

Devendra Raj Panday

Devendra Raj Panday studierte in den USA und gilt als einer der besten Ökonomen des Landes. Er leitete in den siebziger Jahren die Foreign Aid Division im Finanzministerium, quitteerte später den Staatsdienst wegen der überhandnehmenden Miswirtschaft. Panday galt als kompetenter Kritiker einer bestimmten Entwicklungs-zusammenarbeit und des Panchayat-Systems. Während der Unruhen Anfang dieses Jahres wurde er verhaftet. Im April holte ihn der neue Premier, Bhatnari, aus dem Gefängnis und als Finanzminister in die Übergangsregierung. (pro.)

Dreißig Jahre lang herrschte in Nepal das Panchayat-System. Alle Macht lag letztlich beim König und seinem «Palast». Mitte Januar dieses Jahres brach eine gut organisierte Protestbewegung aus. Die Bevölkerung forderte Demokratie und eine konstitutionelle Monarchie. Nach wochenlangen Straßenkämpfen musste der König erweichen. Seit April regiert Nepal ein Übergangskabinett. Das Land ist auf dem Weg zur Demokratie. Doch die sozialen und ökologischen Probleme sind geblieben. Ende Oktober nun sicherten Geberländer und Geberorganisationen in Paris dem neuen nepalesischen Finanzminister für die nächsten zwei Jahre 950 Millionen Dollar

Entwicklungshilfe zu. Die finanziell größten Geberländer und Organisationen Nepals sind die Weltbank, die Asiatische Entwicklungsbank, Japan, Frankreich und die BRD, Kanada, Finnland, Großbritannien, Holland, Belgien und die Schweiz bilden das Mittelfeld. Der Bund war letztes Jahr mit rund 30 Millionen Franken in Nepal, einem Schwerpunktland der Schweizer Entwicklungszusammenarbeit, engagiert. Der heutige nepalesische Finanzminister, Devendra Raj Panday, wollte denn auch kürzlich zu einem inoffiziellen Besuch in unserem Land. Einer Entwicklungszusammenarbeit an einem politischen Wendepunkt gilt das folgende Gespräch.



Panday: «Die friedlichen, genügsamen Bewohner hoch oben in den Himalajabergen verdienen unsere Unterstützung, fand man in den (Entwicklungs-)Büros in Bern, Bonn oder Kopenhagen. Aber in Nepal herrscht bis im Frühling ein politisches System, das jene sympathischen Bergbewohner nicht zur Rechenschaft ziehen konnten.» (Bild: F. Hartung)

In Nepal in Industriebetrieben Güter für den Export für diesen grossen indischen Markt und auch für andere Märkte herstellen könnten - das wäre ein Weg, die Armut zu bekämpfen, Arbeitsplätze zu schaffen und gleichzeitig auch die Wirtschaft zu modernisieren.

Das ist die Strategie, die wir anwenden sollten. Wir können es uns nicht leisten, Nahrungsmittel gratis an die Menschen zu verteilen oder zu verbilligen. Wie sollen wir das bezahlen? Die Menschen in Nepal müssen sich ihren Lebensunterhalt selbst verdienen können.

«Wir brauchen Kapital»

Nepal lebt seit Jahrzehnten von der Entwicklungshilfe. Sie waren die Oppositionler ein heftiger Kritiker dieser Auslandshilfe. Möchten Sie als Finanzminister nun darauf verzichten oder sie akzeptieren?

Das Problem der Hilfe in Nepal war folgendes: Nepal genoss international sehr viel Sympathie. «Die friedlichen, genügsamen Bewohner hoch oben in den Himalajabergen verdienen unsere Unterstützung», fand man in den Büros in Bern, Bonn oder Kopenhagen. Aber in Nepal herrschte ein politisches System, das jene sympathischen Bergbewohner nicht zur Rechenschaft ziehen konnten.

Die Nutznießer dieses Systems missbrauchten die Auslandshilfe auf zwei Arten. Erstens: Je mehr ausländische Partner mit der Regierung zusammenarbeiteten und je mehr Hilfsgelder ins Land flossen, desto legitimer wurde ein solches illegitimes autoritäres Regime. Zweitens: Die Auslandshilfe versorgte die Regierung mit Geld, das diese dazu verwendete, die Bildungseinrichtungen des Landes mit Jobs zu versehen und sie so für das System zu gewinnen. Von dem, was die Mächtigen in ihre Privatschulden abzwängten, möchte ich schon gar nicht reden.

Die Geldgeber und Entwicklungsexperten sahen wohl, was da lief, aber sie sagten: «Was können wir tun! Das ist nun mal so in Entwicklungsländern. Versuchen wir in dieser Situation das Beste für die Bevölkerung herauszuholen.» Sie verstärkten ihre Anstrengungen, und die nepalesische Regierung brauchte noch weniger zu tun und sahnte noch mehr ab von grosser gewordenen Entwicklungshilfeschulden. So wurde die Auslandshilfe schliesslich kontraproduktiv. Das habe ich kritisiert.

Aber jetzt ist in Nepal eine Regierung an der Macht, die dem nepalesischen Volk und auch den Steuerzahlern der Geldgeberländer Rechenschaft schuldet. Sie können uns fragen, was wir mit dem Geld gemacht haben. Wir werden zwei-

fellos Fehler machen, und unsere Strategie ist vielleicht nicht immer die beste. Aber wir müssen Erfahrungen sammeln und eine langfristige Entwicklungspolitik entwickeln. Wenn wir erst einmal diese zwei Dinge haben - eine kohärente Entwicklungsstrategie, an die wir uns dann auch halten, und eine Regierung, die der Öffentlichkeit verantwortlich ist, dann würde Nepal mehr Hilfe und mehr Unterstützung von seinen Partnern verdienen als früher.

Ich sage das mit Absicht: Als Ökonom weiss ich, dass Hilfe Kapital ist, und wir brauchen Kapital, um unsere Produktivkräfte nutzen zu können. Gelingt uns dies, so werden wir in Zukunft keine Hilfe mehr brauchen. Darauf müssen wir hinarbeiten. Aber wie lange es dauert, bis wir dort sind, weiss ich nicht: 5, 10, 20 Jahre.

Was die Geberländer betrifft - sie wurden in Nepal auch zu Opfern eines Systems, mit dem sie 30 Jahre zusammenarbeiteten.

«Es könnte Partnerschaft beginnen» Die Geberländer sind also entschuldigend für Nepal? Das System wäre vielleicht früher zusammengebrochen, wenn sie Ihre Hilfe gestrichelt hätten?

Sehen Sie, Entwicklungshilfe ist ein weltweites System, das läuft und läuft, solan-

STICHWORT

Das Panchayat-System

1960 verordnete König Mahendra (der Vater des jetzigen Königs), nach einem halben Staatstreich von oben, Nepal ein System von Dorf-, Regional- und Nationalräten: das sogenannte Panchayat. Parteien und Gewerkschaften wurden verboten. Die Macht lag weitgehend beim König und beim Palast. Das Panchayat-System funktionierte als effiziente Verwaltungs- und Entwicklungsmaschine zugunsten der Königs- und der königstreuen Elite. Palast und Regierung verstanden es meisterhaft, Geberländer und grosse Entwicklungsorganisationen gegeneinander auszuspielen. Diese stehen meistens unter dem Zwang, die einmal zugesprochenen Mittel unverzüglich frist in Projekten loszuwerden. Sie treten in Nepal deshalb oft als Konkurrenten auf.

Eines der letzten Beispiele für diese Funktionen der Panchayat-Verwaltungs- und Entwicklungsmaschine spielte sich im August vor der Wende, Anfang dieses Jahres, ab: Nepal erhielt, nachdem es schon früher einem Strukturanspassungsprogramm zugestimmt hatte, eine Weltbankkreditlinie von 50 Millionen Dollar. Die inzwischen erlassene Regierung kaufte sogleich 200 Toyotas, die sie Ministern und Parlamentariern gliedern subventionieren und teilweise zur Verfügung stellte. Lederspekulation dieses Deals war die nepalesische Staatskasse.

ge nicht Dramatisches passieren. Es laut, weil die Probleme, die auftauchen, immer sind die typischen Probleme eines Entwicklungslandes. Das werden wir auch weiterhin machen werden. Ich habe dieses Phänomen auch schon als neuen Realismus bezeichnet, denn wenn das gleiche in Ihrem Land passiert, so hat das Folgen. Warum soll es in meinem Land keine haben? Diebstahl ist in Ihrer und in meiner Gesellschaft ein Verbrechen. Wenn die Wokrate für Ihre Gesellschaft gut ist, dann ist sie's auch für meine. Das ist meine Meinung.

Andererseits ist nicht alles schlecht, was in den letzten dreissig Jahren in der Entwicklungszusammenarbeit in Nepal geistert wurde. Strassen wurden gebaut, ein Telekommunikationssystem wurde installiert, die Kinderserbenarbeit ist immer noch himmelstark hoch, aber sie ist doch tiefer als vor 30 Jahren. Die Entwicklungshilfe hat viele Verdienste, und den Gebern gebührt Dank dafür.

Doch die Entwicklungszusammenarbeit trägt ebenso einen Teil der Verantwortung für die Fehler und die Miswirtschaft. Wir sollten aus diesen Fehlern jetzt wenigstens lernen. Wir wollen, als Konsequenz, eine kohärente Entwicklungspolitik, und wir hoffen, dass alle Geberländer gemeinsam auf dieser Grundlage mit uns zusammenarbeiten.

Was wir nicht mehr möchten ist, dass die Schweizer, die Deutschen, die USA, die Weltbank usw. je mit einer eigenen Strategie in Nepal arbeiten. Daraus wird ein konfuses Nepal, in dem wir uns nicht mehr zurechtfinden.

Wir von der Regierung möchten den Geberländern sagen: «Schaut, dies ist das Nepal, das wir haben möchten, und um dieses Nepal zu schaffen, müsste das und das getan werden.» Wenn die Geberländer sich mit den grossen Zügen unserer Entwicklungsstrategie einverstanden erklären, dann kann Partnerschaft beginnen. Sie wiederum sollen uns auf unsere gemeinsamen Ziele und Abmachungen verpflichten. Aber wir möchten ein einziges Programm und nicht ein Dutzend unkoordinierte, die sich wenn möglich noch überlappen oder widersprechen.

Wenn Sie an die immensen Schwierigkeiten denken, vor denen Ihr Land steht, wie ist Ihnen persönlich zuzumute?

Ich will es Ihnen mit einem Bild illustrieren: Unter dem Panchayat-System trieb die Regierung den Gebern eine Bahnhofs- und erklärte: «Schaut, wir haben die Bahnhofs- bis in den Himmel gelegt. Gebt uns jetzt das Geld, und wir fahren dort hin.» Aber die Lokomotive stand immer auf der Schienen - irgendwo im Gras. Heute ist die Bahnhofs- noch immer da. Wenn sie fährt, ab in den Himmel, das wissen wir nicht. Vielleicht müssen wir auch die Richtung ändern. Aber wir wollen den Zug jetzt endlich auf die Schienen haben und losfahren. Gelingt es uns erst einmal, die Grundbedürfnisse unserer Bevölkerung zu decken, haben wir einen gewissen Erfolg. Ich würde mir wünschen, dass Sie das auch tun.

Gerangel um die neue Verfassung

Am 9. November will König Birendra von Nepal die neue Verfassung promulgieren, die das Volk ihm im Frühjahr abgetrotzt hat. Sie möchte das Volk zum Souverän machen und unter anderem den Umweltschutz verankern. Nach welchem Hin und Her schreiben sich damit die demokratischen Kräfte durchgesetzt zu haben.

VON ANDREAS BÄNZIGER, DELM

Alles schien den gewöhnlichen Gang zu nehmen. Nach dem Erfolg der demokratischen Bewegung im Frühling und der Bildung einer Regierung, in der die nepalesische Kongress-Partei und die Vereinigte Linke Front den Ton angaben, wurde eine Verfassungskommission eingesetzt. Diese Kommission arbeitete innerhalb der gesetzten Frist eine demokratische Verfassung aus und unterbreitete sie dem Kabinett, welches das Entzwei mit einigen Veränderungen zur Genehmigung an den König

weiterleitete. Doch dann herrschte plötzlich Pankasie. Dann wurde ruckartig, dass der König unter dem Einfluss reaktionärer Berater plötzlich wieder auf wesentliche demokratische Errungenschaften zurückzukommen gedachte. Insbesondere wollte sich der König wieder das Recht vorbehalten, im Fall eines Notstands die Regierung abzusetzen und selber das Regiment zu führen - genau dieser Klausel war 1961 schon die einzige je demokratisch gewählte Regierung in Nepal zum Opfer gefallen.

Kaum waren die reaktionären Verfahrensvorschläge des Palastes bekannt, war das Volk von Katmandu wieder auf der Strasse, und Premierminister Bhatnari drohte mit dem Rücktritt. Die eidernde Reaktion der Nepalesen hat den König offenbar beeindruckt, und letztendlich scheint es der Regierung in langwierigen Verhandlungen mit dem König gelungen zu sein, die demokratischen Grundgedanken der Verfassung wiederherzustellen.

Danach liegt die Verantwortung jetzt beim Volk. Der König wird von einem

fast absoluten zu einem konstitutionellen Monarchen und soll nur noch die Einheit des Landes symbolisieren. Er kann im Fall eines Notstands die Macht nur auf Anraten der Regierung übernehmen, was die demokratisch gewählte Regierung über den Palast stellt. Und der Nationale Sicherheitsrat, der die Kontrolle über die Streitkräfte ausübt, wird von Zivilisten und nicht vom Militär dominiert, wie es der König gewünscht hätte.

Die Regierungsvertreter sagen auf jeden Fall, dass der König in diesen beiden Punkten einen Rückzieher gemacht und seinen eigenen Entwurf zugunsten desjenigen der Regierung zurückgezogen habe. Damit hat sich die Lage in Katmandu wieder beruhigt. Aber ganz sicher, dass der Palast ihnen nicht doch einen Streich spielt, sind die Nepalesen erst, wenn ihnen der König am 9. November gnädigst den Inhalt ihrer neuen, demokratischen Verfassung eröffnet, die im kommenden Frühjahr zu den ersten freien Wahlen in mehr als 30 Jahren führen soll.

* Rolf Prohala ist Schweizer und Redaktor

UNIVERSAL DECLARATION OF HUMAN RIGHTS

The U.N. declaration of Human Rights is a noble and unique document in a number of ways. Its nobility is there for everyone to see. Its uniqueness consists in its unanimous adoption by U.N.O. That the countries with diverse and opposed social systems and states have given their support to it makes it unique. Eleanor Roosevelt, the redoubtable liberal leader of U.S.A presided over the U.N. session as the representative of U.S.A. The charm and the elegance of the great lady must have made it easier for the representatives of various countries to gloss over their secondary differences over the document. Today the historic document stands out as the point of reference for Human Rights activists all over the world. It is no mean achievement.

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want have been proclaimed as the highest aspiration of the common people,

Whereas it is essential to promote the development of friendly relations between nations, Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore,
THE GENERAL ASSEMBLY
proclaims
THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS

as a common standard of achievement for all peoples and nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a

person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination of equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

(1) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

- (1) Everyone has the right to freedom of movement and residence with the borders of each State.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

- (1) Men and Women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found family. They are entitled to equal rights as to marriage, during marriage and at its dissolution
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

- (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21

(1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international cooperation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

(1) Everyone has the right to work, to free choice of employment, to just and favourable condition of work and protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same

social protection.

Article 26

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect of human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Imperialismus im Forscherlook

Die Problematik von Kurzzeitforschungen für Diplom- und Doktorarbeiten

Ludmilla Tüting

Wer profitiert von Forschungsarbeiten? Die „Erforschten“? Was nützt es ihnen, wenn ein Ausländer, der häufig genug erstmals ihr Land besucht, Veränderungen ihres Dorfes herausfindet? Sie erfahren nur in Ausnahmefällen von dem Ergebnis, das in der Regel anschließend in einem fernen Land im Regal verstaubt. Profiliert hat sich nur der (angehende) Wissenschaftler, nahezu durchgängig auf Kosten der „Erforschten“, denen er während seiner empirischen Forschung – meistens – zur Last gefallen ist.

Die ehemalige Entwicklungshelferin Hildegard Schürings brachte das Problem der „Dritte-Welt-Forschung“ auf den Punkt: „Forschung geschieht in der Regel von oben nach unten. Wenn Forschung aber nicht den ‚Beforschten‘ zugute kommt, ist sie reine Wissensausbeutung. Man saugt die Leute aus und profiliert sich an ihnen. Das ist für mich eine Mißachtung des Menschen.“¹

Den beiden Wissenschaftlern Rainer Buchwald und Robert Dilger erscheinen dabei „wissenschaftliche Fingerübungen“ wie etwa Diplomarbeiten und Dissertationen als „besonders problematisch“, da sie sich allein an dem „Ziel eines akademischen Abschlusses orientieren“. In ihrem Beitrag „Wissenschaftlicher Tourismus: Imperialismus im Forscherlook“² weisen sie auf die „grundsätzliche Gefahr“ hin, daß der „Forschungsgegenstand zum reinen Objekt des ausländischen Forschers für seine Zielsetzung wird“. Aus diesem Grund lehnen sie wissenschaftliche Kurzzeitforschung als „inadäquat“ ab.

Kurzzeitforschung produziert Kilschees

Sie bringt in den Ländern der ‚Dritten Welt‘ keinen Nutzen, sondern schadet ihnen sogar zum Teil, da die Ergebnisse solcher Art von Forschung kaum fundiert sind. Wissenschaftliche Touristen, die nur wenige Wochen bis Monate im Ausland arbeiten, sind in der Regel nicht in der Lage, sich intensiv mit den sozialen, politischen und ökonomischen Verhältnissen des jeweiligen Landes wie mit dem Gegenstand ihrer Forschungen und dessen Umfeld auseinanderzusetzen. Vor allem in den sozialwissenschaftlichen Disziplinen besteht dadurch die große Gefahr, daß der Forscher aufgrund nur begrenzter Einsichten Kilschees produziert, die seine subjektiven Eindrücke widerspiegeln, wie dies in Reisebeschreibungen regelmäßig der Fall war und ist.

In zunehmendem Maße trifft das vor allem auf Studentinnen und Studenten zu, die sich den Tourismus z.B. an einem Fall-

beispiel als Thema ihrer Arbeit ausgesucht haben. Das geschieht in nahezu allen Disziplinen.

Ein weiteres Problem sei die Sprache, der eine zentrale Bedeutung zukomme, beim Aufenthalt selbst ebenso wie bei der anschließenden Auswertung. Buchwald und Dilger fordern allgemein: „Vor allem die Publikation der Ergebnisse muß bereits vor Verlassen des Landes fertiggestellt sein. Ergebnisse dürfen nicht ‚mitgenommen‘ werden, das Publikationsrecht liegt immer beim einheimischen Auftraggeber. Sie dürfen nur gemeinsam verfaßt und nicht in einer Sprache geschrieben sein, die die auftraggebende Instanz nicht spricht oder

Wer schützt die „Erforschten“?

Es ist bedauerlich, daß es für Forschungsergebnisse von Anthropologen und Ethnologen keinen Datenschutz gibt. Sherpas aus Nepal haben noch immer nicht den Gedanken aufgegeben, als Opfer eines Anthropologen vor den Weltgerichtshof in Den Haag zu ziehen.

Ein renommierter Wissenschaftler, der seit Jahrzehnten im Himalaya forsch, gab 1984 ein neues Buch über diese Volksgruppe aus Nepal heraus. Darin beschrieb er die gesellschaftlichen Veränderungen seit 1953, die stark mit dem Trekkingtourismus zusammenhängen. Im Anhang veröffentlichte er dazu eine Liste, in der er detailliert über 93 Familien eines bekannten Bergdorfes im Everest National Park Auskunft gibt. Angegeben sind Lage des Hauses, die vollen Namen, der Status, Besitzverhältnisse und sämtliche, auch intime Probleme der einzelnen Familienmitglieder.

Um diese unglaubliche Rücksichtslosigkeit und Geschmacklosigkeit noch zu steigern: Die Angaben sind z.T. schlicht und ergreifend falsch und da von negativer Aussage, rufschädigend obendrein.

An was fehlt es hier, an Takt, Gehirnzellen oder Berufsethik?

versteht. Hierbei sind vor allem regional bedeutende nichteuropäische Sprachen zu erwähnen.“

Zumindest bei projektbezogenen Untersuchungen steht selbst für Diplomarbeiten die Forderung im Raum, den einheimischen Partnerinnen und Partnern ein Exemplar z.B. in Englisch zu überlassen, auch als Gegenleistung für die Betreuung.

Wer profitiert von der Forschung?

Die zentrale Frage lautet tatsächlich: Wer profitiert von den ungezählten Seminar-, Diplom-, Magister- und Doktorarbeiten sowie sonstigen Studien mittels Stipendium, die beispielsweise zum Thema „Tourismus in Entwicklungsländern“ angefertigt wurden? Nur ganz vereinzelt können die „Erforschten“ nachlesen, was über sie geschrieben wurde, wobei sie sich nicht unbedingt wiedererkennen. Größer ist dagegen die Chance, daß ihre Region plötzlich „erschlossen“ wird und daß viele fremde Besucher kommen, wozu insbesondere selbsternannte „Forschungsreisende“ durch Bücher mit hohen Auflagenzahlen beitragen.

Die „Studies“ aller Fachbereiche stellen sich so gut wie nie die Frage, ob sie vor Ort in „ihrem“ Projekt überhaupt erwünscht sind oder verkraftet werden können. Die Unterstützung ihrer „Field Work“ wird als selbstverständlich vorausgesetzt, eine Art roter Teppich insgeheim erhofft. („Die Inder brauchen ausländische Wissenschaftler, damit ihre Probleme untersucht werden können.“) Um so größer ist dann die Verwunderung, wenn es mit dem „Kooperationspartner“ nicht gut klappt.

Fast nie wird außerdem ein Thema konsequent aus der Sicht der „Beforschten“ untersucht. Sie werden zwar ausgiebig befragt, aber normalerweise nur aus westlicher Sicht und ohne profunde Kenntnisse der Umwelt und Sozialstrukturen. Nicht einmal die einheimischen Wissenschaftler, die meistens ignoriert werden, erfahren anschließend etwas Neues. Was sie nachlesen können, sofern sie die Möglichkeit da-

Kurzfassung auf Englisch vorhanden, ebenfalls eine dänische Fassung.

Kostenlos

„Ich schreibe zur Zeit eine wissenschaftliche Arbeit über die Auswirkungen des Tourismus auf das soziale und wirtschaftliche Gefüge in Südindien, unter besonderer Berücksichtigung einer Veränderung der Erwerbsstruktur im primären Sektor und im traditionellen Handwerk. Ich möchte Sie bitten, mir, wenn möglich, Datenmaterial, Statistiken, und andere Informationen oder Kontaktadressen über Indien zuzusenden. Falls es Ihnen möglich ist, wäre ich für die kostenlose Übersendung des Buches „Vom Kolonialismus zum Tourismus“ von Ueli Mäder sehr dankbar. Mit freundlichen Grüßen ...“

Student Universität Freiburg und DAAD-Stipendiat.

Imperialismus im Forscherlook

20 - 21

Der Strom der üblichen Touristen in die Dritte Welt wird verstärkt durch „Wissenschaftstouristen“, die hier für nur wenige Wochen ihren Studien nachgehen. Die Probleme, die daraus entstehen können, reichen von weitergegebenen Klischees über den bisher nicht existenten Datenschutz für die „Erforschten bis zur formal-korrekten, aber inhaltsleeren wissenschaftlichen Arbeit. Es wird höchste Zeit, so die Autorin, daß die Forscher sich ihrer Verantwortung gegenüber den Erforschten bewußt werden und nicht nur deren Wissen ausbeuten.

Wenn Forschung nicht den Beforschten zugute kommt, ist sie reine Wissensausbeutung.

Foto: Paczensky

zu haben, ist ihnen für gewöhnlich nicht unbekannt. Das trifft vor allem auf Kurzzeitforschungen zu.

Warum werden Erforschte nicht stärker beteiligt und gewürdigt? Dankesworte für die „gute Zusammenarbeit“ oder „Mitarbeit“ reichen hier ebensowenig wie bei uns die knappe Erwähnung der Studenten oder Assistenten, die für das neue Buch ihres Professors die Grundlagenforschung betrieben. Und warum fallen alle die Expertinnen und Experten aus dem außeruniversitären Bereich unter den Tisch? Weil sie sich nicht mit unserem Wissenschaftsverständnis vereinbaren lassen?

Forscher – Anwalt der Betroffenen

Ein gutes Beispiel ist Indien mit seinen zahllosen Graswurzelwissenschaftlern und -gruppen. Aus diesem Fundus sei eine Bürgerbewegung in Goa genannt, die sich gegen die Expansion des Tourismus in ihrem kleinen Land wehrt. Innerhalb kürzester Zeit kamen sie als wachsame und kritische Bereiste zu den gleichen Ergebnissen wie westliche Tourismusforscher, die sich seit vielen Jahren mit den sozialen, kulturellen, ökologischen und wirtschaftlichen Folgeschäden des Tourismus befassen. Sie, wie viele andere auch, wollen sich allerdings nicht mehr von Studenten und Wissenschaftlern erforschen lassen, die anschließend nur Lippenbekenntnisse auf Papier abgeben. Sie fordern, daß sich die Forschung viel mehr zum Anwalt der Betroffenen und der Umwelt macht.

Es wird höchste Zeit, daß sich z.B. Freizeit- und Tourismuswissenschaftler nicht nur mit der – sie fördernden – Industrie und der jeweiligen Landeselite solidarisieren, sondern auch mit den Erforschten und der geschundenen Natur.

Die Ausbeutung fängt zu Hause an

Die Wissensausbeutung und Benutzung von Menschen beginnt bereits hier und zwar in dem Moment, wenn die „Suche

nach einem schönen Thema“ für die wissenschaftliche Arbeit beginnt. Allein die ungezählten studentischen Anfragen aus nahezu allen Fachbereichen sprechen Bände und geben einen guten Aufschluß über die Einstellung der angehenden Wissenschaftler/innen. Auch die Autorin, die als freie Journalistin in Kreuzberg (Berlin) und Kathmandu (Nepal) lebt, kann davon ein Lied singen. Seit 15 Jahren wird sie mit Anfragen zu einer ganzen Palette von Themen bombardiert, als sei sie ein Dienstleistungsbetrieb. Sie gibt hiermit öffentlich bekannt, daß sie diesen zeit- und kostenintensiven Service eingestellt hat.

Die Briefe (grundsätzlich ohne Rückporto) und Anrufe kamen hauptsächlich aus den Bereichen Tourismus, Wirtschaft, Soziologie, Politik, Geografie, Völkerkunde, Indologie, Tibetologie, Ökologie und Entwicklungspolitik, aber auch Religion, Psychologie und Sport. Grundsätzlich kostenlos und ohne jede Gegenleistung werden massenhaft Informationen, Datenmaterial, Statistiken, Kontaktadressen und Bücher (auch fremder Verlage) angefordert. „Die Anfragen wurden in den letzten Jahren immer dreister. Die Krönung sind Drohgebärden, wenn den Forderungen nicht nachgekommen wird: „Gut, dann schreibe ich eben, daß Sie sich weigern, Auskunft zu geben“.

Der überwiegende Teil der Anfragen ist entweder zu unpräzise: „Ich schreibe eine Diplomarbeit zum Thema ‚Tourismus und Dritte Welt‘. Bitte schicken Sie mir die entsprechenden Unterlagen zu“ (zehn Regale) oder so umfangreich, daß die Arbeit nach Herausuchen und Kopieren aller gewünschten Informationen eine Diplomarbeit in sich darstellt.

Zu der allgemeinen Erwartungs- und Nehmermentalität paßt auch die Tatsache, daß die Studenten bei ihren Anfragen praktisch nie anbieten, als Gegenleistung für erhaltene Informationen ein Exemplar ihrer Arbeit zu schicken. Manche versprechen es auf Nachfrage, vergessen diese Zusage jedoch meistens. Daß selbst bei einem sehr umfangreichen Fragenkatalog kein solches

Hauptsache: wissenschaftlich formal-korrekt

Eine 45jährige Naturwissenschaftlerin aus Kiel schreibt zum Abschluß ihres Zweitstudiums ihre Diplomarbeit über die berühmte indische Umweltschutzbewegung „Chipko“. Sie war vor 14 Jahren einmal in Indien und hat keinen Kontakt zu der Bewegung, empfindet aber die Schriften der führenden Vertreterinnen (z.B. Vandana Shiva) und Vertreter als zu „ideologisch“. Sie hat nach eigenen Angaben keinen Zugang zu den entsprechenden Quellen über indische Umweltpolitik. Ihr sagt weder der Name Maneka Gandhi etwas noch weiß sie, daß diese Indiens engagierte Umweltministerin ist. Sie erhofft sich für ihre „wissenschaftliche“ Bearbeitung der Chipko-Bewegung von der Autorin Aussagen für ihre Quellenangaben, da sie „wissenschaftlich formal-korrekt“ arbeite. Die Autorin verweigert die Kooperation, da sie diese „formal-korrekte“, aber inhaltsleere und bezugslose Wissenschaftlichkeit nicht unterstützen will. Sie hätte den größten Nonsens von sich geben können. Hauptsache, es konnte wissenschaftlich formal-korrekt zitiert werden. Daraufhin die Wissenschaftlerin: „Ich werde schreiben, daß Sie keine Aussagen machen wollen“. Als ob das nicht auch eine Aussage wäre ...

„Gegenangebot“ erfolgt, zeigt eines der Beispiele aus der Praxis. Als ob die Bearbeitung (kostenlos) eine Selbstverständlichkeit wäre, beendete eine Studentin der Fachhochschule Worms ihren Brief: „Obwohl Ihnen mein Anliegen sicher sehr viel Mühe und Arbeit bereitet, bitte ich Sie um baldige Antwort.“ □

1 Frankfurter Rundschau, 26.3.1987, „Aus dem Studententrott in die Slums der Dritten Welt“.

2 „Eingeborene ausgebuht“, Ökozeit 5, Focus Verlag, Gießen 1989 (Hg. Claus Euler).

Offener Brief an Studentinnen, Studenten und Lehrkräfte

Ich fordere die **LEHRKRÄFTE** auf, die Bibliotheken adäquat auszustatten und mit den Studenten durchzusprechen, wie Anfragen zu stellen sind. Dabei ist zu betonen, daß ideell arbeitende Organisationen und Einzelpersonen keine Dienstleistungsbetriebe sind. Nicht einmal Verbände, Institute und Firmen sind Kühe, die beliebig gemolken werden können. Dazu ist die Flut der Anfragen mittlerweile viel zu groß.

Die Fachzeitschrift Fremdenverkehrswirtschaft bietet für den richtigen Vorgang einen ausgezeichneten Sonderdruck an: "Fragebogenflut in richtige Bahnen lenken". (Vertriebsabteilung, Jungfrauenenthal 47, 2000 Hamburg 13.)
Über die Universität Trier kann eine umfangreiche Literatur-Dokumentation zum Thema "Freizeit und Tourismus" per EDV abgefragt werden.

STUDENTINNEN und **STUDENTEN** fordere ich auf, sich mehr Gedanken zu machen, um nicht den Eindruck von bequemen Materialsammlern und -Innen zu erwecken! Nehmen Sie Ihren Professor mehr in die Pflicht, wenn Sie zu wenig Anleitung erhalten.
Recherchieren Sie selbst - mehr - in Fachzeitschriften und Bibliotheken. Diese Mühe kann Ihnen niemand abnehmen.

