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Editor’s Note

I am very pleased to introduce you the following distinguished academics who are new members of the Review Committee of *TMC Academic Journal*: Ms. Daisy M. Alburo (Southwestern University, Philippines), Dr. Pineteh E. Angu (Cape Peninsula University of Technology, South Africa), Dr. Cristina Barbu (European Research Centre for Managerial Studies in Business Administration, Spiru Haret University, Romania), Associate Professor Dr. Sabri Boubaker (Champagne School of Management, Groupe ESC Troyes, France), Professor Dr. Latitha Fernando (University of Sri Jayewardenepura, Sri Lanka), Mr. Riad Khan (Fiji and New Zealand), Dr. Prabhata SVRK (Institute for Global Environmental Strategies, Japan), Mr. Bimal Raj Regmi (Flinders University, Australia), Dr. Isaias S. Sealza (Xavier University, Philippines), Dr. AKM Ahsan Ullah (American University, Cairo, Egypt), and Dr. Rama Venkatasawmy (University of Newcastle, Singapore). My warmest congratulations go to all reviewers. I am overjoyed as this is the first time we have a record number of new reviewers in a single issue. I am always surprised by the positive and overwhelming response of the academics who have been invited to be our reviewers given their very tight working schedules.

I am very confident that *TMC Academic Journal* will be sustained and grow with the great support of respectful and dedicated academics who possess vast industry, research and teaching experience. Importantly, the reviewers have provided constructive feedback to the authors of manuscripts submitted to the journal so that they can fine tune their written work to meet international standards. This journal is a platform for dissemination of research findings from both senior and junior researchers. Our motto is nobody will get disadvantageous due to language, working conditions, time constraint, and so forth. The ultimate goal is to provide guidance and opportunities for research development.

Given the challenges and impacts of environmental degradation and global climate change, it is now the perfect time to discuss how to mitigate the adverse effect of climate change and manage the environment in a sustainable manner. Mr. Bishwokarma, Dr. Paudel and Mr. Molina Jr. discuss the involvement of civil society organizations (CSOs) in the policy making and development process to manage climate change in Nepal. The paper argues that CSOs involved in this process may or may not represent the view of the local people given their limited rights, and thus public participation and involvement is still a grey area in climate governance in Nepal. Mr. Regmi and Mr. Bhandari examine and analyze how mitigation and adaptation of climate change in Nepal has been governed and financed. The findings reveal that Nepal has not been able to benefit from international and national funding, and unable to implement its adaptation priorities due to many reasons. Decentralization of activities, which can promote stronger collaboration and engagement among various sectors at different levels, to overcome the challenges of environment governance in Nepal is one of the recommendations by the authors. Dr. Ullah approaches the environmental issues from a different perspective, i.e. environmental migration. Managing environmental migrants is as challenging and complicated as managing global climate change, and it requires the resources and effort of all sectors. This issue also includes an interesting piece of work of Dr. Le, exploring the perception of ethnic minority groups in Australia towards cultural events. The research project aims to identify strategies to promote greater participation in arts activities by ethnic minority groups. Ms. Pathania has contributed a thought-provoking
article, studying preventive detention laws of some of the Commonwealth countries, such as Australia, India, Singapore and the United Kingdom. The article argues that enactment of preventive detention law which allows the detention of a person without a fair trial and hearing for a significant period of time may not achieve the objective of curbing the threat of terrorism. Cooperative, collaborative and rational approaches adopted by relevant groups of stakeholders and various sectors in different countries are required to combat terrorism. Dr. Liu reviewed a book written by Professor Ezra F. Vogel (2011). Dr. Liu explains that China’s transformation and success should be credited to Deng, a transformational leader. Finally, Mr. Ng contributes another book review, explaining that negative things in live can be positively accepted. It is not easy for many of us to overcome ourselves and our anxiety, and change our mind-set to better manage our lives during crises. This is not a philosophical piece of work, yet it does advise readers to be positive in adverse circumstances.

Always, my special thanks go to all members of the Advisory Board and the reviewers who have continuously assisted and supported me in many ways given their time constraint and other commitments. I sincerely thank Mr. Alan Davis and Ms. Rose Echon for duly discharging their responsibility for proof-reading all the articles published in this issue.

Lastly, my heartfelt appreciation goes to the management for their strong support for research initiatives, and the colleagues who have always shown interest in the journal. I look forward to receiving your manuscripts and constructive feedback for improvement.

Dr. Huong Ha
Chief Editor
Bio-data of Authors

Mr. Dinanath Bhandari holds a Master of Science in Forestry (MSc Forestry) degree from Tribhuvan University, Nepal and combines specialist skills in different aspects of community-based natural resource management, disaster risk reduction and adaptation to climate change within a broader sustainable development. He has been involved in various projects management responsibilities in different socio-cultural and biophysical regions in Nepal intermittently for almost two decades to enhance livelihoods of vulnerable resource dependent community and biodiversity conservation. His recent work for the last seven years has been to improve resilience of vulnerable communities to adapt to the impacts of climate change and mainstreaming community-based disaster management, livelihood-centred approaches in particular to development planning. Dinanath owns and has contributed to over a dozen articles, books, guidelines and reports in English and Nepali through different publications based on his work experiences and knowledge.

Mr. Dipak Bishwokarma has about seven years of research and development experiences on sustainable natural resource management through participatory approaches, local livelihood, public policy processes and civic movement. He has worked in various organizations including UNDP/MEDEP, Nepal Swiss Community Forestry Project (NSCFP), and Bird Conservation Nepal (BCN). His is interested in public policy, sustainable forest and natural resource management, biodiversity conservation, forestry governance, policy analysis, livelihood improvement, and climate change and REDD related researches. Recently, he has been involved in studying public policy processes, sustainable resource management in the community level, climate change and REDD, and PES.

Dr. Huong Le (PhD, University of Sydney) is a Lecturer in Management, School of Management and Marketing, Deakin University, Australia. Her research has been published widely in refereed journals and in chapters in edited books. Her research interests include cross-cultural research in marketing and management, international education and tourism research. Dr Le is the corresponding author and can be contacted at: huong@deakin.edu.au.

Dr. Hsiang-Wang Liu is from Taiwan and completed his undergraduate education there. He was very interested in the Neo-Confucianism in the 1980s when Taiwan's economy and politics were moving towards liberalization. After coming to the US for graduate studies, he much shifted his attention to the Cold War history in East Asia. War and peace in that area are his major concerns and his research topic. He continues to present and publish essays about this.

Mr. José Molina Jr. holds a B.Sc. in Earth Systems from the University of Massachusetts (USA). He has worked in China, teaching English to adult learners, and in the United Arab Emirates, teaching secondary level Biology and Environmental Science at an international school. He is currently pursuing a graduate degree in International Development at the University of Minnesota (USA). His current focus is creating opportunities for forest-based livelihood improvements through sustainable enterprises. He has collaborated with ForestAction, Nepal to undertake this project in Nepal.
Ng Choon Lai is a Senior Lecturer at TMC Educational Group for more than nine years. He holds a Bachelor of Property Economics with 2nd Class Honours from the University of Technology, Sydney. He also holds an Appraiser Licence for Lands and Buildings, Singapore. Before he joined TMC, he had worked in the Property and Building Industry for twenty-nine years taking care of commercial and industrial properties for the government and private sectors. In TMC, he has been the local tutor for the Bachelor in Construction Management (Building) programme offered by University of Newcastle, Australia since year 2000. He also teaches marketing, management and business communication modules to students taking Diploma and Higher Diploma programmes offered by TMC and validated by Cambridge International Examination.

Ms. Shivani Raswan Pathinia is a Senior Lecturer in Department of Law at TMC Academy, Singapore, awarded with Master of Law (LL.M) (Public International Law) (Gold Medalist) from Guru Nanak Dev University, Amritsar, India and Master of Arts (Sociology) in First Class from Pondicherry University, Pondicherry, India. She has obtained both Bachelor of Commerce (B.Com) and Bachelor of Law (LL.B) from Guru Nanak Dev University, Amritsar, India. She has been called to the Bar Council of Punjab and Haryana High Court, Punjab, India as a practicing lawyer in 2005. Afterwards I have cleared the National Eligibility Test for Lectureship (NET) in Law conducted by University Grant Commission (UGC) in India. Previously, she was a Senior Lecturer in the Law Department of Guru Nanak Dev University, Amritsar, India. She has extensive experience in teaching and research. She has taught students enrolled in Monash University, Deakin University, Cambridge International Examination (CIE), UK and University of London programs in Singapore.

So far, her six articles have been published in various recognized journals like Naya Deep, Law Herald, and Consumer Protection Journals, among others. Currently, she has submitted her thesis on the topic “Cross Border Terrorism in India: A Study with Reference to International Regime” in order to partially fulfil the degree of Doctorate in Philosophy from Guru Nanak Dev University, Amritsar, India.

Dr. Naya Sharma Paudel has over two decades of research and development experiences in environmental governance, policy process and civic movements. His policy engagement in Nepal's natural resource governance involves strategic policy analysis, networking and lobbying and facilitating policy dialogue. His research and publications are focused on forest governance, institutional dynamics, participatory resources management, climate change and livelihoods. In recent years, he has been increasingly involved in studying political economy of climate change, REDD and resource governance.

Mr. Bimal Raj Regmi is a Phd Scholar at Flinders University, South Australia. Mr. Regmi has more than 13 years of professional experience on climate change and Natural resources Management. His work covers the diversity of development and environmental issues in Nepal. Mr. Regmi has in depth knowledge about international and national policies and programmes related to climate change mitigation and adaptation. His specific expertise includes: a) in-depth understanding of the legal and policy provisions for climate change adaptation; b) knowledge on the governance of climate change and natural resource management; c) diverse knowledge on participatory research and development; and d) methodology and approaches to addressing climate risk and vulnerability. Mr. Regmi has numerous publications related to climate change adaption, biodiversity and natural resource management.
Dr. AKM Ahsan Ullah is an Associate Director at the Centre for Migration and Refugee Studies and Assistant Professor of Global Affairs and Public Policy at the American University in Cairo. He has two master degrees and a Ph.D. in migration. He has contributed extensively to national and international refereed journals, including among others, Development in Practice; International Migration, Asian Profile; Asian and Pacific Migration Journal, Journal of Immigrant & Refugee Studies; Development Review; and the Journal of Social Economics. He has also contributed to a number of edited collections, and published twelve books in the fields of migration, refugee, and development studies. His latest publication, a book titled, Rationalizing the Migration Decision: Labour Migrants in East and South East Asia, has recently appeared from Ashgate. In addition to his academic work, Dr. Ullah has worked for national and international development and research organization for over eighteen years. He has taught and researched at the Asian Institute of Technology (AIT), Thailand; City University of Hong Kong, Hong Kong; Centre for Development Research (ZEF), University of Bonn, Germany; Saint Mary's University; McMaster University; and the University of Ottawa, Canada.
Bio-data of Reviewers

Dr. Iqbal Akthar is Senior Lecturer/Programme Leader for Mass Communications at Liverpool John Moores University, UK. Dr. Akthar completed his PhD at the University of Sussex in 2009. His doctoral research was on Computer Mediated Communication, Online Fans and Virtual Communities (Title: Internet, Identity and Fandom). From 2006-2009, Dr. Akthar was the Programme Leader for MA in Internet and Communication Studies. He taught Internet Research Methods and Media Technologies and Society. He also supervised students writing on online fan culture, cyber-identities and online communities. His main research interests are in computer-mediated communication, cyber-identities, virtual communities, fandom, audiences, youth cultures and online research methods.

Ms. Daisy M. Alburo is a graduate of Doctor of Public Administration in Southwestern University, Cebu City. She is presently connected as a professor of the University of Southeastern University in Davao City. As a faculty researcher she has a special interest in indigenous groups and to date she has done studies with Teduray, Matigsalog, Bagobo, Bilaan and Obu-Manuvu. She has presented several studies in international research forums among which are Gender Role and Climate Change Mitigation Practices among B’laan tribe in Glan, Sarangani Province, Philippines, Factors Structure of Reasons of Use of Obu Manuvu Dialect among the Indigenous Youth in Marilog District, Davao City, Leadership Capability of Bachelor of Science in Public Administration in USEP-CGBE Mintaal Campus and The Effects of Maguindanao Massacre to the Mediamen in Davao City.

She has received scholarships under the auspices of the Mindanao State University, Marawi City for her undergraduate course and the Japan International Cooperation Agency for a one-month study tour in Japan.

Dr. Pineteh E. Angu is a lecturer and researcher at Cape Peninsula University of Technology in Cape Town, South Africa. He obtained his doctorate degree at the University of the Witwatersrand, Johannesburg, South Africa for an interdisciplinary project in literary and forced migration studies. He is interested in research on the scholarship of teaching and learning especially in higher education. He is also passionate about work on technology in education, transnational migration and cognate disciplines. Dr. Angu is a member of the editorial board of Electronic Journal of Knowledge Management, International Journal of Communication and Media studies and International Journal of Environment, Ecology, Family and Urban Studies. He is also a member of the Higher Education Learning and Teaching Association of South Africa.

Dr. Cristina Mihaela Barbu (PhD) is a lecturer at Spiru Haret University, Romania. She holds a doctorate degree in Analytical Chemistry – Environmental Protection from the University of Craiova, Romania. The title of her doctoral thesis is The analytical control of Jiu River and Olt River waters. The determination of heavy metals using ICP-MS and AAS. For 10 years, she has been teaching Environmental Management, Economy and Environmental Protection at the Spiru Haret University. She has published articles in the field of environmental protection, analytical control of waters, analytical control of air, and soil. Her areas of competence are sustainable development, environmental management, environmental protection technologies (water, air and soil), source pollution reduction and waste minimization, environmental education and
sustainable development, environmental strategies and policies. Since 2010 she has been an editor, co-editor, and guest editor of Scientific Journals and Editor in Chief of Journal of Environmental Management and Tourism. She is also an editorial member of Journal of Applied Economic Sciences, Journal of Research in Educational Sciences, Asian Journal of Chemistry (India), a member of the Association for Sustainable Education, Research and Science (ASERS), and a member of the World Scientific and Engineering Academy and Society (WSEAS).

Dr. Tek Nath Dhakal is the Professor and Head at Central Department of Public Administration, Tribhuvan University in Nepal. He is also the coordinator of “Governance Matters: Assessing, Diagnosing and Addressing the Challenges of Governance in Nepal” – a joint research project of Department of Administration and Organization Theory, University of Bergen, Norway and Central Department of Public Administration, Tribhuvan University, Nepal (www.pactu.edu.np). He conducted a number of researches including Status of the Implementation of Citizen Charter in Municipalities in Nepal, People’s Trust in Public and Political Institutions in Nepal, and NGOs’ Role in Livelihood Improvement in Nepal including Institutional Analysis of Markhu and Hekuli VDC in Nepal. He has published three books and three edited volumes, and two research reports both from Nepal and abroad. In addition, he has also contributed around 50 articles published both from Nepal and abroad in local and international journals. He also served as an editor of the Nepalese Journal of Public Policy and Governance – a journal enlisted by ISSN. He often participates in different national and international forums and conferences and presents papers. He is also affiliated with academic and professional networks such as ISPA, ISTR, NAPSIPAG, EROPA, Finnish Society of Administrative Sciences, and the Public Administration Association of Nepal.

