

PARLIAMENT WATCH – NEPAL

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The Tenth session of the Legislature-Parliament continued, and as many as 06 meetings¹ were convened, during February. The major highlight of the month is as follows:

The cabinet decision and the remarks made by the Prime Minister (PM) previous month on legalizing war-time transactions of properties and the so called 'merger' respectively² – both controversial – triggered continuous disruption of the House even during February. In the first meeting of the month,³ the opposition parties demanded that the PM be present in parliament so and tender his clarification on the matter before the sovereign body; failing which no session, according to them, would be allowed further.⁴ Hon'ble Laxman Prasad Ghimire of Nepali Congress underscored that no clarification from the Premier rolled up despite continuous disruption of the House for seven consecutive occasions, hence the obstruction will continue unless an explanation is furnished by the PM and the cabinet decision is withdrawn.⁵ All the opposition lawmakers then rose from their respective seats which, according to the Speaker, was the obstacle for continuing parliamentary proceedings, therefore, was adjourned and deferred yet again on the same ground. The disruption continued till the next meeting.⁶

It was only in the *ninety-sixth* meeting,⁷ the PM apprised the lawmakers that the January 12 cabinet decision, which aimed at legalizing war-era transactions of properties,⁸ would not be implemented, and the remarks he made was not a compromise to the sovereignty and national integrity of the nation.⁹ Following four weeks of obstruction by the opposition parties, parliamentary proceedings, thus, resumed after PM announced at the House meeting that a cabinet meeting earlier in the morning had revoked the government's recent controversial decision on conflict-era land deals. The PM announced that at this cabinet meeting it was decided to revoke the decision in view of the protests by opposition parties in parliament and the stay order issued by the Supreme Court. "The decision taken in the cabinet meeting on January 12 will no longer remain effective and it will not be implemented," the PM announced at the House meeting. "The government will make necessary arrangements within a week to solve the problems of the peasants pending since the insurgency. He urged one and all not to construe the government move as a victory or defeat of any party but to take it as an initiative aimed at resolving the deadlock in parliament."¹⁰

¹ The ninety-fourth to ninety-ninth meetings were convened during 01 to 21 February, 2012.

² For more details, please refer to the Monthly Report of January, 2012.

³ The ninety-fourth meeting of the parliament was convened on 01 February 2012.

⁴ The lawmakers, who demanded Prime Minister's clarification, were Hon'ble Gopal Man Shrestha of Nepali Congress and Hon'ble Shankar Pokharel of Nepal Communist Party (United Marxist-Leninist).

⁵ Based on the flyer, which they call it a Bulletin, of Parliament Secretariat, 01 February 2012.

⁶ The ninety-fifth meeting of the parliament, which was also disrupted by the opposition for the same cause, was convened on 05 February 2012.

⁷ The ninety-sixth meeting was convened on 09 February 2012, at 17:00 hours, in the Legislature-Parliament and presided by the Speaker Rt. Hon'ble Subas Chandra Nembang.

⁸ The Maoists' "Peoples Government" had acquired thousands of papers regarding purchase, sale and distribution of land and property during the conflict period, mostly by using force. See basically the Zeenews India report, "Nepal Government scraps decision to legalize war-era land deals", 09 February 2012, available at zeenewsindia.com/news/south-asia/, last accessed on 15 February 2012.

⁹ Based on the interview with the Joint Secretary of Nepal Government, and the Secretary of the Public Accounts Committee of the Parliament, Mr. Som Bahadur Thapa.

¹⁰ The Republica news story, "PM revokes decision on land deals, House resumes", 10 February 2012.

On a separate note, particularly for the remarks he made, the PM echoed the same view of his aide Devendra Poudel¹¹ who had issued a press statement on 3rd February and had blamed the media for 'misreporting'. The Nepali media, according to him, distorted the PM's wording for what he actually said. "... The Prime Minister had only said," claimed Poudel, "If our economy fails to become a vibrant bridge between Indian and Chinese economy, the Nepali economy could submerge eventually. He had used the word 'submerge' but was being misinterpreted as merging with either India or China..." This is how, the 'Nepali media was made the scapegoat as usual'.¹²

In the *ninety-ninth* meeting¹³ of the parliament, which was the last meeting of the month and the Session itself, the Speaker informed parliament about the major events of the Tenth Session, and read out the letter of the Office of the President, dated 21 February 2012, that notified the end of the Tenth Session effective from 21:00 hours the same day. Some of the major happenings of the Tenth Session, as apprised by the Speaker in the parliament, were as follows:

1. The Tenth Session of the Legislature-Parliament commenced on Monday, 02 May 2011, and ended on Tuesday, 21 February 2012, totaling 293 days. As many as 99 meetings were convened in 88 days, 183 hours and 40 minutes was spent to carry out the actual business.
2. As many as 18 government Bills were registered in the parliament during the Tenth Session, out of which a total of 10 Bills were passed whereas deliberations are over for 02 Bills and 04 Bills were only presented. The Interim Constitution (Eleventh Amendment), 2011 was withdrawn after theoretical discussion. Similarly, as many as 39 government and 01 non-government Bills were carried forward to this session from the fourth, fifth, sixth, seventh, eighth and ninth Sessions.
3. The 04 lawmakers, (1) Hon'ble Bishwendra Paswan, (2) Hon'ble Rukmani Chaudhary, (3) Hon'ble Buddha Ratna Manandhar and (4) Hon'ble Sadrul Miya Haque, were suspended for seven days for repeatedly obstructing the House proceedings. They were actually hauled out by the marshals of the parliament. This eviction was the first such incidence in the entire parliamentary history of Nepal.¹⁴

Since parliament did not deal with any human rights issue per se, the reporting thus has nothing on human rights this month.

¹¹ Mr. Poudel is a fellow party man and the political advisor of the Prime Minister, Dr. Babu Ram Bhattarai.

¹² The Telegraph Nepal story, "Nepal PM aide Sunil defends Bhattarai's merger remarks: Media", 03 February 2012, available at <http://www.telegraphnepal.com/headline/2012-02-03/nepal-pm-aide-sunil-defends-bhattarais-merger-remarks:-media>, last accessed on 06 February 2012.

¹³ The ninety-ninth meeting of the parliament was convened on 21 February 2012, at 16:20 hours, and presided by the Speaker Rt. Hon'ble Subas Chandra Nembang.

¹⁴ For more details, please refer to the Monthly Report of June, 2011.