Erst wenn Ihr Thema konkret feststeht, sollten gut vorbereitete Anfragen verschickt werden.
Beschränken Sie sich auf Fragen, zu denen Sie trotz eigener Recherchen keine Antwort finden.
Stellen Sie die richtigen Fragen a) an die richtigen Stellen und b) nur ganz präzise und abgegrenzt!
Setzen Sie dabei niemanden zeitlich unter Druck.

Geben Sie unbedingt an, wen Sie sonst noch angeschrieben haben und welche wichtigen Materialien Sie bereits haben. Sie vermeiden Doppel- und Dreifachsendungen, schonen die Umwelt und erleichtern die Arbeitssituation in den angeschriebenen Stellen.

Legen Sie wenigstens bei nicht-kommerziellen Stellen Rückporto bei! Erwarten Sie nicht, daß Sie grundsätzlich kostenlos bedient werden.
Bieten Sie eine Kostenübernahme an und/oder (vor allem bei arbeitsintensiven Fragen) als Gegenleistung zumindest die kostenlose Zusendung Ihrer Arbeit.

Reduzieren Sie fremde Menschen und Länder nicht auf Forschungsobjekte und -materialien!
Betrachten Sie Ihr Anliegen immer aus der Sicht der Bereisten. Klären Sie, ob ihnen Ihre Arbeit nützt und ob Sie willkommen sind. Wenn Sie auf Einheimische, z.B. in Projekten, angewiesen sind, bitten Sie grundsätzlich an, Ihre Arbeit (z.B.) in Englisch vorzulegen, sozusagen als selbstverständliche Gegenleistung.

Selbst als Student/in sind Sie in der "Dritten Welt" reich im Vergleich zu den Erforschten, sehr reich sogar.

Haben die Studentinnen und Studenten im Zielland/Projektgebiet auch das Privileg, zu einer Kurzzeit-Forschung ins Ausland zu reisen? Um beispielsweise unsere Probleme zu studieren?
Handelt es sich dabei - wie beim "Dritte-Welt"-Tourismus, den Sie studieren - nicht auch um eine Einbahnstraße?
Gibt es hier Projekte, die sie erforschen könnten und die sie gleichzeitig betreuen würden?
Vielleicht können Sie helfen, eine solche Gegenreise zu ermöglichen.

Thema noch fen

Vier Wochen meiner Semesterferien verbrachte ich in Nepal. Was ich erlebte, hat mich so beeindruckt und beschäftigt, daß ich beschloß, meine Diplomarbeit über das Entwicklungsland Nepal zu schreiben, wobei der Themenbereich noch nicht eindeutig abgegrenzt ist. Ich würde mich sehr freuen, wenn Sie mir mit entsprechendem Informationsmaterial* über Nepal weiterhelfen bzw. mir die entsprechenden Stellen für weitere Informationen nennen könnten. Bereits im voraus vielen Dank für Ihre Mühe.
Studentin der Betriebswirtschaft, Pforzheim

* schränkeweise

Im Rahmen meines Soziologiestudiums bin ich auf der Suche nach einem Thema für ein Forschungsprojekt in Nordindien... (Bielefeld)

Ich bin Studentin der Betriebswirtschaft in Pforzheim mit Schwerpunkt Außenwirtschaft und bin gerade auf Informationssuche für meine Diplomarbeit. Mein Thema lautet: "Die Entwicklung des Tourismus und seine Folgen", wobei ich dieses noch - je nach Erhalt der Informationen - weiter spezifizieren werde.

Ich studiere an der FH Worms Verkehrswesen/Touristik. Im Rahmen einer Seminararbeit möchte ich mich nun mit der Problematik "Tourismus in Entwicklungsländern" auseinandersetzen. Diesbezüglich benötige ich noch Informationsmaterial.

Ich bin gerade dabei, Material für meine Diplomarbeit, die ich über "Tourismus in Entwicklungsländer am Beispiel Nepals" schreiben will, zusammenzutragen.
(Betriebswirtschaftstudentin, FH Kempten)

Im Rahmen meines Studiums (Freizeitwissenschaften/Tourismus) an der Fachhochschule Fulda beginne ich demnächst, meine Diplomarbeit zu schreiben, die sich mit den ökologischen und soziokulturellen Folgen des Tourismus auf das Gastgeberland beschäftigt.

Da man am Geographischen Institut sehr bald schon mit meinen Ergebnissen rechnet, wäre ich Ihnen verbunden, wenn Sie meine Anfrage so bald es Ihnen möglich ist, beantworten könnten.

Bei meiner Suche nach einer Promotionsmöglichkeit wende ich mich an Sie. Gegenwärtig schreibe ich meine Diplomarbeit im Fach Psychologie in Bielefeld und werde demnächst nach Berlin gehen. Deshalb würde ich gerne erfahren, ob dort z.Z. Forschungsprojekte zum Themenbereich Kulturzerstörung/Dritte Welt/Tourismus etc. laufen bzw. welche Professor-innen oder Institute sich dort mit diesem Thema beschäftigen... Da ich mit Ausnahme der Antarktis alle Kontinente bereist und bei der Stämmen wie den Punan auf Borneo und den Pygmäen in Zaire gewohnt habe, bin ich mit der Problematik vor Ort vertraut.

So sieht eine gute Anfrage aus:

Im Rahmen meiner Staatsexamensarbeit (Sportmedizin) mit dem Thema "Höhenkrankheiten beim Bergsport unter dem speziellen Aspekt des Trekking", die ich bei Prof. xy schreibe, benötige ich folgende Informationen: - Anzahl von Trekkingteilnehmern in Nepal pro Jahr. - Trainingszustand und Motivation der Trekker. - Dauer und Höhe der Höhenexposition. - Häufigkeit des Auftretens von höhenbedingten Beschwerden und Krankheiten. - Adressen von Hospitälern in den entsprechenden Hochgebirgsregionen (bei Kathmandu soll es zwei geben). Meine Versuche, per Briefkontakt Informationen von diversen Trekkingveranstaltern zu erhalten, waren bisher ergebnislos. (FU Berlin). P.S. Dieser Student gab mir Fachzeitschriften nicht zurück, die ich ihm geliehen hatte.

Aktivitäten von NEPAL WATCH

Zusätzlich zu ihrem umfangreichen Dossier lieferte uns Ludmilla Tüting noch folgenden Bericht über die Aktivitäten unserer Partnerorganisation NEPAL WATCH und Ergänzungen zum Dossier:

Weiterer Besuch aus Nepal

Kaum war unser Freund von den M-L hier in Berlin und Man Mohan Adhikari im Bonner Raum weg, tauchte am 4. September Gauri Pradhan von FOPHUR (sprich: Fopfjur!) auf. Er ist dort der Secretary und ebenfalls ein langjähriger Aktivist. Witzigerweise dachte ich immer, er sei eine Frau, das geht anderen aber genauso. Seit Jahren versuche ich, mit ihr/ihm in Kontakt zu kommen, da er ~~mit~~ schwerpunktmäßig zu Frauen, Frauenhandel und Kindern arbeitet. Es war also ein Wink des Schicksals. Er ist der langjährige Koordinator (in bestimmten Kreisen nennen sich solche Leute "Präsident") von CWIN, Child Workers in Nepal: Concerned Center. Er rief mich nachts an und stand bereits am nächsten Nachmittag auf der Matte, nachdem Ram abgewunken hatte. Der Bengel brachte klammheimlich gleich noch jemanden mit, aber das war auch ein Gewinn: Gopal Siwakoti, ein nicht mehr aktiver Anwalt und Mitstreiter von Gauri. Gopal steht dem "Institute for Human Rights and Development" (IHRD) vor, Schwerpunkt sind Kinder.

Beide besuchten eine Konferenz in Amsterdam und erhielten plötzlich die Möglichkeit, an einer weiteren Kinderschutz-Konferenz in Hamburg teilzunehmen. Da war Berlin nicht mehr fern. Er brachte auch den Berg T-Shirts mit. Bitte kauft sie von Ram, ihr müßt sie aber dreimal waschen vor dem ersten Tragen, da sie besonders stark konserviert sind! Der Erlös geht direkt an FOPHUR.

Wir diskutierten die allgemeine Lage, tauschten Erfahrungen über uns (HURFON, NEPAL WATCH, FOPHUR etc.) aus und blieben viel beim Thema Frauenhandel. Im Dossier findet Ihr zu diesem Thema einen Beitrag von Prakash Kaphley (Kafley, Kafle) und von Gauri einen Beitrag über die Rechte von Kindern. Die Zeit war eigentlich viel zu kurz (Dienstagnachmittag bis Donnerstagmorgen). Am Mittwoch konnte ich sie in einer höchst interessanten Tour samt Pressekonferenz durch Ostberlin unterbringen, die für 12 Umweltjournalisten (inkl. vier Nepalis) angesetzt war. Das war für die beiden wg. des Vergleichs im Hinblick auf die neuentstandenen Demokratien sehr aufschlußreich. Da ich an dem Abend für die Journalisten als Diskussionsperson (Thema: Grüne und Alternativ-Bewegung) gebucht war, kamen sie wieder mit. Sie haben so eine Menge mitgekriegt.

Adresse CWIN: P.O.Box 4374, KTM, T. 270883. (Kalimati, rechts an der Straße zum Soalte Oberoi). Oder über FOPHUR.

Zeitschrift: Voice of Child Workers, US \$ 35 p.a.

IHRD: P.O.Box 2125, KTM. T. 419610.

Dr. Mathura Shrestha ließ über Dr. Kalyan Rana ganz herzliche Grüße ausrichten, und er freute sich sehr über die Ehrenmitgliedschaft!

Human Rights Gruppen in Nepal

The Rising Nepal meldete am 27.7.90, daß es 18 HR-Organisationen gebe. Davon seien 6 offiziell anerkannt, bei 5 sei die Anerkennung in Arbeit. (Wer bestimmt das??) Siehe dazu auch den Beitrag im Dossier aus der Januar-Nummer von Media Nepal.

Nachtrag zum Protokoll vom 15.9.1990:

NEPAL WATCH unterstützte auch im Namen von HURFON eine Veranstaltung, die vom Dritte-Welt-Zentrum BAZ am 24. August im Bildungswerk für

Demokratie und Umweltschutz durchgeführt wurde, in Berlin. Zu Gast war Hari Har Man Nakarmi von M-L, der über die aktuelle Situation informierte und eine Menge Material mitbrachte. Die Veranstaltung war nur von wenigen besucht, das sehr kurzfristig angesetzt, dafür waren die drei Stunden sehr intensiv. Sigrid und Elke aus Berlin konnten wir als sicherlich sehr aktive Mitglieder gewinnen.

taz vom 24.8.1990

POLITIK

Bildungswort

19.00 »Die Mauern wankten« - Hari Har Man von der United Left Front Kathmandu berichtet mit Dias von den Ereignissen im Frühjahr, die zur Quasi-Entmachtung des Königs führten. » Ort: Zeughofstraße 20, 1-36

Frauen an der Front

Im Dossier findet Ihr einen sehr interessanten Bericht über Aktivistinnen während der Revolution. Hier nun eine kurze Übersicht samt Adressen, soweit vorhanden:

Women Commission of Asian Students Association (ASA)

gehört zur All Nepal National Free Students Union (ANNFSU)

Sumitra Joshi, P.O.Box 2392, Kathmandu

Geben die sehr interessante Zeitung Asian Womanhood heraus, seit 1985.

Damit verbunden und unter demselben Postfach zu erreichen ist die Women's Welfare Society

Sie kooperieren mit der

All Nepal Women's Association (ANWA, ANA)

Chairwoman: Sanjita Rawal, General Secretary: Pruna Shova. Weitere Vorstandsfrauen: Kamala Shrestha, Sujita Shakya, Shanti Shrestha, Bidhya Bhattarai. Jyoti Pradhan gehört auch dazu. Gegründet 1980. Steht den M-L nahe. Adresse chhaina.

All Nepal National Women's Forum bzw. Munch (ANNWF, ANWF)

Präsidentin ist die berühmte Tamang-Schriftstellerin Pariyat, die übrigens im Rollstuhl sitzt. General Secretary: Pampha/Pamfa Bhusal. Hsila Yami (Autorin von "Women and Democracy", s. Dossier) ist hier Mitglied. Ist die radikalste Gruppe, soll Masaal nahestehen. Sie organisierten die Demo gegen den Schönheitswettbewerb mit Modenschau (s. Dossier). Adresse chhaina.

All Nepal Women's Organisation (ANWO)

Präsidentin: Brinda Pandey. Die Heldin von Pokhara, Laxmi Karkee (s. Dossier) ist hier Mitglied. Adresse chhaina.

(Anmerkung: Ich glaube, daß es sich grundsätzlich um Gruppen aus dem linken Spektrum handelt, wenn ihre Namen mit "All Nepal" beginnen.)

Nepal Mahila Sangathan (Nepal Women's Association)

hat einen sehr schlechten Ruf, s. auch im Dossier der Beitrag "Women and Democracy". Vielleicht kann Mangala Devi Singh, die Frau von Ganesh Man Singh, den Verein verändern. Sie ist seit April Präsidentin und war es schon einmal 1945/46.

Asmita

Eine ziemlich neue, linke Frauenzeitschrift auf Nepali. Asmita = Identität. Gibt es seit Ende 1988.

Media Nepal

Hg. ist Bharati Silawal-Giri, eine der interessantesten Frauen, die Nepal zu bieten hat. Ihr Mann ist Pradip Giri, langjähriger politischer Aktivist. Beide sind dem Nepali Congress verbunden. Bharati arbeitet u.a. für die Frauen in der Congress Party. Ich bin mit ihr seit 15 Jahren befreundet. Über die beiden besteht direkter Kontakt zu Rishikesh Shaha und HURON. (HURON und FOPHUR arbeiten eng zusammen und haben z.T. dieselben Mitglieder). Es lohnt sich schon immer, Media Nepal zu abonnieren. Sie erscheint nur leider recht unregelmäßig bzw. lange gar nicht. Siehe auch Dossier! Adresse: P.O.Box 2445, KTM, T. 211886, 216143.

Nepal Mahila Prajatantra Party

Über Nepals Frauenpartei weiß ich nichts zu sagen, will sie jedoch der Vollständigkeit halber aufführen. Es gibt sie seit Juni 1990. Vorsitzende ist Kishori Acharya. Mit im Vorstand sind Vijaya Rana, Shyam Kumari Rai, Chandra Devi Shrestha, Mina Devi Sharma, Hari-laxmi Maharjan, Nani Maharjan, Kusum Tulachan, Sunita Karmacharya, Pramila Sharma. Männer sind in dieser bunten Mischung erwünscht. Berater ist der Journalist Bhim Narayan Sharma.

Manushi

Die zweifellos interessanteste Frauenzeitschrift auf dem indischen Subkontinent. Sie erscheint monatlich, aber abwechselnd in Hindi und Englisch. Madhu Kishwar und Ruth Vanita sind die beiden tragenden Säulen und Mitbegründerinnen (1979). Die hoffentlich noch gültige Anschrift: Manushi, C 202 Lajpat Nagar - 1, New Delhi 110 024, Indien.

Good Morning, Sir!

Zum Problem des Grundrechtes auf Bildung und der Situation in der Praxis berichtet unser Beiratsmitglied Ingrid Decker über persönliche Eindrücke und Erfahrungen in Nepal:

"Good Morning, Sir! Morning, Miss!" Dutzende von kleinen Nepalis haben sich am Schultor versammelt, um ihre ankommenden Lehrer zu begrüßen. Die Rufe der Kinder gehören schon fast zum morgendlichen Ritual hier in dieser Boarding-School. Ort der Handlung ist Balaju, ein Vorort von Nepals Hauptstadt Kathmandu. Schon eine Stunde vor Unterrichtsbeginn haben sich die Schüler und Schülerinnen auf dem Vorplatz dieser alten Villa versammelt, die jetzt als Schulgebäude benutzt wird. Die meisten tragen eine Schuluniform bestehend aus blauer Hose oder blauem Rock, einer weißen Bluse und einem dunkelroten Pullover. Ein paar Jungen spielen Fußball, einige Mädchen Seilspringen, ab und zu gibt es Tränen und die Erwachsenen müssen Streitende auseinanderbringen. Szenen, wie sie sich vor jeder Schule abspielen könnten. Täglich werden beim Principal, dem Leiter der Schule, weitere Kinder angemeldet. Die meisten von ihnen sind kaum älter als vier Jahre.

Zufällig hatte ich einen der Lehrer der English Medium Boarding-School kennengelernt, der mir begeistert von seiner Arbeit erzählte. Als er hörte, daß ich auch Lehrerin bin, lud er mich zu einem Besuch ein. Da eine Englischlehrerin noch fehlte, hatte mich dann der Leiter der Schule dazu überredet, am nächsten Tag ein paar Probestunden zu geben. Seit einem halben Jahr genoß ich meine Beurlaubung, doch allmählich fing ich an, mich zu langweilen. Deshalb war ich dann auch schnell bereit, ein paar Wochen zu bleiben.

Gegen 11 Uhr jeden Morgen wurde von der Hausmeisterin die Glocke geläutet, und nach kurzer Zeit hatten sich die Kinder in Reihen aufgestellt, eines hinter dem anderen, vom kleinsten vorne bis zum größten hinten. Die dritte Klasse schaffte es am schnellsten, während die Kleinen der Nursery-class vermutlich nicht mal wußten, was von ihnen verlangt wurde. Wir vier Lehrer mußten dann dafür sorgen, daß alle endlich ruhig wurden.

Zuerst mußten die Kinder beten. Die Köpfe gesenkt über den gefalteten Händen murmelten sie etwas Unverständliches. Erst später habe ich dann herausgehört, daß das Gebet in Englisch war. Es folgte die Nationalhymne Nepals, gesungen in strammer Haltung und mit erhobenem Kopf. Im Gänsemarsch, den Zeigefinger auf den Mund gelegt, ging es dann in die Klassen.

Meine KollegInnen unterrichteten Nepali, Mathematik und Science, jede Unterrichtsstunde dauerte 40 Minuten. Gegen halb zwei war Tiffintime, eine einstündige Mittagspause. Die Kleinen konnten um halb vier nach Hause gehen, alle übrigen eine Stunde später.

Neben der Nursery-class für die Schulanfänger gab es zwei Kindergartenklassen. Da die Schule noch nicht sehr lange bestand, folgten darauf nur noch die Klassen 1 bis 3. In allen sechs Schülergruppen wurde Englisch unterrichtet, und das war nun meine Aufgabe. In "class 3" saßen nie mehr als acht Schüler. Hier hatte ich auch die wenigsten Verständigungsprobleme, da die meisten bereits ganz gut Englisch sprachen. Ich hatte mir ein Sprachlehrbuch Nepali - Englisch gekauft, daß ich gut im Unterricht benutzen konnte. So lernten meine Schüler Englisch und ich gleichzeitig Nepali. Dabei muß ich gestehen, daß mir die Kinder weit überlegen waren was das Lerntempo betrifft. Da es nicht genügend Schulräume gab, wurde die kleine Gruppe im Freien unterrichtet.

In der alten Villa war nur Platz für die 1. und 2. Klasse, die Vorschulklassen dagegen zwängten sich in den Anbau: schmale Räume mit rohen Betonwänden, die auch noch feucht waren.

Die Kleinsten saßen oft zu fünft in den schmalen Bänken. Da täglich neue SchülerInnen kamen, waren nach einem Monat bereits 50 drei- bis vierjährige in einem Raum von 20 Quadratmetern eingepfercht. Es gab keine Wandtafel und auch keine Bilder. Aus einer anderen Klasse holte ich dann jedesmal ein Plakat mit Tierzeichnungen darauf. Die Kleinen schrien mit Begeisterung die Namen der Tiere im Chor, zuerst in Nepali und dann mit meiner Hilfe in Englisch.

Oft gab es Streit, kein Wunder bei dieser Enge! Oder ein Schulneuling schluchzte vor sich hin und mußte erstmal getröstet werden. Diese Unterbrechung nutzten dann einige Kinder aus den hinteren Bankreihen an der Tür, um sich auf der Toilette zu verstecken. Der reinste Zirkus, bis es mir dann mal wieder gelang, die Aufmerksamkeit auf ein neues Spiel zu lenken: die Zahlenreihe von 1 bis 20, vorwärts, rückwärts und durcheinander; die Namen und Farben von Kleidungsstücken oder ein englisches Lied.

Wie entspannend dagegen war der Unterricht in den anderen Klassen! Es gab zwar keine Bücher, dafür aber eine Tafel. Die Kinder in "kay ji one", der ersten Kindergartenklasse, lernten lateinische Buchstaben schreiben. Wie verhext waren aber jeden Morgen die Bleistiftspitzen abgebrochen und es gab nur einen Anspitzer in der ganzen Schule...

Einige SchülerInnen erschienen nur selten zum Unterricht. Vermutlich mußten sie auf kleinere Geschwister aufpassen oder ihren Eltern bei der Arbeit helfen. Der Principal kontrollierte jedoch nur, ob das Schulgeld von 150 Rupien im Monat bezahlt worden war oder nicht.

Im Kathmandutal besuchen bereits 60 % aller Kinder eine Grundschule. Die Lehrer der Regierungsschulen sind Staatsbeamte.

Privatschulen überwiegen jedoch. Die English Medium Boarding- Schools schießen wie Reispflanzen im Monsunregen aus dem Boden. Einige werden mit Regierungsgeldern unterstützt, die meisten müssen sich aber selbst finanzieren. Schulgeld muß in allen Schulen gezahlt werden. Das sind bis zu 150 Rupien im Monat pro Kind, etwa 10 D- Mark umgerechnet. Ein Busfahrer verdient jedoch nicht mehr als 50 Mark.

Eine Ausbildung für Grundschullehrer gibt es nicht. Die Lehrerstudenten der Tribhuvan- Universität in Kathmandu werden später an den Höheren Schulen unterrichten. Jeder, der sich berufen fühlt, kann Lehrer an einer Grundschule werden. Fachliche Qualifikation ist weniger wichtig als natürliche Autorität und Einfühlungsvermögen. Mein Kollege, Mister Lama, war dafür ein gutes Beispiel. Er sorgte jeden Morgen dafür, daß die Kleinen saubere Hände und geschnittene Fingernägel hatten. Im Mathematikunterricht vermittelte er das, was er selbst mal in der Schule gelernt hatte. Er erklärte mir, daß seine Arbeit für ihn Gottesdienst sei, viel nützlicher als das Beten im Tempel.

Bildung war bis vor 50 Jahren das Vorrecht einer adeligen Minderheit in Nepal. Erst nach 1951 als das Land sich zum Ausland hin öffnete, wurde der Feudalstaat nach westlichem Vorbild modernisiert. In den letzten 30 Jahren stieg der Anteil der Schulbesucher von 9 auf 30 Prozent. Im "verwestlichten" Kathmandu gibt es jedoch weit mehr Schulen als in den Dörfern.

Als zwei Monate später mein Touristen-Visum abgelaufen war, mußte ich Nepal für einige Zeit verlassen. Die Nursery-class war inzwischen auf 70 Kinder angewachsen und sollte nun endlich geteilt werden. Aber es gab keinen Klassenraum mehr. Acht KollegInnen unterrichteten, zwei Männer und sechs Frauen.

Der Abschied von den kleinen Nepalis fiel mir besonders schwer. Sie durften etwas lernen und waren sehr stolz darauf. Aber sie wurden auch gedrillt wie kleine Soldaten, blieben ohne Spielraum für selbständiges Handeln. Sie wurden geschlagen, wenn sie nicht auch in den Pausen Englisch untereinander sprachen. Nepali wird in den English Medium Schools wie eine Fremdsprache unterrichtet. Mal ganz zu schweigen davon, daß Nepali die Muttersprache einer, wenn auch herrschenden, Minderheit ist. 35 weitere Sprachen und Dialekte werden im Land gesprochen, aber kaum einer Schule unterrichtet.

Nach 30 Jahren Herrschaft einer korrupten Königsfamilie werden im Mai 1991 die ersten freien Wahlen stattfinden. Hoffentlich wird das Parlament dann das Recht auf Bildung für alle durchsetzen können.

Kurzbericht von Egon Bender über seine Nepalreise im Oktober

Als Nachtrag zu den bereits im vorigen Rundbrief abgedruckten Informationen über einige auf dem Gebiet der Menschenrechte engagierte Organisationen möchten wir den dazugehörigen Brief unseres Beiratsmitglieds Egon Bender vom 13. November 1990 nachliefern. Es wurde bemängelt, daß die Informationen im letzten Heft kommentarlos abgedruckt wurden. Ich bitte die infolge von Zeitdruck entstandene Panne zu entschuldigen:

Lieber Karl-Heinz, der Aufenthalt in Nepal war phantastisch. Kathmandu ist lebhaft, aber trotzdem immer angenehm; die Landschaft in der Annapurna-Region ist herrlich; die Rafting-Tour und der Besuch des Chitwan Nationalparks war aufregend, aber das Beste an Nepal sind die Menschen. Noch nie ist mir ein so hilfsbereites und nettes Völkchen begegnet.

Neben meinen touristischen Interessen hatte ich viele informative und interessante Kontakte zu unterschiedlichen Personen und Institutionen. Das mit Dir vor meiner Nepalreise abgeklärte Informationsblatt habe ich Interessierten übergeben und auf unser uneigennütziges Engagement hingewiesen.

Leider hatte ich keine Zeit gefunden, persönliche Kontakte zu FOPHUR aufzubauen, aber es haben sich Kontakte zu anderen Menschenrechtsorganisationen ergeben. So hatte ich zum Beispiel durch die Vermittlung von HARI PRASAD SHRESTHA ein interessantes Gespräch mit Ms PARJIAT, einer bekannten nepalischen Schriftstellerin, die Vice-Präsident von HURON ist. Sie ist sehr engagiert in religiösen und ethnischen Dingen, aber auch Bildungschancen für alle sind ihr sehr wichtig. Weil ich mich in religiösen und ethnischen Problemen nur wenig auskenne, konnte ich in dem Gespräch keine konkreten Ergebnisse erarbeiten. Es erscheint mir sinnvoll, unser Engagement auf diesem Gebiet in einem Brief an Ms PARJIAT zu profilieren, und so den Ausgangspunkt für eine nutzbringende Zusammenarbeit zu schaffen.

Ebenso interessant war das Treffen im NON FORMAL EDUCATION CENTER, einer engagierten Institution, die sich um unterschiedlichste Ausbildungsmaßnahmen und um kommunale Entwicklung bemüht. Im Umfeld dieser non-government non-profit Organisation wurde eine Menschenrechtsorganisation gegründet, die mir sehr engagiert erscheint. Durch zwei Umweltschutzprojekte (Marmorabbau südlich von Kathmandu und Zement-Fabrik im Kathmandu-Tal) sowie einem Ausbildungsprogramme für Gefangene, möchten sie in der Öffentlichkeit die Wichtigkeit von Menschenrechten verdeutlichen.

Im NON FORMAL EDUCATION CENTER traf ich auch zwei Frauen, die eine eigene Organisation mit dem Schwerpunkt Frauen- und Kinderrechte gegründet haben. Sie erschienen vielleicht etwas

unerfahren, aber Engagement war zweifelsohne vorhanden, und das ist meistens wichtiger.

Wie bereits in unserem letzten Telefongespräch angedeutet, engagierte ich mich (z.Z. auf eigene Verantwortung und ohne organisatorische Hülle) im Bereich vocation training. Ich hoffe durch die Einführung dualer Ausbildungsformen breite Ausbildungschancen für unterschiedlichste Talente zu schaffen und hierdurch nicht nur die wirtschaftliche sondern auch die soziale Situation zu verbessern. In Nepal hatte ich Kontakt zu dem NON FORMAL EDUCATION CENTER, zu einer tibetischen High school, sowie zufällig zu Mr TEEKA RAM BHATTARAI, einem Conservation Officer des ANNAPURNA CONSERVATION AREA PROJECT. Mit diesen drei Partnern möchte ich "erste Gehversuche" in Richtung duales Ausbildungssystem unternehmen.

Sehr informativ waren auch die Gespräche in Nepal über die laufende Verfassungs-Diskussion. Leider ist die Verfassung trotz mehrfacher Ankündigung, während meines Aufenthaltes in Nepal nicht verabschiedet worden. Am 9. November soll die Verfassung veröffentlicht werden, doch Grund zum Optimismus gibt es nicht. Nach meinen Informationen ist der ursprüngliche Verfassungsentwurf vom Kabinett abgeändert worden. Die Kongresspartei wurde hierbei vom König unterstützt, aber auch die berechtigte Angst vor der Machtübernahme durch Militär und Polizei, die absolut loyal zum König stehen, dürfte eine Rolle gespielt haben. Die vorgenommenen Änderungen sind nicht offiziell publiziert worden, doch wurde mir von mehreren Stellen berichtet, das in der Präambel der Begriff "hinduistisch-konstitutionelle Monarchie" in die Formulierung "hinduistische, konstitutionelle Monarchie" geändert. Dieser textlich geringe Unterschied bewirkt dominante Änderungen in der Interpretation. Nachdem die abgewandelte Verfassung dem König zum Unterzeichnen vorlegte wurde, war dieser mit dem kleinen Finger nicht zufrieden und verlangte nach der ganzen Hand. Gerüchten zur Folge hatte der König eine eigene Verfassung vorgeschlagen, Demonstrationen der unterschiedlichsten Organisationen über Tage hinweg waren die Reaktion.

Mit bestem Gruß
Egon Bender

Steht das nepalische Volk an einem Neubeginn?

Eine kritische Analyse der neuen nepalischen Verfassung von Karl-Heinz Krämer

Nach fast dreißig Jahren der Unterdrückung durch das zu Beginn der 60er Jahre von König Mahendra, dem Vater des heutigen Königs Birendra, aus der Taufe gehobene Panchayat-System, hatte sich das nepalische Volk im vergangenen Frühjahr unter großen Opfern gegen das System erhoben. Es ist von etwa 500 Toten und zahlreichen Verletzten die Rede. Als sich Anfang April der Unmut des Volkes gegen die Person des Königs selber zu richten begann, lenkte dieser ein und nahm Verhandlungen mit den Führern der den Volksaufstand organisierenden verbotenen Parteien auf. Das Ergebnis war die Auflösung des Panchayat-Systems und die Einsetzung einer Übergangsregierung, an welcher der Nepali Congress, der mit Krishna Prasad Bhattarai auch den Premierminister stellte, und sieben in der United Left Front zusammengeschlossene Linksparteien beteiligt waren. Diese erste Parteienregierung seit 1960 wandte sich mit dem Versprechen an das Volk, innerhalb von drei Monaten eine neue, demokratische Verfassung zu schaffen und innerhalb eines Jahres freie und allgemeine Parlamentswahlen durchzuführen. In der Anfangszeit hatte die Übergangsregierung jedoch noch verstärkt mit den alten Kräften des Panchayat-Systems zu kämpfen, welche weiterhin mit ihren Schlägertrupps, den sogenannten Mandale, für Unsicherheit und Chaos im Lande sorgten, um die Parteienregierung in Verruf zu bringen. Auch aus dem Umfeld des Königspalastes, meist kurz als "der Palast" bezeichnet, wurde kein Versuch ausgelassen, die schwindende Macht doch noch zu erhalten. Nicht selten wurde das Vertrauen der Parteiführer dabei rücksichtslos mißbraucht.