Dr. Lalitha S. Fernando serves as a Professor in Public Administration, Faculty of Management Studies and Commerce of the University of Sri Jayewardenepura in Sri Lanka. She joined the Department of Public Administration of the University in 1989 as an Assistant Lecturer. Since then, she has undertaken various administrative responsibilities as Head of the Department, Coordinator of Degree and Diploma Programmes of the Department of Public Administration, and Acting Dean of the Faculty of Management Studies and Commerce. Currently, she serves as the Director of External Degrees and Extension Courses Unit. She won the prestigious Commonwealth Academic (internal) Scholarship to pursue Postgraduate Diploma in Development Studies leading to Masters in Development Administration and Management at the University of Manchester, U.K for the period of 1990 to 1992. She was awarded a fulltime Scholarship to pursue her Ph.D. from the Graduate School of Public Administration, National Institute of Development Administration (NIDA), Bangkok, Thailand for the period of 1999 to 2003. The title of her Ph.D. dissertation is Managerial Entrepreneurship in the Sri Lanka Administrative Service: A Multidisciplinary Perspective. She completed a B.Sc. Public Administration (Special) Degree with a Second Class (Upper Division) in 1985 at the University of Sri Jayewardenepura, Sri Lanka. She has published a number of papers related to Public Management and Governance in national and international journals and has presented a number of them at national and international research conferences. Her research interests include managerial innovation, new public management, public entrepreneurship, poverty alleviation policies, and environmental management and sustainable development, educational management, public policy implementation and evaluation.
Mr. Riad Khan holds undergraduate and postgraduate qualifications in Economics, Management and Public Administration. As an academic, he has held various tertiary teaching and research positions at the Central Queensland University and Fiji National University, including that of Head of School. He has served as a researcher in various research projects relating to multinational corporations funded by international organizations, and has presented papers at conferences and guest seminars organized by numerous institutions based locally and internationally. Riad continues to publish his scholarly work in refereed international journals such as, Fijian Studies: A Journal of Contemporary Fiji, Development and Learning in Organisations: An International Journal, TMC Academic Journal, Human Resource Management International Digest, Industrial and Commercial Training and Strategic Direction.

Associate Professor Dr. Drita Kruja finished her graduate and postgraduate studies at the Faculty of Economics in Tirana, Albania. She has carried out scientific research at the University of Bologna and Firenze in Italy; University of Social Sciences of Roskilde in Denmark, University of Applied Sciences in Bocholt and Eberswalde, Germany, etc. She has lectured as visiting professor at Economics University, Prague, Czech Republic; Corvinus University of Budapest, Hungary; University of Maribor, Slovenia, etc. She has worked as consultant for the Municipality of Shkodra during the preparation of the Economic Development Strategy and freelance consultant for several NGOs that operate in the tourism field. As a team leader and member, she has worked on a number of projects at local, national and international levels.

She is currently the Head of Tourism Department and Head of Administrative Council at University of Shkodra “Luigi Gurakuqi”. She is involved in a wide range of academic and scientific activities including publishing activity and participation in international and national conferences, which are mainly related to tourism problems.

Dr. Huong Le (PhD, University of Sydney) is a Lecturer in Management, School of Management and Marketing, Deakin University, Australia. Her research has been published widely in refereed journals and in chapters in edited books. Her research interests include cross-cultural research in marketing and management, international education and tourism research. Dr Le is the corresponding author and can be contacted at: huong@deakin.edu.au.

Ms. Olivia Tan Swee Leng was a Legal Counsel of Kuala Lumpur Regional Centre for Arbitration (KLRCA) and she was in charge of the Domain Name Dispute Resolution, for both .com from Asian Domain Name Dispute Resolution Centre (ADNDRC) and .my cases at KLRCA and also Mediation/Arbitration case management. She obtained her Bachelor of Law Degree with honours in 1993 from University of London (UK) and completed her CLP in year 1996. She was the Book prize winner for Civil Procedure Paper and General paper awarded by the Certificate of Legal Practice Board (Malaysia) in the Year 1996. She continued to pursue her Masters at Law at the National University of Malaysia (UKM) in 2002. She practised as an advocate and solicitor in Malaysia in the area of Corporate Litigation, Intellectual Property (Trademark), Banking and Conveyancing. Thereafter, in the year 2002, she ceased legal practice to lecture Company Law, Business Law and Commercial Law at a private institution in Malaysia as a Senior Lecturer in Law and headed the Department of Admission and Records as a Deputy Registrar in 2006. She is also currently reading her PhD in Law at the National University of Malaysia. Presently, she is engaged by a private University College in
Malaysia as a lecturer in Business Law, Law of Taxation and Practice and Corporation Law.

**Dr. Hsiang-Wang Liu** is from Taiwan and completed his undergraduate education there. He was very interested in the Neo-Confucianism in the 1980s when Taiwan's economy and politics were moving towards liberalization. After coming to the US for graduate studies, he much shifted his attention to the Cold War history in East Asia. War and peace in that area are his major concerns and his research topic. He continues to present and publish essays about this.

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**Dr. Rer. Nat. Claus-Peter Rückemann** is a lecturer and researcher at the Leibniz Universität Hannover and the Westfälische Wilhelms-Universität Münster (WWU), Germany. He teaches information science, security, and computing in the European Legal Informatics Study Programme, in IT Law and Intellectual Property Law at the IRI, University Hannover. He holds a university degree in geophysics and a Doctorate degree for natural sciences from the Faculty of Mathematical and Natural Sciences, WWU, where he studied computer science, geo-informatics, geosciences, archaeology, and philosophy. He is scientific advisor and coordinator for national and international projects, head of research of the LX Foundation, director of the GEXI Consortium, and scientific consultant for High Performance Computing, natural sciences, geosciences, and Information Systems, managing the resources of the North-German Supercomputing Alliance (HLRN). He worked as project head, in charge of research, participated in numerous projects funded by the German Research Ministry (BMBF), the German Research Association (DFG), European Programmes, Industry Partnerships, and coordinated sections in the German e-Science Initiative. He received several academic awards and has been distinguished with the Grade IARIA Fellow of the International Academy, Research, and Industry Association. Dr. Rückemann is the founder of many research projects, author of numerous scientific publications and serves as research grants reviewer, peer reviewer, board member, and chairman.

**Dr. Parisa Rungruang** received her Ph.D. degree in Human Resource Management from Monash University, Australia. Currently, she teaches Management, Organisational Behaviour and Human Resource Management, and Business Research at the College of Management, Mahidol University, in Thailand. Her research interests include organisational commitment, perceived organisational support, organisational justice, role stressors, and organizational citizenship behaviour.

**Dr. Isaias S. Sealza** is a professor of evaluation research in the program for Public Administration, and Dean of the Graduate School of Xavier University. For more than 25
years now, he has been directing research undertakings mostly policy-oriented studies on population and development, poverty, child labour, environment, natural resource conservation and development, peace and order, and, health issues, commissioned by national and international agencies like the United Nations, and the World Bank. He has written, as a single author or with collaborators, about a hundred research reports, journal articles, books, monographs and conference papers including *Community Modernization, In-Migration, and Ethnic Diversification* (Philippine Sociological Review, 1982), *The Cassava Industry in Bukidnon Province* (Philippine Studies, 1986) and *Mindanao Il Conflitto dei Poveri i movimenti d'ispirazione islamica nelle Filippine: trend attuali e reali prospettive di pace con i cristiani* (Revista di Intelligence, 2006).

He is currently doing a performance evaluation of a dairy farming program in Mindanao for Land O'Lakes Development Foundation and the US Department of Agriculture, and the humanitarian assistance for survivors of Tropical Storm *Washi* for the UNICEF.

**Dr. Prabhakar SVRK** (PhD) is Senior Policy Researcher at the Institute for Global Environmental Strategies, Hayama, Japan. Email: prabhakar@iges.or.jp.

Currently, Prabhakar works on a variety of issues relevant to climate change adaptation and disaster risk reduction. Specific topics include mainstreaming climate change adaptation concerns into sectoral development plans and policies, adaptation metrics, identifying and characterizing adaptive policies, risk insurance, promoting adaptation in the post-2012 climate regime, and training needs assessment for capacity building. Earlier, as JSPS Post-Doctoral Fellow working at Kyoto University, he conducted several research projects on climate change implications for disaster risk management in South and East Asian countries.

Prabhakar has more than 14 years of experience in participatory research and development with international and national research and developmental organizations such as ICRISAT, IARI, CIMMYT-RWC, UNDP, NIDM & Kyoto University wherein he was responsible for conception, execution and implementation of a variety of research and developmental projects covering natural resource management, climate change adaptation and disaster risk reduction. He obtained a PhD in Field Crop Management from the Indian Agricultural Research Institute, New Delhi in 2001.

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Civil Society Organizations in Climate Change Policy Dynamics in Nepal: How Representative and Inclusive is the Process?

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Abstract

Climate change is the hottest environmental issue in Nepal on which Civil Society Organizations (CSOs) are intensively involved. Recently, various international and development agencies, bi-lateral and multi-lateral development programs, and government agencies have been advocating for the involvement of CSOs on various policy forums in order to make the policy process more deliberative and democratic. Consequently, some representatives of CSOs have been participating in these policy forums and programs. This paper, through some sample analysis, argues that this level of participation might be enough to include the token of participation of CSOs in policy and program implementation process. However, a question of inclusion arises: are the CSOs in these meetings and forums actually representing the real voice of the local people? This is a valid question since most so-called CSOs are in fact development projects implemented by Non-government Organizations (NGOs) that are led by elite urban males. They are also working on the issues influenced by and emerging from international negotiations and discourses rather than from local, poor and marginalized communities. In fact, these NGOs are registered by the government to work on specific issues or sectors. They do not have legitimacy to represent these communities since they are not sanctioned representatives of them. This paper illustrates these issues two contemporary examples: Federation of Community Forest Users Nepal (FECOFUN) and Nepal Federation of Indigenous Nationalities (NEFIN). It further suggests formulating more authentic, inclusive and democratic CSOs in Nepal to allow communities’ actual voices to be heard by the government and other national and international agencies.

Key words: Civil Society Organizations (CSOs), climate change, climate change governance, climate change policy process, CSOs’ involvement.

INTRODUCTION

Nepal is situated between the two Asian giants, India and China. It has a population of 26.6 million (Central Bureau of Statistics, Nepal [CBS], 2011) and a land area of 147,181 square kilometres. Nepal is a multicultural, multilingual, multi-religious, and multi-ethnic country. There are 101 distinct ethnic groups and 92 languages spoken in Nepal (CBS,
2010). It is an overwhelmingly rural and agrarian country, 83% of the population reside in rural areas (CBS, 2011) and are directly or indirectly dependent on natural resources for their livelihoods.

Various non-governmental organizations (NGOs) are working closely with local communities on environmental, social, cultural, economic, and policy issues. Recently, climate change has attracted an intense amount of NGO attention. As the result of their prolonged community involvement, NGOs, federations, networks and institutions have begun to stake claims as representatives of the communities with whom they work, and designating themselves as civil society organizations (CSOs). One voice cannot represent them all since no community is a monolith; different segments of the population have different and often conflicting interests. Marginalized segments of communities, including Dalit\(^1\) and women cannot be assumed to have the same interests as ethnics and vice-versa. However, these NGOs alleging that they represent all these groups, communities, and interests, have been participating in policy forums and meetings on their behalf.

In this context, several questions arise: What is the source of the legitimacy that these NGOs’ claim? Is the NGO truly representing the groups they claim to? If the NGOs have been representing their respective communities, why are independent grassroots networks, federations, and forums of different groups and communities forming? Are these NGOs truly CSOs? How should a CSO be defined? Who are the legitimate representatives of communities in the deliberative and democratic policy process? This article will attempt to analyze the current situation of CSOs in Nepal, focusing on the climate change policy process, and suggests the real orientation of CSOs that has to be in Nepal in order to address these issues.

**CLIMATE CHANGE IN NEPAL**

Climate change is currently accepted as the overriding environmental issue worldwide. Various research studies carried out recently, including The Initial National Communication (INC, 2004) of Nepal to the United Nations Framework Convention on Climate Change (UNFCCC), have indicated that Nepal is highly vulnerable to the impacts of climate change (Regmi and Paudyal, 2009). Despite low national and per capita greenhouse gases (GHGs) emission, the impacts of climate change have been noticed in different sectors in Nepal. The average maximum temperature has been gradually increasing; the hydrological data of the last three decades show that the temperature has increased by 1.8°C (Malla, 2008). Similarly, according to Shrestha et al. (1999), the average temperature increase was recorded as 0.06°C per year nationwide, with changes recorded in the Terai\(^2\) and Himalayas of 0.04°C and 0.08°C/year respectively. The first initial national communication report (INC, 2004) has projected that by the end of this century the winter temperature might increase by up to 4°C and the summer temperature might be increased by 2.5-3°C.

\(^1\) Dalit is the socially marginalized lower caste group in Nepal. They are regarded as untouchable in so called upper caste society and hence are being marginalized from the development and other facilities of the nation.

\(^2\) It is low land in Nepal.
Due to the considerable change in temperature expected, the following impacts are expected to be seen in Nepal: i) decreased snow pack and ice coverage in the mountain region; ii) an increase in flooding and droughts; and iii) increasingly uneven precipitation distribution in the region. There is evidence that damage has already occurred. Arable land has been lost to flood and erosion. In addition, erratic changes in monsoonal patterns, drought induced water shortages, increase risk of Glacial Lake Outburst Floods (GLOFs), disappearing forests, increasing invasive species, epidemics of diseases, increase of food insecurity and finally increasing threats to biodiversity are other impacts of climate change (Malla, 2008; Ministry of Environment, Nepal, 2010; Regmi and Paudyal, 2009). These risks and hazards caused by climate change are wide ranging and mostly unanticipated by rural people. Glacial lakes are increasing in both number and size while glaciers retreat rapidly. The 26 glacial lakes are identified as most vulnerable to outburst and are potentially dangerous to the local communities (International Centre for Integrated Mountain Development (ICIMOD), 2006). Effects of climate change, then, are widespread, impacting the environment as well as human development concerns: agriculture and food security, forests and biodiversity, water resources, energy, human health, urban settlement, and terrestrial and aquatic ecosystems (Nepal Climate Vulnerability Study Team (NCVST), 2009; World Food Program [WFP], 2009). The communities who will be most impacted by these changes are those who can least afford it; the forest and natural resource dependent, poor, marginalized, and vulnerable communities.

CSOs IN NEPAL: CONCEPT AND DEVELOPMENT

‘Modern society has three basic components: political (state), economic (capital), and civil society. The political and economic components seek to maximize power and wealth respectively, thereby leaving the territories which do not produce power or profits. These are filled by civil society. Civil society is “a multitude of autonomous human associations, identities, networks and movements forged for the sake of protecting themselves from the arbitrary and unjust decisions of the holders of power and wealth and promoting their rational self-interest” (Dahal, 2001, p. 10). The core feature of civil society is an art of association, a spirit of human beings which acts to balance the political and economic spheres. Civil society has also capacity to foster democratic dialogue on public issues and promotes democracy and development, so as to make them realizable at both personal and public levels (Dahal, 2001; Dhakal, 2007).

Nepal is characterized by tremendous cultural and biological diversity. These are inter-dependent. These twin diversities have always been interlinked in terms of sustaining the human livelihood and the conservation of biodiversity. Historically, different institutions have been formulated to support and control the linkages between society and the natural resources. These have had either formal and legal authority or informal authority but social recognition. These institutions have been recognized as major parts of civil society in Nepal claiming to represent groups of different interests.

Nevertheless, the fundamental concept and understanding of civil society is contested in Nepali discourse. The concept of civil society can be self-contradictory and confusing since it is legally and practically equated with non-governmental organizations (NGOs) which is a ‘de facto definitional amendment’ of civil society. It is also due to the ‘inability of academics and analysts’ to differentiate between these two terms (Tamang, 2003).
CSOs have been defined traditionally as loosely performing social groups or institutions including Guthhibaë, Dhikur, and Parma (Bhattachan, 2001; Chand, 2001; Dahal, 2001; Pokhrel, 1996). These traditional groups have been joined in recent decades by a proliferation of new CSOs, many without historical antecedents in the country. Community-based organizations (CBOs), formal institutions including User Group, Mother Group, Self-help Group, Small Farmer Cooperative Limited, and Saving and Credit organizations (Shrestha, 2001) have been included within the scope of CSOs. Alongside these, other civil societal and democratizational organizations have assumed places within the sphere of Nepali civil society. These include groups dedicated to trade unions, gender, NGOs, media, human rights, and ethnicity as core constituents of civil society (Hachhethu, 2006). Initiatives promoting the interests of minorities including women, Dalit, and ethnic and religious groups are also regarded as a part of civil society movements (Bhattachan, 2003, p. 32-62; Gurung, 1998, p. 92-119).