So sollte es noch bis Ende Mai dauern, ehe eine Verfassungskommission eingesetzt werden konnte, welche das Vertrauen der politischen Parteien besaß. Diese Kommission schloß ihre Arbeit Ende August ab, doch versuchte der Palast auch in der Folgezeit noch das für das Volk durchaus positive Ergebnis zu verhindern. Erst am 10. September kam es zur offiziellen Übergabe des Verfassungsentwurfs an König Birendra. Dieser reichte den Entwurf sogleich an Premierminister Krishna Prasad Bhattarai weiter und forderte diesen auf, ihn mit allen politischen Parteien eingehend auszudiskutieren und mit eventuellen Veränderungen versehen ihm wiedervorzulegen. Der Hintergedanke dabei war sicherlich, auch die konservativen Kräfte des Panchayat-Systems zu beteiligen, die sich zwischenzeitlich in einigen neuen Parteien - zu nennen sind hier insbesondere die beiden National Democratic Parties von Surya Bahadur Thapa und von Lokendra Bahadur Chand - formiert hatten. Gleichzeitig erhoben aber auch linke Randgruppen, denen der Verfassungsentwurf nicht weit genug ging, und einige secessionistische Gruppen ihre Stimme. Dem Palastumfeld konnte das Auf und Ab der politischen Stimmung in den folgenden Wochen nur recht sein. Erst Anfang Oktober entschloß sich der Ministerrat, eine dreiköpfige Kommission aus den eigenen Reihen zu bilden, welche dem Verfassungsentwurf seine endgültige Form gab, die dem Palast offensichtlich nicht schmeckte. Anders ist es nicht zu erklären, daß die Promulgierung der neuen Verfassung durch den König immer wieder hinausgeschoben und am 21. Oktober gar ein Gegenentwurf des Palastes herausgegeben wurde, der kaum noch Ähnlichkeit mit dem eigentlichen

Verfassungsentwurf hatte und eher an die alte Panchayat-Verfassung erinnerte. Demonstrationen, Arbeitsniederlegungen und Schließungen der Geschäfte in weiten Teilen des Landes, besonders aber in den städtischen Gebieten, waren die Antwort des Volkes. Da endlich lenkte König Birendra ein und promulierte die Verfassung am 9. November in der ihm vom Ministerrat vorgelegten Form.

Hatten insbesondere die linken Gruppen der Verfassung mit ziemlichem Argwohn entgegengesehen, so äußerten sich fast alle Parteien nach der Promulgierung zufrieden und zuversichtlich. Meinungsumfragen haben ergeben, daß man in Kreisen von Nepali Congress, Nepali National Congress, Nepal Praja Parishad und auch den National Democratic Parties die Verfassung fast 100prozentig gutheißt. Aber auch die wichtigsten kommunistischen Gruppen wie die Nepal Communist Party (Marxist-Leninist) und die Gruppe von Man Mohan Adhikari stehen zu 75-80% hinter der Verfassung.

"Entgegen allen Erwartungen ist die Verfassung in ihren Grundlagen demokratisch. Sie läßt dem nepalischen Volk ausreichend Raum, für weitergehende demokratische Werte und Menschenrechte zu kämpfen", schrieb Prakash Kafle, der Generalsekretär des Forums for Protection of Human Rights (FOPHUR). Hier kommt einerseits die deutliche Erleichterung des nepalischen Volkes zum Ausdruck, andererseits aber wird auch herausgestellt, daß die Verfassung in ihrer heutigen Form noch in vielen Dingen verbesserungsbedürftig ist. Aber das war aufgrund der kurzen Zeit, die den Verantwortlichen zur Verfügung stand, vielleicht auch nicht anders zu erwarten. Schon während seines Deutschlandbesuchs Ende August erklärte Man Mohan Adhikari: "Man kann innerhalb von drei Monaten keine Verfassung entwerfen; das ist ein Witz. Wir haben uns diese kurze Zeitspanne ganz einfach nur deshalb gesetzt, weil wir die alten Machtstrukturen ein für allemal beenden und der Übergangsregierung eine Handlungsgrundlage verschaffen wollten."

Vergleicht man die neue Verfassung mit den Verfassungen früherer Jahre, insbesondere mit der 1962 promulgierten Panchayat-Verfassung, die im Laufe der Jahre drei größere Veränderungen erfahren hatte, so kann man jetzt in Nepal durchaus von einem demokratischen Staatswesen sprechen: Die Souveränität liegt beim Volk; die Exekutive wird vom König und einem Ministerrat ausgeübt, wobei der König jedoch für alle seine Handlungen der Zustimmung durch den Ministerrat bedarf; es wird ein Zweikammerparlament geben, wobei im Repräsentantenhaus nur noch gewählte Vertreter des Volkes sitzen werden; schließlich wird es ein unabhängiges Justizwesen geben.

Besonders markant ist bereits die Präambel der neuen Verfassung. Hier wird zwar gesagt, daß die Verfassung vom König promulgiert wird - das war aufgrund der noch gültigen Panchayat-Verfassung, nach der die Souveränität in der Person des Königs ruhte, nicht anders machbar -, aber während die früheren nepalischen Verfassungen selbstherrlich vom König dem Volk verliehen, ja, besser gesagt, diktiert wurden, rückt nun ganz klar der Volkswille in den Mittelpunkt. Es wird betont, daß die Souveränität in den Händen des Volkes liegt. Das nepalische Volk habe durch die jüngste Volksbewegung sein Verlangen nach Verfassungsänderungen zum Ausdruck gebracht. Die neue Verfassung sei durch die größtmögliche Beteiligung des nepalischen Volkes zustande gekommen. Das Erwachsenenwahlrecht, ein parlamentarisches Regierungssystem, die konstitutionelle Monarchie und die Vielparteiendemokratie werden als Eckpfeiler der neuen Verfassung hervorgehoben. Das alles soll sich auf der Grundlage von Freiheit und Gleichheit aller nepalischen Bürger vollziehen und durch ein unabhängiges und kompetentes Justizwesen abgesichert werden. Schließlich betont König Birendra, daß er diese "Constitution of the Kingdom of Nepal" auf Anraten und mit Zustimmung des Ministerrates promulgiert und in Kraft setzt. Klarer kann die Person des Königs nicht in den Hintergrund treten. Was für ein Wandel!

Im Teil 1 der Verfassung (Artikel 1-7) werden einige grundlegende Definitionen festgelegt, die in ähnlicher Weise auch in der Panchayat-Verfassung zu finden waren. Sie klingen nun jedoch deutlich anders. So definiert Artikel 2 die Nation: "Das nepalische Volk, welches geeint ist durch das Band gemeinsamer Ziele und das Vertrauen in die Unabhängigkeit und Integrität der Nation, unabhängig von Religion, Rasse, Kaste oder ethnischer Gruppe, stellt in seiner Gesamtheit die Nation dar." In diesem Zusammenhang wurde in der Panchayat-Verfassung (Artikel 2) noch die Verbundenheit zur Krone als das gemeinsame, einigende Band der nepalischen Nation bezeichnet.

Artikel 3 sagt eindeutig, in wessen Händen die Souveränität liegt: "Die Souveränität Nepals steht dem nepalischen Volk zu und wird in Übereinstimmung mit den Vorkehrungen der Verfassung ausgeübt." Hierzu erwähnte die Panchayat-Verfassung in der Präambel, daß der König traditions- und verfassungsgemäß die souveräne Macht ausübt. Und noch deutlicher hatte es in Artikel 20 Abs. 2 geheißen, daß die Souveränität in den Händen Seiner Majestät liege. In diesem Punkt ist wohl der entscheidendste Einschnitt in der neuen Verfassung zu sehen. Bis zum 9. November 1990 hatte noch alle Macht in den Händen des Königs gelegen, auch wenn dieser zahlreiche Machtbefugnisse auf den

Ministerrat der Übergangsregierung übertragen hatte. Letztendlich hatte die Übergangsregierung bei allen Entscheidungen der Zustimmung des Königs bedurft.

Die Definition des Königreichs in Artikel 4 Abs. 1 ist eine wörtliche Übernahme und Erweiterung des entsprechenden Artikels 3 der Panchayat-Verfassung: "Nepal ist ein multiethnisches, vielsprachliches, demokratisches, unabhängiges, unteilbares, souveränes, hinduistisches und konstitutionell-monarchisches Königreich." Der Begriff "monarchisch" wurde in "konstitutionell-monarchisch" abgewandelt; neu hinzugekommen sind die Begriffe "multiethnisch", "vielsprachlich" und "demokratisch", also allesamt Aspekte, welche im Verlauf der Demokratiebewegung vom Frühjahr 1990 und auch in den Folgemonaten so betont worden waren. Nicht entsprechen wurde jedoch der so vehement vorgetragenen Forderung einer Abkehr vom Hindustaat. Bis zuletzt hatten die nicht-hinduistischen Bevölkerungsgruppen, die etwa ein Drittel der Gesamtbevölkerung ausmachen - die hindu-staatlichen Statistiken sprechen hier irreführend von über 90% Hindus -, aber auch die Linken immer wieder einen säkularen Staat gefordert. Es bleibt zu befürchten, daß das Zugeständnis an die wirtschaftlich, sozial und politisch dominierende Hinduschiicht, welches mit dem Einleitungsartikel 4 über alle anderen Aussagen der Verfassung gesetzt wurde, die Fortsetzung der Diskriminierung nicht-hinduistischer Ethnien garantiert. Wie kann man in Artikel 11 von der Gleichheit aller Bürger reden, wenn man zuvor in Artikel 4 den Staat als einen hinduistischen deklariert hat? Hiermit werden nicht nur die Religion sondern auch das hinduistische Gesellschaftsgefüge, die hinduistischen Werte, die hinduistische Denk- und Lebensweise und die hinduistische Politik als staatlich verbindlich festgeschrieben.

In ähnlicher Weise ist Artikel 6 der Verfassung zu werten, welcher das Nepali, also die Sprache der dominierenden Hinduschiicht, als National- und Amtssprache festschreibt. Daß man die meistgesprochene Sprache Nepals als Amtssprache festlegt, mag ja noch einleuchten, daß man diese Sprache aber weiterhin - wie schon in Artikel 4 der Panchayat-Verfassung - zur Nationalsprache erklärt, muß als ein weiteres Zugeständnis an die führenden Brahmanen- und Chetrikreise des Landes verstanden werden. Da dient Abs. 2 des Artikels 6 der Verfassung, wonach alle übrigen Sprachen, die in den unterschiedlichen Gegenden Nepals als Muttersprache gesprochen werden, als "Sprachen der Nation" bezeichnet werden, wohl eher der Beruhigung der größeren Rechte und eine Wahrung ihrer Kultur fordernden ethnischen Gruppen. Es bleibt abzuwarten, wie die kommenden nepalischen Regierungen diesen mir unklaren Begriff "Sprachen der Nation" rechtlich interpretieren werden. Wenn die übrigen Muttersprachen Nepals keine Gleichberechtigung neben dem Nepali erfahren, ist durch die Volksbewegung vom Frühjahr 1990 in dieser Hinsicht nichts erreicht worden.

Teil 2 (= Artikel 8-10) der neuen Verfassung behandeln das Recht auf Staatsbürgerschaft. Sie bringen keine wesentlichen Veränderungen gegenüber den Artikeln 7 und 8 der Panchayat-Verfassung. Neuerungen sind das Recht auf Wiedereinbürgerung von gebürtigen Nepali, die zwischenzeitlich eine andere Staatsbürgerschaft angenommen haben sowie die Einbürgerung von Nachkommen nepalischer Eltern. Markant ist hier jedoch die beibehaltene Benachteiligung nepalischer Frauen, die wiederum in krassem Gegensatz zum Gleichheitsgrundsatz des Artikels 11 steht: Die Ehepartnerinnen nepalischer Männer können unmittelbar nach ihrer Eheschließung eingebürgert werden, den Ehepartnern nepalischer Frauen jedoch ist dieses Recht verwehrt. Ob sie in Zukunft wenigstens eine gesetzlich zugesicherte Aufenthaltserlaubnis erhalten, bleibt abzuwarten; aus der neuen Verfassung läßt sich dies jedenfalls nicht ablesen. Hier wird wiederum das Hindurecht deutlich, wonach eine Frau nach ihrer Eheschließung ein Mitglied der Familie ihres Ehemannes wird und diesem zu dienen hat. Alle Bindungen und Rechte in Bezug auf ihre eigene Familie und, im Falle der Ehe mit einem Ausländer, ihre eigene Kultur und Gesellschaft werden ihr abgesprochen. Auch hier zeigt die Verfassung also wieder eine Verbeugung vor dem Bekenntnis zum Hindustaat nach Artikel 4.

Besonders lobend sind die in Teil 3 (Artikel 11-23) geregelten Grundrechte zu erwähnen, die sich weitestgehend mit unserem westlich-demokratischen Rechtsgrundsatz decken, wenn da nicht die vereinzelt Widersprüche mit anderen Artikeln der Verfassung wären, auf die ich ja bereits wiederholt verwiesen habe. Auffallend ist nicht mehr länger von Pflichten und Rechten der Bürger die Rede. Die Panchayat-Verfassung hatte in Artikel 9 die Grundpflichten den -rechten vorangesetzt, welche insbesondere die Loyalität gegenüber Königreich und politischem System beinhalteten.

Artikel 11 der neuen Verfassung betont die Gleichheit aller Bürger vor dem Gesetz, unabhängig von Religion, Rasse, Geschlecht, Kaste, Volksstamm oder Ideologie. Abgesehen von dem Begriff der "Ideologie" - damals wurde ja nur die Panchayat-Ideologie geduldet - deckt sich dies mit der Aussage des entsprechenden Artikels 10 der Panchayat-Verfassung. Dieser war aber nicht mehr als eine bloße Floskel, da die im Begriff "Hindu-Staat" verankerte soziale und wirtschaftliche

Gesellschaftsschichtung Vorrang vor aller Gleichheit hatte. Es bleibt zu befürchten, daß sich daran nicht viel ändern wird, da Nepal weiterhin ein hinduistischer Staat bleibt. Da dürften weder Gesetzesvorkehrungen zum Schutz der Interessen der Frauen, Kinder, alten Menschen, der körperlich und geistig Behinderten und der wirtschaftlich, sozial und bildungsmäßig rückständigen Klassen (Abs.3) noch das formelle Verbot der Unberührbarkeit mit allen seinen Nebenaskpekten (Abs.4) etwas bewirken.

Artikel 12 beinhaltet neben dem sehr zu begrüßenden Verbot der Todesstrafe eine ganze Reihe bisher in Nepal durchaus nicht selbstverständlicher persönlicher Freiheitsrechte: Gedanken- und Redefreiheit, Versammlungsfreiheit, Freiheit zur Bildung von Gewerkschaften und Vereinen, Freizügigkeit und Niederlassungsfreiheit innerhalb Nepals sowie das Recht auf freie Berufswahl. Besonders erfreulich ist die völlige Presse- und Publikationsfreiheit, welche durch Artikel 13 garantiert wird. Hatten doch gerade die Journalisten und Schriftsteller im Panchayat-Nepal sehr unter der Zensur zu leiden.

Auch hinsichtlich des Schutzes des Einzelnen bei der Anwendung des Strafprozessrechts paßt sich Nepal mit den Artikeln 14 und 15 ganz den internationalen Menschenrechtsstatuten an: Niemand darf für eine Tat bestraft werden, die zum Zeitpunkt der Tat nicht strafbar war. Niemand darf über das zum Zeitpunkt der Tat gesetzliche vorgeschriebene Strafmaß hinaus bestraft werden (Artikel 14 Abs.1). Niemand darf für ein und dieselbe Tat mehr als einmal bestraft werden (Abs.2). Niemand darf gezwungen werden, gegen sich selbst auszusagen (Abs.3). Niemand darf in der Untersuchungshaft körperlich oder psychisch gefoltert werden, noch darf er in grausamer, unmenschlicher oder erniedrigender Weise behandelt werden. Jeder, der so behandelt wird hat einen Anspruch auf Entschädigung, der gesetzlich zu regeln ist (Abs.4). Niemand darf inhaftiert werden, ohne daß er zum frühest möglichen Zeitpunkt über die Gründe hierzu informiert wird. Jeder hat das Recht auf frei wählbaren Rechtsbeistand (Abs.5). Jeder Verhaftete muß innerhalb von 24 Stunden nach seiner Verhaftung einem Richter vorgeführt werden (ausschließlich des Reiseweges vom Ort der Verhaftung zum Richter) und darf ohne richterliche Anordnung über diesen Zeitraum hinaus nicht in Haft gehalten werden (Abs. 6). Schließlich besagt Artikel 15, daß niemand ohne Vorliegen ausreichender Gründe in Vorbeugehaft genommen werden darf. Solche Gründe sind eine Bedrohung der Souveränität, der Ruhe, der Unteilbarkeit oder des öffentlichen Friedens und der Ordnung des Königreichs Nepal (Abs. 1).

Weitere garantierte Grundrechte sind das Recht auf Information über alle Angelegenheiten von öffentlicher Bedeutung (Artikel 16), das Recht auf Eigentum (Artikel 17), das Recht gegen Exilierung (Artikel 21), das Recht auf Privatsphäre (Artikel 22) sowie das Recht auf konstitutionelle Rechtsmittel (Artikel 23).

Während alle diese genannten Grundrechte ohne Einschränkung zu begrüßen sind, unterliegen die Artikel 18-20 der neuen Verfassung wiederum der Einschränkung durch das Prinzip des Hindu-Staats. So billigt Artikel 18 zwar jeder im Königreich Nepal lebenden Bevölkerungsgruppe das Recht zu, ihre eigene Sprache, Schrift und Kultur zu erhalten und zu fördern (Abs. 1) sowie Schulen zur Bildungsvermittlung in der Muttersprache ihrer Kinder zu errichten (Abs. 2), es bleibt jedoch fraglich, welcher Wert einem derartigen Freiheitsrecht im Hindu-Staat Nepal zukommt. Welche Zukunft haben Kinder, die in ihrer eigenen Kultur und Sprache erzogen wurden in einer Welt, in der nur die Hinduwerte zählen. Nepal bekennt sich mit seiner neuen Verfassung zwar zum Vielvölkerstaat, doch ist dieses Bekenntnis ein halbherziges; nach wie vor wird die dominierende Volksgruppe staatsrechtlich bevorzugt. Nur eine Abkehr vom Hindu-Staat schafft die Voraussetzung für "einen blühenden Garten aller Völker (sabai jatko phulbari)", wie Prithvinaryan Shah, der Begründer des modernen Nepal vor gut 200 Jahren seinen neuen Einheitsstaat so euphorisch bezeichnet hatte.

Auch Artikel 19 ist vor diesem Hintergrund zu sehen. Es handelt sich dabei um eine fast wörtliche Übernahme des Artikels 14 der Panchayat-Verfassung: Jeder hat das Recht, sich zu der Religion zu bekennen und die Religion zu praktizieren, die er ererbt hat, in Übereinstimmung mit den traditionellen Praktiken. Missionierung ist ebenso verboten wie der freiwillige Übertritt zu einer anderen Religionsgemeinschaft. Dies entspricht ganz dem hinduistischen Verständnis von Religion. Das Wort für Religion im Nepali ist "dharma". Der dharma ist im Hinduismus eine religiös-soziale Verpflichtung, in die der einzelne hineingeboren wird, die er zu erfüllen hat, aus der es kein Entrinnen gibt. Eine Lockerung der bisherigen Rechtspraxis bringt jedoch Abs. 2 des Artikels 19, welcher jeder Konfession das Recht zu unabhängigem Bestehen und zur Verwaltung und zum Schutz ihrer religiösen Plätze zugesteht. Hieraus schöpfen insbesondere nepalische Christen und Moslems die Hoffnung auf eine freiere Entfaltung ihrer Religionssphäre.

Schließlich verbietet Artikel 21 Menschenhandel, Sklaverei, Leibeigenschaft und Zwangsarbeit in jeglicher Form (Abs. 1). Kinder dürfen nicht in Fabriken, Minen oder bei ähnlich gefährlichen Arbeiten

beschäftigt werden (Abs. 2). Um alle Formen menschlicher Unterdrückung und Ausbeutung in Nepal auszumerzen, würde es einer grundsätzlichen Umwälzung des Gesellschaftsgefüges bedürfen. Es ist allerdings stark zu bezweifeln, daß sich diese Veränderung in näherer Zukunft vollziehen wird, hat man doch das bestehende System durch den Fortbestand des Hindustaatess gesichert. Es wird sich also am Schicksal der niedrigen Kasten, der ethnischen Gruppen, der landlosen Bauern und der Frauen nicht viel ändern. Es bleibt lediglich die Hoffnung, daß der seit vielen Jahren florierende und vom Panchayat-System geduldete Handel mit Kindern, insbesondere Mädchen, in Zukunft stärker unterbunden wird. Ob der Artikel 21 aber dem Schutz der Kinder in ausreichendem Maße gerecht wird, wenn er lediglich ihre Beschäftigung bei gefährlichen Arbeiten untersagt, wage ich zu bezweifeln.

Der Person des Königs ist Teil 5 der Verfassung (Artikel 27-33) gewidmet. Wie bisher ist mit den Worten "Seine Majestät" der regierende König gemeint, der ein Nachkomme des Großkönigs Prithvinaryan Shah und Anhänger der arischen Kultur und der Hindu-Religion sein muß (Abs. 1). Der König wird als das Symbol der nepalischen Nation und der Einheit des nepalischen Volkes bezeichnet (Abs. 2). Eine ähnlich lautende Funktion des Königs war in der Panchayat-Verfassung in Artikel 2 Abs.1 noch an den Anfang der ganzen Verfassung gesetzt worden. Ich sehe hierin eine unterschiedliche, realistischere Wertung der Person des Königs. Es soll nun die vorrangige Aufgabe Seiner Majestät sein, die Verfassung zu pflegen und zu schützen und dabei die besten Interessen und den Fortschritt des nepalischen Volkes im Auge zu haben (Abs. 3). Hier wird der König wortwörtlich an die Verfassung gebunden; er wird zum konstitutionellen Monarchen. Der alles entscheidende Satz der Panchayat-Verfassung (Artikel 20 Abs.2), "Die Souveränität Nepals ruht in seiner Majestät, und alle Macht, exekutiv, legislativ und judikativ, gehen vom König aus", ist ersatzlos gestrichen.

Die folgenden Artikel beschäftigen sich mit formellen Aspekten des Königsamtes wie der Thronfolge (Artikel 28), den Ausgaben und Privilegien des Königs und seiner Familie (Artikel 29), der Steuerfreiheit seines Einkommens und der Unantastbarkeit seines Besitzes (Artikel 30), seiner juristischen Unantastbarkeit (Artikel 31) sowie der Regelung von Vertretung und Regentschaft (Artikel 32).

Teil 6, in der Panchayat-Verfassung dem Staatsrat (Raj Sabha) gewidmet, betrifft in der neuen Verfassung den Raj Parishad. Schon vor der Zusammensetzung her entspricht dieser wohl ganz dem früheren Raj Sabha. Ihm gehören neben staatlichen und hinduistischen und militärischen Würdenträgern Vertraute und Nominierte des Königs an. Diesem Raj Parishad kommen lediglich im Falle des Todes, der Abdankung oder der Regierungsunfähigkeit des Königs besondere Funktionen zu, die von der Verfassung (Artikel 34) geregelt werden. Die Notwendigkeit eines derartigen Staatsrates in einem demokratischen Nepal wird von linken politischen Gruppen sehr bezweifelt. Man sieht hierin wohl auch das Überleben einer konservativen Institution vergangener Zeiten.

Die Teile 7-11 (Artikel 35-96) der Verfassung behandeln die Exekutive, Legislative und Jurisdiktion. Im Panchayat-Nepal ruhte alle diese Macht in der Person des Königs. So hatte es beispielsweise in Artikel 24 der Panchayat-Verfassung geheißen, daß die exekutive Macht Nepals entweder durch Seine Majestät direkt oder durch ihm untergebene Minister ausgeübt werden solle. Aufgabe der Minister war es, dem König bei der Ausübung seiner exekutiven Macht helfend und beratend zur Seite zu stehen. Auch in der neuen Verfassung hat man sich scheuend den König aus der aktiven Politik herauszulassen. So heißt es in Artikel 35 Abs.1: "Die exekutive Macht des Königreichs Nepal soll entsprechend dieser Verfassung und anderer Gesetze in den Händen Seiner Majestät und des Ministerrats liegen." Allerdings wird gleich im nächsten Absatz die Machtteilung zwischen diesen beiden Organen der Verfassung zugunsten des Ministerrats konkretisiert, wenn es heißt: "Außer in den Fällen, in denen diese Verfassung die Ausübung seiner Macht ausschließlich dem König zugesteht, soll Seine Majestät seine Macht nur auf Anraten und mit Zustimmung des Ministerrats ausüben. Solche Beratung und Zustimmung sollen ihm durch den Premierminister übermittelt werden." Und Abs.3 geht sogar noch darüber hinaus, wenn es heißt: "Die Verantwortung zum Erlaß allgemeiner Verordnungen und die Kontrolle und Lenkung der Verwaltung des Königreichs Nepal sollen entsprechend dieser Verfassung und anderer Gesetze in den Händen des Ministerrates liegen." Hier wird deutlich, der König wird nur noch formell an der Macht beteiligt; die eigentlichen Fäden werden vom Ministerrat gezogen.

Zwar ist die Bildung des Ministerrates die Aufgabe des Königs, wie es sich ja auch für einen Hindu-Herrscher gehört, jedoch sind dem König dabei durch Artikel 36 die Hände gebunden. Er ist gehalten, den Führer der stärksten Partei des Repräsentantenhauses zum Premierminister zu ernennen; die übrigen Minister hat er auf Vorschlag dieses Premierministers aus den Reihen der Parlamentarabgeordneten zu ernennen. Und dieser Ministerrat wird dann nicht dem König sondern dem Repräsentantenhaus gegenüber verantwortlich sein. Bezeichnend ist

in diesem Zusammenhang auch, daß die Minister nicht mehr als "Minister Seiner Majestät" bezeichnet werden. Nach wie vor wird es zur Unterstützung der Minister Staats- und Assistenzminister geben.

Auch die legislative Macht hat man dem König nicht ganz nehmen wollen. So besagt Artikel 44: "Es soll eine Legislatur geben, die Parlament genannt wird. Sie soll bestehen aus Seiner Majestät und zwei Häusern des Parlaments, nämlich dem Repräsentantenhaus (Pratiniddhi Sabha) und der Nationalversammlung (Rastriya Sabha)." Für einen Zeitraum von fünf Jahren werden 205 Abgeordnete in direkter geheimer Wahl von der über achtzehnjährigen Bevölkerung des Landes in das Repräsentantenhaus gewählt werden. In diesem wird es keine vom König nominierten Abgeordneten mehr geben, und die machten bisher immerhin 20 Prozent aus. Stärker ist da der König an der Zusammensetzung des sechzigköpfigen Rastriya Sabha beteiligt. Hier darf er immerhin zehn Mitglieder nominieren, 35 werden vom Pratiniddhi Sabha gewählt, darunter mindestens drei Frauen. Die übrigen fünfzehn Mitglieder des Rastriya Sabha setzen sich aus jeweils drei Vertretern der fünf Entwicklungsregionen des Landes zusammen, die von einem Wahlgremium der lokalen Verwaltungsebenen gewählt werden. Alle zwei Jahre wird ein Drittel der Mitglieder des Rastriya Sabha für einen Zeitraum von sechs Jahren neu gewählt.

Ausgeschlossen von jeglicher Kritik seitens des Parlamentes bleibt die Person des Königs, der Königin und des Thronfolgers. Nach Artikel 56 Abs.1 "dürfen das Verhalten Seiner Majestät, Ihrer Majestät und des Nachfolgers Seiner Majestät nicht Gegenstand der Diskussion in irgendeinem der Häuser des Parlamentes sein. Dies schließt jedoch nicht die Kritik an der Regierung Seiner Majestät aus." In Artikel 59 wird die Regierung gegenüber dem Repräsentantenhaus in die Verantwortung gezogen. "Der Premierminister kann im Verlauf seiner Amtszeit, wannimmer er der Meinung ist, daß es für ihn notwendig oder angebracht ist, eine Vertrauensabstimmung von den Mitgliedern des Repräsentantenhauses zu erhalten, eine entsprechende Resolution erlassen" (Abs. 1). "Falls mindestens ein Viertel der Mitglieder des Repräsentantenhauses dies wünscht, kann in schriftlicher Form einen Mißtrauensantrag gegen den Premierminister gestellt werden. In einer Sitzungsperiode sollte jedoch nur ein derartiger Antrag gestellt werden" (Abs. 2). Die Entscheidung über Anträge gemäß Abs. 1 oder Abs. 2 bedarf der Mehrheit der Gesamtmitglieder des Hauses (Abs. 3). Nach Artikel 56 Abs.2 darf das Parlament sich auch nicht in laufende Gerichtsverfahren einmischen, noch darf es Richter wegen der Ausübung ihrer richterlichen Pflichten zur Verantwortung ziehen (Artikel 56 Abs.3).

Entsprechend den Vorschriften der Verfassung soll in beiden Häusern völlige Redefreiheit herrschen. Kein Mitglied soll für seine Meinungsäußerung oder Stimmabgabe in den Häusern verhaftet oder gerichtlich verfolgt werden (Artikel 61 Abs. 1).

Gemäß Artikel 68 Abs.1 können Gesetze in beiden Häusern des Parlamentes eingebracht werden, Haushaltsgesetze jedoch nur im Repräsentantenhaus. Haushaltsgesetze und Gesetze betreffend der Royal Nepal Army und der Armed Police Force dürfen nur als Regierungsgesetze eingebracht werden. Jede Änderung dieser Gesetze bedarf der vorherigen Zustimmung durch Seine Majestät (Artikel 68 Abs. 2). Hier ist man wohl in Hinsicht auf den sich seit Monaten abzeichnenden Konflikt über die Zuordnungsfrage von Militär und Polizei einen Kompromiß eingegangen.

Ansonsten werden nach Artikel 71 alle Gesetzesvorlagen mit der Unterschrift und dem Siegel Seiner Majestät rechtskräftig. Der König kann die Unterschrift verweigern und die Gesetzesvorlage an das Haus des Parlamentes zurückreichen, welches sie eingebracht hat. In einer gemeinsamen Sitzung beider Häuser ist dann das Gesetz endgültig zu verabschieden und vom König innerhalb von 30 Tagen zu unterzeichnen.

Nepal wird in Zukunft endlich eine unabhängige Gerichtsbarkeit besitzen, die ganz nach den internationalen Maßstäben des Rechtsdenkens ausgerichtet ist. An der Spitze des dreistufigen Gerichtswesens steht der Oberste Gerichtshof. Lediglich der Militärgerichtshof ist nach Artikel 86 von dieser Hierarchie ausgeschlossen. Der Hauptrichter des Obersten Gerichtshofes ist vom König auf Vorschlag des Constitutional Council - diesem gehören gemäß Artikel 117 neben dem Premierminister der oberste Richter, der Sprecher des Repräsentantenhauses, der Vorsitzende des Nationalrates und der Oppositionsführer im Repräsentantenhaus an - für einen Zeitraum von sieben Jahren zu ernennen, die übrigen Richter des Obersten Gerichtshofes auf Vorschlag des Judicial Council, dem neben dem Hauptrichter des Obersten Gerichtshofes der Justizminister, die beiden ältesten Richter des Obersten Gerichtshofes und ein vom König zu bestimmender renommierter Jurist angehören. Für die übrigen Angelegenheiten des Justizwesens zeichnet eine Judicial Service Commission verantwortlich (Artikel 94). Jedermann hat das Recht, zur Überprüfung der Verfassungsmäßigkeit der Gesetze den Obersten Gerichtshof anzurufen (Artikel 88).

Weitere Institutionen der Verfassung, die in ähnlicher Weise bereits aus der Panchayat-Verfassung bekannt sind, sind die Abuse of Authority

Investigation Commission, der Auditor General, die Public Service Commission und die Election Commission, die allesamt vom König auf Vorschlag des Constitutional Council zu ernennen sind. Außerdem gibt es noch einen Generalstaatsanwalt, welchen der König auf Vorschlag des Premierministers ernannt.

Schließlich regelt Teil 17 der Verfassung (Artikel 112-114) die Bildung politischer Parteien. Dieses wichtige Instrument demokratischer Meinungsbildung und Interessenvertretung, das so lange Jahre in Nepal verboten war, wird nun von der Verfassung ausdrücklich garantiert. Von den Parteien wird in Artikel 113 verlangt, daß sie sich an demokratische Normen halten, daß sich ihre Amtsträger mindestens alle fünf Jahre einer Wahl unterziehen, und daß sie bei den Wahlen zum Repräsentantenhaus zu mindestens fünf Prozent Frauen als Kandidaten aufstellen. Es ist zu bedauern, daß der Frauenanteil nicht höher angesetzt wurde und daß er nicht auch für die unteren politischen Ebenen verfassungsmäßig festgelegt wurde. Sehr umstritten in Parteikreisen ist die Regelung des Artikels 113, wonach eine Partei nur dann weiterhin anerkannt wird, wenn sie bei den Wahlen zum Repräsentantenhaus mindestens drei Prozent der Stimmen erhält. Hierdurch wird sicherlich der sich abzeichnenden Zersplitterung der Parteienlandschaft Einhalt geboten, doch vermissen ich andererseits eine Regelung über mögliche Parteineugründungen nach den ersten Wahlen. Der wohl meistkritisierte Artikel der Verfassung ist Artikel 115, welcher die Notstandsvollmachten behandelt. Wenn durch eine auswärtige Bedrohung, einen bewaffneten Aufstand oder eine extreme wirtschaftliche Notlage die Souveränität und Integrität des Königreichs Nepal oder die Sicherheit eines Landesteiles bedroht sind, kann der König, und zwar er allein ohne Hinzuziehung anderer Personen, den Notstand erklären. Diese Regelung war in der Panchayat-Verfassung und auch bereits in der Verfassung von 1959 in ähnlicher Weise anzutreffen. Allzu tief sitzt im Bewußtsein des Volkes noch die Erinnerung an den 15. Dezember 1960, als der Vater des heutigen Königs unter Mißbrauch dieser Notstandsregelung seinen Staatsstreich von oben durchführte und die noch junge Demokratie durch das diktatorische Panchayat-System ersetzte. Da mutet es wie eine Art Entschuldigung an, daß man dem König weiterhin derartige Vollmachten in die Hände gelegt hat, wenn es im Artikel 115 weiter heißt, daß die Erklärung des Notstandes durch den König innerhalb von drei Monaten der Zustimmung des Parlamentes mit Zweidrittelmehrheit bedarf. Vishwanath Upadhyaya, der Vorsitzende der Verfassungskommission, der letztendlich hauptverantwortlich diese Regelung ausgearbeitet hat, erklärte bei einem Treffen in Köln Mitte Dezember auf die Frage, ob diese Dreimonatsfrist nicht zu lang bemessen sei, unrichtigerweise, die Frist betrage nur einen Monat. Man tut sich in Nepal offensichtlich nach wie vor schwer, wenn es um eine Beschneidung der Machtbefugnisse des Monarchen geht. Den reaktionären Kräften ist mit Artikel 115 jedenfalls die Hintertür zur Machtrückkehr offengehalten worden.

Auch Teil 20 (Artikel 117-127) enthält noch einige wichtige Regelungen. Bereits erwähnt wurde der in Artikel 117 geregelte Constitutional Council, dem die Aufgabe zufällt, Vorschläge für die personelle Besetzung einer ganzen Reihe von in der Verfassung vorgeschriebenen Positionen zu unterbreiten. Mit Artikel 118 wird die nepalische Armee der Oberaufsicht eines National Defence Council unterstellt. Dieser besteht aus dem Premierminister, dem Verteidigungsminister und dem gemäß Artikel 119 vom König auf Vorschlag des Premierministers zu ernennenden Oberkommandierenden. Das oberste Kommando über die königlichen nepalischen Streitkräfte liegt jedoch weiterhin in Händen des Königs. Dieser ist nach Artikel 120 auch bei der Ernennung von Botschaftern und Gesandten an keinerlei Vorschläge und Empfehlungen gebunden.

Als Fazit bleibt zu sagen, daß die neue Verfassung in ihrer Gesamtheit erfreulich demokratisch ausgefallen ist. Gemessen an dem kurzen Zeitraum, welcher der Verfassungskommission zur Verfügung stand und der hohen Zahl der Eingaben und Empfehlungen, welche auszuwerten und zu berücksichtigen waren, kann man vorerst zufrieden sein. Auf der Grundlage dieser Verfassung können Wahlen abgehalten werden und eine demokratisch gewählte Regierung und ein demokratisch gewähltes Parlament ihre Arbeit aufnehmen. Zu den Aufgaben des ersten gewählten Parlamentes wird auch eine Überarbeitung und Ausfeilung einiger Artikel der Verfassung gehören. Hierzu ist das Parlament gemäß Artikel 116 bei Zweidrittelmehrheit ermächtigt. Ich habe bereits einige Unzulänglichkeiten der Verfassung erwähnt. Besonders hervorheben möchte ich noch einmal die unzureichende Berücksichtigung der Interessen der Frauen, der Kinder, der alten Menschen sowie der ethnischen Gruppen und der niedrigen Kasten. Eine wirkliche Verbesserung ihrer Lage wird jedoch erst nach einer Abkehr vom Hindustaat möglich sein.

Es bleibt allerdings auch noch die Hoffnung, daß sich die derzeitige und die zukünftige Regierung an jene Richtlinien und Grundsätze der Regierungspolitik halten, die ihnen im Teil 4 (Artikel 24-26) der neuen Verfassung vorgegeben werden. Diese dort vorgegebenen

Regierungsprinzipien lassen nämlich die den übrigen Artikeln manchmal innewohnenden hindurechtlichen Maßstäbe außer acht. Sie verkörpern im Grunde alles, was im Vorfeld der Verfassungsarbeit an demokratischen und menschrechtlichen Berücksichtigungspunkten vorgetragen worden war. Leider kann die Einhaltung der Richtlinien und Weisungen des Teils 4 der Verfassung nicht gerichtlich erzwungen werden (Artikel 24 Abs.1). Sie sollen jedoch grundlegend sein für die Regierungsaktivitäten und sollen stufenweise durch Gesetze je nach den Mitteln und Möglichkeiten des Landes realisiert werden (Artikel 24 Abs.2).

Auch die Panchayat-Verfassung hatte in ihrem Teil 4 Richtlinien für die Regierungspolitik festgelegt, die auf den ersten Blick durchaus positiv klangen; dennoch sah die Wirklichkeit ganz anders aus. Einige Aspekte dieser Richtlinien wurden in die neue Verfassung übernommen, insgesamt aber wirken die neuen Richtlinien des Artikels 25 demokratischer, klarer, realistischer. Es soll das grundlegende Ziel des Staates sein, die Wohlfahrtsbedingungen auf der Grundlage der Prinzipien einer offenen Gesellschaft zu verbessern, indem ein in allen Aspekten des nationalen Lebens gerechtes System, einschließlich der sozialen, wirtschaftlichen und politischen Aspekte, errichtet wird, während gleichzeitig das Leben, das Eigentum und die Freiheit der Allgemeinheit geschützt werden müssen (Abs. 1). Das wirtschaftliche Ziel des Staates soll die Umformung der nationalen Wirtschaft in ein unabhängiges und selbständiges System sein. Dabei soll die Konzentration der vorhandenen Ressourcen und Mittel in den Händen eines nur kleinen Teils der Gesellschaft vermieden werden. Vielmehr soll eine gleichmäßige Verteilung der wirtschaftlichen Gewinne auf der Grundlage sozialer Gerechtigkeit erreicht werden, indem Vorschriften erlassen werden, welche der wirtschaftlichen Ausbeutung einer Bevölkerungsklasse oder von Individuen vorbeugen, und indem nationale private und öffentliche Unternehmen gefördert werden (Abs. 2). Das soziale Ziel soll es sein, auf der Grundlage von Gerechtigkeit und Moral ein gesundes Sozialleben zu entwickeln, indem alle Arten wirtschaftlicher und sozialer Ungleichheiten aus dem Wege geräumt werden. Dies sei nur möglich durch die Schaffung von Harmonie unter den verschiedenen Kasten, Stämmen, Religionen, Sprachen, Hautfarben und Bevölkerungsgruppen (Abs. 3). Es soll die Hauptverantwortung des Staates sein, Bedingungen zum Genießen der Früchte der Demokratie zu schaffen. Dies geschieht durch die größtmögliche Beteiligung des Volkes an der Regierung des Landes durch das Mittel einer Dezentralisierung der Verwaltung. Die allgemeine Wohlfahrt soll verbessert werden durch Vorkehrungen zum Schutz und zur Durchsetzung der Menschenrechte, während gleichzeitig Frieden und Ordnung im Staate aufrechterhalten werden (Abs. 4). Der Staat soll in seinen internationalen Beziehungen von dem Ziel geleitet werden, die Würde der Nation auf der internationalen Bühne zu verbessern, während gleichzeitig die Souveränität, Integrität und Unabhängigkeit des Landes gewahrt werden (Abs. 5).

Noch konkreter klingen die sehr ausführlichen Staatsgrundsätze, die in Artikel 26 festgelegt werden. Der Staat soll demnach eine Politik verfolgen, welche auf die Verbesserung des Lebensstandards der allgemeinen Öffentlichkeit ausgerichtet ist. Dies soll durch die Entwicklung grundlegender Strukturen wie öffentliche Bildung, Gesundheit, Wohnraum und Beschäftigung der allgemeinen Öffentlichkeit aller Regionen geschehen, indem eine gleichmäßige Verteilung der Investition der wirtschaftlichen Ressourcen mit dem Ziel einer ausgewogenen Entwicklung in den verschiedenen geographischen Regionen des Landes vorgenommen wird (Abs. 1).

Der Staat soll einerseits die kulturelle Vielfalt des Landes erhalten, andererseits aber auch eine Politik zur Stärkung der nationalen Einheit betreiben, indem gesunde und herzliche soziale Beziehungen zwischen den diversen Religionsgruppen, Kasten und Klassen, Volksgruppen und Sprachgruppen gefördert werden und auch Hilfe geleistet wird zur Förderung von Sprache, Literatur, Schrift, Kunst und Kultur aller (Abs. 2).

Der Staat soll eine für die Mobilisierung der natürlichen Ressourcen und Vermögenswerte des Landes geeignete Politik verfolgen, welche geeignet, brauchbar und nützlich im Interesse des Landes ist (Abs. 3).

Der Staat soll dem Schutz der Umwelt des Landes Vorrang einräumen und auch weitere Schäden aufgrund physikalischer Entwicklungsaktivitäten vermeiden, indem in der allgemeinen Öffentlichkeit das Bewußtsein für eine saubere Umwelt verbessert wird. Der Staat soll auch besondere Vorkehrungen zum Schutz seltener Tier- und Pflanzenarten, der Wälder und der Vegetation treffen (Abs. 4).

Der Staat soll mittels der Verwirklichung von Landreformprogrammen die landwirtschaftliche Situation des Landes auf der Grundlage der Prinzipien industriellen Wachstums entwickeln und Voraussetzungen schaffen für die wirtschaftliche Entwicklung der Mehrheit der allgemeinen Öffentlichkeit, die von der Landwirtschaft abhängig ist. Dies soll durch Maßnahmen geschehen, welche einer Produktivitätssteigerung im landwirtschaftlichen Sektor dienlich sind (Abs. 5).

Der Staat soll eine Politik betreiben, welche es der Arbeiterschaft, die das wirtschaftliche und soziale Rückgrat des Landes ist, ermöglicht, in zunehmendem Maße am Management der Unternehmen beteiligt zu werden. Dies soll durch einen erweiterten Schutz ihrer Rechte und Interessen geschehen, indem ihr Recht auf Arbeit durch Beschäftigungsmöglichkeiten gesichert wird (Abs. 6).

Der Staat soll eine Politik verfolgen, welche den Frauen eine größtmögliche Beteiligung an der Aufgabe der nationalen Entwicklung einräumt. Dies soll durch besondere Vorkehrungen zu ihrer Ausbildung, Gesundheit und Beschäftigung geschehen (Abs. 7).

Der Staat soll die Verwirklichung freier Bildungsprogramme fortsetzen und auch die Rechte und Interessen der Kinder schützen, indem er sie gegen Ausbeutung jeglicher Art schützt (Abs. 8).

Der Staat soll in Hinsicht auf die Ausbildung, Gesundheit und soziale Sicherheit der Waisen, der hilflosen Frauen, der Alten, der Behinderten und der Erwerbsunfähigen eine Politik betreiben, die ihrem Schutz und ihrem Wohle dienlich ist (Abs. 9).

Der Staat soll eine Politik verfolgen, welche hilft, den Standard der wirtschaftlich und sozial rückständigen Stämme und Volksgruppen zu verbessern, indem besondere Vorkehrungen zu ihrer Ausbildung, Gesundheit und Beschäftigung getroffen werden (Abs. 10).

Der Staat soll zum allgemeinen Wohle eine Politik betreiben, die der Entwicklung von Wissenschaft und Technologie Vorrang einräumt und auch Mittel und Wege zur Entwicklung lokaler Technologien in angemessener Weise berücksichtigt (Abs. 11).

Der Staat soll zum Zwecke der nationalen Entwicklung notwendige Maßnahmen zur Anziehung ausländischen Kapitals und ausländischer Technologie ergreifen, während gleichzeitig einheimische Investitionen gefördert werden (Abs. 12).

Der Staat soll eine Politik verfolgen, welche Voraussetzungen für eine Beschleunigung der ländlichen Entwicklung schafft und dabei die Wohlfahrt der Mehrheit der ländlichen Bevölkerung im Auge behält (Abs. 13).

Der Staat soll in Hinsicht auf die Schaffung gleichen Rechts für alle eine Politik verfolgen, welche bedürftigen Personen freien Rechtsbeistand für ihre gesetzliche Vertretung entsprechend den Gesetzesbestimmungen einräumt (Abs. 14).

Die auswärtige Politik Nepals soll von den Prinzipien der Charta der Vereinten Nationen, der Blockfreiheit, Panchsheel, internationaler Gesetze und der Beachtung des Weltfriedens geleitet sein (Abs. 15).

Der Staat soll eine Politik verfolgen, die durch ein ständiges Bemühen zur Institutionalisierung des Friedens in Nepal durch internationale Anerkennung ausgezeichnet ist. Dies soll durch kooperative und herzliche Beziehungen auf der Grundlage der Gleichheit mit den benachbarten und allen anderen Ländern der Erde in wirtschaftlichen, sozialen und anderen Bereichen geschehen (Abs. 16).

Sollte es der nepalischen Regierung auch nur annähernd gelingen, nach diesen Grundsätzen zu handeln, würde Nepal fast zu einem Idealstaat. Sicherlich hat Nepal heute in all diesen angesprochenen Bereichen einen enormen Nachholbedarf, doch bleibt zu befürchten, daß ob der Fülle der Vorsätze das meiste nur Stückwerk bleibt. Auch nach der ersten nepalischen Revolution hatte man sich in der Übergangsverfassung von 1951 schon einmal hochstehende Ziele gesetzt, die innerhalb kurzer Zeit realisiert werden sollten. Man scheiterte nicht zuletzt an den traditionellen Kräften und der Ohnmacht des Volkes und seiner Vertreter. Heute stehen die Dinge zweifelsohne günstiger; noch nie hat das nepalische Volk sich in einer derart mächtigen Position befunden. Unmißverständlich hat man dem Palast und den den ihn stützenden konservativen Kreisen Machtschranken auferlegt. Es bleibt zu hoffen, daß das Land von diesem einmal eingeschlagenen Weg nicht mehr abweicht. Es wird jedoch noch ein weiter Weg sein, bis auch die besonders benachteiligten Bevölkerungsgruppen die Früchte der zweiten nepalischen Revolution genießen können.

Rechte der ethnischen Minderheiten

Mit der Einigung Nepals durch Prithvinarayan Shah, einen direkten Vorfahren des heutigen nepalischen Königs, vor gut 200 Jahren wurde der Prozeß der Sanskritisierung oder Hinduisierung, der in den bis dahin bestehenden zahlreichen Kleinstaaten teilweise schon einige Jahrhunderte früher eingesetzt hatte, auf den Gesamtstaat Nepal ausgedehnt und forciert. Hinduistische Gesetze, Werte, Normen und Verhaltensweisen wurden als gesetzlich verbindlich auch für die zahlreichen nichthinduistischen Völkerschaften Nepals festgeschrieben. Die Folge dieser Entwicklung war die politische, wirtschaftliche und kulturelle Entrechtung vieler ethnischer Gruppen. Thomas Cox hat in einem Artikel für die indische Zeitschrift "Economic and Political Weekly" (Ausgabe 16.-23. Juni 1990, S.1318-1320) diesen ethnischen Konflikt am Beispiel der Landrechte verdeutlicht:

Land Rights and Ethnic Conflict in Nepal

Thomas Cox

Studying land rights in Nepal reveals serious ongoing conflict between dominant high-caste Hindus and some ethnic minorities, in the process shattering the myth about Nepal being a country of ethnic harmony. Land reform legislation has done more to hurt these minorities than help them.

THERE is a myth prevalent among many people that Nepal is a land of ethnic harmony where Hindus, Buddhists and Animists all get along. Indeed, many people (especially Nepal's ruling elite) point to current strife in India, Sri Lanka and Bangladesh to support claims that Nepal is the only country in South Asia that has not been afflicted with chronic conflict between different ethnic groups. Current ethnic relations in Nepal however, when looked at from the perspective of land rights, reveal tremendous conflict between politically and economically dominant high caste (*Brahman, Chetri and Thakuri*) Hindus and Buddhist and Animist ethnic minority groups. What follows is a discussion of how Limbu, Chepang and Tharu tribes have lost much of their lands, and the consequences of this for members of their respective societies.

LIMBU

The Limbu are a Tibeto-Burmese tribe who live in the Illam district of far eastern Nepal [see Caplan 1970; Jones 1976; Upreti 1975]. The Limbu have lived in Nepal for over a thousand years, and were the first human inhabitants of Illam district [Bista 1987]. The Limbu economy is characterised by subsistence agriculture, livestock husbandry, commerce and military service [Upreti 1975]. Limbu are socially organised into patrilineal clans known (in the Limbu language) as *suhang*. Limbu have an Animist religion which emphasises the worship of deities believed to inhabit the mountains, rivers and earth [Bista 1987]. The primary religious authorities among the Limbu are shamans (known as *sedangma* who preside over important rituals and social events such as weddings, birth rites and funerals [see Sagant 1985]).

From 1774, when Illam was forcefully incorporated into the Nepali state by Prithvi Narayan Shah, until 1886, the *kipat* tenure system enabled Limbu to maintain ownership and control over their tribal lands. Under the *kipat* system, all land in Illam district was the common property of Limbu, and could not be sold to members of other ethnic groups [Jones 1976; Caplan 1970; Upreti 1975]. In the 1800s *kipat* land in Illam was so plentiful that the Limbu could not do all the agricultural work themselves. To make up the labour deficit they hired *Brahman* tenants, who cultivated the land in return for a share of the produce [Caplan 1970].

In 1886, however, the Nepali government passed a law which converted all cultivated *kipat* into *raikar* tenure. What this meant was that all land in Illam could be claimed for ownership by whoever cultivating it at that time. As a result of this legislation most cultivated land owned by Limbus suddenly became the property of *Brahmans*, making them the economically dominant group in Illam. This economic dominance, along with literacy, control over government positions in Illam and knowledge of Nepali law, enabled *Brahmans* to continue their takeover of Limbu land [Caplan 1970].

The 1886 legislation impoverished many Limbu, forcing them to borrow money from *Brahmans* by using their remaining land as collateral. After the loan contract was signed *Brahman* moneylenders often added 'a few more zeros', making it seem that the Limbu debtor had borrowed much more than he actually did. When the Limbu could not pay back the money the *Brahman* would possess his land [Caplan 1970]. *Brahman* manipulation of loan contracts was facilitated by the fact that Limbu were generally illiterate and depended on *Brahmans* to make up all contracts and forms.

All the Limbu had to have a form (signed by a government official) verifying their claims to *kipat* land. Many of them, not knowing the significance of this land claim form, would lose or damage it. Realising this, *Brahmans* often challenged Limbu land ownership claims. When Limbu could not produce the proper forms the *Brahmans* would often take the land in question [Caplan 1970].

The continuing loss of tribal lands created profound economic and cultural stress in Limbu society. In the 1930s the Limbu mounted a revitalisation movement, known as *Satya Hangma*, in an effort to combat the stress and cultural

disorientation caused by the loss of their land. The leader of this movement, an ex-Gurkha soldier called Phalgunanda, claimed that by returning to traditional customs and to religion, the Limbu would become powerful enough to push the *Brahmans* out of Illam and regain their land. Phalgunanda died in 1946, and with him the *Satya Hangma* movement [Jones 1976].

In 1948, resentment over usurped tribal land exploded into a Limbu uprising in which dozens of *Brahmans* were killed. This revolt, however, was quickly put down by Nepal's Rana government [Upreti 1975].

In 1968, the Nepali government abolished the *kipat* system of land tenure, resulting in the loss of the Limbu's remaining tribal lands [Dalal 1985]. Many Limbu are now tenants on land which they once owned. Indeed, over 70 per cent of the remaining Limbu owned land is currently mortgaged, primarily to *Brahman* settlers in Illam [Pye-Smith 1988].

CHEPANG

The Chepang are a Tibeto-Burmese tribe, 9,000-strong who live in the central Nepali districts of Dhading, Makawanpur, Chitwan and Gorkha [Bista 1987]. The Chepang have lived in Nepal for at least 500 years, and were the first inhabitants of the districts in which they live [Rai 1985]. At one time virtually all Chepang lived a nomadic, hunting and gathering life. Over the last 100 years however, the Chepang have become increasingly dependent on agriculture. Most Chepang now subsist on a combination of their own agricultural produce, and game and fruits collected from the surrounding forest [Rai 1985]. The Chepang are organised into

exogamous, patrilineal clans, each of which have their own patron deity, which inhabit certain natural features such as mountains, rivers and the earth. Chepang religious activity centres around the worship of these clan deities [Bista 1987].

In 1854, the Chepang were given *kipat* tenure over their extensive territory, by Nepal's Rana government, as a reward for military service rendered during the Nepal-Tibet war [Rai 1985; Gurung 1988]. In 1928 however, the Nepali government abruptly converted the Chepang's *kipat* land into *raikar* tenure, which essentially meant that the Chepang lost ownership over all their uncultivated tribal land [Bista 1987]. Hindu (mostly *Brahman* and *Chetri*) settlers began pouring into Chepang territory to take over the 'available' land. The loss of Chepang land to Hindu settlers has been a continuing process, from 1928 up to the present day [see Rai 1985; Pye-Smith 1988]. Nor has this loss of land been confined to unculti-

ated Chepang territory that was previously held under *kipat* tenure. In many cases, *Brahmans* have asked to rent or borrow cultivated Chepang fields for a season or two, to cultivate a particular crop. When the crop season was over and the Chepangs asked for their land back, the *Brahmans* refused, and used their superior political and economic clout to maintain possession over the usurped property [Pye-Smith 1988]. In other instances, *Brahmans* have made a *mit* (ritual friendship) with a Chepang, given them some minor gift, such as a small amount of rice, and then coerced them into giving cultivated land in return [Pye-Smith 1988]. In still other cases *Brahmans* have unilaterally taken over cultivated land for which Chepang have not maintained proper ownership and registration papers [Rai 1985]. This usurpation of land has been greatly facilitated by widespread illiteracy and lack of education among the Chepang. As a result of losing their land the majority of Chepang have become seriously impoverished. Most Chepang have been forced to borrow money, often at usurious rates, to meet their basic needs [Bista 1987], and in at least one Chepang community there is widespread starvation [Pye-Smith 1988].

THARU

Tharu comprise a large tribal group of over 4,00,000, who live in scattered settlements throughout Nepal's southern *terai* (plains) region. Tharu have lived in Nepal's *terai* for over 600 years and were probably the first inhabitants of the region. They speak an Indo-European language related to Hindi, Bhojpuri and Maithili [Bista 1987]. Tharu have an Animistic religion which revolves around the worship of deities believed to inhabit the earth, forest and people's houses [see Rajure 1982]. The Tharu also pay homage to ancestral and clan deities. The primary Tharu religious figures are priests known

as *garuwa* [Rajure 1982]. The Tharu economy consists of subsistence agriculture supplemented by fishing and some gathering of wild fruits and vegetables.

Until the 1960s Tharu were the only inhabitants of the Dang Valley which lies just north of the Silwak hills in the Rapti zone of West Nepal. Their isolation was facilitated by a particularly virulent form of malaria to which the Tharu were immune (as a result of sickle cell resistance), but which seriously affected everyone else. In the early 1960s a highly successful malaria eradication programme enabled Hindu Nepalis (mostly *Brahmans* and *Chetris*) to settle in the Dang Valley in large numbers.

Some of these Hindu settlers laid claim to previously unowned, uncultivated land which they cleared themselves. Many *Brahmans* and *Chetris* however, used

threats and/or actual acts of violence to force the Tharu to sign over their land. In other cases they would just take over cultivated land (for which the Tharu did not have ownership papers), and register it in their own name. In still other cases *Brahman* and *Chetri* settlers would, as they did with the Limbu tribe, take advantage of Tharu illiteracy to manipulate the figures on loan forms (for which Tharu land had been used as collateral) so that the Tharu debtor would be forced to give the *Brahman* or *Chetri* moneylender the property to pay off the debt.

The takeover, of Dang Valley land by *Brahman* and *Chetri* settlers rendered at least 15,000 Tharu completely destitute. At least 6,000 of them fled the Dang Valley to look for land in other parts of the *terai*. Most of the others stayed on as tenants on what was now *Brahman* or *Chetri* property. Loss of land has impoverished most Dang Valley Tharu to the point where many suffer from malnutrition. It has also created a crisis of Tharu cultural identity. Dang Valley Tharu find themselves economically unable to sustain many of the traditional cultural institutions which flourished before the influx of Hindu settlers. In an effort to regain cultural autonomy and economic well-being, many Dang Valley Tharu have turned to political activism. This activism has taken the form of political groups which have been formed for the express purpose of protecting Tharu rights, in the face of oppression by landlords. The landlords, in many cases, have responded to this political activism with renewed oppression, threatening to and/or stripping many Tharu of tenancy rights. In July 1989 there was a violent clash between landlords and Tharu in the Dang Valley over ownership rights to a particular tract of land.

Limbu, Chepang and Tharu are by no means the only minority ethnic groups in Nepal to have much of their land usurped by Hindu caste settlers. The Sunuwar, a small Tibeto-Burmese tribe indigenous to

the Ramechap district of east Nepal, have been seriously impoverished by the loss of most of their tribal lands to Hindu caste settlers [Fournier 1980]. Similarly, the Bote, a tribe living in the Tanahun district of central Nepal, have recently lost much of their lands to Brahmins [Subba 1989].

FAILURE OF LAND REFORM

In 1964, the Nepali government, under pressure from the United Nations and other international organisations, agreed to implement a national land reform programme. The original land reform proposal for Nepal was formulated by foreign advisors, most from the Ford Foundation. The palace secretariat and officials at the district and village level however, created

loopholes in the resulting land reform law which allowed them, and the local elite with whom they had close ties, to maintain large land holdings [Rose 1977]. For example, individuals in Nepal can register their land under the names of relatives and friends, to give the appearance of redistribution when, in fact, the property remains under the ownership and control of a single family or individual [Pandey 1985].

The vast majority of landlords in Nepal have taken advantage of the loopholes in land reform legislation to retain ownership over all their original property. Land reform in Nepal has been a failure, a gross 'caricature' of the original proposal [Rose 1977]. Indeed, land reform legislation has done more to hurt ethnic minorities in Nepal than to help them. For example the Land Reform Act included a compulsory saving scheme in which a percentage of every farmer's agricultural income was deposited with local government officials, to be returned after five years with five per cent interest. The misappropriation of these compulsory saving funds was so rampant however, that the scheme created financial hardship, rather than benefits, for the majority of involved farmers [see Pandey 1985, 48-49]. Members of Buddhist and Animist ethnic minority groups were especially exploited by the compulsory saving scheme, as they were generally not as literate or knowledgeable about Nepali law and bureaucracy as Hindu caste Nepalis. In 1973, the Nepali government, in response to widespread public protest, finally did away with the compulsory saving scheme [Pandey 1985]. The Land Reform Acts of 1964 and 1968 also forbade members of ethnic minority groups from clearing and cultivating most tribal lands that were previously held under *kipat* tenure [Rai 1985]. Thus 'land reform' legislation, by depriving many ethnic minority groups access to land that was originally theirs, has actually worked completely against its stated purpose.

Another major consequence of the failure of land reform (and continued usurpation of tribal lands) has been to drive many members of ethnic minority groups to India and the Middle East in

search of work. Indeed, in India alone there are between two to three million people of Nepali origin [English 1982]. Some migrant workers (and especially those who have served in the Indian and British armies) have been able to return to Nepal and even buy back some of their lost property [see Caplan 1970]. The majority however, are fortunate if they can adequately support their family with earnings from abroad.

For many of Nepal's ethnic minority groups the failure of land reform, and continued loss of tribal lands, has created an economic and cultural crisis. Land, for most ethnic minorities, is the primary provider of food, and income for clothing, medicine and education. Land also constitutes the wealth, and autonomous space, necessary for ethnic minorities to sustain the religious and cultural institutions which define their identity as a people. Loss of land has not only impoverished many ethnic minorities in Nepal, but has also, in many cases, created severe cultural disorientation. The dual crisis created by the loss of land is, indeed, one of the major reasons why ethnic minorities gave widespread support to the recent movement which successfully toppled Nepal's *panchayat* regime. Outstanding in this regard were the Tharu

(especially those in the Dang Valley), a group especially radicalised by land rights violations, whose organisation, numerical strength and motivation made them a valuable asset to the movement. Protecting the land rights of Tharu, Chepang, Limbu, Sunuwar, Bote, and other ethnic minorities in Nepal, is an important challenge facing Nepal's newly established coalition government.

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Aus der Vereinsarbeit

Im vorigen Rundbrief wurde keine gesonderte Zusammenstellung über die weitere Vereinsarbeit abgedruckt; die Angaben waren lediglich in die Chronologie eingegliedert. Daher soll hier ein Anschluß an den Rundbrief 01/90 nachgeholt werden. Zu den Aktivitäten von NEPAL WATCH verweise ich auf die Erläuterungen von Ludmilla Tüting auf den Seiten 54 ff in diesem Heft.

Am 30.08.1990 empfing HURFON Man Mohan Adhikari, damals Generalsekretär der Nepal Communist Party (Marxist), einen der renommiertesten Parteipolitiker Nepals, zu einem Arbeitessen, an welchem neben einigen Vereinsmitgliedern auch einige weitere Nepali und Andreas Proksch von der Friedrich Naumann Stiftung teilnahmen. Ich hatte am 02.09.1990 die Gelegenheit zu weiteren Gesprächen mit diesem Politiker. Das dabei geführte Interview wurde im Rundbrief 02/90 abgedruckt. Man Mohan Adhikari ist übrigens am 09.01.1991 zum Vorsitzenden der neuen United Nepal Communist Party (Marxist-Leninist), die aus dem Zusammenschluß der beiden stärksten kommunistischen Parteien Nepals, NCP (M) und NCP (M-L) resultiert, gewählt worden.