This propagation of modern CSOs has paralleled the political evolution of Nepal in the post-war era. Prior to 1950, it was very difficult to establish modern NGOs for the general public since they needed permission from the Prime Minister (Dhakal, 2007). A more favourable environment was created by the peoples’ democratic movement in 1951. Conditions became more difficult for the establishment and the growth of such institutions after introduction of the Panchayat regime (single, party-less political system) in 1961. The autocratic Panchayat system was inherently suspicious of social organizations contributing to people’s awareness level, perceiving them as a threat for the system’s survival (Dhakal, 2006). Hence the growth of NGOs during the years 1961-1990 was very slow.

With the establishment of a multi-party democratic system in 1990, following the people’s movement, the environment to create NGOs became much more favourable, and the number of NGOs in Nepal exploded. In order to manage the mushrooming NGO population, the government created the Social Welfare Council (SWC), a governmental bureau to look after NGO affairs. To manage the mainstreaming of policy advocacy on social issues, the NGO Federation of Nepal (NFN) was established as an umbrella organization of NGOs in 1991. It serves as a focal point of broad-based civil society in Nepal.

In the current milieu, NGOs have emerged as the dominant and most widely recognized agencies of civil society. The reason for their dominance is four-fold. NGOs have the practical power to execute the ideals of civil society within the context of development, they function as messengers of these development campaigns, and, especially in the case of larger NGOs, have the ear of the state, alongside which they often work. The sum of these abilities is the capacity to function as pressure groups, despite their own boundaries and limitations (NGO Federation of Nepal (NFN), 2004). These NGOs have been gradually increasing their claims as people’s representatives on resource and livelihood rights, and hence as CSOs. These NGOs-CSOs have been influential in the environment and natural resources sector, especially on climate change. This will be discussed in the following section.

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3 It is traditional, informal but socially recognized social group/activities.
4 It is traditional, informal but socially recognized social group/activities.
5 It is traditional, informal but socially recognized social group/activities.
CSOs ROLE ON CLIMATE CHANGE ADAPTATION IN NEPAL: SELECTED CASES

The CSOs working on environment and natural resource conservation, management and utilization include both formally registered NGOs and federations, and informal institutions such as loose networks, and groups. Some of them are focusing on the social components of this sector: community autonomy, rights on resources, livelihoods, and good governance. Others are working on more strictly ecological concerns such as conservation and sustainable forest management. Whatever their focus, these institutions have in common their claims to be representative of local communities. These ever-increasing claims to be part of the Nepalese CSOs do nothing to clarify the national confusion as to what constitutes a CSO.

Climate change adaptation in Nepal has attracted a great deal of NGO attention, as the Nepalese community is very vulnerable. These NGOs are engaged in a broad range of activities related to climate change. Many of these are hosting awareness campaigns, media campaigns and trainings, and employing publications. Others are conducting research, piloting adaptation projects, and supporting the government in developing climate change adaptation related policies. These activities offer opportunities to speak publically on behalf of their projects and/or the communities they are working with, by participation in national and international discussions, debates and negotiations. Some institutions’ work, including FECOFUN (Federation of Community Forestry Users, Nepal), have been directly advocating for community compensation for climate change related costs and their rights to locally develop coping mechanisms. These efforts have been the primary avenue for raising general public awareness of climate change in Nepal, though the government has also contributed to these efforts. In addition, various loose networks of (both in national and regional level) different groups such as youths and even NGOs working on this issue have been formulated aiming to share their experiences and collaborate to generate the synergy effect on the climate change adaptation.

Recently, the Reducing Emissions from Deforestation and Forest Degradation (REDD) treaty has been discussed intensively at the national level. This is increasing still further the involvement of NGOs and other institutions in the environment/climate change sector. Among them, some are also piloting the REDD (including REDD+) through donor funding. FECOFUN, LI-BIRD (Local Initiatives for Biodiversity, Research and Development), NEFIN (Nepal Federation of Indigenous Nationalities), CEN (Clean Energy Network), NGONCC (NGO Network on Climate Change) and several other organizations have been actively involved in awareness campaigns, training, research, advocacy, and policy development on climate change adaptation. In addition, the multi-stakeholder dialogue has been initiating on project planning, implementation and policy process in Nepal. The national and international prominence of REDD has afforded these NGOs an even more visible forum than ever before to make claims on behalf of rural communities, and paint themselves as CSOs.

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It is the discussion with different stakeholders in different level to get their perspective, stand and issues that has to be addressed during the preparation of policy or project planning and implementation. Such types of discussion is generally organized by leading authority (i.e. government or project implementing agency and some times other concerned stakeholders such as I/NGOs) and might be unilateral, bi-lateral and multi-lateral. Main objective of such discussions is to make the policy and project planning/implementation process more participatory.
The veracity of these claims is dubious. These NGOs’ work is still primarily project-based, not community-based. Conditions posed by donors have either directly or indirectly influenced the NGOs that compete for their dollars. This presents a real threat of compromising the actual issues of local communities, groups and interests. The cases of two major institutions, FECOFUN and NEFIN, that are advocating for community rights and claiming to be the representatives of local communities, as well as implementing climate change related projects is presented below.

Case 1: Federation of Community Forestry Users, Nepal (FECOFUN)

FECOFUN, founded in 1995, mainly works to promote and protect users’ rights concerning natural resources. This, perhaps, the largest network of local level communities focusing on community rights to natural resources in Nepal and is regarded as the largest and most inclusive institution representing rural communities on natural resources rights local livelihood improvement, and, more recently, climate change adaptation and mitigation.

FECOFUN’s influence on Nepalese climate change and REDD policy processes is far-reaching. They serve as representatives of rural communities, pilot the REDD project in Nepal, and are involved in awareness-raising activities about the local climate change adaptation. Nevertheless, a widely held criticism that is levelled against it is that the leadership in its central level committees is still dominated by elites.

Figure 1: Dalit and Indigenous/ethnics’ representation in current central committee of FECOFUN

After 2006, inclusion has been prioritized within FECOFUN. However, the actual trend of inclusivity is far less than what has been anticipated at the national discourse of inclusion. Of the 317 participants at the Third General Assembly, only fifteen were Dalit (4.7%) and ninety six (30%) were originated in Janajati (ethnics) population. The figures for the general population are 13% and 38%, respectively. The constitutional provision of FECOFUN requires at least 50% women representatives in all committees (Ojha, 2011).
There are similar provisions for the representation of Dalit and ethnics/indigenous communities on their central committee.

However, the actual level of participation of women and other marginalized groups in decision-making and governance practices are not commensurate with quantitative representational equity. The representation of women in the central committee has never reached 50%, although there has been improvement in recent years. More strikingly, in the existing central committee, only 4% are Dalit and 30% members are ethnic or from indigenous communities (Figure 1). The same people that dominate FECOFUN's legislative committees dominate their representation in climate change policy forums and dialogues. The participation of poor, ethnics, Dalit and other marginalized communities in policy forums is virtually non-existent.

Case 2: Nepal Federation of Indigenous Nationalities (NEFIN)

The Nepal Federation of Indigenous Nationalities (NEFIN), established in 1991, is regarded as an autonomous and politically non-partisan national level umbrella organization of indigenous peoples/nationalities. It is also a member of the United Nation's Working Group on Indigenous Populations. It was established to ensure social equality and justice for indigenous nationalities by preserving their distinct political, cultural and linguistic identities and by promoting their representation in every aspect of national life.

![Figure 2: Male-Female representation in the current Central Committee of NEFIN](image)

NEFIN too participates in policy forums and debates related to climate change, claiming representation of indigenous communities. NEFIN has implemented some awareness-raising campaigns and projects related to climate change and REDD at the community level. It also advocates for inclusion of indigenous people on each policy process\(^7\). However, its central committee is less than one-third women (Figure 2). Again, this indicates that there is still scope to address the inclusion issue in their leadership. The same situation is occurring in the case of NEFIN representatives attending policy forums.

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\(^7\) Policy process, here, indicates the policy preparation/development process that includes consultation from drafting to finalization of the policy.
and dialogues. In addition, there are many separate organizations including Sherpa\(^8\) Society and Tamang\(^9\) Society working for rights for indigenous people though they are also member organizations of NEFIN. It, hence, offers the scope to suspect if there is fragmentation even with in the indigenous community in order to raise their voice. Moreover, according to different broadcasts in news media, NEFIN has been tending to establish the new political power as a separate political party in the country especially after the demise of constitution assembly. NEFIN will ultimately lose the opportunity to be an independent CSO to represent indigenous community if it is changed as a separate political alliance.

In reality, are FECOFUN and NEFIN really capable of representing the true voice of respective communities or not? This question is especially relevant when we consider the various organizations that are being established with the same objectives. However, the truth is, both are an umbrella organization for CFUGs and indigenous peoples respectively in Nepal and, hence, theoretically, has the ability to raise local issues in the centre. At the same time, FECOFUN has been establishing an identity on issues specifically related to the forestry sector and has been focusing on development project implementation, similarly to other development NGOs. This is in notable contrast to its main objective of advocacy on community resource rights. NEFIN has been establishing itself as a powerful political match maker these days and at the same time implementing some development projects. Moreover, the institutional and internal governance, including representation of different people of diverse communities in the decision making level and their role on it, of those institutions and networks also have many issues in order to raise their actual voice and to address them.

**CLIMATE CHANGE POLICIES, PROCESS AND CSOs’ INVOLVEMENT**

Some policy documents have been developed by the leadership of Nepal’s government in order to support the climate change adaptation mechanism as well as to implement the related projects. Climate Change Policy (2009), National Adaptation Program of Action (NAPA) to climate change, Nepal’s Readiness Preparation Proposal (RPP) and Local Adaptation Plan of Action (LAPA) frameworks are national level documents developed related to climate change adaptation and mitigation. These documents have been developed after intensive noteworthy, democratic and deliberative multi-stakeholder dialogue. This process has met with greater approval than previous policy processes.

However, the question of representation by CSOs and their input on the policy process is crucial. For instance, it is claimed that during the preparation of NAPA, stakeholders from the community level to the national level were involved and consulted. The government has claimed that more than 30 NGOs and CSOs were involved directly and indirectly during the NAPA process. However, according to the stakeholders’ involvement analysis undertaken by Regmi and Paudyal (2009) (Figure 3), the process was mainly influenced by donors and government authorities rather than the communities most affected by climate change. During multi-stakeholders’ discussion

\(^8\) A different caste with in the ethnic community
\(^9\) A different caste with in the ethnic community
forum, grass root community CSOs have maintained that their concerns were continually ignored in NAPA processes.

Figure 3: Stakeholders Analysis of NAPA


The Community Adaptation Planning Program was piloted by different bilateral groups including Livelihood for Forestry Program (LFP). This pilot program was implemented in 512 village development committees and 2292 community groups (about 50% of the total number of LFP Community Forestry User Groups) in 15 districts (Regmi and Karki, 2010). On the basis of feedback from those piloting projects and consultation with some selected stakeholders the LAPA framework was developed (Karki and Regmi, 2011). LAPA is a highly regarded approach for analyzing climate change adaptation issues at the community level and encouraging local stakeholders’ participation. The LAPA framework was prepared to ensure bottom-up planning of adaptation needs, options and priorities while integrating the national and top-down assessment of climate risk (Watts, 2012). The government maintains that the planning process will actively involve a multi-stakeholders team. That will include the local and district level government and its line agencies, CSOs including I/NGOs, clubs, women’s groups, cooperative, indigenous group, community and other informal groups, and vulnerable and poor households (Karki and Regmi, 2011).

Both NAPA and LAPA have strongly emphasized involving multiple stakeholders, including CSOs, on all of their institutional modalities. However, CSOs being consulted are again the same NGOs whose authentic representation of communities is highly questionable. At the same time, there is a huge scope for NGOs-CSOs and grass-root

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10 It is an informal forum established to initiate the dialogue/discussion during the NAPA preparation process. Different stakeholders including government authorities, I/NGOs working in the climate change issues, research organizations, umbrella organizations of CFUGs, indigenous communities, Dalits, and woman, and media were included in that forum. The objective to establish such forum was to make the NAPA process more participatory.
organizations to participate in the entire process from planning to implementation. More importantly, the role of CSOs in the effective implementation of these plans is crucial.

**CONCLUSION: AN OPPORTUNITY TO INITIATE A MORE INCLUSIVE AND DEMOCRATIC CIVIC ACTION**

The contributions of NGOs and networks on elevating climate change to a national priority in Nepal must be acknowledged. The CSOs appear more active than the government in involving the local communities on climate change adaptation activities through awareness, research, advocacy and piloting. This is mainly because NGOs have been working closely with local communities and groups and claim to represent their concerns. However, NGOs and other CSOs often claim that they represent the poor, marginalized, Dalit and ethnics which they do not. The CSOs have captured and influenced various policy forums, multi-stakeholders’ forums, debates, and discussions but they are neither adequately inclusive nor deliberative. However, the frequency of formation of groups and networks of different minorities including ethnics, woman and Dalit, has been increasing. The major question here is “Do the NGOs, networks, and federations sufficiently represent the voice and concerns of all these groups?” This question is crucial because most of the NGOs are purpose specific and primarily focusing on development project implementation. This imposes its own boundaries and limitations. So, the nature of a development NGO and CSO cannot be the same. In addition, internal governance of NGOs is inconsistent with their stated goals of inclusion and participatory governance. These NGOs are led by elites in every field, especially the urban-upper caste-male. This is why the agendas most often discussed are influenced by international negotiations and debates rather than the grassroots voice from the marginalized and the poor. In this situation, personal ethics is only thing which may encourage raising the voice of all communities and interest groups through these NGOs rather than institutional design and power structure. It is important to develop more inclusive, accountable, responsive and democratic CSOs. Without these, the issues and concerns raised by existing organizations on behalf of local communities, poor, women, ethnic minorities, Dalit and other interest groups will continue to be compromised in Nepal.

However, the role of CSOs on policy process, project planning, and implementation as well as advocacy is crucial. It offers the opportunity to address the actual grassroots concerns and a potential solution by using traditional knowledge. So, inclusive and participatory coordination between both the government and the non-government institutions is necessary to initiate the establishment of such CSOs. Though, the process to come in to the consensus will not be easier.
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Abstract

This paper aims to explore perceptions of ethnic minority groups in Australia and strategies to increase participation in arts and cultural events. The findings were based on focus group discussions and in-depth interviews with art consumers from ethnic groups, namely Greek, Italian, Vietnamese, Chinese, and Indian in Melbourne, Australia. The findings indicated that festivals and multicultural arts events were the most popular art forms to attract arts participations from culturally diverse audiences. Furthermore, other strategies include cultural exchange and education for minority and mainstream groups, and more effective information distribution to minority groups. The research will contribute to the further understanding of arts marketing literature and cross-cultural marketing literature.

Keywords: Arts, audience development, consumer behaviour, cross-cultural marketing, ethnicity, Australia

INTRODUCTION

Australian governments at both federal and state levels have adopted a stance that the arts industry must become more financially independent, which means that they need to be business-focussed in order to survive and thrive (Soutar et al., 1997, p.1). This stance, which has accompanied declining government subsidies (e.g., Rentschler, 2002), as well as the funding challenges have created a unique environment for strategic changes in arts organisations in Australia, in which they must confront real financial difficulties. Given the funding constraints and levels of competitiveness of many forms of leisure in a contemporary society, there is an increasing emphasis on audience development and diversifications of audiences (Hill et al., 2003). Hill et al. (2003) asserts that arts marketing aims to encourage more frequent attendance and targets new segments and/or non-attendance, including ‘difficult to reach’ market as ethnic minorities. Given that ethnic groups are an increasing and potential market in many multicultural countries including Australia, the US and the UK as a result of the globalisation process, migration and/or political crisis, very little research has been done in relation to marketing the arts and cultural products to this market segment.

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The demand to diversify audiences in Australia is also closely linked to an increasing number of migrants annually entering the country with different types of visas. Australia consists of a diverse mix of cultures in which about 44% of Australians were either born overseas or have one of their parents born overseas (Australian Bureau of Statistics, 2006). Immigration is increasing considerably since the last century, especially coming from Asian countries such as China and Vietnam. This indicates that ethnic minority groups form significant segments in Australia. While promotion of cultural diversity is a priority for many Australian bodies, including arts organisations; arts and cultural participation of ethnic minorities (especially those from Asian or African backgrounds), has remained low in comparison with mainstream groups (English heritage from the UK, the US and Africa) (Australia Council, 1998, Australia Council, 2010). Participation in arts related events is believed to contribute significantly to community development and creates societal harmony in multicultural countries (Globalism Institute and VicHealth, 2006). Furthermore, audience development also tackles financial difficulty through an increased income and in turn, viability for arts organisations.

In this paper, arts events refer to the following: carnivals, circuses (not animals), culturally-specific festivals, museum or gallery exhibitions, musicals, pantomimes, plays/dramas, operas/operettas, music concerts or other live music events and live dance events. Additionally, ‘participation’ refers to ‘receptive cultural participation’ (such as attending arts and cultural events, music concerts, attending museums as part of an audience or as visitors), but ‘active cultural participation’ (such as drawing, professional acting or amateur artists) (van Wel et al., 2006) is not part of the scope of this study.

This study explores the perceptions of ethnic minorities from Vietnamese, Chinese, Indian, Italian and Greek backgrounds in Australia in relation to the following research question, “How can arts and cultural participation of ethnic groups be increased?”

In this paper, I argue that the ethnic cultural connection should be increased and that sensitivity is important in order to increase ethnic participation in arts and cultural events. This paper contributes to address the gap in current knowledge in arts marketing literature on cross-cultural marketing and strategies to increase attendance of ethnic minorities in arts and cultural events. The paper begins with a review of the literature on arts consumers and ethnic arts consumers and strategies to increase their attendance. The paper then reports the research methods, sample used and the empirical findings, discussion and conclusion.

UNDERSTANDING ETHNIC CONSUMERS

Ethnic groups can be described as any group defined or set apart by religion, national origin, or race (Ogden et al., 2004). There is general agreement in marketing literature that cultural variation influences consumer behaviour. Generally, many companies are finding that they need to orient to previously ignore cultural groups for continued success in the marketplace as these ethnic minority groups grow in size and proportion in the dominant culture (Ogden et al., 2004). Thus, the authors emphasise that it is important to be aware of the difference between value expressive and utilitarian products when looking at ethnic consumer behaviour, as it may vary between different product types. As part of service industry, the arts possibly reveal more challenges to attract ethnic consumers than other services or industries due to its intangible nature.
Prior arts marketing literature suggests a number of strategies could be applied to increase arts participation. For example, Goulding (2000) argues that in order to attract wider audiences (not only ethnic audiences) it is important to understand customer expectation, experience and satisfaction of their visits to a museum or a cultural event. Furthermore, for the museum section, quality of museum visitors’ experience is mediated by a number of inter-related factors such as socio-cultural (i.e., cultural identification, continuity of theme and story, social interaction), cognitive (i.e., the creation of mindful activity, involvement and engagement), psychological orientations (i.e., scene setters, routeing and mapping), and physical and environmental conditions (i.e., crowding, seats and noise) (Goulding, 2000).

The question of which art form could attract more attendance of ethnic minority groups is often less discussed in the literature. Instead, the literature discussed how to attract more attendees in general in music concerts, museums or why people attend/do not attend high art events. We generally agree that it is challenging to get a large number of audiences to attend some art forms such as opera, ballet, classical concerts, regardless of marketing efforts (Le, 2004; Le and Fujimoto, 2010). However, for ethnic groups, events focus on an ethnic sub-group and providing more ethnically relevant art forms could encourage ethnic arts participation (Syson and Wood, 2006). These events are believed to help to meet ethnic minorities’ need to stay in touch with traditional culture, as well as contributing to the maintenance of cultural identity, while still permitting integration with mainstream society (Netto, 2008). Syson and Wood (2006) argue that understanding and orienting towards the needs of different ethnic groups in society is important, not just for business success, but for the benefit of society as a whole. Their research has an interesting implication on the important role of the arts in community development.

Albeit that it is challenging to develop audiences from any cultural background for high art forms, Huntington’s (2007) description of arts marketing practices in Germany shows that it is possible to attract a broad and diverse audience to the performing arts. She proposes replacing the traditional marketing variables (product, price, promotion, place) with ‘reinforcement of consumer experiences’, ‘real audience growth’, ‘role fulfilment’, and ‘recurrence’. In addition, arts marketing, policy, and planning needs to take place at a macro level (such as government and industry-wide) in order to maximise the opportunity to bring performing arts to a wider audience (Huntington, 2007). However, no specific strategies were provided to increase arts participation in Huntington’s research.

Provision of opportunities for participants to socialise and to extend their experience is an important factor in increasing ethnic attendance at arts events (Kolb, 1997, Kolb, 2001b, Kolb, 2001a, Le and Fujimoto, 2010), especially for segments such as the younger generation and ethnic audiences for high art form. For example, Kolb (2001b) suggests that provision of the concert experience, including socialising with peers in an unconventional way, is even more important than the opportunity to listen to live concerts. Furthermore, changes to less formal settings rather than traditional concert halls (for example classical music could be performed in community halls, churches, and shopping malls rather than in a concert hall) could facilitate arts attendance (Kolb, 2001b). Kolb (2001a) recommends that to attract non-attenders, marketing departments may need to provide niche programming, ensuring an enjoyable experience rather than relying on loyalty. More specifically, marketing may need to target individually packaged events to specific ethnic market segments (Kolb, 2002). These packaged events must provide multiple benefits to meet the attender’s social needs (meeting people, socializing...
and enjoying the social aspects of the concert) while also providing artistic content. While Kolb’s studies are dated, her findings emphasise two important constructs—the importance of casual settings to attract audiences and socializing as an important motivator. These studies still prove their relevance as confirmed by the empirical findings of more recent studies. For example, Walker and Sherwood (2005) confirm the importance of community venues as strategies for developing broader and more diverse audiences, and Ostrower (2005) and Le and Fujimoto (2010) provides evidence that socialising and meeting people are key drivers for people to attend the arts and cultural events.

The role of education (Kolb, 2001a, Colbert, 2003, Tajtakova and Arias-Aranda, 2008) and family influence (van Wel et al., 2006, van Wel et al., 1996, Kolb, 2001a, Colbert, 2003) as the major determinant of future involvement of an individual in the arts is also emphasized, especially high art appreciation (such as classical music, opera and ballet). Therefore, Colbert (2003) suggests that increased association and exposure with the arts during childhood or through their family/parents or school partnership with arts organisation provides children with memorable artistic experiences and this may help to turn them into future art attenders. Additionally, in order to raise awareness and develop knowledge of students, teachers could provide training to connect children to values compatible with the arts which can facilitate their association with the arts in adulthood (Colbert, 2003; Kolb, 2001b, see also Tajtakova and Arias-Aranda, 2008 for recommendations on educational activities/programs provided by theatre to school students in a context of Slovak Republic).

Prior research also provides pricing strategies to increase arts participation and to ease cost related concerns for arts participation, suggesting that a reduced ticket price or free tickets could be offered to increase non-attendance (Kolb, 1997, Garber Jr. et al., 2000, Le and Fujimoto, 2010). In addition to pricing strategies, a quality of the performance and entertainment (with well-known stars), and/or other adding attributes to the social aspects of the evening such as a free drink with each ticket, discount on meals at nearby restaurants and the availability of food before or after performance could encourage classical performing arts attendance (especially with young audiences) (Garber Jr. et al., 2000; Kolb, 2002). Some other amenities such as pre-concert talks, refreshments, easy parking and a comfortable social setting could also add significant value to the symphony product (Garber Jr. et al., 2000) and the likelihood to increase arts attendance.

While there is no “one size fits all” approach to audience development, Barlow and Shibli (2007) believe that a strong commitment to building relationships with potential audiences are fundamental factors in finding the right approach to successful audience development. In summary, very few studies focus on ethnic arts consumers as well as exploring their perceptions on how to increase the participation in arts and cultural events. Furthermore, key literature in this area tends to be dated, suggesting a need for newer research in this area. Thus, this paper is to address this gap in the literature. Next, I will report on research methods, the sample and the data analysis process.

**RESEARCH METHODS**

Exploratory research was conducted with selected ethnic minorities in Australia. Qualitative data were collected by focus groups (FG) discussions and in-depth interviews (semi-structured) to inductively explore the perceptions of participants on the topic. The
findings of this exploratory stage also helped to develop constructs for a scale to be used in the second stage of this study using quantitative measurement.

FG respondents were selected by purposive sampling procedures while interview participants were selected by both purposive and snowball sampling procedures, following the principle of Neuman (2006). A limitation of snowball sampling, as some participants might know each other, was acknowledged. However, the data sources were triangulated between the interview data and FG data to increase the validity of the study. The findings from interviews and FGs were consistent. A total number of 51 participants were recruited in which 19 interviews with 5 cohorts of ethnic origin audiences, namely Chinese, Vietnamese, Indian, Italians and Greeks and five FGs with different participants were conducted (N= 32 participants). Each group consisted of 6 to 8 people from the same cultural backgrounds (i.e., Chinese FG, Italian FG). These five ethnic groups were selected because they were the most populous minority groups in Australia (Australian Bureau of Statistics, 2006).

All ethnic informants were chosen to meet the following criteria: 1) Australian residents who have lived in Australia for at least two years (to ensure that each participant had a certain familiarity with Australian culture and, possibly, some involvement in mainstream cultural life) so each group had a mix of long term and short-term lengths of participants living in Australia, and 2) Non-English speaking background (their first language was not English). This criterion helped to investigate the extent to which levels of English proficiency and cultural origin affected their involvement in the arts and cultural events; and 3) the ability to understand and communicate in English as evidence of their level of acculturation in Australia. 31 females and 20 males agreed to participate in this study. The average age of participants was 38 years old. Table 1 shows data sources, and demographic information of the sample.

Table 1: Data sources and demographics of the sample

<table>
<thead>
<tr>
<th>Research methods</th>
<th>Participants</th>
<th>Gender</th>
<th>Age groups</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Female</td>
<td>Male</td>
<td>Average</td>
</tr>
<tr>
<td>In-depth interviews</td>
<td>4 Vietnamese</td>
<td>2</td>
<td>2</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>5 Chinese</td>
<td>3</td>
<td>2</td>
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<tr>
<td></td>
<td>3 Indian</td>
<td>2</td>
<td>1</td>
<td></td>
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<tr>
<td></td>
<td>3 Italian</td>
<td>2</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4 Greek</td>
<td>3</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Focus group</td>
<td>FG1= 8 Vietnamese</td>
<td>5</td>
<td>3</td>
<td>38</td>
</tr>
<tr>
<td></td>
<td>FG2= 6 Chinese</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FG3= 6 Indian</td>
<td>4</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FG4= 6 Greek</td>
<td>3</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>FG5= 6 Italian</td>
<td>4</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>51</td>
<td>31</td>
<td>20</td>
<td>38.5</td>
</tr>
</tbody>
</table>

Source: from the author

Qualitative Thematic Analysis was used to identify themes. The data analysis followed Miles and Huberman’s (1994) process, which comprised three linked sub-processes: data reduction, data display and conclusion drawing/verification. After editing, segmenting and summarising the interview data, a coding scheme was developed to code and identify and develop concepts and categories based upon research questions.
and the literature. The coding scheme was developed for coding processes such as 'attend festivals' coded as 'att-fes'; 'low price strategies' – coded as 'low-pri'.

After a researcher and a research assistant finished the coding process, several themes were identified in relation to the research question. In the data reduction stage, themes and categories were confirmed, discarded and refined after the transcripts were read several times. When there were disagreements between the researcher and the research assistant, they re-read the transcripts carefully, reviewed the literature and reanalysed it until an agreement was reached. Eventually, inter-coder reliability was possibly up in the 90% range. Knowing that this was an on-going process, we refined the data repeatedly to confirm and verify themes, and drew conclusions from the data in relation to research questions of how to increase attendance by ethnic audiences in arts events. For the purposes of this paper, I only report major themes, which were mentioned by many participants.

FINDINGS

In order to answer the research question of “How can arts and cultural participation of ethnic groups be increased?”, I selectively report three major themes, namely 1) Preferred mixed arts and/or community cultural events, 2) Cultural exchange and/or educational program, and 3) Importance of information availability to ethnic groups. As I only present exemplary interview and FG quotations in the findings section, more quotations are provided in Appendix A.

Preferred Mixed Arts and/or Community Cultural Events

When each cultural group was asked about which art form could increase their cultural group participation in art performances, there were two key preferences which were mentioned: attending in multicultural events and/or culturally specific events.

Many FG participants mentioned that a combination of different cultural/arts activities or multicultural festivals in a casual setting (i.e., outdoor festival) would be the best form in enhancing their participation. The following quote represents this common view:

“Even having two communities together participating in events, like attracting more Indians, like having a Diwali Festival and inviting with a Thai Festival or something like that, a combination of two festivals and two different communities come together.” (Indian female 3, FG)

FG and interview participants preferred community arts events such as festivals with a variety of performances, activities and food stalls of different cultures and indicated that this would most attract their participation rather than classical concerts, operas or ballets in conventional venues. This is an important finding for Australian arts organizations as classical orchestras, for example, could perform in major multicultural events in the park to attract a larger audience.

Furthermore, the idea of actively inviting ethnic minorities to mainstream events or vice versa was mentioned as a factor to enhance cultural inclusiveness between different minorities and mainstream groups in Australia as one Indian participant said:
“Invite the Indian community to participate in Australian culture. I am just giving you an example. When someone comes here migrating to Australia, help them talk to the Australians at least a couple of months before to make sure that they understand what it is they will face.” (Indian male 3, FG)

Along with this theme, Greek and Italian participants tended to emphasise that having more culturally specific events such as Spanish or Thai festivals was also important. Some participants, (especially Asian ethnic groups in this study) tended to attend their own cultural events only as one said, “people pretty much stick to their own culture, unless they have friends from the other, from another culture asking them to, inviting them to the other one for them to have a look” (Indian male 1, Interview). Other Indian participants strongly recommended that they liked to have Bollywood in cultural events to expose their culture to others and as also a means to attract more Indian people to cultural events: “More Bollywood dance…That [Bollywood] is the key thing for Indians” (Indian female 2, FG). The similar view was also mentioned by several Vietnamese and Chinese FG participants in which Spring and Mid-Autumn festivals were mentioned.

The findings also indicate a low level of interest in Western art forms such as opera and classical music, especially among Asian focus group participants as one Indian said,

“But there’s not much you can do. If … people are not interested in such events, professional, especially professional, you need to be interested in it. If you don’t have an interest there’s no point in letting people go. So if they’re interested, they would be automatically drawn to those events.” (Indian male 1, interview)

The findings imply that while it is challenging to increase participation of ethnic groups in Western classical arts events, efforts to introduce the arts in a casual setting (such as small concerts or modern dances in a community hall in the form of a festival) may help people to be familiar with the art forms, resulting in an increased ethnic attendance.