Am 15.09.1990 fand in Eschweiler die erste Mitgliederversammlung unseres Vereins statt. Hierzu verweise ich auf das im Rundbrief 02/90 abgedruckte Protokoll. Den Rahmen dieser Veranstaltung bildete ein Sitar-, Flöten- und Tabla-Konzert. Die Ausführenden waren Surendra Shrestha, Prem Autari und Vijaya Vaidya. Die Vorführungen wurden teilweise durch Tänze untermauert.

Am 19.09.1991 hatten Pradeep Bhattarai und ich die Möglichkeit zu Gesprächen mit Finanzminister Dr. Devendra Raj Pandey, der auch ein führendes Mitglied der Human Rights Organization of Nepal (HURON) ist. Es konnten diverse menschenrechtliche Aspekte besprochen werden. Eine vollständige Wiedergabe des Gesprächs ist wegen eines Tonbanddefektes leider nicht möglich. Mein persönlicher Gesamteindruck war, daß die verantwortlichen Politiker in Nepal guten Willens sind, sich den Menschenrechtsfragen vorrangig zu widmen, daß man aber für vieles keinen Lösungsweg zur Hand hat. So habe ich beispielsweise auch den Eindruck, daß sich viele Politiker bezüglich der Einschätzung der ethnischen Problematik schwertun, was verständlich ist, wenn man bedenkt, daß die meisten Politiker selbst hochkastige Hindus sind.

Am 22.11.1990 veranstalteten wir gemeinsam mit der Deutsch-Nepalischen Gesellschaft e.V. einen Vortragsabend im APC in Köln. Dr. Narayan Khadga sprach über "Demokratie und Entwicklungschancen in Nepal".

Am 10.12.1990 begrüßten wir gemeinsam mit der Deutsch-Nepalischen Gesellschaft e.V. und der König-Mahendra-Stiftung für Naturschutz in Nepal e.V. Ganesh Man Singh, den obersten Führer des Nepali Congress. Er wurde u.a. begleitet von seiner Frau Mangala Devi Singh, der Vorsitzenden der Nepal Women's Association. Weitere Gäste dieses Abends waren die Mitglieder der Law Reform Commission, Vertreter der nepalischen Botschaft, des auswärtigen Amtes, der Friedrich Nauman Stiftung sowie Journalisten. Trotz einiger wetterbedingter Verzögerungen konnte der Abend dank der aufgeschlossenen Gäste zu einem intensiven Gedankenaustausch genutzt werden.

Am 12.01.1991 fand in Hennef eine Beiratssitzung statt, auf der Fragen der Organisation, der Selbstdarstellung des Vereins und der Arbeit in Nepal erörtert wurden. Sobald entsprechende Ausarbeitungen vorliegen, werden sie in den folgenden Rundbriefen veröffentlicht.

K.-H.Krämer

The Rising Nepal
Oct. 29, 1990

LETTERS

Beware!

We, two human rights groups from Germany, want to inform and at the same time warn the Nepalese people NOT to fall victim to fake agents promising jobs in Germany. Do not believe a single word and do not pay a single paisa! There are neither jobs nor permission to work here. These illegal agents, mainly Nepalese or Indian, are all liars. All they want is your money! We request the concerned authorities to look into this matter and we request the political parties and organisations to warn about all forms of human trafficking (including women) taking place in Nepal. The election campaign would be a good opportunity to make this problem known in the remote areas. We also request Radio Nepal to take up this matter.

The fake agents charge Rs. 50,000 and an overpaid ticket. Once the Nepalese arrive they're left stranded without money, without a return ticket and sometimes without their passports. Between 1980 and 1988 a maximum of 50 Nepalese came to the then FRG, in the last few months 200 to 300 alone. These figures are

known because most of the stranded Nepalese then ask for political asylum. By unknowingly? - misusing the German constitutional right to seek political asylum they are harming the genuine political refugees and heating up the debate about this right in Germany. Unfortunately Germany does not consider herself an immigration country. People from non-EC countries are not allowed to work or study here without prior permission. Nepalese do have the privilege to come to Germany as a tourist without a visa although Germans need a tourist visa for Nepal. But they are not allowed to work here. The same applies to asylum seekers whose case is pending which might take up to five years! (We don't agree to this policy but that is another matter).

The only persons making a profit are the illegal agents. The victims will face severe hardship. To avoid this do not fall into the trap!

Nepal Watch,
Human Rights Forum
Nepal
Germany

DECEMBER 13, 1990 THURSDAY

Polls To End 'Functioning Anarchy': Singh

Cologne, Dec.12 (RSS):

Supreme leader Ganeshman Singh and Nepalese delegates attended a reception and dinner hosted jointly in his honour by the German Nepal Friendship Association, King Mahendra Trust for Nature Conservation, German Committee and the Human Rights Forum Nepal, at the Asia-Pacific Centre, Cologne on December 10.

On the occasion Mr Singh said that as a result of this year's people's movement in Nepal we have today a constitutional monarchy and party system.

This has created a favourable condition for all of us to look solely for the people's interest, he said, adding we all are waiting eagerly for the election to be held in April and hope for best results.

The ultimate goal of the forthcoming election would be to end the "functioning anarchy system" in Nepal, he said.

He added further that the Nepalese know very well the real sacrificers and parties in Nepal and this would, no doubt, receive respectable recognition in the election. He said he very much liked to see a very strong democratic government to emerge after the election in Nepal.

Mrs Mangla Devi Singh, two daughters of the supreme leader as well as secretary Prem Lal Singh were among the Nepalese delegates present on the occasion.

The function was also attended by seven delegates of the Law Reform Commission under the Chairmanship of Bishwa Nath Upadhyaya who arrived the same day in Germany. Mr Upadhaya also expressed words of thanks and answered the questions as wished by the supreme leader regarding the new constitution of Nepal.

Supreme leader was welcomed by the executives Mr. Ram Pratap Thapa, Dr. Wolf Donner and Karl-Heinz Kraemer from the three host organisations.

A large number of Nepalese, Germans, representative of federal ministries and organisations, charge d'affaires Mr Shrestha and first secretary Mr Basnet from Royal Nepalese, embassy in Bonn as well as journalists were present on the occasion. Supreme leader also replied to the questions asked by the journalists and the guests.

Hinweise auf Informationsquellen

Wir haben uns in den vergangenen Rundbriefen bemüht, alle Mitglieder durch eine ausführliche Chronik über die Entwicklung in Nepal zu informieren. Der enorme Arbeitsaufwand macht es uns jedoch unmöglich, die Chronik in der bisherigen Form weiterzuführen. Wir werden daher mit diesem Rundbrief einen Versuch starten, aktuelle Informationen aus den Originalquellen zu kopieren und für den Rundbrief neu zusammenzustellen, d.h. die Texte sind überwiegend in englischer Sprache verfaßt. Da wir keine große Lücke zur bisherigen Chronik entstehen lassen wollen, wird dieser Teil im vorliegenden Heft wieder recht umfangreich sein. Auf der letzten Beiratssitzung wurde beschlossen, die Rundbriefe möglichst monatlich herauszugeben; dann dürfte sich auch der Informationsteil in einem überschaubaren Rahmen halten. Inhaltlich werden wir uns in Zukunft auf Meldungen beschränken, die in irgendeiner Weise mit dem Problem der Menschenrechte in Zusammenhang stehen. Für diejenigen, die an weitergehenden Informationen interessiert sind, sei auf einige regelmäßig erscheinende Quellen verwiesen, die in Nepal zu einem vernünftigen Preis abonniert werden können. Weitere Hinweise finden sich auch in den Ausführungen von Ludmilla Tüting auf den Seiten 54 ff:

1. **INFORMATION UPDATE NEPAL**, herausgegeben vom
Press Clipping Centre
G.P.O.Box 2726
Kathmandu, Nepal
Preis: \$ 100.00 / Jahr
Es handelt sich hierbei um eine Auswertung aus der nepalischen Tages- und Wochenpresse in englischer Sprache. Die Zeitschrift steht dem Forum for Protection of Human Rights (FOPHUR) nahe und enthält auch regelmäßig eine Rubrik zu den Menschenrechten. Politisch ist eine engere Beziehung zu den Linksparteien offensichtlich. Hierdurch ergibt sich eine gute Ergänzung zum Nepal Press Digest (s.u.). Das wöchentlich erscheinende Heft umfaßt ca. 12 Seiten.
2. **Human Rights NEWSLETTER**, herausgegeben vom
Forum for Protection of Human Rights (FOPHUR)
P.O.Box 5457
Kathmandu, Nepal
Preis: \$ 30.00 / Jahr
Dies ist das offizielle Informationsblatt von FOPHUR, welchem bereits im Verlauf der Demokratiebewegung große Bedeutung bei der Öffentlichkeitsinformation zukam. Das zweimal monatlich erscheinende Heftchen umfaßt heute meist 4 Seiten.
3. Eine Reihe von Schriften werden vom **REGMI RESEARCH INSTITUTE** herausgegeben. Von diesen werden wir den Nepal Press Digest und den Nepal Recorder regelmäßig aus:

REGMI RESEARCH INSTITUTE
(Founded by Mahesh C. Regmi in 1957)
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A. Nepal Press Digest (Private) Ltd.

1. Nepal Press Digest (Weekly)

A digest of news and editorial comments on national developments based on newspapers published from Kathmandu and district towns.

2. Nepal Recorder (Irregular)

Translations of laws and regulations, and selected orders, notifications, etc. published by His Majesty's Government in the official gazette, the NEPAL RAJAPATRA.

B. Regmi Research (Private) Ltd.

1. Nepal Press Report

Summary translations of news reports, editorial comments, and special articles from the non-English Language Press, published five times a week (Monday through Friday), except on holidays.

2. Nepal Miscellaneous Series (Irregular)

Consolidated texts of laws and regulations, periodically revised to incorporate amendments and additions.

3. Regmi Research Series (Monthly)

Materials on the historical aspects of government, society, politics, and economics, with an annual index.

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Auszüge aus der nepalischen Presse

MENSCHENRECHTSORGANISATIONEN

Human Rights

A new organization, known as the Human Rights Protection Association of Nepal, was formed in Kathmandu under the chairmanship of Ballabh Bahadur Bhandari with the objective of protecting human rights in accordance with the UN Human Rights Charter. (Gorkhapatra, December 18).

Shaha Re-elected

The general meeting of Nepal Human Rights Organisation (HURON) has re-elected Mr Rhishikesh Shaha as its president for the next two years. It has also elected 5-member advisory committee on December 9.

The constitution of HURON has a provision that the president would elect the other members.

The meeting has also, expressing its distress on recent violent incidents, requested the government to maintain law and order.

[Samaj (Daily), Dec. 10]

Why 'Jackal-Look' of America ?

The Americans activities reveal that America is more worried and concerned about the general election of Nepal which is going to be held in April/May 1991.

Forum for the Protection of Human Rights (FOPHUR) had formed an 'Election Observation Team' sometime ago under the conensorship of Mr Prakash Kaphley in which Mr Kul Shekhar Sharma, Dr Bhes Bahadur Thapa, Mr Basu Dav Dhungana and Mr Kusum Shrestha are advisors.

When the Americans knew that the Team is going to invite 75 renowned personalities for election observation, Juliya Chang, American ambassador to Nepal, and USAID are active to form a parallel team. Independent observers feel disappointed at the direct or indirect activities of Americans, while the date for election has not been fixed yet.

[Sanghu (Weekly), Dec. 23]

Alertness Towards Human Rights Urged

Forum for Protection of Human Rights (FOPHUR), Human Rights Organisation of Nepal (HURON) and Amnesty International Nepal national executive committee, to mark the 42nd World Human Rights Day, have called on all to remain alert and active for protection of human rights in Nepal.

A joint statement issued by FOPHUR and HURON here today (Dec. 9) says that remarkable changes have taken place in human rights during the last four decades. The human rights movement has been successful in overthrowing autocratic and tyrannical regimes throughout the world, it added.

It says that economic, social and cultural

upliftment is necessary for consolidation of human rights in Nepal.

Incidents of human rights violation have also occurred place during the present interim government's period, the statement says, adding that the government should release all the political prisoners held in prisons out of political vendetta during the panchayat regime and to fulfil the just demands of the prisoners.

Amnesty International Nepal national executive committee, in a statement, says that human rights violations have been taking place in different forms even today at a time when the whole world is celebrating the human rights day.

[TRN (Daily), Dec. 10]

ETHNISCHE GRUPPEN, KASTEN, MINDERHEITEN

Protests ! Protests !!

The Communist Party of Nepal (Mas) organised a demonstration in Kathmai recently. The demonstration had protest the recently promulgated constitution the kingdom of Nepal, demanding election for the Constituent Assembly. On the same day, mass meetings were organised in Tundikhel Open Theatre by 15 Ethnic Organisations and Nepal Ethnic Federation to protest the constitution, for, according to them, "it has ignored the sentiments of various tribal, religious

and different language communities". The audience had clearly felt that the organisers had no specific purpose and programme in staging these demonstrations.

[Gandiv (Weekly), Nov. 22]

secularism in the constitution before the formation of Constitution Recommendation Commission (CRC) and forwarding suggestions to the CRC for it, has come to streets protesting the constitution.

In this connection a mass meeting was organised in the Open Theatre. Expressing that such a constitution cannot be called democratic, all speakers said that the democratic countries of the world should give importance to secularism. By saying that the secularism can never be defeated, they expressed that the constitution has proved no difference

between the King and K.P. Bhattarai, and, Ganeshman Singh and Marichman Singh (ex-Prime Minister).

The general secretary of Nepal Tamang Bedung Mr Parashu Ram Tamang said, "Democracy and freedom are for backward, suppressed and poor Nepalese people; there was democracy and freedom for the well-to-do people during the Panchayat regime; this constitution has only guaranteed democracy for well-to-do classes".

[Yojana (Weekly), Nov. 19]

Sadbhawana Party to Launch Struggle

"If the government did not fulfil the demands of Terai people by November 31 we would launch a protest programme from January 6, 1991 and sit on 'Dharna' at Prime Minister's office".

Addressing a mass meeting at Open Air Theatre, the chairman of Nepal Sadbhawana Party Mr Gajendra Narayan Singh disclosed his party's programmes. His party has put forth various demands such as citizenship to Terai people, homeless problems, employment, reservation, entity of language, end of partiality, seats for members of parliament on the basis of population, state government, representatives of central government. etc.

The speakers in the mass meeting, stating it their initial programme, hinted that a critical situation might arise reminding the incidents of Sri Lanka and Eastern Pakistan. The 'supreme leader' of the party Ramjanam Tiwari said, "Though the Terai people are Nepalis, they have been treated like Negroes in America.

In the mass meeting audience were provoked by the speeches. All speakers were addressing in Hindi language. In the mass meeting the incident like 'throwing stones' occurred. As a result some persons were wounded.

[Vimarsha (Weekly), Nob. 30]

The Nepal Goodwill Party

The Central Executive Committee of the Nepal Goodwill Party, which met in Kathmandu recently, put forward the following demands: "Nepal should have a federal state structure with the Terai as one of the constituent units. Hindi should be a national language with the same status as Nepali. All languages spoken in the country should be listed in a Schedule to the Constitution and education should be imparted in the mother-tongue. Election constituencies should be formed on the basis of geographical and cultural factors as well as population. Every permanent resident at the time of the enforcement of the Constitution should be recognized as a citizen. All provisions of the Constitution which restrict fundamental rights should be repealed." The Committee decided to start an agitation if these demands were not fulfilled by December 30. (Gorkhapatra, December 2).

The Nepal Goodwill Party organized strikes and demonstrations at Janakpurdham, Jaleswar, Birgunj, and Jitpur on December 7 in protest against the November 24 incident at its public meeting in Kathmandu. (Rising Nepal, December-8).

Oppressed Communities

On December 18, Minister Sahana Pradhan inaugurated the first national conference of the Oppressed Communities Upliftment Forum in Kathmandu. The conference was presided over by its Convenor, Golchhe Sarki. (Gorkhapatra, December 19). The Forum had been established on December 17, 1988. (Chhalphal, December 16).

In an interview to the Chhalphal (December 16), Golchhe Sarki said, "The main objective of the Forum is to achieve the upliftment and freedom of the oppressed communities. We have not demanded that we be granted a higher caste status. We were born in this land and must, therefore, be allowed to develop. We have also demanded the economic, social and educational upliftment of all communities, including the oppressed communities. It is wrong to say that we have raised communal or Communist slogans. The Panchayat system has been abolished and we have obtained political rights. But the nation has not been able to become a common garden of all communities, and communal oppression has not yet ended. The new Constitution has ignored our suggestions. It has not granted equal rights to oppressed and other communities and the various languages of the country. The draft Constitution had reserved three seats in the Parliament for the oppressed communities, but this provision has been removed. In fact, the new Constitution has given us nothing new, apart from freedom of speech. We are still where we were before." Padma Lal Bishwakarma, another leader of the Forum, said, "Oppressed communities mean communities that are being socially neglected. People belonging to these communities are considered untouchables on the basis of their ancestral occupation. The Legal Code has been promulgated by feudal elements only with the objective of misleading the people. It has not, therefore, brought about any change in the attitude and culture of the people. The Forum has been established with the objective of orienting public opinion toward a change in the society, which is based on the concepts of a Hindu nation and the caste system. These concepts have placed us in the lowest strata of the society."

Conference of the Oppressed Communities' Upliftment Forum

The first national conference of the Oppressed Communities' Upliftment Forum was held at Kirtipur on December 18-19. It decided to support the leftist side in the elections provided there was unity between leftist and democratic forces. It welcomed the provisions made in the new Constitution banning discrimination on grounds of caste and community and untouchability but regretted that no special provisions had been made for the upliftment of oppressed communities. The conference demanded that Nepal be declared a secular state. The conference was attended by more than 200 delegates and observers. A 14-member Central Committee headed by Golche Sarki was also formed. (Hindu, December 25).

The Christian Community

On December 21, the Nepal Bible Society organized a function at the Martyrs' Theater (Open Air Theater) in Kathmandu to mark the birth anniversary of Jesus Christ. The speakers, on that occasion, criticized the interim government for having released only a few of those who had been detained or trapped in fabricated cases relating to religion during the Panchayat days. Some speakers also opposed the constitutional provision declaring Nepal a Hindu State. (Gorkha Express, December 23).

The Nepal Christian Fellowship organized a function in Kathmandu on December 24 on the occasion of Christmas. The Law and Justice Minister, Nilambar Acharya, was the Chief Guest. Prime Minister K.P. Bhattarai sent a message to the function extending happy and warm greetings to the great Christian community throughout the world, including Nepal. The General Secretary of the Nepal Christian Fellowship, Tirtha Thapa, demanded that Christmas Day be declared a public holiday, and that all cases filed in connection with religion be withdrawn and persons jailed on such charges be released immediately. The President of the Fellowship, Dr. Mangal Man Maharjan, said that it was the first time that Christmas had been celebrated in Nepal at a public place. An Action Committee was formed there with Parashu Ram Tamang as General Secretary to continue protesting the declaration of Nepal as a Hindu State. The Committee comprised representatives of different religions, ethnic minorities and languages. (Rising Nepal, December 25).

Tharus, Newars, Brahmins, and Chhetris

On January 6, Prime Minister K.P. Bhattarai inaugurated the 13th National Convention of the Tharu Welfare Society (Tharu Kalyankari Sabha) in Biratnagar. The Prime Minister, on the occasion, said that it would not be appropriate to introduce a system of reservations for any particular caste or community, since the entire Nepali people were backward. He added, "The Nepali Congress aims at bringing people belonging to all ethnic communities into a single fold." Parashu Narayan Chaudhari, Central Advisor of the Society, said that the Tharus needed understanding and opportunities, rather than protection and reservation. (Rising Nepal, January 7).

At Dharan in Sunsari district on January 11, Prime Minister K.P. Bhattarai said, "The Nepali Congress accepts constitutional monarchy. It regards the Vins as the symbol of unity and common to all. People should beware of the provocative slogans of the Janajati Organization and the Nepal Goodwill Party. Every Nepali is equal, be he a Brahmin or a Rai or a Limbu, a Hindu or Muslim, or the son of a millionaire or a poor man." Jeopardizing attempts to divide the country between the Terai people and hillmen, the Prime Minister said. "We shall not allow the nation to be divided in any circumstances." (Gorkhabatra, January 12).

The Nepali (January 7) pointed out that 80 percent of posts in the civil service, the army, and the police, were held by Brahmins and Chhetris of the hill region, while the Newars of Kathmandu Valley, who comprised 3 percent of the total population, held as much as 13 percent of government jobs. The paper added, "Even after the change, the 11-member Council

of Ministers has six Brahmins and three Newars. As many as six members of the nine-member Constitution Recommendation Commission were Brahmins from the hill region. The people's movement cannot be interpreted merely as the transfer of power from the Palace to a few communities. If the ruling Congress and Communist parties continue to ignore this reality, the exploited communities and the Madhesis, who comprise half of the population of the country, are bound to speak out."

A new organization, known as the All Nepal Newar Association (Akhil Nepal Newar Sangh), was formed in Kathmandu with the objective of organizing and developing the Newar Community and its art, culture, literature and language. A 7-member Central Ad Hoc Committee, and an 11-member Central Executive Committee, were formed for this purpose under the Presidentship of Krishna Narayan Shrestha (Adivasi). K.P. Shahi was Vice-President of the organization, with C.M. Shakya as General Secretary and Chyanta Bahadur Karmacharya as Treasurer. (Gorkhapatra, January 8).

FRAUEN

153,000 Nepalese Girls Prostituting in India: Women-Trafficking: an Acute Problem

Representatives from ten countries have issued several resolutions to control the increasing problem of women-trafficking in Nepal as well as other countries in South (East) Asia. A 5-day seminar on Preventing Children and Women Trafficking, which concluded recently in Pakistan, has made plans both short-term and long-term, to prevent women trafficking. According to Ms Radha Sahani and Kunta Sharma, who represented Nepal in the seminar, the plans would be implemented with governments' co-operation. The seminar which ran for November 15 to 19 was jointly organised by organisations called ACFOD and SIRCUT GAHA.

At present 153,000 Nepalese girls have been sold in India alone. Many girls from Thailand, Indonesia, Malaysia and the Philippines are being sold in Japan and girls from Bangladesh and Sri Lanka in Pakistan. According to a report issued after the seminar, the girls who have thus been sold are compelled to work as prostitutes.

[Dristi (Weekly), Nov. 21]

Sell a Girl. Buy a TV!

"...I managed to abduct 3 girls when residing at Tahachal. Three more were managed later. Don't worry; she, too, is in our grip. Just manage a trip to Patan. I want to buy a TV set as soon as the business is done..." heard a half-conscious girl in her early teenage. The speaker was her teacher Ms Shanti Shakya, who teaches at Nav Adarsha Secondary School, Basantapur, Kathmandu. After overhearing such a horrible statement, she realised that something is going to befall her. She woke up lingeringly, managed to escape the place, and after reaching home, started crying in her

father's lap. Again she turned unconscious and was hospitalized. Doctors said she was given injection to make her unconscious. Naturally, one can guess that Ms Shanti was a girl seller. Either she has a close association with the businessmen or she herself conducts the business. Police sought explanation from Shanti; but, instead of investigating further they let her go free. The incident took place around mid-November. Ms Shakya had come to the girl's house at 10:00 p.m. on November 13 and summoned her for some "private talks". As the girl went to hers, she gave her two lumps of meat which had a narcotic effect on the girl. The girl is still under the doctor's care. She looks normal; but her right hand has turned weaker. She couldn't take exams. The question is why the police are inactive in punishing the guilty and why they are hesitant to accept a petition. Are the police themselves involved in the business?

[Nepali Awaj (Weekly), Dec. 10]

RECHTE DER KINDER

Bhattarai Signs World Declaration on Children

Prime Minister K.P. Bhattarai signed the World Declaration on the Survival, protection and development of children at his office today (Dec. 12).

The declaration was prepared at the World Summit for Children held in New York from September 29 to 30 and signed by the heads of state and government present at the summit.

Finance Minister Dr Devendra Raj Pandey had represented Nepal in the summit.

[TRN (Daily), 13]

On December 12, Prime Minister K.P. Bhattarai signed the World Declaration on the Survival, Protection and Development of the Children. The Declaration had been prepared at the world summit for the children held in New York from September 29 to 30. (Gorkhapatra, December 13).

STUDENTEN

Students in Jail: Government Mute

Many students imprisoned on false charges during the Panchayat regime are still in prison. Students, who played a crucial role in the popular movement, still have their problems uncared. Now, the students have once again decided to come out to the streets. A statement issued on November 30 by All Nepal National Free Students' Union (ANNFSU 5th) discloses that several students who were imprisoned with fake charges by Panchayat government, are still deprived of enjoying the dawn of democracy. Messrs Babu Ram Rai (former member of ANNFSU), Khuse Khapangi, Tej Pratap Chaudhary, Vidyanand Chaudhary and Laxman Gyawali were detained by the Panchayat government and three others, namely, Toya Nath Thapaliya, Shankar pant and Uddhav Timilsina by the present government in connection with the Pashupati incident sometimes back.

According to the statement, the students have vehemently demanded release of these detainees and asked for immediate solution to all the educational problems pending since long. The statement says students had, so far, confined their programme to talks and delegations for the fact that the constitution was not promulgated; but now, they have decided to come out to the streets (from Dec. 4) as no attention was paid to their concern. Besides educational, students have also put several social demands like controlling price rise, commodity shortage, preventing the act of violence, and fair use of the government media.

[Chhalphal (Weekly), Dec. 2]

Students on Dharna

Demanding the release of students, who were imprisoned with charges of false cases during the autocratic Panchayat regime, students affiliated to All Nepal National Free Students' Union (5th) sat on Dharna (surrounded) at the various jails of the country on December 12 for 4 hours (from 12 noon to 4 p.m.).

[Sama] (Daily), Dec. 13]

According to students, they organised programmes like 'Gherao' and 'Dharna' to press the government for the release of 56 political prisoners and other 5 student prisoners charged with political and false cases and have expressed distress that though multiparty democracy has been introduced, political prisoners are still in jails. They have warned that if the government does not show concern in time they would announce other 'strong' measures.

[Vimarsha (Weekly), Dec. 14]

Democratic Govt Against Students | Police Opened Lathi-charge at Singha Durbar |

A mass of about 150 students, picketing at Singha Durbar gate, Monday, December 24, were abruptly lathi-charged by a truck-full of policemen shortly after the picket was started. The move taken after handing a prior written notice to the government 3 days ago, was launched with a demand to release the students detained under various cases. Ten

On December 8, the All Nepal National Independent Students Union (Fifth Unity Group) held a public meeting in Kathmandu demanding the release of all students who had been placed in detention by the Panchayat government on fabricated charges. The meeting also opposed the Nepali Congress monopoly over official communication media, the growing violence and hoodliganism in the country, as well as dearness, shortages and black marketing. Addressing the meeting, Khadga Oli, Chief of the Democratic National Youth Association and Central Member of the Nepal Communist Party (M-L), accused the interim government of having failed to take action regarding people who had been compelled to live in exile or remain in detention on false charges since 1964. (Gorkhapatra, December 9).

On December 12, the All Nepal National Independent Students Union staged a peaceful demonstration in front of the Nakhu Jail in Kathmandu in protest against the delay in releasing its leaders, who had been sentenced imprisonment for "anti-Panchayat activities" during the Panchayat period. These leaders included Babu Ram Rai, Khuse Khapangi, Vidyanand Chaudhari, Tej Prasad Chaudhari and Lakshman Gnyawali. They were now in the Birgunj, Udayapur, and Nakhu jails, the report added. (Gorkhapatra, December 13).

Students: Looking for Rights

ANNFSU (5th) organised a protest mass meeting on December 7 when the interim government did not show any concern on 27-point demands regarding their rights.

Addressing the mass meeting the central chairman of ANNFSU (5th) Mr Tul Bahadur Gurung warned that if the government did not fulfil students' demands, they would come out to struggle for their rights.

The 27-point demands include: release of all students implicated in political cases, action against corrupt and murderer, introduction of scientific education, compulsory primary education, secondary education without fee, decrease of price of essential goods for students, etc.

[Hindu (Daily), Dec. 9]

persons sustained injuries and two bicycles damaged in the incident. The police also took away the carpet spread by the students. The students later rallied around the town, raising various slogans against the administrative suppression. In this connection, when Kathmandu district CDO was contacted that evening, he said the lathi-charge was not ordered by him. Students were given appointment to talk to Prime Minister over telephone next morning; however, no response was received. All Nepal National Free Students' Union (5th) and CPN (ML)'s general secretary, Mr Madan Bhandari, has protested the lathi-charge incident.

[Dristi (Weekly), Dec. 26]

M-L Condemns Lathi-charge

Communist Party of Nepal (Marxist-Leninist) has condemned yesterday's (Dec. 24) lathi-charge on the students observing sit-in at the gate of Singha Durbar to press for their demands of release of their fellow students held under the "fabricated cases" and against the "Congressization" (Congress-oriented) of the official media.

In a press release issued by the general secretary of the party, Mr Madan Bhandari, it is stated that it is natural for the people of different walks of life to demand release of political prisoners, action against corrupt officials, control price hike and maintain law and order.

But the interim government, installed after the success of the people's movement, has acted in the same line that the previous regime had been doing to weed out the problems, the party said.

"The students, who were in the forefront during the democratic movement, are now

demanding release of the students held by the Panchayat regime. They have been launching various peaceful forms of protest to draw the attention of the government" it said adding that the party supports their just demands.

"We condemn the action of the government to suppress the students' move by using force instead of making an attempt to fulfil their demands", the press release noted.

Meanwhile, the ANNFUSU displayed black flags in 20 different places to protest the yesterday's action of the government.

[TRN (Daily), Dec. 26]

WIRTSCHAFTLIC

Food Corporation Wastes Rice of 20 Million Rupees

The general manager of Nepal Food Corporation and zonal chief of Koshi zone have wasted 23 hundred quintal of rice in Biratnagar (the 2nd large city of Nepal).

The rotten rice was purchased and stored in godown. While purchasing the rice a large amount of money was embezzled. Similarly, such rotten rice has been purchased in Bardiya district and Birgunj.

According to a source, the tenure of general manager is going to end in coming Ashadh; so he is very busy in earning money anyhow and the chief of quality control department has gone abroad for tour.

It is learnt the rotten rice is about worth 20 million rupees and being supplied to the market. But due to the interference of Dealer Association it has not been available in the market. Voice has been raised that the government must not make available the rice in the market without checking the quality and the action be taken immediately against the commissioners.

[Matribhumi (Weekly), Nov. 20]

Supply of Kerosene Still not Enough

Although the government had propagated to distribute coupon for kerosene and to buy more kerosene from India, the supply of kerosene is still insufficient.

In the capital, the number of kerosene buyers is increasing day by day. On the one hand the consumers are facing problem to buy kerosene and, on the other, the businessmen are taking extra benefit from not filling the kerosene fully.

Similarly, the claim of Nepal Oil Corporation 'the supply of kerosene has been increased by 150 percent' has been proved false, the observers feel.

[Samaj (Daily), Dec. 4]

Consumers on the Verge of Struggle: Price Rise Hiking Terribly I

After the petroleum shortage due to the Gulf crisis, consumers in Nepal have started to suffer sugar deficiency as well. Apprehension of price rise in electricity has scared the consumers as the use of Heater has been increased due to the kerosene shortage. On the other hand, prices for any commodities are going up haphazardly in the markets. One is bound to pay as much price as a seller would demand. This situation has left serious impact on consumers and they are likely to come out to street any time. No sugar is available in the market. Sugar sellers say Salt Trading Corporation and National Trading Limited have stopped the supply of sugar. Recently, a delegation of the sugar producers' organisation called on the Minister of Supply and asked for price rise because of the increasing production costs. The delegation is learnt to have received positive assurances. This has further consolidated the consumers' apprehensions.

[Hindu (Daily), Nov. 22]

Electricity Authority has already hinted its clients that the tax for electricity might hike by 30 percent. Presently, the Nepalese people are paying Rs 1.30 per unit. The fee is more expensive than in India. 30% more would mean heavier impact on the consumers. It is to be noted that the production cost of electricity in India is US\$ 1,000 per kilowatt. But in Nepal, which is rich in water resources, the cost is 2,000 to 3,500 dollars per kilowatt. The reason is said to be the commission which is much higher in Nepal.

[Nepalipatra (Weekly), Nov. 23]

Employees Paralyse Civil Service CPN (ML) Calls for End to Strike

Civil servants today (Dec. 18) paralysed the ministries, departments and office in the Kathmandu Valley as they downed their pen from ten to three with protest black band round their arm.

The protest strike is part of the programme launched by the Nepal Civil Servants' Association of a number of its grievances.

Clarification: Meanwhile the Central Secretariat of the NECSO has clarified that the association resorted to protest demonstration as the government did not take any initiative towards the fulfilment of its demands for tiffin, transport, education and housing allowances without which the employees cannot manage.

In a press statement issued here today, the association has said the acts of giving slanderous statements pinning all the blames on the employees and threatening them instead of finding a peaceful solutions to their problems has made them all the more agitated.

Reaction: In other developments CPN (ML) has appealed to all democratic and loyal civil servants to end their struggle for the time being by holding talks with HMG and solving their problem taking into account the present national financial ability.

Expressing the party's sympathy to the struggle being launched by the civil servants, the CPN (ML) says that the interim government should demonstrate its readiness to meet the justifiable demands of the civil servants in accordance with its financial ability.

[TRN (Daily), Dec. 19]

EMPLOYEES' AGITATION ENDS

The nationwide agitation launched by the central ad hoc committee of Nepal Civil Servants' Organisation (NECSO) has ended from December 21 through negotiation. This negotiation has exposed the rift in the employees' organisation. In a statement, the committee has made it clear that it is not proper to continue the agitation at this political juncture; and has also warned of the activity of some provocative elements. However, Kathmandu-based ad hoc committee of the same organisation, which has accused the central representatives of being 'bribed', has appealed to continue the agitation. Owing to this controversy, there is uncertainty among the employees outside the Kathmandu valley. Taking advantage of the existing situation, some of the employees are involved in circulating information in an irresponsible manner. In the meantime, the central committee has discovered pamphlets printed in the name of the middle class people to provoke employees.

In a meeting, a group of the disgruntled government employees has decided to seek explanation from the representatives attending the negotiatory talks, including the chief convener Hari Prasad Upreti. The meeting was attended by about 100 disgruntled employees. In this meeting, central ad hoc committee member Phanindra Gautam admitted that the representatives who participated in the talks made some procedural errors. However, he made an appeal not to trust the rumour that they were bribed. In this gathering, no voice was raised to take action against the corrupt officials, but they were highly vocal about their interests and facilities. Some of them claimed that the government had sufficient budget to increase salary, while someone threatened not to extend cooperation to the government during the election unless their demands were fulfilled.

On December 21, when the negotiation was reached, the central office of NECSO was totally under the control of the 'rebel' (reactionary ?) employees. The central members were hiding. The office frequently received telephone calls from the different districts and the rebel employees propagated that their representatives were bribed and

Country has Foodgrains Problem

Minister for Industry and Commerce Mrs Sahana Pradhan has said democracy cannot flourish in the country unless and until the living

condition of the farmers, who are the backbone of the country, is improved.

While declaring open the fourth district conference of the All Nepal Peasants' Association at Madhuvani in Sunsari district Friday, Minister Mrs Pradhan spoke on the growing foodgrains problem in the country.

The lack of proper market for agricultural products and a fair price for such products, and the misutilization of agricultural loan are the factors responsible for the foodgrains problems in the country, she said.

[TRN (Daily), Dec. 23]

asked the district representatives to stop working in offices and continue their agitation. On the day, most of the offices had no work.

NECSO is disintegrating on the basis of personal discretion. In protest against the negotiation, all the members of the preliminary ad hoc committee at the Ministry of Forest and Soil Conservation have tendered their resignation en masse. Likewise, the central committee member of Nuwakot Bal Krishna Giri was compelled by the employees of the district to sign the proposal protesting the negotiation.

The talks for negotiation, participated by Ministers Jhala Nath Khanal and Marshal Julum Shakya and 6 central committee members of the NECSO, continued for three days and reached the agreement. According to the agreement, a high level administrative reforms committee would be constituted within a fortnight and submit, within two months, its report, according to which employees would be formally provided additional facilities from Baisakh (April/May). Other facilities would be implemented from the coming fiscal year. It is learnt, however, that action would be initiated against the corrupt officials, prior to this.

In the meantime, Minister Marshal Julum Shakya, the chairman of the cabinet subcommittee to initiate action against corrupt officials, has admitted in an interview with the Gorkhapatra that the government employees' salary is relatively lower than corporation employees'.

This agitation has upset the administrative machinery of the country. As a result, the country had an enormous loss of revenue and people had to experience lots of inconveniences. Has this agitation ended now? In reply, NECSO central secretary, Lekhjung Karki, says: "Our agitation has completely ended. Now we are confident of regular functioning of work (at government offices)".

[Deshantar (Weekly), Dec. 23]

People Yet to be Freed from Sufferings

Communist Party of Nepal (M-L) polit bureau alternative member and All Nepal Peasants' Association central president Amrit Bohara, speaking at a public meeting organised by Sindhupalchowk district unit of the party at Melamchi recently said that the people have attained the democratic rights, not by kindness or favour of any particular persons, but as the result of the struggle waged by the people and the political parties.

He said, though democracy has been restored in the country the Nepalese people have not been freed from the social and economic sufferings.

[TRN (Daily), Jan. 6]

Govt Decides to Sign UN Convention

His Majesty's Government has decided to sign the international convention, on economic, social and cultural rights adopted by the United Nations General assembly in 1966.

With the signing of the convention, it is believed that the economic, social and cultural rights of the people of Nepal are ensured besides the guarantee provided by the new Constitution of Nepal.

According to the Labour and Social Welfare Ministry His Majesty's Government has decided to sign the convention keeping in view the necessity of guaranteeing the economic, social and cultural rights of the norms and values of the present democratic environment in Nepal.

[TRN (Daily), Jan. 7]

Pen-Down Strike of Civil Servants

The pen-down strike of about 137,000 civil servants, called by the Nepal Civil Servants Organization (NCSO), which had started on December 13 for one hour, increased by one additional hour on each subsequent day. (Saptshik Nepali Awaj, December 17). Accordingly, a complete strike was observed on December 19 and 20 in Kathmandu and most other parts of the country. (Gorkhapatra, December 20-21).

On December 17, the Ministry of General Administration published a statement "drawing the attention" of the civil servants to the need to maintain discipline as mutually agreed upon at the time of the registration of the Nepal Civil Servants Organization. The statement added; "HMG is determined to provide maximum facilities to civil servants according to the financial condition of the country. However, it is not able to increase its financial burden at a time when it is finding it difficult to provide relief to the people." (Gorkhapatra, December 18). The Nepal Civil Servants Organization, on its part; accused the government of having adopted a strong attitude toward the agitation on the advice of corrupt and privileged officers." (Saptshik Nepali Awaj, December 17). It explained that it had been compelled to start the agitation because the government had paid no attention to its demand for tiffin, transport, education, house-rent, etc. allowances and other benefits. (Gorkhapatra, December 19).

Talks between HMG and the NCSO started on December 19, with HMG represented by a team consisting of Ministers Jhal Nath Khanal and Marshal Julum Shakya, and the NCSO by its Convenor, Hari Prasad Upreti and five other office-bearers and members. (Gorkhapatra, December 22). An agreement was reached on December 21 and the NCSO agreed to call off the agitation the same day. The main points of the agreement were as follows: "HMG accepts the demands of civil servants for higher allowances and other benefits and will meet them to the extent of its capacity. A high-level Administrative Reform Commission will accordingly be formed, including representatives of NCSO, within a fortnight to study these demands and submit a report within two months. Its recommendations relating to allowances (tiffin, transport, education, house rent, etc.) will come into force on April 14, 1990, and those relating to other benefits (leave, pension, medical expenses, gratuity, daily and travelling allowances, annual increments, provident fund, insurance, voluntary retirement, etc.) on July 16, 1991. HMG will also take immediate action against corrupt and anti-people elements, as well as those who were engaged in suppressing the people's movement." (Gorkhapatra, December 22).

A new organization of civil servants, known as Nepal Civil Servants' Association (Nepal Nijamati Karmachari Sangh) was formed in Kathmandu on December 24 to work for the protection of the rights and interests of civil servants. Yor Jung Dhwaaj Karki was President of the Association, with Ravi Bhattarai as Vice-President, and Bhanubhakta Inakal as Secretary-General. The Association claimed that this step had been taken because the existing Nepal Civil Servants' Organization had not been able to represent the larger interests and aspirations of civil servants. (Gorkhapatra, December 25). Yor Jung Dhwaaj Karki, President of the Creative Civil Servants' Society, had earlier issued a statement accusing the Nepal Civil Servants' Organization of having followed an "immature and short-sighted" policy from the very beginning so that "matters which could have been

resolved through talks were taken to the stage of confrontation." The Society, therefore, expressed lack of confidence in the NCSO and stressed the need for a strong and effective organization of civil servants. At the same time, it supported the decision to call off the agitation "lest anti-democracy elements should take advantage of the situation." (Gorkhapatra, December 24).

A New Commission

HMG formed a five-member Commission headed by Nand Lal Joshi, Chairman of the Trade Promotion Center, to review the pay-scales and facilities of civil servants and employees of corporations in the light of the current economic situation according to a recent understanding. The other members of the Commission were Prof. Upendra Bahadur Pradhananga and Prof. Madhunidhi Tiwari of the Tribhuvan University and two representatives of Civil Servants, namely, Dhundi Raj Pokhrel and Ishi Prasad Pokhrel. (Gorkhapatra, January 4).

Water to Cost More

The Nepal Water Supply Corporation introduced new rates of water charges effective December 16, 1990. The new rates were Rs 15 for the first 10,000 liters, and Rs 2.50 for each additional 1,000 liters for 1/2 inch connections. The Corporation said that it had taken this step on the advice of the World Bank. (Gorkhapatra, January 4). The rates had last been increased in 1981. (Gorkhapatra, January 5).

Bonded Labor

According to a report submitted by the Vedic Social and Religious Welfare Association to the Social Services National Coordination Council on December 25, 1990, there were 667 families of bonded laborers, comprising a total of 4,470 individuals, in Kanchanpur district, the total amount of loan being Rs 6,106,256.60. Most of them belonged to the Rana and Dagauna groups of the Tharu community. Bonded labor was similarly prevalent in other districts of the western Tarai also such as Kailali, Dang, Banke, Bardiya, Surkhet and Salyan, the report added. (Gorkhapatra, January 9).

GESUNDHEIT

High Level Drugs Control Body Formed

HMG has formed a 14-member high level Drugs Control National Coordination Committee under the chairmanship of the Home Minister.

The committee formed with the purpose of taking effective measures to solve the problems of drug trafficking and drug abuse will formulate national policy and programmes on the prevention of drug trafficking and drug abuse.

[TRN (Daily), Dec. 12]

The Chest Clinic run by the Nepal Tuberculosis Eradication Association at Kalimati in Kathmandu decided to close down from January 1991 because of recurring losses. According to Devendra Bahadur Pradhan, Secretary-General of the Association, the clinic cost Rs 1.2 million every year, whereas receipts amounted to no more than Rs 0.5 million. (Gorkhapatra, November 30).

HMG formed a 14-member high level Drug Control National Coordination Committee under the chairmanship of the Home Minister with the objective of taking effective steps to solve the problems of drug trafficking and drug-abuse. An Executive Committee headed by the Chief Drug Control Officer was also formed for the effective implementation of the policy and program to be formulated by the main Committee. (Gorkhapatra, December 11).

Nepal: Centre for Drug Smugglers 1

Nepal is frequently proved to be the market and shelter for those selling and buying narcotic drugs. More than 100 members of internationally defamed Mafia gang have been arrested in Nepal since mid-April 1988. Among them, German, Japanese and the British nationals are larger in number. Besides these, smugglers from 18 other countries, too, have been found here. According to the police sources the following is the data of criminals caught red-handed in Nepal since mid-April, 1988:

Germans - 17, Japanese - 15, British - 13, Americans - 8, Swiss - 6, Canadian - 6, Pakistani - 5, French - 4, Chinese - 4, Bangladeshi - 4, Danish - 3, Italian - 3, Bhutanese - 2, Spanish - 1, Iranian - 1, Ceylonese - 1, Belgian - 1.

Before that, Indians were found to be the major drug traffickeers in Nepal. Next to them, Koreans were found active. 300 Nepalese, too, were found involved in this business besides the 200 Indians. Of the 1,870 drug smugglers arrested in Nepal, the powerful mafia members have been released

beforehand. Among them are Axel Peter and David Mark of the USA, Valdimi and WanteK of Yugoslavia, Hanswalter Poplyski from USSR, Barbara Paul Margret from UK, Clouth Gentan from Germany and Dipak Sahani from India. The Nepalese drug-marketeers working under the guidelines of these Mafia members, too, have been released. These smugglers have, once again, become active in buying and selling narcotic drugs in Nepal.

[Nepalipatra (Weekly), Dec. 21]

Teachers' Agitation

The Nepal National Teachers' Organization announced that it would start a sit-in protest at the Ministry of Education and Culture in case its demands were not fulfilled by December 25. The demands related to the reinstatement of teachers who had been dismissed during the Panchayat period, higher salaries and better conditions for teachers and employees, etc. (Gorkhapatra, December 25). The teachers accordingly started sit-in strike on December 26. The strike was expected to continue until January 4, 1991. (Rising Nepal, December 27).

Teachers for Movement

From December 26, teachers have started movement sitting on Dharna at Education Ministry as the government did not implement their demands according to an agreement between the government and Nepal National Teachers Organisation (NNTO). The NNTO had drawn the attention of the government several times for solving the problems.

According to the programmes published by NNTO each 75 teachers will sit on Dharna in Kathmandu valley upto January 4, 1991, from January 6, 1991, they will sit on Dharna in districts to draw the government's attention. If the government do not show any concern they will gherao (encircle) the district education office and prevent the chief from entering the office. According to NNTO if the problems are not solved, they will release new programmes for the movement.

[Pristhabhumi (Weekly), Dec. 27]

UMWELT

50 Thousand People's Lives in Danger

Nepal Orient Magnesite, one of the mineral industries of Nepal, has made the environment very polluted. The industry covers the area of two districts - Sindhupalchowk and Dolkha - where the raw material are brought from Dolakha and produced in Sindhupalchowk. The dust and smoke coming out from factory has polluted the environment more than caused by deforestation and landslide when the slates were taken from hills.

Due to the lack of mutual coordination between private sector and government sector the industry, run by foreign company, has created a great environmental problem on local areas.

Nine different areas have been directly affected and whereas agricultural production has decreased; smokes and dust have caused a great damage to man as well as domestic animals.

Although the industry has provided employment for 400 Nepalese, it has affected the population of 50,000, the local people say.

Recently, a observation team had presented a report to industry management to control the effect of dust and smoke scientifically. But the report is not going to be implemented, it is learnt. According to the report, it is learnt that all the dirt of the industry is being thrown in Sunkoshi river through sewerage. If it is done, water of the river will be totally polluted.

[Sanghu (Weekly), Dec. 16]

Royal Palace Involved in Cutting Down Trees !

Whenever the country starts following the course of political stability, the process of deforestation increases in Nepal. In the past, tree-cutting was inspired by the rulers; even now, deforestation has been an intense problem. Presently, a body headed by Mr Drona Prasad Acharya has been active for the past 3 months to find out the causes for this. Mr Acharya thinks deforestation can be controlled if political parties gave directives to their workers. In an interview to Nepali Awaj, Mr Acharya said, "The tasks

given to us can be divided into 3 parts: to find ways to control deforestation and irregular settlements; to find ways that can solve the problem of the homeless without deforestation; and to investigate and

evaluate the works done by forest consolidation commissions during Panchayat regime. These days we are collecting facts in various districts" he said. The problem of irregular settlements in forest areas raised since 1979, when permissions were given to such shelters. Mr Acharya also said that he had found evidences of enormous corruption in the eastern parts. Even the Royal palace is found to have given orders for cutting down trees, said Mr Acharya. In the report prepared so far by the task force, the following points have been included:

- Some persons from Surkhet, Dailekh, Salyan and Jajarkot are involved in the process of tree cutting in Banke. The dissolved RP member Mr Chandra B. Buda is found to be the leader of this gang.
- About 2500 people have been settled there, receiving 32 to 55 rupees from each.
- 6,000 families have settled in Manjhudi and Kandra forest area in Bardia, after the recent democratic movement.
- All Nepal Association for the Homeless has settled about 4-5 thousand people, receiving Rs 5 from each, in Bandar Jhula forest area in Chitwan.
- 500 Bighas of forest area have been occupied by squatters in Juge Pane, Navalparasi.
- Deforestation, squatting and wood stealing are increasing in Rudrapur, Rupandehi, for the past four months. Two months ago, three forest officials were beaten in their attempt to dismantle the settlements.
- The process of cutting down trees is increasing around the East-West Highway in Bara district.
- Woods are being smuggled from Jhapa border area.
- Squatting and wood stealing have been intense in Sunsari.
- 200 Bighas of forest area has been destroyed for cultivation in Sundar Gundar area, after the recent democratic movement.
- 80 Bighas of forest area has been squatted by 40 families in Madibas, Udaipur, while one thousand Bighas of land in Kaligola forest area has been destroyed in Rampur.

[Nepali Awaj (Weekly), Dec. 17]

Parties Pledge Environmental Protection

Nepali Congress, CPN (ML) and CPN (M) have pledged to include the protection of the environment in their future policies and also mention in the manifesto of the general election for parliament.

Leaders of the parties, participating in a discussion programme organised by the Forum of Environmental Communicator on Environment and Sustainable Development in the Election Manifesto, made these remarks today (Dec. 17).

[TRN (Daily), Dec. 18]

THE IRRIGATION PROJECT MAY TURN FERTILE LAND INTO A DESERT

- Ramrijhan Yadav

Since its inception, the Morang Irrigation Project has had adverse impact on environment owing to its failure to control many issues, both internal and external. This project, envisaged to provide irrigation facility to the land within seventy Village Development Committee of Morang district and to increase its productivity, has, on the contrary, affected badly people's living in the area. An experienced engineer argues that if timely measures are not introduced by the agency concerned to curb this serious problem, this irrigated area may turn into a desert within a few decades owing to accumulating sand.

Saptakoshi is one of the three largest rivers in the Kingdom. Its water resource forms an area of 58,000 sq. kms., one third of which lies in China. During the rainy season, it has 2 percent silt (20 gms per litre). In terms of the quantity of silt, it is the fourth river in the world. Because of large volume of water and silt, its canals irrigate thousands of hectares of land on the one hand, while, on the other, sand is gradually accumulating in the land and reducing its fertility. Hence, various measures were adopted to stop silt and preserve the fertility of land, but they proved to be ineffective.

A few years earlier, Morang district, with its abundance of forest, had not to rely on canal irrigation. Farmers grew different crops all the year round because of seasonal rains. However, in recent times, environment has been adversely affected owing to the depletion of forest. In spite of rains, lacs of cubic feet of sand is taken away to Kosi river as a result of soil erosion, leading to its accumulation on its bank and blocking the flow of water. Consequently, huge floods during the rainy season cause heavy loss of life and property. To curb the effects of these floods, a large amount of money is earmarked every year to construct large dams. However, it has had little or no impact so far. Instead, it gives rise to epidemics and loss of life and property. Hanuman Nagar Village Development Committee, located at the South-West bank of Kosi in Saptari district, is a victim of flood every year. As a result, the fertility of its land has been reduced to minimal due to sand accumulation.

Besides, the canals for the flow of water into Kosi river merge several villages due to their reverse flow of water from Kosi, as the river basis is amassed with sand. Thus, in this area, the river is coming up, while villages are going lower.

There have been constructed three large canals from Kosi. The eastern canal irrigates Indian land in entirety. The western canal, having half of the capacity of the eastern one, irrigates land in Nepal and India again. The third canal irrigates Nepalese land entirely. All the three canals have been constructed by the Government of India. The problem of silt in the canals flowing towards India has been sorted out to a large extent by the due care of the government concerned. As for the canal at Chatara which irrigates only Nepalese land, two vortex tubes have been installed to prevent the flow of silt, but they have been operating just for experimentation by foreigners. These tubes have not rendered any vital contribution in this respect. Besides, they have stopped functioning for quite a few years. Even the existing canals do not allow ample flow of water owing to sand accumulation.

Every year a large amount of money is spent on various irrigation projects in the Kingdom, but there has been little improvement in their functioning. Hence, the interim government closed down all these projects, including one in Sunsari and Morang. However, the employees involved with these projects who earned a lot from the budget allocated to their functioning had to suffer loss, but, eventually, they have succeeded in reviving the projects by pressurizing the government.

To sum up, the sand accumulated on the river bed in Kosi, owing to forest depletion and soil erosion, looks like a rock while the river's canals are gradually depositing sand in the fields they irrigate. Consequently, fertility of land is on decline and environment is getting adversely affected.

[Nepalipatra (Weekly), Dec. 28]

Baglung Still Tense: Injured Persons Serious

After the bullet incident in Baglung, the situation has become more critical. According to a news received so far (upto Dec. 1, 11 a.m.) more than 15 persons have been arrested. Although the spokesman of Home Ministry has said the situation has become normal, but the local people are not believing it.

The transition around DSP office has been stopped. After the evening, people fear, to come out of house.

The condition of a injured person, Mr Taranath Sharma, is very serious. Doctor suggested to take him to Kathmandu for treatment, but no concern has been shown yet.

In contrary, the local administration wants to arrest the person of a committee which was formed to forward the demand of action against murder.

[Samaj (Daily), Dec. 2]

Administration Tortures People in Baglung

It is learnt that ten persons who protested the incident in Baglung are undergoing torture from local administration. A police inspector, Mr Bhunamal Bhatia, who has been charged by people as responsible for the incident, has been caught up by the people in Baleba Airport while he was about to fly for Kathmandu. The inspector has now been handed over to the chief district officer. The CDO has called for dialogue with different political groups in order to solve the problem. However, the proposal has been rejected "so long as the ten detainees would not be released". Meanwhile the detainees are learnt to have launched a huger strike from Monday morning (Dec. 3) claiming that they were innocent and should, therefore, be released.

[Paribesh (Daily), Dec. 4]

Police Beats Woman: Udayapur Tense

Nepali Congress and three communist parties of Nepal (viz, CPN-ML, Marxist and Manandhar groups) have been organising various joint programmes against the police excesses in Udayapur. However, police have intensified the process of arrests. On Monday, December 3, police blindly charged lathis at the people who were intending to meet DSP, and ask him to punish the criminals. After that the district headquarters was closed and transportation was stopped. Several people have been arrested and many injured. The chief district officer has given no response to the call for dialogue put forth by an 11-member action committee, comprising the 4 political parties. On November 29, a local woman had a minor conflict with some woman who happened to be the wife of a police junior. The police junior had brutally beaten the woman. Now she is in hospital and her condition is critical. People were demanding punishment to the police junior.

[Dristi (Weekly), Dec. 5]

The way events are recently taking turns seems to push the nation towards chaos and confusion. Everyone feels that these events are quite serious in nature and may lead to grievous consequences. Especially the happenings following the promulgation of the constitution are looked upon questioningly as rehearsal of a planned manoeuvring.

Recently, communal and regional politics has been intensified. As a result, vandalism, beating and other similar incidents have become rampant all over the country. Obviously, they can, in no way, prove to be conducive to the healthy growth of democracy.

In this context, the mass meeting organised by Sadbhavana Party was disrupted by stone throwing. Its immediate reaction shows that the partymen were all prepared for it beforehand. Besides, the senior party leaders, instead of controlling the situation, threatened to turn Nepal into Sri Lanka. One can easily see the political

motive behind their threat to launch a secessionist movement like Tamils'.

Immediately after this, attempts were made to beat the leaders of National Democratic Party (Chand) and disturb its mass meetings at Janakpur and Jaleswor. This area has been in the grip of terror and violence since the destruction of the office of Nepali Congress and communist parties. Maybe, it is an outburst of sentiment against the undesirable actions taken by Lokendra Bahadur Chand during his premiership. However, it has led to the exercise of physical force instead of ideological conflict, which cannot be helpful for the progress of democracy.

The procession and incident at Birgunj have given rise to distrust in a community. The communal riot in Sarlahi has still worsened with the beating of some Muslim youths and misbehaviour with them by some hooligans. Both the communities, well-equipped with arms, may take to further violence at any moment there.

In addition, there are several ethnic organisations making an appeal for their struggle and creating a feeling of distrust and hatred between different ethnic groups. This separatist tendency can split the nation into various ethnic groups and prove fatal to democracy and nationality.

Even the leaders and workers of different political parties are also taking recourse to undesirable activities to promote their image and interest. They are indulging in manhandling and character assassination instead of paying respect to opposition.

These and other similar activities may have dire consequences to democracy and need to be curbed in time before democracy is jeopardized.

[Diary (Weekly), Dec. 3]

Communists are not Terrorists

Nepal Communist Party (Unity Centre) organised a mass meeting in Kathmandu on December 7. Addressing the mass meeting all the speakers said, "Interim government could not do any appreciable work in favour of people; murders are moving round freely; there is no difference between Panchayat and this government; the communists who raised voice for people's problems are called terrorists and extremists, but those who ordered to open fire on people are not called terrorists; neo-people's system does not come by visiting the palace, participating in election and council of ministers; United Left Front is lifeless; and Unity Centre is the only one party depending on principles".

[Sanghu (Weekly), Dec. 9]

Bullet Firing in Banepa

Nine persons were injured in an incident of brickbattening and police firing which took place after a violent mob attacked a mass meeting being organised by the National Democratic Party (Thapa) in Banepa today (Dec. 13).

One person who sustained bullet injury in the stomach following police firing is undergoing treatment at Banepa Mission Hospital. The bullet has already been taken out of the stomach of the injured. Another person injured in the police firing has been admitted to Bir Hospital, Kathmandu.

The police had fired teargas shells and used batons before opening fire at the violent mob after the mob started pelting stones at the truck carrying additional police which arrived from Kathmandu to control the tense situation there.

According to first reports received here, the violent clashes took place when the chairman of the NDP ex-prime minister Surya Bahadur Thapa went to the dais to address the mass meeting.

When inquired about the incident, the Home Ministry spokesman said that as some mischievous persons indulged in vandalism and created untoward scenes at Banepa this afternoon, police were compelled to open fire to take the situation under control. In the firing, two of those indulging in brickbattening were injured.

[TRN (Daily), Dec. 14]

Banepa Bullet Incident : Guilty has Big Voice

The 'Panchayat democrats', who always opened fire on people in the name of 'Panchayat Democracy' are still terrorizing people in the name of 'multiparty democracy' with the help of hooligans.

For the evidence the recent incident of Banepa is enough where the police opened 10 rounds of bullets on innocent people of Banepa. A similar incident had occurred in Banepa 10 years ago, where countless rounds of bullets were opened. But the difference is that at that time Mr Surya Bahadur Thapa ordered to open fire as Prime Minister.

According to a spot-investigation report by our correspondent, the Mandales (hooligans) belonging to Thapa had attacked on people while the people were protesting Thapa peacefully.

All the political forces agreed that there was no such a situation to open fire. The worker of NDP (Thapa), too, accepts and says

The Banepa Incident

According to the Home Ministry, a public meeting organized by the National Democratic Party (Thapa) at Banepa on December 13 was attacked by some hooligans with stones and brickbats. Surya Bahadur Thapa, former Prime Minister and President of the Party, who was scheduled to address the meeting, then took shelter at the house of a local resident. The hooligans then attacked that place also and set fire to Surya Bahadur Thapa's car as well as three motor-cycles. They also damaged several other vehicles. In an attempt to control the situation, the police resorted to a mild lathi-charge and also fired tear gas shells. When these measures proved to be of no avail, the police resorted to a blank fire and then to two rounds of actual fire. Nine persons were injured, one of them as a result of the police firing. The other injured persons included Narendra Bahadur Thapa, Ganesh Bahadur Khatri, and Indra Bahadur Khadka, leaders of the National Democratic Party (Thapa). Surya Bahadur Thapa was then brought to Kathmandu under police protection. Efforts were now being made to control the situation in Banepa, the Home Ministry added. (Gorkhapatra, December 14).

Addressing a press conference in Kathmandu on December 14, Surya Bahadur Thapa charged the ruling side of having had a hand in the incident. He said, "The stand that the rights granted by the Constitution are available only to the ruling parties will make the politics of the country fearsome, turbulent, and bloody. If this situation continues, we will have to explore alternative ways for exercising the fundamental rights of freely participating in elections under an impartial multi-party system and an atmosphere of security." He accused the ruling side of seeking to win the elections by terrorizing the people and the opposition. (Gorkhapatra, December 15).

that this is the evidence of administration's brutality to open fire when Mr Thapa was returned to Kathmandu safely. But the DSP Rana says, "We are not mad to open fire unnecessarily; really the people are terrorists".

All the political parties argue that they (the people of Banepa) are not terrorists, but they are innocent. The people are questioning whether the DSP Rana, who ordered to open fire protecting the hooligans or the armless people are terrorists?

In the meantime Mr Surya B. Thapa organised a press conference at the central office of his party to hide the reality of the incident. According to him the incident was a pre-planned conspiracy of Congress, communists and Lokendra B. Chand and the administration had fully supported it. But, all the parties' units in Banepa say, "The creator of this is Thapa and all his accusations are baseless".

In the meantime the CPN (ML), Kavre district, in a press release, protesting the bullet incident, has demanded to constitute an impartial enquiry commission.

Now, a question has been raised when would such a wrong tradition of opening fire on people to protect the murderer end? But the observers feel the possibility of such an incident again unless legal action is taken against the murderer.

[Chhalphal (Weekly), Dec. 16]

One More Name in Martyrs' List

Mr Basudev Musyaju, who was injured by bullet on last week at Banepa has died at Bir Hospital, Kathmandu yesterday (December 22). On that day, Banepa was stunned, bazaar area was calm, people were grief-stricken and agitated.

Late Mr Musyaju, 16, was one of the two injured persons of the Banepa bullet incidents. He was studying at class 8. His dead body was carried to Banepa on December

22. When the people saw the dead body of Mr Musyaju, their eyes were filled with tear.

Thus, after the establishment of democracy, the youths are still losing their lives. But the government is issuing statement in Panchayat style and ignoring the demand of impartial investigation.

[Chhalphal (Weekly), Dec. 23]

People Once Again Drove off Mr Thapa

People do not seem to pardon the corrupt Panchas though government has allowed them to move freely. The leader of National Democratic Party, Mr Surya Bahadur Thapa, after the incident of Banepa, has once again been attacked by people in Birgunj. No sooner the leaders of NDP appeared on the dais of a mass meeting than the people protested them for their wrong-doings in the past. The protesters were peacefully unfurling black banner when the NDP-backed hooligans attacked them. Situation became tense after the people set fire to two vehicles suspected of belonging to the NDP groups. Many people were injured and Mr Thapa, too, sustained head injury. Escaping the town after that, Mr Thapa and his associates reached Kathmandu the next morning (December 27). Although police and the administration had helped them perform their programme (police had also used lathis, tear-gas and blank firing to disperse the agitators), Mr Thapa has accused the government of backing those involved in the incident. The Nepali Congress and other leftist parties have, however, denied their involvement in the incident, as revealed by the sources close to them.