While a combination of sport in an arts event is not a dominant theme among all FGs, this interesting perspective from Italian and Greek participants reflected the Australian culture in which sport is the most popular form of leisure. One Italian participant suggested that this was a good way to increase interaction of sport spectators with the arts. This representative quote demonstrates the view:

“…Can I add – I think a lot of Italians integrate into the Australian community through football. A lot of Italians love football. … No Australian Rules Football. They love soccer. Out of probably all the nationalities in Australia the Italian background are the ones that watch the football more - Italians and Greeks.” (Italian male 1, FG)

In the course of data analysis, some conflicting themes were found among FGs. For example, Chinese FG participants believed that in order to attract and sustain audiences, arts event should be culturally-focused rather than religion-focused “My recommendation is that festivals and things are not religion based but just culturally based” (Chinese female 1, FG), whereas Italian participants suggested that many religion-based arts events (which reflect certain cultures) could attract thousands of people and should be offered more:
“The event that I mentioned before about they do over at Manningham Council about the ‘Stations of the Cross’ and that. Everyone attends that. I see all different nationalities, Christians, people who do like that sort of thing they do attend a lot. … I think that religion is either the main source of bringing people together or separate or create a war, in my opinion; So religion can do both, bring people together or completely separate them.”

(Italian male 1, Italian FG)

The above finding suggests that arts organisations might be able to blend different cultures with respective religions as outdoor performances/events to attract diverse cultural audiences.

Cultural Exchange and/or Education Programs

Provision of more education and awareness about different cultures (and possibly their art) in order to increase ethnic participation is another common theme mentioned by some FGs. This was indicated by the Vietnamese and Italian FG participants.

“Yes. But also to give like an understanding of what it is about. For example if you’ve got an artist and he’s French, you need to explain it to the Vietnamese people like who this man is and why he is famous and what he did to engage people’s interest, “Oh my god, this man is fantastic…”

(Vietnamese female 3, FG)

The quote below provides reasoning as to why provision of education or cultural awareness is needed to increase participation. A Vietnamese participant connoted that their parents who are from Vietnam and who are significantly lacking in knowledge of different cultures and Western arts are hindered from attending different cultural/arts events, compared with the younger generation who were educated in Australia.

“It is obvious that there is a specific age group that you’re leaning towards because for us, we’re educated here, so we were taught about famous artists like Van Gough, Leonardo da Vinci, but for our parents, that education… they finished school at Grade 3, so they never heard of these artists.”

(Vietnamese female 2, FG)

The above quote indicates that age and generation could be an influential factor to arts participation. The older generation of migrants tended to participate less than first generation migrants. Therefore, provision of education about mainstream arts and cultures might be an important antecedent to encourage ethnic audiences to participate in arts events/shows. The education can be as simple as having explanations beside paintings or artefacts in exhibitions and/or museums in several major languages in Australia, or having programs on SBS radio in ethnic languages to introduce basic Western art and/or art forms of ethnic minority groups. More systematic education programs could be provided by the Council to interested participants and in schools for young children and educational programs provided by arts organisations. Generally speaking, a part from a music education program for students in schools, music and/or dance performances would be ideal art forms for introduction. These have been introduced in festivals such as “Mind, Soul and Body” in Melbourne which attracted a large number of audiences from minority and mainstream attendees.
Importance of Information Availability to Ethnic Groups

In the course of our FGs, it was found that more availability of information about shows, festivals or arts events was an important factor in increasing ethnic participation in arts events. Many ethnic participants mentioned that information on arts events did not often reach them, especially for older generations. Most of the Vietnamese participants mentioned that they did not receive much information about the professional events or if there was, it was not sufficient or mainly in English which is not accessible for the older generation “no, not enough” “Vietnamese newspapers would not advertise the Jewish Festival or the Spanish Festival. They wouldn’t advertise a play that is going to show or a musical for a professional exhibition. They don’t advertise any of that.” (Vietnamese female 2, FG)

“They do that. I think they help fund a lot of these community events as well. Because … they try their best, we just don’t know about them. I think they just need to give us information. Let us know that this is happening. And they probably put them up at the actual community centres, you have them. But nobody goes to community centres, so we have no idea what’s happening. (Indian male, Interview) …I guess... the only way you could do that is, come to places where you [live], you know, give out leaflets and give free initiations and things like that. Just to encourage people to come in.” (Indian male 1, interview)

The above quote shows that if the ethnic group had more available information within their community or in their own ethnic languages, or in their ethnic newspapers, radio, they incline to attend the arts events.

Having councils to distribute information seemed to be an effective way to reach these markets rather than a formal channel of marketing such as newspaper or online. For example, other participants suggested that using radio may be a good media to reach ethnic markets. This view was mentioned in Chinese and Vietnamese FGs: “I think radio is better. Radio – SBS Radio may be better”, said Vietnamese male 2, FG, and in “multi-languages”, said Vietnamese male 3, FG.

In the next section, I will discuss the findings in light of arts marketing literature on how to increase arts participation.

DISCUSSION

This paper sets out to answer the question “How can arts and cultural participation of ethnic groups be increased?” In this paper, I contend that an ethnically cultural connection and sensitivity is important to increase ethnic participation in arts and cultural events. The empirical evidence supports this argument. Common views amongst Chinese, Vietnamese, Indians, Italians and Greeks regarding strategies to increase arts participation of ethnic groups were found: 1) preferred mixed arts/cultural events, 2) cultural exchange/cultural education, and 3) importance of information availability to ethnic groups. Notably, community arts events/performances were a much more preferred way of enhancing culturally diverse participations than professional arts events. In particular, the findings support Kolb (1997, 2001b, 2001a) that social interactions amongst people from different communities are key to attracting culturally diverse audiences. This is an important finding as arts organisations might consider to
present their art to casual venues such as parks and community halls rather than a conventional concert hall to help attendees to be familiar with their art forms; in turn this may encourage their participation. Prior study also suggests a positive correlation between performances in casual venues and an increased number of audiences (Walker and Sherwood, 2005, Walker, 2002).

While Syson and Wood (2006) and Netto (2008) indicate that culturally specific events are preferred among ethnic groups as these events help to stay in touch with traditional culture, and maintenance of a cultural identity, my findings move beyond this indicating that mixed cultural events/activities with arts components were found to provide excellent opportunities for cultural groups to socialise and learn from other cultures and, at the same time, to develop attendees’ familiarity with different art forms (see also Le and Fujimoto, 2010, Le and Fujimoto, 2011). The findings were also supported by McCarthy and Jinnette (2001) who state that an individuals' inclination to participate is influenced by factors such as their perceived belongingness to certain social groups, their value towards the arts and their levels of effort to attend some art forms. The findings, therefore, imply that having cultural exchanges between different communities could establish an essential platform for developing community harmony.

The role of education or educational attainments and exposure of individuals to the arts during childhood or through their family or school as the major determinant of future involvement of an individual in the arts (Kolb, 2001a, Colbert, 2003, Tajtakova and Arias-Aranda, 2008) was not strongly supported in this study. However, the findings suggest that more cultural education and awareness among diverse cultural and mainstream groups should be encouraged to increase participation in arts and cultural events. Yet, this finding needs to be further supported by quantitative data.

Barlow (2007) indicated that a strong commitment to building relationships with potential audiences are fundamental factors in attracting their participation, the findings reinforced this discussion. The findings further indicated that information availability and/or advertisement of the arts events (in partnership with local councils) are important. Prior literature also indicates that lack of information on the events was the major barrier to arts participation (Kay et al., 2009). Arts organisations need to improve their marketing efforts to attract ethnic audiences to upcoming arts events by using a variety of ethnic media such as SBS radio, ethnic newspapers and flyers and more direct marketing strategies could also be considered. The use of word-of-mouth marketing strategies and especially ethnic newspapers distributed through local councils (high ethnically concentrated areas) and multicultural organisations would be useful to advertise specific events to target ethnic groups. From this study, it is proposed that arts organisations in Australia will be able to increase culturally diverse audiences by greater cultural inclusion in events/performances, cultural education and information disseminations/marketing. In doing so, it is foreseen that the arts can be used to foster greater social inclusion in culturally and socio-economically diverse nations.

CONCLUSION

This study explores the perception of ethnic groups in Australia and strategies to increase arts participation. The paper presents findings of the first stage of the study of ethnic audience development. This study aims to set preliminary culturally-sensitive typologies for holistic arts sector development in Australia as arts events are believed to be a vital means of connecting culturally-diverse communities (Globalism Institute and
VicHealth, 2006). Therefore, the research has created the foundation for understanding the perception processes of ethnic audiences in order to encourage their participation in arts events. Arts managers can apply these findings when considering different ways to attract ethnic audiences, using more appropriate marketing strategies. This research contributes practical strategies to arts marketers to develop ethnic audiences in multicultural countries, and provides primary evidence-based research for policy makers to create a socially inclusive arts industry.

While this study presents rich narratives of ethnic participants, it also has limitations. The study only explores perceptions of five selected ethnic groups in Australia using a qualitative approach. Thus, the findings cannot be generalised to other ethnic groups. Future research may consider using quantitative measurement to research a larger sample, in different states in Australia or multicultural countries. These are the aims of the next stage of my study.


Le, H. & Fujimoto, Y. (2011). "A participatory model for ethnic audience development for the arts: Applying MAO model of audience development to ethnic groups", in The 25th Australian and New Zealand Academy of Management (ANZAM), 2011,


### APPENDIX A

<table>
<thead>
<tr>
<th>Themes</th>
<th>Exemplary quotations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Preferred mixed arts or community cultural events</strong></td>
<td>I remember as a kid in primary school or high school and you would have those multicultural days, and everyone would come and dress in their traditional dress. For Italians it was just their normal clothes. And you would bring some Italian food and you would wear like your Italian flag or whatever. It would be good to go to something like that, not so full on in your costume and everything, but to just have a flag, this is where I come from – it is a multicultural thing where everyone is there and you are labelled. I am proud of this background etcetera and it would be a good way to meet people and talk to people. (Italian female 1, FG participant)</td>
</tr>
<tr>
<td></td>
<td>I just think the national arts festival is quite ok, because it’s international, because it’s got different, Spanish, Greek, Chinese, anything, it’s like one of those arts festival that you can actually explore yourself and see different things. (Chinese female 1, FG participant)</td>
</tr>
<tr>
<td></td>
<td>Oh wouldn’t they have like you know for example suburb, different suburbs have festivals, you know have street festivals like in Thomas town they have like a Barry Road Festival on the street and they have rides and the kids and community – everybody, all cultures. That is what local councils… (Vietnamese female 2, FG participant)</td>
</tr>
<tr>
<td></td>
<td>… Yeah. I think that’s sort of… not only migrants, I think Australians should see that (migrant museum) too. That creates like… you understand more about the migrants coming into this country and the influence they have had into the Australian community. I don’t know I don’t think Australia would have been what it is if it wasn’t for the migrants. All migrants. I am not going on about Italians, all migrants. And that’s why we are very lucky in Australia because of the multiculturalism that we have. (p27) (Italian FG participant)</td>
</tr>
<tr>
<td></td>
<td>Springvale, right. Sometimes, the children easy to make friends and to communicate to each other. Understand. Agree. But how the parents. How about adults. If you have liked a gallery or community arts, this is just my personal opinion, why should we have in different language as well – Chinese and Vietnamese. You don’t need to be in detail but just like some explanation, very, very brief so the people can understand. It is like my parents, right, they go to the gallery they don’t understand anything they can’t read English, but if they go there and there is a just a few words in Vietnamese, they enjoy it, and just like something for them to encourage them to go to that (Vietnamese male 1, FG)</td>
</tr>
</tbody>
</table>
|                                             | Yes, to include something of our culture in it. Of course it is going to bring… most likely it could bring more Vietnamese people to
attend because we are not going to attend something that... Do you know what I mean? Include something of our culture in certain events. (Vietnamese female 1, FG participant)

Sport in event

It is funny you should say that but I was going to say if some Italians come from overseas I would take them straight to the MCG for that. I think that's... if you can talk football you can integrate anywhere. If you are male I guess. (p28) (Italian male 2, FG participant)

Ah... I think the best event, generally speaking, and perhaps personally speaking, I think it is sports. Because everyone can take part in that sport. You do not need skills you do as you go. It is not like arts, you have to have specific skill, but sport you learn as you go. And You can Participate in a team... everyone from different cultural background follow certain rule and understand and interact. It is not just for the participant, but the people who are coming to watch the event, that is very, very important. Lots of people! Families come and learn to integrate in the team... bigger community. (Greek male 1, Interview participant)

Importance of information availability to ethnic groups

The council I’m in they do a good job because they send out brochures and stuff every time the community based, so I think they’re doing a good job, that’s how I found out about them. (Chinese male 1, FG participant)

Whitehorse Spring Festival do a lot of advertising in the local paper and the full event list, it’s very good. (Chinese female 2, FG participant)

It is a big problem, because information is knowledge, and knowledge is power, SBS has a really good radio station and that encompasses all of the cultures, I listen to it, but I’m at an age where I don’t want to listen to 101FM or whatever... (Chinese male 3 FG participant)

Yeah. I guess councils, what they can do is, you’ve got a lot of these big reserves, in the middle of, you know, of suburbs. Where I’m from, you’ve got a quite a few reserves. Because I live in the Wheelers Hill, Glen Waverley area. You’ve got these massive reserves. And I think they could put up more functions. You know, just say “Come and have a sausage sizzle or something, and just meet people”, and you know, they can get all people from different, because you’ve got art centres, you know, craft centres. You’ve got schools in that area. You can put all programs for people. I think that’s what the community can do, the local community can do. The council can do. Which they, they probably do, but we just don’t know about them. (Indian male1, interview)
Preventive Detention of Terrorists:
A Review of Law in Commonwealth Countries

Shivani Raswan Pathania
TMC Academy, Singapore

Abstract

The purpose of this paper is to make a comparative study of the preventive detention legislations of some of the Commonwealth nations like the United Kingdom, Singapore, Australia and India. These nations were endowed with a rich legacy of the English Legal System which has subsequently become a basis for their existing legal system. The hypothesis of this paper is that the preventive detention legislation for the detainment of a person without the right of a fair trial and hearing for a significant period of time is not that necessary in curbing the menace of terrorism. The detainment of a person without a criminal charge has been regarded as a great contradiction of the British system of common law rights for fair trials and hearings (Audi Alteram Partem) as it has developed over four centuries. India, the United Kingdom and Australia’s decision of not extending the legislation is well recognized as well as appreciated globally. Terrorism, which has roots everywhere, need to be combated with the determination and cooperative efforts of almost all nations together with regard to the principle of natural justice. This paper proposes certain suggestions which, if followed, will help in minimizing, controlling and suppressing the menace of terrorism. States should give up their short-sighted national policies of shifting convenience and efforts to adapt a crime free world policy. Terrorism continues to be a serious threat to the security of innocent citizens in all affected countries. Therefore, a systematic and rational approach to terrorism becomes extremely important.

Key words: Commonwealth countries, interceptions, institutional changes, preventive detention legislations, terrorism

INTRODUCTION

The security of the state is of the utmost importance to the integrity and well being of a nation and to individual citizens whose rights and freedoms are safeguarded by the security of the state. On the other hand, the rights of citizens may be affected by the exercise of such powers. The two main fundamental questions rise from state security. The first main issue is regarding the extent to which arrangements maintain some sort of balance between the competing needs of state security and the protection of the individual. The second issue is related to the manner in which and to what extent the government is held accountable for powers exercised in the name of state security, either by supervision of the courts or by the democratic process.

Apparently, the main issue for concern is that the detention of a person without a criminal charge has been regarded as a substantial contradiction of the British system of
common law rights of fair trials and hearings (Audi Alteram Partem) as they have developed over centuries. This is widely known as the principle of natural justice. Usually these principles have been formulated by the courts to bring about fairness in the exercise of power by the administrative agencies. The main aim of natural justice is to secure justice; to prevent miscarriage of justice and also to give protection to the public against arbitrariness.

However, it is pertinent to note that there has been a significant shift away from this principle of fair trial and fair hearing which is a considerable component of natural justice. There is absolutely no provision for being heard, if in case a person is detained on the basis of reasonable suspicion under anti-terrorist legislation passed in a number of countries since 2001.1 Once the person is eligible to be detained under stringent anti-terrorist legislation, he may not usually be given the chance for a fair hearing and a fair trial. One of the remarkable judgments in the House of Lords case of A v Secretary of State for the Home Department (2004), Lord Hoffman expressed his concerns:

“...This is one of the most important cases which the House has had to decide in recent years. It calls into question the very existence of an ancient liberty of which the country has until now been very proud; freedom from arbitrary arrest and detention. The power which the Home Secretary seeks to uphold is a power to detain people indefinitely without charge or trial. Nothing could be more antithetical to the instincts and traditions of the people of the United Kingdom.2n

The traditional way to get relief by a person detained without charge but on suspicion basis was the writ of habeas corpus by which the court would order that the State release the person or prefer to have a criminal charge against them, a procedure which would then bring them into the court’s jurisdiction in order to grant or refuse bail.3 Further it was also submitted in the case of Nikonovs v Governor of Brixton prison (2005).4

However, the availability of preventive detention legislations, even in the United Kingdom (UK) has existed for centuries. The Defence of Realm Acts 1914-15 gave wider powers to the Crown to make regulations for ensuring public safety and defending the realm. The courts have ruled that these broad powers include the power to detain a person without trial on the basis of his or her hostile associations.5

In Singapore, the Singapore Internal Security Act (ISA) has its roots in preventive detention laws which were introduced by the British government in order to overcome the situations of serious threats to national security, both social and political security in Malaysia. After Independence, the ISA remained a law in a sovereign Singapore and was very important in helping the government to continue to deal with national security threats to the young nation.

In Australia also legislation was passed for the first time both at Commonwealth, State and Territory level which allows the government to arrest people and hold them in

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2 See A v Secretary of State for the Home Department (2004) UKHL56.
4 See Nikonovs v Governor of Brixton prison (2005) EWHC 2405 (Admin); [2006] 1 WLR 1518.
custody without any evidence sufficient to charge the person with any offence and in fact without any necessity of the belief that there will ever be any evidence to charge them with any offence.

In each jurisdiction, undoubtedly, there is a significant need for substantial legislation allowing for ‘preventive detention’. This is required to deal with the posing threat of terrorism which has taken shape as a global menace affecting almost all the nations of the world. However, it was submitted that the existing legislations are inadequate to ensure that society is safe from the threat of terrorism. As without a state which is safe from the threat of terrorism, no citizen can enjoy rights and freedoms as such.

The aim of the paper is to make a comparative study of the preventive detention legislations of some of the Commonwealth nations like the United Kingdom, Singapore, Australia and India. These nations were endowed with a rich legacy of the English Legal System which has subsequently become a basis for their existing legal system. Further, it is also to be considered whether the legislation is necessary and how far it is from its desired goal to curb the menace of global terrorism.

The hypothesis of this paper is that the preventive detention legislation for the detainment of a person without the right of a fair trial and hearing for a significant period of time is not that necessary in curbing the menace of terrorism. India, the UK and Australia’s decision for not extending the legislation is well recognized as well as appreciated globally. As provision in respect to the extension of the period of the detainees is not the last resort to curb the menace of terrorism. Therefore the need is to have the full cooperation and coordination of all nations to work effectively to combat terrorism which has now become a global problem. Access to limited resources confined the study to the comparison of only the Commonwealth nations. For this reason the scope of the study is not wider and does not cover all the nations dealing with curbing this global problem of terrorism. Further, there are some suggestions and recommendations which if followed would help in overcoming this problem.

THE UK’S LEGAL RESPONSE TO THE TERRORISM

The terrorist attacks on New York and Washington in September 2001 prompted a swift response from the British government. The Anti-Terrorism, Crime and Security Act of 2001 builds on existing legislation in order to ensure that the security forces have the necessary powers to combat terrorist threats to the UK. The 2001 Act aims to cut off terrorist funding and to enable government departments and agencies to collect and share the information in an attempt to avoid the threat.

The Terrorism Act of 2006 was introduced to tighten the law in the UK following two attacks on London in July 2005. The Act introduces new criminal offences in relation to terrorism, amends the definition of terrorism, increases the penalties available, extends the grounds for detention, extends the period of detention and makes other miscellaneous changes to the law. Significantly, the 2006 Terrorism Act extends the period in which a terrorist suspect may be held in detention without charge to 28 days. The extension of detention must be authorized by a High Court or High Court of Justiciary judge. It had been the government’s aim to have a period of detention of up to...
90 days. That proposal, however, was rejected by the House of Commons and replaced by 28 days. The grounds on which detention may be extended are set out in the Terrorism Act of 2000. The 2006 Terrorism Act amends those provisions to include continued detention pending the result of an examination or analysis of relevant evidence, to obtain relevant evidence whether by questioning or otherwise and to prevent relevant evidence.

However, detention of a person for four weeks without having been charged with any criminal offence and without having any valid belief that evidence exists to charge them with any criminal offence is a power that would seem to have real substantial justification.

The case of A v Secretary of State for the Human Department [2005] was a case in which the House of Lords held that the indefinite detention of foreign nationals, without permanent residency status, who were thought to be involved in terrorism (but without sufficient evidence for any charge), was incompatible with the European Convention of Human Rights (ECHR). The Lords ruled that person could not be held in immigration custody until a country would accept them where there was no immediate prospect of that occurring.

In the case of Zafar and others v. R [2008] the Court of Appeal allowed against conviction for the possession of material under s57 of the Terrorism Act of 2000. However, the government’s willingness to extend the period of detention before charge for suspected terrorists to 42 days (in Counter-terrorism Bill) was not successful, defeated with 309 votes to 118 in the House of Lords on the 13th of October 2008. The government signaled that it would not proceed with the measure.

Further, in HM Treasury v. Ahmed [2010] the lawfulness of assets-freezing orders was considered by the Supreme Court. This provision leads to further changes in the Terrorist Prevention and Investigations Measures Act of 2011 and repealed the 2005 Prevention of Terrorism Act, abolishing the control order regime and replacing it with Terrorist Prevention and Investigation Measures (TPIMs). The Act is designed to deal with those terrorist suspects who can neither be deported nor put on trial. The Act provides that suspects will be required to stay at their main residence overnight, whereas under the control order regime, suspects could be required to remain at a specific premise for up to 16 hours a day. There will be electronic tagging and reporting requirements. The orders would last for one year, renewable once. TPIMs will be subject to automatic review by the High Court. Breach of TPIM is a criminal offence, carrying a maximum sentence of five years imprisonment.

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6 In France suspects can be held for up to 4 years for offences punishable by more than 10 years; in Germany suspects must be brought to court the day after their arrest; in Italy foreign terror suspects can be expelled immediately if they pose a security risk; in Canada non-citizens can be detained with the case being reviewed every 6 months.
7 See Terrorism Act 2000, Sched 8.
8 A v Secretary of State for the Human Department [2005] 2 AC 68.
10 According to s.57 of Terrorism Act 2000 there is a conviction for the possession for a purpose connected with the commission, preparation or instigation of an act of terrorism.
13 Ibid, s 9.
14 Ibid, s 9(2).
15 Ibid, s 23(3).
AUSTRALIA’S LEGAL RESPONSE TO INTERNATIONAL TERRORISM

In the wake of the heinous incident on September 11, in New York, the United Nations Security Council passed the 1373 Resolution, where upon calling the significant cooperation of the member nations to take specific anti-terrorism measures, including the prevention and suppression of the financing of terrorism and the criminalization of terrorist’s acts. Under the provisions of the Commonwealth of the Australian Constitution, the States Parliaments are empowered with relevant powers to frame criminal law. Consequently, criminal offence differs to some extent from State to State. The Commonwealth Parliament does not have a specific power to enact criminal laws, and it is able to enact uniform criminal laws for the whole country only to the extent that they are incidentally authorized by their relevance to another Constitutional head of power. Nevertheless, the Commonwealth must also ensure that any Federal criminal offences and procedures comply with the Constitution, particularly ‘Part III’ of the Constitution and the rights that have been found to be necessarily implied into the Constitution. Therefore, in June 2002, the Australian government introduced a wide range of countering anti-terrorism measures. Subsequently, anti-terrorism laws were progressively supplemented.

The Commonwealth and each state of Australia have passed these kinds of anti-terrorism legislation which allow for the detention without charge of terrorism suspects. Due to the embedded Constitutional limitations, the Commonwealth legislation is more restrictive and stringent than the States’ legislation. The Commonwealth government formulated the legislation called the Anti-Terrorism Bill (Number 2) 2005 (Cth) which amended the Commonwealth Criminal Code to allow for the preventive detention of terrorism suspects without charge. It is also combined with control orders which would restrict the freedom of movement and activities of persons suspected of formulating terrorist acts. The control orders have duration of up to 12 months, but successive control orders can be imposed on a person. Any sort of breach of a control order is punishable as a criminal offence.

Basically, the purpose of the preventive detention legislations of the Commonwealth Criminal Code is to prevent any activity related to terrorism and to protect evidence related to terrorism. The preventive detention provisions are effectively seeking this by detaining the suspected terrorist for up to 48 hours and also by significantly limiting the contact of people with the detained person during the period of detention.

The Commonwealth Criminal Code also allows any Australian Federal Police (AFP) officer to apply to a senior AFP officer (‘the issuing authority’) for a preventative

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17 The counter terrorism measures includes: Security Legislation Amendment (Terrorism) Bill 2002 (Cth); Criminal Code Amendment (Suppression of Terrorist Bombings) Bill 2002 (Cth); Suppression of the Financing of Terrorism Bill 2002 (Cth); Border Security Legislation Amendment Bill 2002 (Cth); Telecommunication Interception Amendment Bill 2002 (Cth).
18 See Terrorism (Police Powers) Act 2002 (NSW); Terrorism (Preventive Detention) Act 2005 (QLD); Terrorism (Preventive Detention) Act 2005 (SA); Terrorism (Preventive Detention) Act 2005 (Tas); Terrorism (Community Protection) Act 2003 (Vic); Terrorism (Preventive Detention) Act 2006 (WA); Terrorism (Emergency powers) Act 2003 (NT).
20 The provisions of ‘control orders’ are found from s104.1-104.29 of the Criminal Code (Cth).
21 See Criminal Code s105.4 (5).
detention order if they suspect on reasonable grounds that a person will engage in a terrorist act, possesses evidence of a prospective terrorist act, or where they suspect that a person has evidence of a terrorist attack committed in the previous 28 days and the preventive detention order made by a senior AFP officer operates like an arrest warrant (though only valid for a 48 hour period) and authorizes the arrest of the person and their detention for up to 24 hours.

The Australian Security Intelligence Organization (ASIO) has the power, under Division 3 of the Australian Security Intelligence Organization Act (1979), to detain people for up to 7 days where the Director General of ASIO satisfies the minister and designated federal magistrate or judge that “there are reasonable grounds for believing that the warrant will substantially assist the collection of intelligence that is important in relation to a terrorism offence.” These powers were created in 2003 and then further amended in 2004 and 2006.

Division 105 of the Commonwealth Criminal Code allows for preventive detention with significantly few procedural safeguards than the ASIO legislation. The first 24 hours of detention can be authorized simply by a senior AFP officer. However, the person is not able to be questioned during this detention, and can only be questioned in detention if the detention under those provisions is brought to an end.

The Australian States and Territories were requested by the Commonwealth government to enact their own preventive detention statutes for terrorism suspects. The form of the statutes they enacted differ somewhat from state to state, but are to a greater or lesser extent modeled on the Commonwealth Criminal Code provisions, but with all statutes authorizing periods of preventive detention of 14 days.

SINGAPORE’S LEGAL RESPONSE TO INTERNATIONAL TERRORISM

Singapore is a small Commonwealth country which can be affected by many powerful forces and influences. A broad range of threats can affect Singapore’s security. Among these are terrorism, subversion, racial and religious extremism, espionage and also other unanticipated threats that may emerge in the future. Current legislations provide for three types of preventive detention, the Internal Security Act (ISA), the Criminal Law (Temporary Provisions) Act (the CLTP) and the Misuse of Drugs Act (the MDA), all of which are constitutionally valid acts. The CLTP is concerned with public order and the MDA is concerned with the rehabilitation of drug addicts. For the foreseeable future, Singapore has the ISA which is concerned with national security. This is the contribution of preventive detention laws introduced by the British colonial government to tackle serious threats to social and political security in Malaya. After Independence, the ISA remained a law in a sovereign Singapore and was important in enabling the government to continue to counter national security threats to the nation.

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22 Ibid, s105.4 (6).
23 See Australian Security Intelligence Organization Act (1979), s34 (4)(c)- the limit on detention is expressed in the legislation as 168 hours (7 days).
24 See Australian Security Intelligence Organization Act (1979), s34G.
25 Terrorism (Police Powers) Act 2002 (NSW) s11(3)(a); Terrorism (Preventive Detention) Act 2005 (QLD) s12(2); Terrorism (Preventive Detention) Act 2005 (SA) s10(5)(b); Terrorism (Preventive Detention) Act 2005 (Tas) s9(2); Terrorism (Community Protection) Act 2003 (Vic) s13G(1); Terrorism (Preventive Detention) Act 2006 (WA) s13(3); Terrorism (Emergency powers) Act 2003 (NT) s8.
While ISA provides substantial powers to deal with threats to security, it also contains important safeguards which have been enhanced over a period of time. As it is perceived that the normal rights of the individual detained for trial are usually suspended. This Act empowers the government to act with a system of safeguards and also provides the detainee with certain rights which must be given to him. An Advisory Board chaired by a Supreme Court Judge reviews all detentions under the ISA. In 1991, the ISA was amended to give the Elected President veto powers such that where the Advisory Board recommends the release of any person, that person cannot be detained or further detained by the Government without the President’s concurrence.\(^n27\)

**Safeguards of the ISA**

There are few safeguards of the ISA, which helps in getting the ISA working more effectively.\(^n28\) A person cannot be held for more than 30 days from the date of arrest in order to facilitate investigation before a decision has to be made. This is either to detain him under an Order of Detention (OD) which is not exceeding two years or issue him with a Restriction Order (RO) which is also not exceeding two years, or release him unconditionally. And if the decision is to serve an OD or an RO, the president’s assent must be sought before the end of the 30 day period.

Further, each OD and RO must be reviewed by the independent Advisory Board (AB), which comprises of a Supreme Court Judge and two qualified citizens appointed by the President in consultation with the Chief Justice. The AB has all the powers of a court of law to summon and examine witnesses, compel the production of documents and evidence it deems relevant, examine a detainee’s representation of the detainee within three months of the date of his OD and can also make its recommendation to the president. The AB is required to review every OD and RO at intervals of no more than 12 months.

A detainee must be told of the grounds of detention and allegations against him. He has the right to make representations against his OD to the AB. To enable him to make representations, he will be furnished with a statement in writing of the grounds on which the OD was made, as well as allegations of facts on which the OD was based, and any particulars he may, in the opinion of the Minister for Home Affairs, reasonably require to make representations against the OD. He is free to engage a lawyer or anyone of his choosing, not involved in the case, to assist him in his representations. And over and above, an important check on the use of the ISA is the veto power of the president. Where any AB recommends the release of anyone, he cannot be detained or further detained by the government without the president’s concurrence. This is a decision the president can make at his own discretion.

Over the years, the government has undoubtedly, used the ISA in good faith, and keeping in view the prevailing security situations in a measured way, keeping Singapore safe and people secure. However, presently, the ISA is a shield which is needed to protect the nation against these threats. This allows dealing with them swiftly and effectively before they cause serious and possibly permanent harm. However, due to the alleged general draconian and arbitrary nature of the ISA, several human rights


\(^n28\) Ibid.
organizations, non-government organizations and opposing political parties have strongly criticized the act and called for its repeal time and again.