[Vimarsha (Weekly), Dec. 28]

Violence in Politics

About twelve workers of the Nepali Congress and the Nepal Students Federation were injured when they were attacked by workers of the NCP (M-L) group in Digam village of Gulmi district on December 17, according to the Gulmi district office of the Nepali Congress. (Gorkhapatra, December 26). The Rastra Pukar (December 27) alleged that the hooligans were led by Kamal Shrestha, a local leader of the NCP (M-L), which had been perturbed by the growing popularity of the Nepali Congress in the area.

The People's Cultural Forum, on its part, claimed that about 200 Nepali Congress workers, armed with khukuris, clubs, and knives, had attacked a meeting of Nepali Congress and Forum workers in Digam on December 18, as a result of which several NCP (M-L) workers had been seriously injured. The meeting had been called in an attempt to resolve the previous day's dispute. (Gorkhapatra, December 26). According to the Dristi (December 27), Kamal Shrestha, President of the Gulmi Unit of the United Left Front, had been seriously wounded and had been brought to Kathmandu for treatment.

HMG formed a 2-member high-level Political Commission consisting of Chandra Prakash Mainali of the Nepal Communist Party (M-L) and Daman Dhungana of the Nepali Congress to settle political disputes in districts where the law and order situation was likely to be threatened. Such disputes had arisen recently in Gulmi, Mahottari, Morang, Ilam, and Taplejung districts, according to a spokesman of the Home Ministry. (Gorkhapatra, December 27).

The National Democratic Party (Thapa)

On December 20, some persons caused disturbances at a public meeting being held by the National Democratic Party (Thapa) at Tikapur in Kailali district. The meeting was being addressed by Nain Bahadur Swanr, a former minister. The police rushed to the place and brought the situation under control. (Gorkhapatra, December 23).

On December 26, some opposition groups similarly tried to disrupt a public meeting being held in Birgunj by the National Democratic Party (Thapa). They manhandled a leader of the Party, Narendra Bahadur Thapa, and set fire to a jeep carrying other workers of the party. Narendra Bahadur Thapa was then taken under police protection. The police resorted to lathi and tear gas charges and also to blankfire in an attempt to disperse the mob. Seven persons were injured, including 3 policemen. The meeting was subsequently addressed by the Party President, Surya Bahadur Thapa, as well as by Keshar Bahadur Bista, Dr. Yadav Prasad Pant, Ravindra Nath Sharma, and other leaders. (Gorkhapatra, December 27).

Basudev Musyaju, a 14 years old boy who had been injured in the police firing at Banepa on December 13, died at the Bir Hospital in Kathmandu on December 21. The official media did not report the death. (Jana Jagriti, December 24).

The National Democratic Party (Thapa)

On December 28, 1990, some people attacked a political camp organized by the National Democratic Party (Thapa) in Chhetiwani, Makwanpur district, and set fire to food, clothes, and other goods worth Rs 100,000. Four local workers of the Party were injured in the incident. (Rising Nepal, January 1).

Speaking at a public meeting held at Birgunj on December 26, Surya Bahadur Thapa, President of the National Democratic Party (Thapa), said, "Instead of working on the basis of democratic competition, the ruling side is terrorising the opposition and thus depriving them of the right to exercise human rights. It is thus resorting to state terrorism. What then is the difference between the notorious elements of the Panchayat system and the present rulers? One wonders whether the objective behind this planned conspiracy is to remain in power unconstitutionally by aborting the elections." (Hindu, December 30).

"Congress Hooliganism"

Madan Bhandari, General Secretary of the Nepal Communist Party (M-L), inaugurated a regional office of the Party in Kathmandu on December 26. Speaking on that occasion, he strongly criticised the "Congress hooliganism", and said, "We had taken the Congress as a friendly force of the people's movement. But if it continues to indulge in hooliganism, we too will not remain quiet. We regard the Congress attack upon Kamal Shrestha in Gulmi as directed against our Party." (Chhalphal, December 30).

Girija Prasad Koirala said in an interview to the Nepali Patra (December 28): "The Nepali Congress has not adopted the policy of disrupting any kind of political meeting. A party that has been struggling for pluralism for 30 years does not intervene in any way in the exercise of political pluralism. All parties are free to engage in open politics and approach the people. Every party must accept the verdict of the people. The regressive elements had a hand in the Banepa incident. Neither the government, nor any political party, had caused that incident. The charge that the state has sown the seeds of terrorism is not appropriate. In fact, the regressive forces are using certain elements to provoke terroristic incidents in different parts of the country."

Disturbances in Jhapa

In the morning of December 29, a mob armed with khukuris, knives, and clubs attacked the village of Telpani in Bahundangi, Jhapa district, and wounded five persons, two of them seriously. According to these persons, the mob was shouting communal slogans. The police rushed to the place and arrested nine persons. (Gorkhapatra, December 30). According to the Dristi (January 2) the Mongol National Organization was responsible for the incident. The paper reported, "This organization has set up an armed camp on a 500-bigha tract of forest land adjoining Telpani under the command of its General Secretary, Kiran Moktan. It had attacked Telpani on December 28 also and wounded more than fifty people, including workers of the Nepal Communist Party (M-L) who had opposed its activities." The Hindu (January 1) reported that the camp accommodated about 5,000 men who had built a large number of houses there. The Mongol National Organization was reported to be engaged in similar activities against the Nepal Communist Party (M-L) in Ilam also. (Nepali Patra, January 4).

VERFASSUNG UND GESETZE

Constitution Allows Criticism of Itself

Addressing the public meeting held on the premises of Public Secondary School at Dhanibani village development committee, Biratnagar, under the aegis of joint area committee that encompasses twenty NC village units, NC General Secretary Girija P. Koirala said despite the flaws in the new constitution, it does represent the overall aspirations of all segments of the society as it provides for a constitutional monarchy, human rights, a multiparty system and sovereignty vested in the people.

The constitution allows criticism of itself, he said, adding that all should, however, be involved in refining it on a continuous basis.

[TRN (Daily), Dec. 10]

Writ Petition Against Ambassador's Appointment

Two advocates of the Supreme Court Messrs Ram Kumar Shrestha and Uddhav Prasad Mainali and advocate Mr Radheshyam Adhikari have filed two separate writ petitions against His Majesty's Government regarding the appointment of an ambassador recently. All the three advocates have petitioned for nullification of the appointment as it was made against clause 35(2) of the Constitution of the Kingdom of Nepal, 1990. It is to be noted that His Majesty the King had, without consulting the cabinet, appointed Mr K.B. Adhikari the ambassador to Spain and Israel on December 13. A reliable source has disclosed that the supreme court is likely to issue "show cause" notice in the names of His Majesty's principal secretary, the council of ministers and the ambassador Mr K.B. Adhikari. [Hindu (Daily), Dec. 27]

King Appoints Ambassador: Constitution Violated

The Royal Palace has openly ignored the constitution of the Kingdom of Nepal-1990 by appointing the Nepalese Ambassador to France, Mr Kalyan Bikram Adhikari, as the Ambassador to Spain and Israel. The way the ambassador has been appointed is against the constitutional provision under clause 35(2). Such a prerogative exercised by the Royal palace has been vehemently criticized by CPN (ML) and many other democratic forces. On December 14, an Indian journalist Mr Brahmananda Mishra had written in Janasatta that King Birendra of Nepal was once again trying to become the nucleus of power in the country. In this connection, according to Mishra, the Nepalese King was meeting with different persons of the different parts of the country. The political thinkers here feel that the King might be brooding over getting the power once again.

[Dristi (Weekly), Dec. 19]

The Royal palace communique issued on December 13, mentions nothing whether the ambassador was appointed with the cabinet's recommendation or not. In this connection, Minister for Law and Justice, Mr Nilambar Acharya remarked, "It was not done according to the constitutional provision". This clearly suggests that the appointment was not recommended by the cabinet.

[Matribhumi (Weekly), Dec. 18]

Writ Petition

Two advocates, Ram Kumar Shrestha and Uddhav Prasad Mainali, filed a writ petition at the Supreme Court demanding that the recent appointment of Kalyan Bikram Adhikari, Royal Nepali Ambassador to France, as Royal Nepali Ambassador to Spain and Israel also be nullified on the ground that the Council of Ministers had not been consulted, as required under Article 35 (2) of the 1990 Constitution. (Gorkhapatra, December 26).

KORRUPTION UND MACHTMISSBRAUCH

Criminals to be Promoted 1

Mr Kesharjung Rayamajhi, a minister in the present cabinet, is trying his best to promote some acting secretaries who have frequently involved themselves in anti-people activities, played major roles in killing ordinary people as well as political workers, and faced charges from the court of people. Mr Rayamajhi, on Kartik 16, has recommended to promote 9 persons including the acting Home Secretary Bhakta Bahadur Koirala, and two former zonal commissioners Mr Dharma B Thapa and Mr Tek B. Thapa. Among others who are recommended by him are Mr Basudev Pradhan (health secretary), Hit Singh Shrestha (supply), Rameshjung Thapa (Education), Ravi Dev Sharma (Industry), Shashi Narayan Shah (Finance), Devendra Bahadur Pradhan (personal secretariat of the prime minister). The list of the recommended persons has been submitted to the secretariat of the Council of Ministers' on Kartik 18. Mr Bhakta B. Koirala was demanded explanation by the Mallik Commission a few days ago; he is associated with the terrific massacre incident that took place at Joda of Morang district in 1968. At that time he was the Chief District Officer of Morang district. 250 landless people were killed in that incident. Mr Koirala is also associated with killing of Dr Diwan Singh Rai, a leader of NC, in 1970. Dharma Bahadur Thapa is known as the villain in the massacre incident in Janakpur. Mr Tek Bahadur Thapa, too, is not less notorious. He killed 6 persons and tortured more than 1500 agitators in jungle during the recent popular movement.

[Dristi (Weekly), Nov. 28]

Govt at Work to Penalise the Corrupt: Panday

Finance Minister Dr Devendra Raj Panday said that it was not unnatural for people to complain against the government for its failure to provide relief to them promptly. People should not discontinue to put up their grievances, he opined, adding they should not be disappointed if the demands were not fulfilled immediately.

Dr Panday was addressing a mass meeting at the premises of the Kisan Secondary School in Anandanagar, Jhadewa, Palpa on December 20.

Confessing frankly that the present interim government was not free from weakness, he remarked that the government was actively engaged in penalising the corrupt officials.

[TRN (Daily), Dec. 22]

Government to Punish Corrupt Officials

The cabinet meeting held on Monday, December 3, has decided to identify and punish the

corrupt officials holding high positions in the administration. A 4-member committee, comprising the Ministers Yog Prasad Upadhyaya, Nilamber Acharya, Marshal Julum Shakya and Kesharjung Rayamajhi, would be made active in this regard. Mallik commission, which was formed to investigate loss of lives and properties during the people's movement has now been busy preparing its report on the basis of its field study and the written confessions received from 150 defamed criminals. The ministerial committee would soon start its business on the basis of the commission's report as well as its own investigation. The name list of 9 acting secretaries, which was earlier submitted to the cabinet for 'promotion' will be kept pending, it is learnt. Besides, the meeting has also decided to take initiative towards giving amnesty to 169 different political workers, labelled with different charges. However, no discussion was carried regarding Mr Ramraja Prasad Singh. He or his party itself should initiate talks, opined most of the ministers.

[Dristi (Weekly), Dec. 5]

A Corrupt Secretary Sacked

Minister for Agriculture, Mr Jhala Nath Khanal, has initiated the process of taking action against the corrupt officials, as strongly demanded by the people throughout the country. In the cabinet meeting on Thursday, Minister Khanal submitted the name of Mr Akrur N. Rana, the Agriculture secretary, for dismissal from the job. Mr Rana was served the letter of this effect on Friday. The employees working under the Ministry of Agriculture feel satisfied with his dismissal.

[Chhalphal (Weekly), Dec. 9]

The corrupt officials, holding high positions and earning much by unfair means, have been terrified after the dismissal of Mr Akrur N. Rana. Minister, Mr Khanal abruptly decided to sack him as the 4-member ministerial commission, formed on Monday, stayed idle for long. Now the commission, too, has started its tasks. The vacant post has not been filled yet. Dr Hermba B. Rajbhandari is trying his best to get it; however, Minister Khanal seems interested to bring someone else to the post. Mr Rajbhandari; however, is likely to be appointed the acting secretary for the present. Mr Khanal, considered sluggish in his works, "has done a laudable job by sacking the ring-leader of the fertilizer episode", it is commented.

[Nepali Awaj (Weekly), Dec. 10]

Charges of Misuse of Official Facilities

Malla K. Sunder, Editor of the Inap (Newari) Weekly, filed a writ petition at the Supreme Court on January 7 charging the Prime Minister and other Ministers with having misutilised government facilities and resources for Party publicity. The petition named the Prime Minister and other Ministers, the Council of Ministers Secretariat, and the Election Commission as respondents. (Rising Nepal, January 7).

Corruption in Agricultural Inputs Corporation

HMG formed a 3-member Commission headed by Dr. Gajendra Mani Pradhan, Joint Secretary in the Ministry of Law and Justice, to probe into financial and administration irregularities in the procurement, transportation and sale of fertilizer by the Agricultural Inputs Corporation. The Commission was ordered to submit its report within 6 weeks. According to the Minister of Agriculture, Jhal Path Tharal, more than 400 among the approximately 1,000 employees of the Corporation were being charged with corruption. (Gorkhapatra, January 10).

GEFANGENE

Valley's Jails Tense Prisoners of Pashupati Incident Released

The prisoners of the valley's jails - Nakhu, Bhadragol and Central jails - have begun hunger strike and boycotted ration demanding amnesty and improvement of prisons.

In Nakhu jail, 24 prisoners have been going on hunger strike since November 27. In Bhadragol jail, prisoners are boycotting rations.

Similarly, 13 prisoners of central jail have been going on hunger strike for the last two weeks demanding amnesty and 500 prisoners are refusing rations. Among them 6 foreign prisoners are also on hunger strike. It is learnt that the situation of this jail is very tense and the prisoners, at any moment, might take a challenging step.

The prisoners have put a condition for talks either with Comrade Rohit, the leader of NLFA or with Prime Minister about their demands and the jailor should not be present during their talks. According to a report received so far, Mr Rohit visited the representatives of prisoners on last Friday and Saturday.

According to a reliable source the foreign prisoners, who are going on hunger strike, are demanding that they should be released as the other foreign prisoners in concerned nation have been released on the guarantee of embassy. They are of the opinion that the political prisoners, including the prisoners of criminal cases, have been released after the political change.

According to intellectuals, an investigation commission should be constituted and all the political prisoners, prisoners charged with false case and the prisoners who reformed their conduct, should be released.

Meanwhile, all the prisoners of Pashupati incident (the incident which was occurred in Teej festival) have been released on December 1.

[Matribhumi (Weekly), Dec. 4]

Political Prisoners

The Committee formed by His Majesty's Government to trace people who had disappeared in the course of the struggle for the restoration of democracy, which was functioning at the Office of the Attorney General, was reported to have obtained preliminary information about 22 missing people. They include Dr. Laxmi Narayan Jha, Saker Chandra Mishra, Padma Lama, Ishwar Lama, and Maheshwar Chaulagain, who had disappeared while in detention in connection with the 1985 bomb incidents. (Gorkhapatra, December 6).

The twelve persons who had been detained on the charge of having thrown brickbats at the motor-car of Her Majesty near the Pashupati temple on August 23 were released. They had been charged with treason, but HMG had withdrawn the cases against them, the report added. (Hindu, December 4).

The Baglung District Administration arrested Tejendra Bahadur Khadka, a former Pancha Minister, Kul Bahadur Rana and Padma Nath Sharma, in connection with the firing incident at Baglung on November 29. (Charcha, December 3).

The Nepal Christian Fellowship regretted that cases filed against some members of the Christian community had not yet been withdrawn. It demanded the early withdrawal of all such cases, as well as the immediate release of Yuvaraj Shrestha, who had been sentenced to imprisonment for one year recently on the charge of having changed his religion. (Rising Nepal, December 5).

Call to Grant Amnesty

President of the Nepal Labourer Peasant Association Mr Rohit has said that it will be in accord with human rights to grant general amnesty to those detained on trumped-up charges, those who improved their conduct and who are unable to present their cases before law-courts.

He said if such people are granted amnesty, those put behind bar would also see the light of democracy.

Mr Rohit made this remark following his talks with the representatives of the prisoners who are on indefinite hunger strike and those boycotting the ration in the central jail.

[TRN (Daily), Dec. 7]

1,255 Prisoners in the Valley Jails

The Nepal Democratic Lawyers' Association today (Dec. 10) said that there are altogether 1,255 different kinds of prisoners and detainees in the seven prisons, Khor (cells) and offices in Kathmandu Valley.

This was stated in a press note issued here today by the association after its visit to the Central Jail, the Bhadragol Jail, the Tripureswar Women's Jail, the district Police Office, Hanuman Dhoka, the District Office, Lalitpur, the Nakkhu Jail and the Sadar Khor, Dillibazaar.

Forty-four mentally disordered detainees without any case kept together with the women detainees in the women's jail which has two foreigners also.

Similarly, there are three foreigners in the Sadar Khor, Dillibazaar while the Bhadragol, Central and Sadar Khor have 33 foreigners.

The Association that found Shyam Gurung of Lama gown being detained at the Sadar Khor, Dillibazar, for longer period than he should have been immediately informed the Kathmandu district court and received an order for his release.

[TRN (Daily), Dec. 11]

Miserable Condition of Prisoners

"There is no need to describe how miserable condition of jails are in Nepal, the second poorest countries of the world. The condition of jails has not been improved even after the

formation of the people's government; on the contrary, it has become more severe. All the speeches of leaders, assurances of ministers and demands of release have done little to mitigate the miserable condition of the prisoners", said a team comprised of vice-chairpersons of HURON Ms Parijat, acting chairman of FOPHUR Mr Padma Ratna Tuladhar, member of Nepal Women National Council Devijung Gurung, Kundan Tondan and Mohani Maharjan, and singer Rayan after observing the condition of central jail in Kathmandu on December 9.

Ms Parijat said, "The condition of the prisoners on hunger strike is very serious and the environment of the jail is like that of the hell. Leaders go abroad for simple treatment but the prisoners are deprived of basic medical treatment. If the interim government didn't think of fulfilling demands, the prisoners going on hunger strike are likely to die. The prisoners are strong at their stands; they consider hunger strike as their last resort while exercising their democratic rights; they are ready even to die".

[Hindu (Daily), Dec. 11]

Morcha for Arms Struggle

Janabadi Morcha (People Front) organised a mass meeting in Kathmandu on December 23. Addressing the meeting all the speakers demanded to invite Ram Raja Prasad Singh, the chairman of the Front, in Nepal with honour, to release all prisoners charged with the case of Bomb incident and to investigate about Dr Laxmi Narayan Jha.

If the government adopts a policy to suppress the Morcha, they warned, they will not lag behind and be resort to armed struggle. They accused that this government was no more different than Panchayat one.

[Nepalbhumi (Weekly), Dec. 25]

Torture of Detainees

On December 15, the All Nepal Trade Union held a public reception in honor of the twelve persons who had been detained in connection with the August 23 incident near the Pashupati temple and had been released recently. However, only three of them, namely Shambhu Poudel, Shankar Pant, and Shiva Shrestha, were present, the others having left Kathmandu. Shambhu Poudel, on that occasion, claimed that none of the twelve persons was present at the place where the incident had occurred, whereas the actual culprit had been "treated like a son-in-law" and released by the government. Shambhu Poudel also claimed that he had been interrogated about the activities of the NCP (Masal) and tortured with electric shocks. Chitra Bahadur K.C., Spokesman of the NCP (Masal), was chief guest at the reception. (Gorkhapatra, December 16).

Mutiny at the Bhadragol Jail

On November 16, some prisoners at the Central Jail in Kathmandu started a hunger strike demanding a general amnesty, deduction of public holidays and casual leave from jail terms, and better living conditions. They included persons who had been detained in connection with the 1985 bomb incidents. On November 28, the 290 prisoners at the Bhadragol Jail joined the agitation. They formed an Association with Ganesh Man Lama as President and applied to the Chief District Officer for recognition. Through the Association, the prisoners demanded that an official representatives meet them for talks by 5:00 P.M. on December 19. When the government did not respond, they locked the gates of the Jail from inside in the morning of December 20. The Chief District Officer, accompanied by the police, tried to break the gates open, but failed in the attempt. Ganesh Man Lama told the Rising Nepal that the gates would be opened only after their demands were fulfilled. (Pristhabhumi, December 20; Hindu, December 21; Sartahik Bimarsha, December 21; Rising Nepal, December 22; Jhilko, December 22). A team of the Jail Reforms Committee, headed by Badriram Bhandari, tried to hold talks with the prisoners on December 23, but failed. (Rising Nepal, December 24).

Confrontation in Jail

209 prisoners in Bhadragol jail, who have launched a fast-to-death strike by locking the jail gate since November 28, came to confrontation with the authorities on Thursday, December 20. The CDO, who went to unlock the gate with a group of policemen, could not attain his purpose. The inmates of the prison hurled stones from inside, while the policemen inserted lathis through the (iron) bars. The prisoners have asked for general amnesty and exclusion of the holidays from total term of the punishment. 700 prisoners in central jail, too, are planning to launch a similar strike, it is learnt.

[Vimarsha (Weekly), Dec. 21]

Jail Inmates Tortured

The agitating prisoners in Bhadragol jail have stated that they won't open the gate unless the Prime Minister comes and offers a positive solution to their problems. The inmates of the central jail, too, have extended their support to the strike. Among the 209 prisoners in that jail, five (related to the bomb incident) have launched fast-to-death strike, ten have launched relay hunger strike and 43 have boycotted their food facilities. Human rights activist Mr Padma Ratna Tuladhar and Ms Kunda Tandan have said that they found the prison inmates severely beaten in the central jail (December 11). Doctors have found their bodies swollen due to severe beatings. They were provided with medicine on December 16.

[Nepalipatra (Weekly), Dec. 21]

Political Detainees Break Hunger Strike

Political detainees, Chandradev Thakur and Sai Bahadur Biswakarma, have called off their hunger strike, the Jail Reforms Committee states.

The two had been a hunger strike since December 8.

[TRN (Daily), Dec. 24]

Release the Prisoners

"Naturally, we, human rights activists, are feeling sad to hear that the prisoners are on hunger strike with various demands in the different prisons of the country. The government has been treating them as inhuman and ignored their just demands", says the statement issued by Forum for the Protection of Human Rights (FOPHR).

The statement has asked the government to initiate dialogue with the prisoners for solving their problems and releasing political prisoners.

[Hindu (Daily), Dec. 25]

HM Pardons Prison Term of 207 Persons

His Majesty the King has, on the occasion of his 46th auspicious Birthday, pardoned the rest of the prison term and fine due to 207 different persons serving sentences in the various jails of the kingdom on different charges.

The spokesman also informed that according to the cabinet secretariat, His Majesty has also remitted the rest of the prison term and fine of 56 other such persons who were awarded the sentence and fine of various charges but are not in jails.

[TRN (Daily), Dec. 29]

Political Detainees

Badriram Bhandari was, however, successful in persuading two political detainees (at the Central Jail) to call off their hunger-strike on December 23. They had started the strike on December 8. The detainees were Chanara Dev Thakur and Jal Bahadur Bishwakarma. (Rising Nepal, December 24).

On December 23, the People's Front held a public meeting at the Open Air Theater (renamed Martyrs' Theater) in Kathmandu, at which the acting President, Prem Krishna Pathak, and other speakers criticized the government for the delay in releasing Ram Raja Prasad Singh (who had been sentenced to death in connection with the 1985 bomb incidents and was now living in exile in India) and other political prisoners. (Rising Nepal, December 24).

On December 24, the All Nepal National Independent Students Union (Fifth Unity Group) staged a sit-in strike at the gates of the Singh Darbar Secretariat demanding the release of its President, Shankar Pokhrel, as well as Baburan Rai, Bidyanand Chaudhari, Khuse Khapangi, and Laxman Gnyawali. About 100 students participated in the action. The police lathi-charged them, as a result of which several students were injured, three of them seriously. The Spokesman of the Home Ministry justified the action on the ground that the students had organized the protest in a prohibited area. (Rising Nepal, December 25).

The Human Rights Protection Forum asked HMG to fulfill the legitimate demands of prisoners and detainees. In a statement, it declared, "A list of 179 political and other prisoners had been submitted to His Majesty for a general amnesty. However, no action has yet been taken in this regard." The statement also demanded that 50 percent of the jail terms of people who had been kept in detention during the Panchayat dictatorship should be remitted. (Gorkhapatra, December 25).

Remission of Jail Term

On the occasion of His Majesty's 46th birthday on December 29, His Majesty remitted the remaining term of 207 prisoners in different jails of the Kingdom and also waived the fines and sentences of imprisonment of 56 persons who were not in jail. (Gorkhapatra, December 29).

The Jail Mutiny

The Yojana (December 31) reported: "The mutiny at the Central and Bhadragol Jails in Kathmandu, which had started on December 27, reached its climax on December 29, 1990 when armed policemen broke open the gates and entered in. The action was marked by clashes between the prisoners and the police, as a result of which many people were hurt on both sides and one was believed to have died. The police brought in fire-engines to spray the agitating prisoners with jets of water on that cloudy day in winter, and fired tear gas shells, while the prisoners retaliated with brickbats. The clashes continued for about an hour." The mutiny ended on December 30 after the police succeeded in breaking the gates open. (Nepal Bhumi, January 1).

The Nepal Human Rights Organization prepared a report on the mutiny at the Central Jail and presented it to Prime Minister K.P. Bhattarai. (Gorkhapatra, December 31).

The Royal Pardon

The 207 prisoners who had received royal pardon on December 29, 1990 included 83 political prisoners who had been charged with subversive and other crimes. They included nine persons connected with the 1985 bomb explosions, namely Chandra Dev Thakur (life), Tekendra Bishwakarma, Tribhuvan Bhakal, Sal Bahadur Bishwakarma (20 years each), Mahendra Prasad Bajgain (15 years), Khem Nath Parajuli (11½ years), Ram Krishna Mahto, Bishwanath Gupta, and Jhula Sada Misahar (10 years each). The 56 other persons who had been sentenced to fines and imprisonment and were absconding and who were included in the December 29 amnesty included Basu Shakya and Mukund Nyaupane, leaders of the Nepal Communist Party (M-L) and about 24 others connected with the Naxalite insurrection in Jhapa in 1973. Basu Shakya had been sentenced to life imprisonment, and most of the others to imprisonment for 20 years. (Rising Nepal, January 1).

The list of prisoners whom the government had recommended for release to His Majesty contained the name of Bhim Prasad Gauchan, a member of the dissolved National Panchayat, who had been convicted of having attempted to assassinate Padma Thakurathi, a journalist, and also of smuggling. (Yojana, December 31). But the recommendation was vehemently opposed by workers of the Nepali Congress and the Nepal Students Federation. On December 30, therefore, the Council of Ministers decided to withdraw the recommendation. (Samaj, December 31). Bhim Prasad Gauchan's term was due to expire in April 1991. According to the Nepal Bhumi (January 1): "The Prime Minister had accordingly decided to release him. But the jail administration informed the Home Minister that he could not be released because the Attorney General's Office had appealed to the Supreme Court against the decision of the Central Regional Court to reduce the term by three years." On December 30, a spokesman of the Home Ministry confirmed that Bhim Prasad Gauchan had not been pardoned. (Gorkhapatra, December 31).

HUMAN RIGHTS

HURON Report on Prisoners Submitted to PM

Human Rights Organization of Nepal has completed a report concerning the activities of the prisoners imprisoned in Central Jail on various cases and has submitted it to the Prime Minister, it is learnt from the organization.

To prepare the report a team formed by the organisation visited the central Jail, met with the prisoners, police officers and officer of the district administrative office, organization source says.

[TRN (Daily), Jan. 1]

Criminals to be Punished Soon

Mallick Commission formed to investigate loss of lives and properties during the recent democratic movement presented its report to the government last Monday, December 31. The cabinet meeting held on the same day has formed a 3-member level committee to study the report. The committee is likely to take actions against the accused within a month.

Divided into two parts, the report contains 1000 pages, in which are included also the confessions from 150 criminals, and comments and suggestions from the commission. According to a reliable source, the following are the names of the persons to be punished:

Marich Man Singh Shrestha, Lokendra Bahadur Chand, Niranjan Thapa, Nain Bahadur Swarn, Bhakta Bahadur Koirala, Yogendra Nath Ojha, Hem Bahadur Singh, Nava Raj Subedi and Parshu Narayan Chaudhary. Besides them, the chief districts officers from Jhapa, Chitwan, Sunsari, Rupandehi, Palpa, Tanahu, Kathmandu,

Lalitpur and Bhaktapur, viz, Damodar Wairi Regmi, Madav Prasad Upadhyaya, Bimal Koirala, Bindeshwor sinha, Khem Raj Regmi, Bala Ram Kapar, Rishi Ram Lamichhane, Keshav Raj Rajbhandari, Prem Kumar Bantawa and Subarna Man Shrestha, too, have been mentioned in the list. The Commission has also charged the then Zonal Commissioners, viz, Narendra Chaudhari (Bagmati), Dan Bahadur Shahi (Koshi), Tak Bahadur Thapa (Narayani), Nava Raj Gurung (Janakpur), Lal Kaji Gurung (Mechi) and Khadga Bahadur G.C. (Lumbini).

Some of persons charged by the commission have entered the Nepali Congress beforehand. The Commission has mentioned that 45 persons were killed, 2300 injured and properties worth about 60,000,000 rupees lost during the popular movement.

On December 30, fifty-four prisoners who had received royal pardon were released from the Central, Bhadragol, and Women's Jails in Kathmandu under heavy police protection. (Gorkhapatra and Rising Nepal, December 31). They could not come out of the Bhadragol, Nakhu, and Central Jails in Kathmandu on December 29, because the other prisoners demanded that they too be released and did not let the gates be opened. The police resorted to a lathi-charge and also fired tear gas shells, injuring many prisoners. (Sanghu, December 30).

Other Political Prisoners

The People's Front welcomed the release of the nine persons connected with the 1985 bomb explosions, but demanded at the same time that Ram Raja Prasad Singh and others who were living in exile also be pardoned, and information be given about seven persons, including Dr. Laxmi Narayan Jha, who had disappeared while under police custody. (Rising Nepal, January 2).

The Dristi (January 2) reported: "More than a dozen political workers are still in jail on false charges of murder. They include Laxman Gnyawali (Nakkhu), Khadga B.K, Govind Bahadur Khapangi, Thagendra Ghimire (Udayapur), Chitra Bahadur Sapkota (Sindhuli), Bishnu Dev Yadav (Jaleswor), Bishnu Adhikari (Bharatpur), Chandra Bahadur Gurung and Man Pariyar (Lamjung). Likewise, the treason case filed against Amrit Bohara, a Central member of the NCP (4-5), has not yet been withdrawn."