**INDIA’S LEGAL RESPONSE TO INTERNATIONAL TERRORISM**

Being a Commonwealth country it is pertinent to discuss how India it was affected by terrorism. The reasons for terrorism in India may vary vastly from religious to geographical, caste and history. The Indian Supreme Court took a note of it in *Kartar Singh v. State of Punjab*.

> It was observed that the country has been in the firm grip of spiraling terrorist violence and is caught between deadly pangs of disruptive activities. Apart from many skirmishes in various parts of the country, there were countless serious and horrendous events engulfing many cities with blood-bath, firing, looting, mad killing even without sparing women and children and reducing those areas into a graveyard, which brutal atrocities have rocked and shocked the whole nation Deplorably, determined youths lured by hard-core criminals and underground extremists and attracted by the ideology of terrorism are indulging in committing serious crimes against the humanity.

However, anti-terrorism laws in India have always been endowed with many controversies. In this regard, one of the main arguments is that these laws somewhere obstruct the fundamental rights of citizens which are guaranteed by Part III of the Constitution. The anti-terrorist laws have been enacted before by the legislature and upheld by the judiciary though not without reluctance. The intention was to enact these statutes and bring them in in force till the situation improves. The intention was not to make these drastic measures a permanent feature of the law of the land. However, because of continuing terrorist activities, the statutes have been reintroduced with required modifications.

Various preventive detention legislations by Indian government were passed to curb and control terrorist activities viz. Punjab Distributed Areas Act, Bihar Maintenance of Public Order Act, Bombay Public Safety Act and Madras Suppression of Disturbances Act. These Acts conferred wide power to security forces to detain and arrest any person in the name of public order. In 1950 the Prevention Detention Act was passed and in 1958 Armed Forces Separate Powers Act was passed to arrest unrest in the North East region. In 1971 Maintenance of Internal Security Act (MISA) was passed.

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29 Reference of Mumbai attack - On November 26, 2008, there was a very significant moment which is now called “26/11”, terrorists targeted a number of locations in Mumbai on November 26, resulted in killing of approximately 183 people, includes 22 foreigners, six of whom were Americans and 14 members of the police and security forces and about 300 were injured. The terrorists targeted those places for attacks which are frequently visited by foreigners and wealthy Indians. The attackers were alleged to be entering in Mumbai from the sea and attacked people in two hotels, a Jewish center, the main train station, and additional locations. The terrorists also planted bombs in two taxis which were exploded later in different locations in the city. The terrorists were seemed to be well trained and well versed with the usage of technology such as Global positioning System trackers. This attack was also throwing the significant light on inefficiency and poor training to the military squads. See “Another 26/11”, *India Today*, 1 December, 2008.


Further, Terrorist and Disruptive Activities (Prevention) Act, 1987 (TADA) was the second major act which came into force on the 3rd of September 1987. This act had more stringent provisions than the Unlawful Activities (Prevention) Amendment Act, 2004(UAPA) and it was specifically designed to deal with terrorist activities in India. When the TADA was passed it was challenged before the Apex Court of the country as being unconstitutional.

In March 2002 the Prevention of Terrorist Activities Act (POTA) was introduced in the Indian parliament. It was termed as the Indian version of the U.S Patriot Act. It was nothing more than the reincarnation of TADA with largely cosmetic changes. The Act was considered as a draconian piece of legislation as it violated various rights of a citizen which were long since recognized and were contrary to Article 21 of the Constitution. It was repealed in 2004 with UAPA. The POTA had widespread opposition not even in the Indian parliament but throughout India especially with the human rights organization because they thought that the act violated most of the fundamental rights provided in the Indian constitution.

The UAPA was actually framed to deal with associations and activities that affected the territorial integrity of India. Since, when this bill was debated in parliament, political leaders insisted that its scope be so limited that the fundamental right to association should not be affected and those political parties should also not be subject to any kind of intrusion by the executive. Therefore, the scope of the Act was strictly limited to meeting the challenge of the territorial integrity of India while giving proper regards to the fundamental rights and freedoms.

Further, for taking cognizance of any offence under this Act prior sanction of the central or the state government, as the case may be, is necessary. Criminal Procedure Code, 1973, is made applicable in matters of arrest, bail, confessions and burden of proof. Those arrested are to be brought before a magistrate within 24 hours, confessions are no longer admissible before police officers and bail need not be denied for the first three months. The presumption of innocence leaving the burden of proof on the prosecution has also been restored. The evidence collected concerning interception of wireless, electronic or oral communication under the provisions of the Indian Telegraph Act or the Information Technology Act has been made as admissible evidence against the accused in the court.

CONCLUSION

However, a desirable outcome requires sufficient resources in respect to manpower, technology and infrastructure to put into the investigation and monitoring of terrorist suspects so that there should be solid evidences to charge these people with attempting or conspiring to commit offences rather than simply taking them off the streets for 14 or 28 days. This is of course assuming that the information that the police are relying upon is correct. If it is not, an innocent person is unjustly punished with imprisonment.

The countries have to come out with required legal powers their governments need to protect the security of its people, and the requisite ways to balance the effectiveness of

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35 See Unlawful Activities (Prevention) Amendment Act, 2004, s46.
the powers against the need for safeguards and due process of law, while complying with the procedures.

The governments of different nations should take the collective initiatives to tackle the problem of global terrorism in regard to the adoption of modern security measures. It needs to introduce modernized surveillance and communication systems which can detect the problem before it is too late. There has to be coordinated command, control and communication and intelligence systems in order to avoid any delay in action. Further there is also the urgency of maintaining the diplomatic relations of governments while entering into negotiations with terrorists groups and making concessions in exchange for the group’s renunciation of violence. While governments are often reluctant to do so at the beginning of terror campaigns, negotiation may be the only way to resolve some long-standing disputes. Therefore negotiations are to be considered as the best policy in fighting terrorism. Governments should treat terrorism as a heinous crime and therefore pursue the extradition, prosecution and incarceration of suspects. It is also very important to make a note that corruption, which is the root cause of a number of problems and bottlenecks most of the countries are facing, is also responsible for increasing terrorist activities. How does a person enter a secured area with arms and ammunition, either out of ignorance and lack of responsibility or due to corruption and greed at grass root level? The strategy to combat terrorism should include all these issues. We must locate the people who are enabling these acts by arranging and providing shelter, money, manpower, boarding and lodging, ammunition, information and then hiding places after the operation. Until those people are identified, this problem will persist. Any information related with any suspected person is to be disclosed to the police. Lastly, awareness among the responsible nationals of a country also plays a vital role in overcoming the problem. The relevant steps undertaken by an aware national are; educating the neighborhood, connecting and communicating with the government, being a leader at the workplace or community, generating funds or donations and if further required also rallying / creating agenda’s taking up Community Service, writing content for flyers/objectives/blogs etc. and supporting the victim’s/casualty’s family.  

At international level efforts should be made to organize international symposiums on terrorism once a year and exchange information, where all countries participate, while the sub-committee should meet more often. This will give more meaningful attention to this ulcer by all concerned. However, it is equally important that, more comprehensive research is carried out, especially in areas most affected to arrive at a realistic estimation of the needs, resources and actions needed on the international platform.

Unless every one of us put our sincere efforts into fighting terrorism, we will see many more incidents such as September 11 and the Mumbai terror attack throughout the world.

The conceptual confusion is that when we deal with terrorists through stringent preventive detentions, we effectively combat terrorism, terror still continues. Terrorism which has roots everywhere needs to be combated with determination and collaborative efforts of all nations. The strategy is two sided. One, enact laws which allow combating terror through the use of technology, electronic devices, interceptions, satellite networks

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36 The author has suggested few suggestions to overcome the situation of terrorism enshrined in her thesis, “Cross Border Terrorism in India: A study with reference to International Regime” which is submitted in the Department of Law, Guru Nanak Dev University, Amritsar, India for the partial fulfillment of her degree of Doctor of Philosophy.
and management systems. These institutional arrangements would allow various security agencies to share information. These mechanisms need to be strengthened.\textsuperscript{37} Besides, we need to invest vastly in building human resource capabilities within our security personnel in respect to modernized training, well equipped guidelines by the experienced trainers, and establishment of specialized forces with unique skills to deal with terror and forensic abilities, which can prevent incidents of this nature. Secondly, having access to information to deal with terrorists through legislation is more effective and inspires public confidence and is consistent with our constitutional values. And last but not least, the protection and promotion of Human Rights and the common law principles of fairness, equity and justice under the rule of law is essential in the prevention of terrorism. If human rights are violated in the process of combating terrorism, it will be self-defeating. Lack of hope for justice provides breeding ground for terrorism. The threat is real. The remedy requires a mature response.

It is widely believed that terrorism is undoubtedly a response to injustice and that the terrorists are the people considered to be the victims of their circumstances forced to take desperate actions by intolerable conditions. Illiteracy, unawareness, revenge, poverty, hopelessness, or political or social oppression may be the sources for terrorism. By taking into account this reasoning, the way forward is to remove or at least to reduce terrorism by tackling its sources, to deal with the grievances and frustrations of the terrorists, rather than simply trying to suppress terrorism by brute force. Undoubtedly, it is a holistic challenge to combat terrorism and taking into account the various sources is a complimentary task.

Reference List


Climate Change Governance and Funding Dilemma in Nepal

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Abstract

Climate change is now becoming a serious social and environmental problem of the world and development issue in developing countries. The decade long negotiation on climate change has progressed in policy debate but contributed less in terms of real action on ground. This study tried to explore and analyse governance and financing on climate change adaptation with particular reference to Nepal using political economy and institutional analysis framework. The findings suggest that Nepal has attempted, but not been able, to capitalize on international and national funding and implementation of its adaptation priorities. The national outlook and public support is positive in Nepal. There are, however, some issues around institutional and financial mechanisms. Lack of policy coherence, donor aid fatigues and sectoral fragmentation of programmes are together preventing the conducive environment for adaptation to climate change in Nepal. This is impaired by the lack of sufficient information on country’s exposure to climate change which constrains decision making at different levels. One of the plausible strategies to overcome the governance challenges can be decentralized mainstreaming actions that promote collaboration and engagement among various actors.

Key words: Adaptation, climate change, collaboration and engagement, governance, mainstreaming

INTRODUCTION

Timid progress on mitigation has increased the need of urgent actions on adaptation for individuals, communities and nations for securing livelihoods and sustaining development achievements (Huq et al., 2003). This fact was agreed by international community as reflected in the Bali Action Plan (decision 1 c and d) (United Nations Framework Convention on Climate Change (UNCCC), 2008). The Cancun Agreements reaffirm putting adaptation of the same importance to mitigation recognizing unequivocal warming of the climate system mostly due to anthropogenic greenhouse concentrations (UNFCCC, 2011). These international agreements on adaptation warrant appropriate actions globally to support the vulnerable communities residing in poor and vulnerable countries.

1 Actions on mitigation and adaptation through financial and technological interventions by all possible means
Poor communities in least developed countries have other urgent priorities like poverty alleviation and fulfilment of basic needs. The social and economic problems are massive and urgent in these countries. In this context, poor countries like Nepal are at the cross road stretched by development priority, bearing the burden of adverse impacts of climate change and environmental responsibility. This reality emphasizes the need for mainstreaming climate change adaptation into development.

On the other hand, mainstreaming progress has been limited by the international discussion and negotiation around adaptation financing (Klein et al., 2007). While there is no universally accepted definition of mainstreaming, it has been variously defined and described. According to Agrawal (2005), mainstreaming is defined as “the integration of climate change vulnerabilities or adaptation into some aspect of related government policy such as water management, disaster preparedness and emergency planning or land-use” (p.15). It is clear that for any cost associated with adaptation to climate change impacts, the historical responsibility of compensation and support of industrialized and developed countries is important. It is principally agreed among the international communities through UNFCCC processes and associated agreements (Kyoto Protocol, 1997; Bali Action Plan, 2007; Copenhagen Accords, 2009; Cancun Agreements, 2010). However, the support (both on finance and technology) till the end of its date is voluntary, limited to pledges and commitments.

Discussions and decisions on adaptation financing should build on the agreed principles and expand further to adopt legally binding agreement which rests on new, additional and sufficient resources to help the vulnerable population in poor countries to adapt (Bouwer, 2006). However, this is yet to come into reality to relieve these communities and their natural resources.

There are also issues related to governance of climate financing and promoting adaptation in Nepal. Although there are issues at global level, fixing operational modality at national and local level is relatively urgent and important. The policy makers and development agencies are desperately looking for information and evidences that demonstrate practical effectiveness of approach and mechanisms of facilitating climate change governance. Therefore, this research paper is relevant to support government of Nepal and Nepali stakeholders to identify an operational modality for fixing governance challenges and finding effective ways of implementing adaptation responses at the local level.

**METHODOLOGICAL FRAMEWORK**

This study tried to explore and analyse governance and financing dilemmas on climate change adaptation with particular reference to Nepal. Specifically it aims to explore the dynamics of policy development, fund flow and resource management in climate change adaptation in Nepal. Nepal was selected because it is one of the most vulnerable Least Development Country and is identified as the pilot country for multilateral and bilateral funding on adaptation. There were a total of 173 respondents who were directly consulted for the study purpose\(^2\). The respondents included 126 from households, 40 from practitioners (community, government and NGOs involved in projects and programs), and 17 representing policy makers (government officials and policy makers).

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\(^2\) The perception of respondents used in this research was adapted from the main author’s preliminary outcome of the PhD thesis (unpublished) so this article will be adapted in the thesis.
and donor communities. The research involved both structured and semi structured interview with the participants in order to draw their perception about climate change governance in Nepal. For community level interaction and interview, two village development committees Bangesaal and Dhungegadi were selected purposively. Similarly, the respondents for practitioner and policy makers were selected purposively based on their experiences and work in implementing climate change project/program and engagement in policy making process.

The analysis was based on the available information published and interaction among individuals on vulnerability to climate change and adaptation financing. Information derived from various sources (community, practitioner and policy makers) was triangulated to analyse issues and where possible case examples have been presented to simplify discussions. Cluster analysis\(^3\) was used to map the difference in perception of stakeholders.

**Theoretical Framework**

This research used the political economy analysis framework in analyzing the governance of climate change adaptation in Nepal. The political analysis framework has been used by the development agencies since past few years. The development partners, particularly World Bank and Department for International Development (DFID) used this framework to analyse the overall governance structure at country level and examining the drivers of change and influence (Tanner and Allouche, 2011).

The political economy was first introduced in climate change policy analysis by Brandt and Svendsen (2003). The authors looked into the analysis of the choice of instruments to control climate change in the European Union (EU) policy on meeting Kyoto Protocol. Latter, Tanner and Allouche (2011) proposed a new framework. This new framework proposes conceptual and methodological approach for analysing the political economy of climate change. It is based on the premises that it is necessary to understand the impact of regional or global drivers on domestic change processes given the increasingly interdependent nature of the current global system. The framework focuses on the climate change policy processes and outcomes in terms of ideas, power and resources (Tanner and Allouche, 2011, pp. 2-4).

This paper also referred to the institutional framework proposed by Agrawal (2008) to explore the dynamics of stakeholders and their role in climate change governance. Hence, adapting the political economy and institutional framework, the research has analyzed the policy, institutional and financial mechanisms governing climate change in Nepal. The influencing factors, such as power and resources, were assessed in the overall shaping of agenda and designing mechanisms at national level.

**Context Setting**

Nepal is considered to be one of the countries that are most at risk to climate change effects. Climate Change Risk Atlas 2010 ranks Nepal as the 4\(^{th}\) most vulnerable, indicating the extreme vulnerability situation of the country\(^4\). Disease epidemics,  

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\(^3\) The software developed by Social Analysis System (SAS) working groups is used for the analysis. www.sas2.net

\(^4\) WB, ADB and DARA reports (2010), Maple croft Climate Change Risk Report (2009/10)
landslide, floods, forest fire, thunderstorms and cold waves have dominated disaster events in the past (UNDP, 2009). In the last two years over 1.9 million people have been severely affected by similar events (Nepal Climate Vulnerability Study Team, 2009). There are evidences showing the strong linkages between poverty and climate change (Gentle and Maraseni, 2012).