Talking to our representative on Tuesday, Jan. 1, the chairman of the commission Justice Janardan Mallick said, "We have prepared the report with great effort. I believe the government would take actions against the criminals very soon". Member of the commission, justice Udaya Raj Upadhyaya said, "We, too, have heard the people's voice to hang Marich Man Singh. We have no reason to show favour to anyone. May evidences not be erased and the criminals not fled off! This is what we want..." Another member, Justice Indra Raj Pande, said, "People won't remain mute if actions are not taken against them". In this connection Minister Mr Nilambar Acharya, too, has said that action against the referred criminals could be taken within 4 weeks.

[Dristi (Weekly), Jan. 2]

Bring the Report to the Public !

People don't seem ready to believe the data of the loss of lives and properties shown by the commission (they estimate the loss much higher). However, the commission' functioning has been taken positively. People also want the report published in toto.

[Chhalphal (Weekly), Jan. 6]

OPFER DER DEMOKRATIEBEWEGUNG

Hiding Your Crime ?

Many of the police and government officials, who were used by Marich Man Singh to suppress the people's movement, are now busy visiting homes of the leaders of Nepali Congress and the United Left Front. Informed sources say the government is waiting report of the Mallik commission to punish the wrongdoers. Many offices have already demolished files by setting them on fire. Junior officials are trying their best to preserve such files in some offices. The wrongdoers are plotting many dramas to look innocent.

[Gandiv (Weekly), Nov. 22]

Body Receives Information on Missing Persons

Preliminary information concerning 22 persons missing during the pro-democratic movement has been received by the committee constituted for the purpose.

The committee is continuing its search for missing persons.

Some reports have also been received in connection with Dr Laxmi Narayan Jha, Saket Chandra Misra, Padma Lama, Iswor Lama, Maheswore Chaulagain who are missing since the bomb incident in 2042 B.S.

Prakash Kafle, a member of the committee, has returned to Kathmandu after collecting information on missing persons in different districts of the eastern region.

Statement forms have also been sent to the district courts of 75 districts to collect correct information about persons missing during the movement.

The committee has also called on all political parties to provide information relating to missing workers.

[TRN (Daily), Dec. 6]

Ministerial Panel Discusses Mallik Report

A three member ministerial committee has begun the consideration and discussion of the Mallik Commission report submitted to the government.

The committee includes Home and Communication Minister Yog Prasad Upadhyaya, Minister for Labour, Social Welfare, Tourism and Law and Justice Nilambar Acharya and Finance Minister Dr. Devendra Raj Pandey.

The committee will report to the Cabinet which will take a decision about the Commission report, it is learnt.

[TRN (Daily), Jan. 3]

Mallik Commission Submits Report

The Commission formed by HMG on May 23, 1990 under the chairmanship of Chief Judge Janardan Lal Mallik of the Eastern Regional Court to investigate the loss of life and property in Pokhara from February 12 to 17, 1990, and in other parts of the kingdom from February 18 to April 13, 1990, submitted its report to Prime Minister A.P. Bhattarai on December 31, 1990. According to the Council of Ministers Secretariat, HMG would take necessary actions after studying the report. (Gorkhapatra, January 1, 1991).

The main points contained in the report were as follows: "About 95 persons were injured in Pokhara between February 12 and 17. During the pro-democracy movement between February 18 and April 13, 1990, about 45 persons were killed and about 2,300 persons were injured, and property worth Rs 60 million was damaged." (Rising Nepal, January 2). The Commission found that only two persons, namely, Buddhi Nath Baral and Senu Kanchha Tamang, had been killed in the firing at Kingsway in Kathmandu on April 6, 1990. (Rising Nepal, January 2). Judge Janardan Lal Mallik declined to reveal the names of persons guilty of excesses during the movement, pleading that this would hamper legal action against them. (Rising Nepal, January 3).

Cabinet Sub-Committee Formed

Speaking at Jaleshwar on January 2, Prime Minister K.P. Bhattarai said that a sub-committee of the Cabinet was studying the report. Appropriate action would be taken against the guilty person on the basis of its findings, he added. (Gorkhapatra, January 3). The sub-committee consisted of ministers Yog Prasad Upadhyaya, Nilambar Acharya, and Dr. Devendra Raj Pandey. (Rising Nepal, January 3).

Prime Minister K.P. Bhattarai also said that a Commission had been formed to search for Dr. Laxmi Narayan Jha, Padma Lama, Ishwar Lama, and others who had disappeared while in police custody. He disclosed that the family of each person killed during the pro-democracy movement would be given Rs 100,000 within a month on the basis of the Mallik Commission's report, while all possible cooperation would be provided to the injured persons. (Gorkhapatra, January 3).

A MOCKERY OF MALLIK REPORT

The unlucky are cursed with their own follies. This is what has happened to Congress government after the submission of Mallik Report. What was the need for constituting an inquiry commission to investigate the criminals implicated in the people's movement under the pressure of people's outrage when Congress had the sole right to decide the fate of the nation. The Congress party was, on the one hand, rejoicing the entry of Parshu Narayan and his associates into the party, while, on the other, it was making a mockery of constituting the inquiry commission. What was the use of such a commission after criminals had already been accepted into its fold ?

Despite all this, Mallik Commission submitted its report and the new Congress leader Parshu Narayan Chaudhary has been listed as a leading criminal. Parshu Narayan, a fresh entrant into Congress, has now been maligned with the crime by Mallik Report. How could Mallik Commission dare to list him as one of the arch criminals ?

The Congressmen may say in their ruling mood, "As the supreme leader was benign to touch Parshu Narayan; so he is now acquitted of his sinful acts". It is true that the power can turn black into white so long as people are not conscious and powerful.

The devotees of Panchayat have also become the devotees of the aristocratic multiparty system by forming 'democratic'

- Khagendra Sangraul

parties. In the course of their democratic exercise, they were, at several places, welcomed with the garland of shoes, humiliated and stamped with feet. And yet their names appear in the list of criminals in Mallik Report. What I mean to suggest that when the benign government allowed them to perform 'democratic' dance, why did Mallik Report raise its finger at them ?

Previously, only loyal flatterers had the prospect to use medals. Mallik Commission could not understand their contribution and stamped their medal with crime. There is freedom of speech in the country, but the mouths of its citizens are bolted by the constitutional provision that no one can utter any word about the activities of the royal palace. That's why, the royal palace has awarded these criminals medals to protect the crown from being sentenced.

I have read and heard several times "During the Panchayat regime everything happened at the behest of the royal palace". But Mallik Commission has invented the eighth wonder. In other words, no one was above Marich Man (ex Prime Minister) during the Panchayat regime; that's why his name tops the list of criminals in Mallik Report. On the basis of this report, no one can gain that sovereignty was vested in Marich Man during the Panchayat regime. What a mockery it is !

[Pristhabhumi (Weekly), Jan. 10]

Editors Arrested

The editor and publisher for Samrakshan Weekly, Mr Krishna Prasad Gautam (Maila), has been arrested Tuesday afternoon, Nov. 20, by police. An article by Ratna Nidhi Regmi which appeared in the weekly's Vol. 8 No. 4 issue has been considered objectionable by the administration. It has been learnt that the administration is ready to free him if the writer is presented. Earlier, the editor of Vojana Weekly, Mr Nimkanta Pande, was arrested for his editorial on "Pampha Devi and the Interim Government". This was the first arrest after the formation of the interim government. Mr Pande was released the next day.

[Dristi (Weekly), Nov. 21]

The local administration had tried to charge Mr Pande with the State Offence. However, Nepal Journalists' Association had asked for his release. After he was released, Mr Pande pleaded that he would abide by the constitution as regards his profession.

[Diary (Weekly), Nov. 19]

It is learnt from foreign mass media that Prime Minister K.P. Bhattarai said that to control the freedom of press the law for defamation should be made more effective.

... Thus, a serious problems has emerged before the government; how will it preserve the freedom of press guaranteed by the constitution ?

[Hindu (Daily), Nov. 23]

Code of Conduct of Journalists from March 19

The Press Council will put into effect the code of conduct of journalists from March 19, 1991.

No room, the code says, should be given to the news that either spread hatred or promote violence or generate disunity among various castes, tribes, religions, communities and regions.

Prompt correction should be brought out by publications concerned immediately after they find some untruth in their publications or find their publications hurting without reason somebody's interest, the code adds.

According to the code it is a serious more all crime to make journalism a tool for ensuring self-interest or using the news for financial gain or other types of personal interest.

[TRN (Daily), Dec. 17]

Journalists, Lawyers Exchange their Views: Need for Independent Communication Media Emphasized

The talk programmes on 'The New Constitution and Responsibility of Press' and 'Fair Election' concluded in Kathmandu, Friday, December 7, with a strong demand that all the government media should be made free and impartial. The programmes were organised jointly by Nepal Bar Association and Nepal Journalists Association in which most of the participants opined that no fair election can be expected from the present election commission. Almost all the speakers stressed the need for development of the democratic culture. Addressing the opening function of the programmes, the NJA president Govinda Biyogi said the future of the country would be decided by the coming general election. Advocate Subhash Nembang said that the Nepalese people still have to do a lot for institutionalizing the present achievement. Mr Nembang expressed his wonder over the boasting of same political party that the popular movement was led alone by it. He said irregularities are likely to occur during the election from both the government and non-governmental sides. To avoid this, favourable atmosphere should be created, security arrangements should be made and people should be properly guided, he said. Mr Nembang added, "People cannot be well-guided by propagating unreasonable remarks over the communists". During the Panchayat system, tree plantation used to be the often-reported news item for the government mass media; now this has been replaced by the news on the entry into Nepali Congress", remarked Mr Nembang, adding that no fair election was possible unless the government media functioned impartially. He said employees should not be shifted from one place to another after the election date is fixed.

Chief Election Commissioner Mr S.P. Shrestha said that the date for election would be announced by the end of this month (mid-December) and the government media would not be misused. Another speaker Mr Shambhu Prasad Gyawali said that the press law needed to be amended by the government.

In the second round of the programme, Mr Hiranya Lal Shrestha said all the political parties should be united for holding fair election. He said even the foreigners' experiences should be shared for preventing irregularities during the election. Mr Daman Dhungana said, "I believe in performance rather than parties or leaders". When Mr Ananda Dev Dhatta, an intellectual, asked how the officials having Panchayat background could hold fair election, he was assured that officials in that time had to work according to the-then rules and laws, so one should not be irrationally prejudiced against others. On the occasion, Mr Raghu Pant, a journalist, had accused the government of making its media Congress-oriented. He said the government media have started to follow the election politics by ignoring the news relating to the communist leaders' visit to late singer Narayan Gopal.

[Chhalphal (Weekly), Dec. 9]

Journalists Advise of Problems

A delegation of the Nepal Journalists' Association today met Communications and Home Minister Yog Prasad Upadhyaya at his office and apprised him of the problems facing the Nepalese newspapers and journals in the present condition and demanded to implement the policy on them as soon as possible.

The delegation led by the Association president Govind Biyogi also requested the Minister to take measures to help the journals suffering from the lack of advertisements and financial difficulties and drew his attention to what they called attacks on and misbehaviour to the journalists in Dang and Kathmandu and in other parts of the country.

[TRN (Daily), Jan. 1]

NJA Appeals not to Confine Press Freedom

The meeting of Nepal Journalists' Association (NJA) central committee held in Nepalgunj on December 21 has announced that 'Nepalgunj Declaration' has expressed its determination for the promotion of democracy, creation of favourable environment for free and fair election and for the development of journalists as the freedom of press guaranteed by the Constitution.

The meeting has stressed that the freedom of press should not, at any cost, be maintained by law.

Stressing that the free and fair election can only be held if the government mass media are impartial, the declaration says, "The government should leave its ownership on mass media immediately".

[Matribhumi (Weekly), Dec. 25]

Police Close the Press

The problem of Adarsha Chhapakhana (press) has become more complicated when the police forcefully ousted the employees who were on relay hunger strike for their professional rights and locked the press.

After the lock out of the press the employees have staged their strike at the streets. In a press release the employees' ad hoc committee has disclosed the irregularities of the press and has said, "We condemn the acts of the police and administration of locking the press and we will continue our relay hunger strike at the door until our demands are fulfilled".

[Yojana (Weekly), Dec. 31]

Charges Withdrawn

HMG withdrew the case against Krishna Prasad Gautam, Editor and Publisher of the Samrakshak Weekly. He was accordingly released from detention. (Naya Nepal Post, December 10).

The Nepal Press Council finalised a Code of Conduct for Journalists to be enforced with effect from February 19, 1991. An important provision of the code was that journalists should not be compelled to disclose the source of their information. (Gorkhapatra, December 17).

A new news agency, known as the Nepal Communications Pool, was opened in the private sector in Biratnagar. The agency had already appointed correspondents in ten districts of eastern Nepal according to the Director, Ram Rijhan Yadav. (Gorkhapatra, December 18).

A New Press Policy

HMG announced a new press policy on January 1, 1991 on the basis of the recommendations of the Press Council. The main points of the new policy were as follows: "Any Nepali citizen can publish a newspaper in any language from any place in the Kingdom. No newspaper will be banned, nor its registration cancelled. The right of the press to collect information according to law will be protected. The official monopoly in the collection and distribution of news will be reviewed and government ownership of the official media will be phased out. Advertisements of governmental and semi-governmental agencies will no longer be restricted to government newspapers, but will be distributed to other newspapers on the basis of circulation, regularity, standard, and seniority." (Gorkhapatra and Rising Nepal, January 2).

Rift in Journalists' Association Counter Productive

Journalists, too, seem interested to create a situation of confusion in the country. Even in the past some journalists had formed a separate organisation like National Confederation of the Nepalese Journalists' and National Journalists Association. Even now they are talking of separate organisation. It is reported that a few journalists gathered at Kathmandu Press Club on December 31 and pressed the need for a separate organisation capable of representing all the journalists. Isn't there Nepal Journalists' Association for them? Can't it encompass all? In fact rift in journalists' Association is counter productive. Any one who accepts to journalism as his/her profession is a journalist, and it is essential that there should be only 'one' organisation for him/her. Journalism is not politics. Real journalists always take risks and the 'organisation' is for the protection of their profession. In a country like ours, there are many persons, the so-called

journalists, who have made their profession a tool for profit. In such a situation, true journalists need to be united under a single organisation. Otherwise we will have to suffer betrayal, journalists must learn this reality.

[Hindu (Daily), Jan. 1]

Political Prisoners Still to be Released

After releasing 83 political prisoners on the occasion of His Majesty's birthday, the government has claimed that no political prisoner remains to be freed any more. However, more than a dozen political prisoners, imprisoned on the charges of so-called murder at Nakkhu, Lamjung, Bharatpur and Sindhuli jails, are still not released. Messrs Khadga B.K., Govinda Bahadur Khapangi, Thagendra Ghimire (Udayapur jail), Bishnu Dev Yadava (Bharatpur), Chandra Bahadur Gurung, Man Pariyal (Lamjung) and Laxman Gyawali (Nakkhu) are still imprisoned. An state offence case against the CPN (ML) leader Amrit Bohara has not yet been waived off. More than a hundred political workers of the CPN (ML) are still to be freed from the fake charges against them. The nine political prisoners associated with the 'bomb incident' in 2042 B.S., too, have been released this time.

[Dristi (Weekly), Jan. 2]

Freedom and Competition

With a view to promoting a credible press by making it self-dependent, fearless and responsible His Majesty's Government has announced a new press policy in commensurate with the press freedom as guaranteed by the constitution.

No paper is to be banned nor is any paper's registration to be cancelled under the new policy.

One significant feature of the policy is that an audit bureau of circulation is to be established to keep official records of the circulation of newspapers.

Once set up it will be first of its kind in Nepal. Given the fact that one of the main criteria for claiming government advertisements is the circulation, the bureau would have a big role in the development of competitive journalism in the country.

It is also quite significant that the government has made its intention of granting autonomy to the official media very clear.

According to the policy, the present system of the monopoly of the official media to collect and distribute news is to be reviewed. Besides, the government is to seek a phase wise end to government ownership of the official media to create an environment of competitive development of the press.

It will be not mandatory for the government offices to publish public notices only in the government-owned newspapers.

Distribution of advertisement from the government and semi-government agencies to any newspaper will be encouraged on the basis of distribution, regularity of publication, quality and seniority.

The government-owned newspapers may thus automatically qualify to get the government advertisements, but the road ahead will be much competitive, say observers.

[Sunday Despatch (Weekly), Jan. 6]

NEPAL-INDIEN

Nepalese Kidnapped by Indian Army

On December 2, 1990, at 1:30 p.m. the Central Reserve Police (CRP) of India infiltrated into Nepal and kidnapped five Nepalese from Ilam district. The CRP team, consisting of 30 policemen, reached Hile village of Ilam in a jeep and took Prem Dorje Sherpa, Neema Tenjing Sherpa, Rajendra Dorje Sherpa, Vinod Mukhiya and Purna B. Rai to an unknown destination. So far the kidnapped persons have not yet been traced out. It is to be noted that is not the first instance of infiltration into Nepalese territory by the armed Indian forces.

[Dristi (Weekly), Dec. 5]

Indian Intrusion

According to a spokesman of the home Ministry, 25 Central Reserve Police personnel of India had intruded into Pashupati-nagar in Ilam district at the midnight of December 3 and abducted five Nepalis and two Indian nationals on the charge of giving shelter to the activists of the Gorkha Liberation Organization. The abducted Nepalis were released the following night when the Chief District Officer and District Superintendent of Police of Ilam held negotiations with their Indian counterparts in Darjeeling. HMG protested to India against such violation of international border. It also planned to demand compensation for the damage caused by the Indian action to the property of the Nepalis. (Gorkhapatra, December 14).

Nepal Protests Indian Police Intrusion

Nepal has protested to India against the violation of the international border in Ilam by the Central Reserve Police of India.

According to a spokesman of the Home Ministry, 25 CRP personnel of India entered into Pashupatinagar of Buddhadham village development committee in Ilam district at about one at midnight on December 3. They raided the houses and abducted five Nepalese and two Indian nationals. The CRP men, in four vehicles, came to the place and searched the houses of Prem Dorje Sherpa, Purna Bahadur Rai and Binod Mukhia on suspicion of harbouring activists of Gorkha Liberation Organisation (GLO).

The CRP abducted Prem Dorje Sherpa, Rajendra Sherpa, Tenjing Sherpa, Prem Rai, Binod Mumhiya and two Indians K.B. Mukhiya and Mani Subba. The spokesman also said after the incident was reported by the local people Pashupati Nagar Ilaka police conducted on the spot investigation.

The next day, the police inquired about the event with Sukia police station, Darjeeling.

Later from the inquiry made with the Darjeeling police station, it was found that the two Indians had been kept in the same station and

five Nepalese had been held in the Jorbangla police station.

The chief district officer of Ilam and district superintendent of police (DSP) held negotiation with the district magistrate of Darjeeling and superintendent of police and five abducted Nepalese were released on the following night.

The released Nepalese underwent treatment at the Pashupatinagar health post.

the house of the abducted Nepalese had been damaged by the CRP action and HMG will demand compensation once the damage is known, he said.

[TRN (Daily), Dec. 13]

DEMOKRATIE- UND MENSCHENRECHTSBEWEGUNG IN BHUTAN

Procession in Support of Bhutanese Movement

A silent procession was staged here today (Nov 19) in support of the movement launched by the Bhutanese people for democracy and human rights in their country.

The procession taken out from Basantapur under the auspices of the Bhutan Support Group, Nepal converged on the premises of the Tri-Chandra campus for a mass meeting.

Addressing the meeting, general secretary of CPN (M) Manmohan Adhikari expressed his party's sympathy and support to the Bhutanese struggling for the establishment of democracy and human rights in their country.

We have to support the Bhutanese people's movement with the same spirit with which we took part in the liberation movement of India and are raising our voice against the apartheid policy of South Africa, he said.

President of the Human Rights Organisation of Nepal (HURON) Rishikesh

Shaha said that despite the close cultural and geographical ties between Nepal and Bhutan, the Nepalese are not extending due sympathy to the Bhutanese.

Leader of the CPN (M-L) Khadga Oli pledged his party's full support to the people's movement in Bhutan.

Convenor of the Bhutan Support Group, Nepal Badri Khatiwada presided over the mass meeting.

[TRN (Daily), Nov. 20]

Dragon's Terror in Bhutan

Mr Balaram Paudel, an activist of Bhutan People's Party (BPP), says, "In Bhutan, a gang called 'Thunder Dragon' has been formed

recently under the leadership of Foreign Affairs Minister Dawa Chhering which destroys governmental offices, schools and bridges and blames BPP for these activities". In another query he says, "Mr T.N. Risal, who was kidnapped from Nepal, is alive and is in prison". Disclosing the fact that more 200 people have been killed he said more than 5 thousand persons have been imprisoned.

Stating that it is also a serious matter for Nepal, Mr Paudel said, "Bhutanese government has been calling the agitators as foreigners. If we are foreigners, the Nepalese government should provide us citizenship and let us settle accordingly, if not, the government of Nepal must pressurise the government of Bhutan for democracy".

[Deshantar (Weekly), Dec. 2]

On December 5, a delegation of the Bhutan People's Party, led by its President, R.K. Budathoki, met Prime Minister K.P. Bhattarai, the Nepali Congress supreme leader Ganesh Man Singh, and the Finance Minister, Dr. Lovendra Raj Pandey, and acquainted them with the situation prevailing in Bhutan. The delegation thanked the Prime Minister for his statements on the situation in Bhutan during the fifth SAARC summit meeting at Male recently. (Gorkhapatra, December 6).

Atrocity Continues in Bhutan

The King of Bhutan has turned to be more a tyrant after he returned home from Male, the capital of Maldives, where he had attended the fifth SAARC summit. The sources related to Bhutan People's Party have said that the Bhutanese King Jigme Syngde Wangchuk is suppressing his people with the Indian backings. Inspired by the support of India, he has imposed a martial rule in the country, as in Burma, say the BPP sources. According to a report, Bhutanese army entered into Indian territory and searched the houses of Indian nationals, somewhere two kilometres from Kalikhola, Bhutan, on December 9. They searched the BPP camp there, opened fire and killed two members of the BPP, it is learnt. The dead bodies were taken away by them. Why India is remaining silent on the intrusion of the Bhutanese armed forces into its territory has aroused curiosity among the Bhutanese. Besides these, the BPP has also disclosed that 37 members of 6 families of Banda block, Samchi, were banished from Bhutan on December 7. 32 other men have been exiled from the same block. Their wives and children are given the work of digging roads and cleaning sewage. Anything necessary should be supplied by the workers themselves. In the meantime, a police in-charge, Mr N. Singh Pradhan has informed the BPP that districts and the zonal officers have suggested the Bhutanese police and the army to confiscate the people's properties, as the king of Bhutan is likely to introduce democracy in the country. [Hindu (daily), Dec. 17]

Pressure for Human Rights 9,600 Nepalese Send a Letter to Bhutanese King

A signature campaign carried in Kathmandu for the violation of human rights in Bhutan has been stopped after collecting signatures from 9,600 persons. The letter, together with the list of signatories, is to be delivered to the King of Bhutan Jigme Syngde Wangchuk. Addressed to the Bhutanese King, two copies of the letter will also be sent to the international human rights organisations, namely, Amnesty International and the UN Committee for Human Rights.

The initiative was taken with a view to exerting moral pressure on the Bhutanese government for respecting human rights there. Three persons, viz., Jeev Nath Khanal, Guru Prasad Mainali and Deepak Gajurel had jointly initiated the process of collecting the signatures.

[Hindu (Daily), Jan. 3]

Senior BPP Leader Arrested

Sonak Tsering Drukpa, a senior leader of the Bhutan People's Party (BPP) was arrested by the Bhutanese Police recently from his hideout.

Mr Drukpa belongs to the same community of the Bhutanese King Jigme Singye Wangchuk.

According to the BPP, arrest of Mr Drukpa has brought a strong possibility that the army could revolt against the Jigme's dictatorial rule.

The King, due to the fear of mutiny, visited some parts of Bhutan to avoid the possible army revolt, the sources claimed.

[TRN (Daily), Jan. 5]

Bhutan: Heading Towards Civil War

The democratic movement launched by Bhutanese people is going on continuously and the Bhutanese despot has used all his forces to suppress the movement. The autocratic monarchy has killed about 600 people, imprisoned 6 thousand innocent people and has tortured them severely. Not only that, it has also been expelling the families of the persons who are participating in the movement.

The democratic countries like India and Nepal have not raised voice against violation of human rights in Bhutan. Similarly, no voice has been raised in the United Nations about Bhutan's situation and the international human rights organisations, too, are remaining silent. Nevertheless, the Bhutan People's Party (BPP) is determined to liberate the people from autocratic rule.

If the despotic king of Bhutan does not fulfil the just demands of BPP and wants to suppress more, Bhutan will soon bog down into civil war and finally the despotic king might be dethroned.

[Matribhumi (Weekly), Jan. 8]

SONSTIGES

Why Royal Intelligence Bureau Active ?

People are asking a question why the intelligence bureau of palace 'Royal Intelligence Bureau' is still existing and active.

The main object of the Bureau in the past was to sustain the monopoly of palace and insist communists to suppress the Nepali Congress. Why is it still existing while the constitution has guaranteed constitutional monarchy and multiparty democracy ?

[Punarjagaran (Weekly), Nov. 20]

Nepalese Employees to be Sacked Away from UK

A news reported by AP a few days ago revealed that many Nepalese working in the UK are being sacked out of their jobs. Though the report does not mention the cause for the dismissal, it is learnt that the UK House of Commons has blamed the Gorkhas as inefficient in their jobs. Most of the Nepalese in the UK are working in the British Army and even after their retirement, they are appointed in the Gorkha Security Limited. Presently no specific data are available regarding the number of the Nepalese people employed in the UK; however, hundreds of them are likely to turn jobless. HMG of Nepal needs to show its concern on the matter.

[Gandiv (Weekly), Nov. 22]

Human Rights not Fully Introduced

The '42nd World Human Rights Day' has, after 30 years, been observed in an open atmosphere in Nepal. The human rights, confined in the clutches of rulers during the Panchayat regime, have been introduced by people's struggle.

Though people have achieved a few rights after the establishment of multiparty system, they are still deprived of exercising full human rights. The government has not released all the political prisoners who were imprisoned during Panchayat regime. The government has ridiculed human rights imprisoning the journalists and common people on trivial issues. Similarly, the government mass media have been paralysed, consumers have been affected by price hike, and patients are deprived of basic health care. The problems of farmers, labourers, students, teachers, and employees are still not taken care of. A question has been raised how democracy can last long under the prevailing circumstances.

People strongly believe that they will get some sort of relief by this government, but the government has failed to do so. So the government should seriously think on these matters. If such a situation continues, nobody can say the people will remain as mute spectators and there is also possibility that the human rights, which have just been introduced, may again be confined by autocratic power.

[Matribhumi (Weekly), Dec. 11]

A Foreigner Obstructs a Nepali Woman to Climb Mt. Everest: Many Sherpas Being Killed by Push

Mr Mark Batard, a French national and the leader of 33-member mountaineering team (comprising 16 French, 16 Nepali Sherpas and one Belgian) obstructed Mrs Pasang Lama Sherpa, a Nepalese woman, to climb the world's greatest peak Mt. Everest.

The team had received permission to climb the Mt. Everest in autumn this year, and Mr Batard had collected a large sum of money in France, advertising that the very Nepalese woman would be climbing the Everest. According to the programme, Mrs Pasang Lama left the base-camp (5250 m) on October 18 and reached the fourth camp (8100 m) on the 23. She had to climb only 748 m. When she abruptly heard the leader speaking from the Base camp. He was saying, "Pasang, you Nepali woman shift back; French woman will climb first; you come down immediately, the very night..." Pasang, too, was ambitious. She knew that she would be the first Nepalese woman to climb the Everest, if she succeeded. Pasang insisted; but Batard didn't allow. Batard said there was lack of oxygen: Pasang said she would do without it. But, Mr Batard didn't even allow her to pass the night there. However, getting down the very night, too, was impossible. She was returning next day. On the way, she naturally met Batard. No sooner he met Pasang in South Pole Mr Batard started dragging her by the collar. He was about to push her down forcefully when Mr Nhwang Dila Sherpa saw and nearly attacked Mr Batard with a snow cutting spade. It was only then that Pasang was released. Thank God! Otherwise she would have died. Mr Batard couldn't reach the summit. He had a cold war with another Sherpa and the Belgian member too.

Death during mountaineering has been an oft-heard news report. Mostly, the Sherpas have been the victims. Death in mountains has been a mysterious matter these days. An official in the Ministry of Tourism says, "...The issue is rather serious. Foreign members of the mountaineering team generally don't like the Nepalese to conquer the summits. Moreover, they can't bear the Sherpas reach the summits before them. On the other hand, they can't do without the Sherpas. In such a situation, they intrigue to push and kill the Sherpas when they are nearing the summits".

Now another French team has been permitted to climb the Everest in Spring with a condition that Mr Pasang be allowed to climb first. Mr Batard, too, has applied, but he will be rejected, says the spokesman of the Ministry of Tourism. Mr Batard has tried to scale the Everest for 5 times, but succeeded twice only.

[Matribhumi (Weekly), Dec. 18]

Gorkha Army in Gulf

Gorkha armies are being sent to Saudi Arabia where multi-national forces have been kept alert after the invasion of Kuwait by Iraq. The Gorkha army going to Gulf are from Hongkong-based British Army, 28th Ambulance Squadron, and they are 145, it is learnt. It is to be noted that Britain has planned to send 30 thousand army to Gulf. British government had used Gorkha army in war with Argentina and Falkland island.

[Matribhumi (Weekly), Dec. 25]

Human Rights Day

In a message on the occasion of Human Rights Day on December 10, 1990, the Minister of Law and Justice, Nilambar Acharya, reaffirmed Nepal's commitment to the UN Charter, the Non-Aligned Movement, and international law. He pointed out that the new Constitution of Nepal had guaranteed human rights and abolished the death penalty. He gave assurances that HMG would gradually promulgate new laws and amend the existing ones for the protection of human rights. (Gorkhapatra, December 11).

In a joint statement, the Forum for Protection of Human Rights and the Human Rights Organization of Nepal expressed satisfaction that the Human Rights Movement had been successful in overthrowing autocratic and tyrannical regimes throughout the world. The statement also welcomed the historic changes brought about by the people's movement in favor of human

rights in Nepal, but pointed out at the same time that there had been cases of human rights violations under the interim government also. It demanded that all persons kept in detention out of political revenge during the Panchayat period be released and the legitimate demands of the prisoners be fulfilled. (Rising Nepal, December 10).

The National Executive Committee of the Amnesty International similarly regretted that human rights violations had been taking place in different forms even though the entire world was celebrating Human Rights Day. (Rising Nepal, December 10).

Nepalis in the Gulf Region

According to a top-ranking official of the Foreign Ministry, officials of the Ministry and of local Nepali diplomatic missions were making informal efforts to bring the approximately 6,000 Nepalis working in the Gulf region back to Nepal in view of the growing possibility of war in that region, although HMG had so far done nothing officially. (Gorkhapatra, January 4).

Ramraja to Come Back to Nepal

The chief person of bomb incident and the chairperson of Janavadi Morcha (People's Forum) Mr Ramraja P. Singh is coming back to Nepal in near future.

The Supreme Court has sentenced him with capital punishment. Whether this decision will be implemented or not will be seen after his arrival in Nepal. No amnesty has been granted to him and he is still staying in Patna, India.

While talking to our correspondent in Patna some days ago, he said, "The communists and Congress, who throw bomb on King, corrupted national properties, hijacked the plane and raised weapons, have been granted amnesty. We had exploded the bomb to overthrow the autocratic system. If the interim government does not take any step to release us, I will enter Nepal with my followers without taking any heed of the decision of the court. Let's see what will happen then".

[Nepalipatra (Weekly), Jan. 11]