Nepal's climate is largely the function of altitude and aspect due to its mountainous topography. There are several distinct micro-climatic areas that consist of peculiar climate conditions. There is a large spatial variation in annual rainfall across Nepal ranging from less than 150 mm to more than 5,000 mm, and similarity with its temperature (Practical Action, 2009). The change in temperature and precipitation observed so far for the last 30 years is uneven pattern despite variation of temperature which is higher in higher altitude (Practical Action, 2009). The rate of warming in the Himalayas is greater than the global average, confirming that the Himalayas are among the regions most vulnerable to climate change (Shrestha et al., 2012). Although not enough, impacts were seen in hydrological systems, agriculture and weather related hazards such as drought, extreme rainfall, and forest fire (Alam and Regmi, 2004; Malla, 2009).

Though not in required pace, “climate change has received a high level political support in Nepal, which in turn led to the development of national level policies” (Institute of Development Studies & International Institute for Environment and Development, 2011, p. 10). Over the last 2 years, a number of institutions related to climate change were established at the national, sectoral and local level (Ministry of Environment, 2011). Nepal prepared National Adaptation Program of Action (NAPA) launched in October 2010 endorsed climate change policy recently. The government has established climate change council under the chairmanship of the Prime Minister and strengthened the Ministry of Environment and its mandate to coordinate by approving climate change division within the ministry. Government has also endorsed the framework for Local Adaptation Plan of Action (LAPA) recently to support the implementation of adaptation priorities identified in NAPA. Similar efforts were made in areas of renewable energy, Reducing Emission from Deforestation and Forest Degradation (REDD) and low carbon development (MoE, 2010).

The country also has put in place a Donor Compact on climate change, signed in September 2009 by 14 key development partners and the Ministry of Environment, which sets the scene for donor harmonisation and alignment around nationally prioritised climate change initiatives. Initiatives were also taken by civil society organizations as well from various perspectives through different sectors and integrated approaches on climate change adaptation as it appears in Nepal Climate Change and Development portal of Nepal Climate Change Knowledge Management Centre (NCCKMC).

**FINDINGS AND DISCUSSION**

**Climate Change and Technological Barriers**

Climate change is perceived as a reality in Nepal. The impacts are felt by millions of communities living in fragile and rural areas of Nepal. The findings of the community consultations in two of the research villages, Bangesaal and Dhungegadi of Pyuthan district, also strongly suggest that climate change is no longer a sceptic but a genuine reality. More than 98% (out of 128) of the respondents expressed that the variability in
temperature and rainfall has increased in last 20 years. They also mentioned that rainfall variability is the major cause of problem observed in agriculture, food security and access to water resources. There were enough evidences at local level demonstrating the impact of climate change on the livelihood of poor and marginalized communities. The drying of well and springs and decline in agriculture productivity was heating hard on the livelihoods of resource dependent communities. There were other findings suggesting a similar trend in other parts of Nepal (Biggs and Watmough, 2012).

The severity of impact of climate change was out of the communities' capacity and coping ability. Findings of the household survey, carried out during the research in two VDCs of Pyuthan, also found the limitation of traditional adaptation practices. Respondents reported that many of the adopted traditional practices were ineffective. Almost 89.1% of the respondents in both the VDCs perceived that the existing adaptation options were ineffective and could not address the climate risk and impact. Similarly, the focus group discussion with local government officials, communities and civil society revealed that there was lack of information and technology to deal with extreme climatic events and uncertainties. Findings also showed that there was also a lack of government support and flow of resources on adaptation. Furthermore, government service providers were not confident about the technology needed to respond to the extreme events and impacts generated by climate change.

Issues around Climate Change Governance

Despite its positive move towards climate change adaptation, Nepal is facing challenges in climate change governance and more specifically issues related to climate financing. Many factors, both domestic and international, are involved in buffering climate financing. It is therefore necessary to understand both the international and national dynamics governing climate change financing and implementation modalities.

In climate change adaptation, the institutional architecture and governance is studied mostly from development assistance perspective. Bringing the institutional governance issues from developing country’s perspective and experiences will add value to the debate and discussion going on at both national and international level. Both the institutional and financial mechanisms are important pillar of governance, so they should be analysed together. This is largely shaped in by policy. Adaptive policies can only be effective if they are integrated (Tearfund, 2006). The following sections will outline the major issues and challenges related to climate change governance in Nepal.

Complexities in national climate financing

Climate change financing is recently in the spotlight and debate at national level. Regmi (2011) in his recent newspaper article described the debate saying

"the fundamental debate in adaptation financing, at national level, is the notion of implementing under aid umbrella or separate financial umbrella as currently agreed and debated under UNFCCC. There are principle differences in aid money and adaptation resources. Aid money is donors’ voluntary commitment to help developing countries to progress development, whereas the adaptation resources is a moral responsibility and compensation from developed countries and the right of least developed countries to have access to resources (Regmi, 2011, p. 4)."
But failing to realize this, largely on the parts of donors and to some extent on the parts of the recipient, has created a dilemma and hindrances in climate financing. Some critiques have highlighted that the lack of commitment from rich and developed countries has led to mistrust, creating deadlock in negotiation and also affecting the relationship between countries (Gupta et al., 2010).

But, Nepal does not have capacity to sustain damages and losses and needs external support for both development and climate change issues (Subedi, 2010). Therefore, it has faced two directional issues in receiving and managing climate financing stretched by its development priority coupled with environmental responsibilities among various pertinent agenda of inclusive development. Bringing both priorities together forward is not possible without integrating them for which good governance is the key (Ayers, Kaur and Anderson, 2011).

The development partners’ condition of aid is related to the conditions on public financial management system, security, stability and transparency. Nepal has dropped in Transparency Internationals corruption perception index in recent years (Oxfam, 2011). This has triggered in lack of trust of donor agencies with the public financial management system. This situation is true as of many least developed countries as the condition for aid and will trigger how financial resources are channelled and managed. More than 60% of the bilateral funding in Nepal is through the direct channel (Regmi, 2011). Only in sectors like health and education, the government and donors have worked out ways of budget support for implementing sector wide approach. This sector wide budget system was also criticized by government officials. There are conditions and requirements set by development partners where government should comply. There were often issues related to the differing ways that donors work with government and in the spectrum of projectised to programmatic support (Bird, 2011).

Ayers et al. (2011) argue that the real drivers of the global political economy of climate change are the evolving financial architecture at both international as well as National level. This implies that understanding the climate financing at National level is key to understanding climate change governance in general. Nepal has submitted its NAPA to UNFCCC. The total 9 programmes prioritized in NAPA as most urgent and immediate require 350 million USD to implement; the total requirement for implementing NAPA is over billion US dollar for coming 3-5 years (Oxfam, 2011). The detailed climate financing is outlined in Appendix 1.

The Climate Public Expenditure Review carried out by UNDP/UNEP shows that there are 13 programs, with a total cost of USD 326 million, funded or in the process of being funded by donors. The proportion of government versus donor funding varies within the five year period. Government funding on climate change was 54.2% in 2007/2008 and it decreased to 44.1% in 2011/2012. In contrast, the proportion of donor grant increased from 20.7% in 2007/2008 to 40.4% in 2011/2012. Of this amount, approximately USD 225 million is in terms of grants and about USD 101 million is in terms of loan. This proportion of grant to loan is approximately 70 to 30 percent (Bird, 2011, pp. 39-43).

The entry of Multi donor trust fund generated some controversies in climate financing. There are issues in terms of loan acceptance in climate change adaptation. The Special Programme on Climate Resilience (SPCR) has provided 86 million USD to Nepal for implementing climate resilience programme out of which 36 million is loan. This has drawn a lot of criticism of the government and donors. Civil society and the media have
strongly advocated against loan in climate change adaptation\textsuperscript{5}. They raised concerns over violation of UNFCCC agreement on the liability of developed countries to support the poor countries. The donors, particularly the World Bank and Asian Development Bank were interested to bring private sector investment in the SPCR through loan arrangement.

**Institutional and policy inconsistency**

Institutional and governance barriers need also to be tackled in terms of climate financing. The issue of who should coordinate and manage climate funds is also of interest to government. The Ministry of Environment in Nepal is yet to become confident and confirm its role on climate change either to act as coordinating body among ministries or management of climate funds. Lack of trust, clarity on roles and responsibilities and coordination was one of the constraints between ministries and between donors, governments and civil societies in terms of capacities, transparency and accountability.

In climate financing, there is rare discussion on the role of private, public and civil society institutions in transparent manner (Bird, 2011). As authorities put personal interest high up to national interests, institutional setup are so designed and devised that organizations lacking sufficient fund to please authorities do not have access into these setup despite their capability and expertise on climate change. Government officials nominated civil society organizations of their choices such as in the Multi-stakeholder Climate Change Initiatives Coordination Committee (MCCICC)\textsuperscript{6}. The issue was lack of transparency and inclusiveness in government established governance mechanism.

The institutional environment was also equally responsible for shaping the climate change governance in Nepal. The power dynamics among institutions and the control over resources were a major issue. The climate change financing was more controlled by the donor agencies and non-government organizations. People had less access to financial resources. The majority of the respondents interviewed in two research sites mentioned that they lack direct access to financial resources. The aspiration for direct access was high among the communities and local stakeholders. Similar study conducted by Yates (2012) also outlined that the networks of powerful and well-connected political actors are able to control adaptation projects and the flow of knowledge and information.

There were also issues around institutional governance due to weak monitoring system and law enforcement. It was further damaged due to high political interferences and corruption cases. The political instability in the centre is affecting the fiscal planning and budgeting system as well as largely on the government’s development programme and reach in rural areas. “Political instability for the last two decades and current stalemate over agree(ing) a new Constitution has inhibited government agencies to focus on mainstreaming agenda” (Khadka et al., 2012, p. 13). Many of the stakeholders, during consultation, highlighted issues around transparency and corruption providing examples of development planning. Interestingly expenditure of development budget was also a problem as many government bodies had not met their annual target. This kind of risks

\textsuperscript{5} Say no to loan was launched as protest theme in social networks and media by civil society networks like CCNN, NGO group on climate change, etc.

\textsuperscript{6} Framework for NAPA implementation (Ministry of Environment, 2010)
is also true in many least developed and developing countries mostly in Africa and Asia (Lasco et al., 2009; Senaratne et al., 2009; Sietz et al., 2008).

There were also policy dilemmas in climate change. The only policy document that talks about climate change adaptation is climate change policy. Climate change policy was recently endorsed by the cabinet. But the process adopted was criticized by many civil society and community groups as it failed to consult wider stakeholders at the interest of international agencies dominating authorities in the ministry (Helvitas, 2011). The interview with communities revealed that more than 99% (out of 128) were not aware about the existence of climate change policy. Similar responses of ignorance were also observed during consultation with NGOs.

National priority and available human resources to climate change issue

Climate change is a new area of research and policy in Nepal. There were very few institutions involved in climate change debate and discussion; practical interventions are rare. Government capacity in climate change was very weak. This has also affected the understanding and awareness among government line agencies about the urgency of climate change problem. The political parties and government leadership were busy in messy politics and has little time to think about climate change.

In separate consultation with policy makers, practitioners and communities, the researchers asked their perception on the importance of elements for climate change governance and priority of focus. There was divergent of views and understanding among the majority of actors as shown below. The policy makers were interested more on policies and programme; whereas, the communities and civil society and NGOs were interested in action and practice. Similarly, the government and NGOs prioritized the financial flow as a major element to climate change governance. But communities viewed the access to financial resources as their priority. Communities and NGOs perceived decentralization and devolution as important elements to governance. This view was also supported by government officials working in implementation. But the policy makers did not give much importance to these issues. There was similarity in views about the significance of transparency and accountability among actors. See the detail analysis of different among the major actors (Figure 1).

This information is useful to understand the dynamics of perception among different actors. It provided clear views on the different priorities and emphasis of actors. The conflict of interest arises from these divergent perceptions and prioritizes of stakeholders. In above case the communities and NGOs shared their common vision towards climate change governance slightly differing from government and policy makers views. It is thus necessary to view governance issues across different scales of institutional hierarchy and actors.

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7. This part of the findings is adapted from the main researcher’s PhD research outcome.
8. Perception was ranked in 1-5 scale where 1 is the lowest priority and 5 as the highest priority
9. Cluster analysis was used to map the similarities and difference in perception on the priorities of different actors.
Besides priority, the information and knowledge on climate change affects decision making process. Information generated by civil society and International NGOs were limited to isolated cases. The local level communities and stakeholders consultation during the research process also identified information and knowledge gap as key challenges to addressing climate change governance at local level. The government and I/NGOs seldom recognize each other’s efforts and good practices and in many cases their activities were limited to advocacy in city centres. There was also a problem of brain drain due to lack of opportunity and fluid political context with major implication to human resources and labour force required to sustain rural livelihood and economy.

Reliability of climate information

After all, climate change is real and potentially severe for natural resources in Nepal. Resource dependent poor communities are at the forefront of the risk of adverse climate change impacts. Natural resources are common property resources already facing tragedy of commons\textsuperscript{10}. Climate change is likely to affect many resources and is a concern for all.

Nepal has available weather data for only a short period since 1975 for analysis and they do not represent all the diverse climatic situation of the country. Sparsely distributed and redundant data cannot represent the country’s climate system and its change. So, there is a gap in climate information in Nepal. There were uncertainties for the future as there was lack of sufficient data to predict future climate scenario (Dahal, 2008). Other factors, such as land use practices, massive deforestation and unsustainable development practices, often made development more challenging in Nepal. So, it was

difficult to identify climate change contribution to the consequences on the ground. Precaution is thus necessary while attributing consequences to climate change.

While observed changes on the ground were interpreted and attributed forcefully to climate change alone, future predictions were made based on the institutions that misguided the science\textsuperscript{11}. Such predictions are likely to decrease the trust on scientific climate forecasts inviting the story of ‘crying wolf’ into reality. So far, it is undergoing the tragedy of malicious misinterpretation, false attribution and propaganda dominated by the vested interests. Our information system and academic articles romanticized the experiences of local knowledge and experiences (Rai, 2011) as the basis of prediction. Reliability of climate information needs to improve and movement should come in the right track before it is too late.

Retrofitting and Redesigning of Climate Architecture in Nepal

In Nepal, concepts and discourse of climate change adaptation finance and most importantly the governance are at a cross-road. There is clearly the demand for government leadership to fix the issues around governance. But equally the donor communities and civil society have to support the government to create a conducive environment for effective change. In the context of uncertainty within climate science, viable pathway as a no regret option could be:

Mainstreaming Climate Change Adaptation into Development Planning

Climate change is a multifaceted problem and demands the involvement of multi-sectors and institutions. It challenges the traditional sectoral approaches and demands for cross sectoral response and coordination. Mainstreaming offers the opportunity of addressing the multi-dimensional complexities in adaptation and leading towards more harmonized and collective response to climate change impacts.

Mainstreaming climate change adaptation will also address the institutional constraints and challenges faced in the development sector in the past. It will overcome resource overlaps and inefficiency. Mainstreaming as a process and approach will also bridge the gap of planning deficiencies - promoting the mix of top down and bottom up mix of planning responses. There are however challenges to adapt mainstreaming agenda. Therefore, the first approach to mainstreaming should start with identifying ways of building synergy in the existing policy, programme and projects and attempting to harmonize them. During local level consultation, the integration of climate change in development planning was the top priority of local stakeholders.

Crafting Appropriate Institutional and Financing Architecture

Given the opportunities and constraints in the leadership of many government line agencies in management of climate financing in Nepal, there is no prescribed single option on the table.

The comparative advantages of institutions\textsuperscript{12} as well as constraints point out the need to explore a mutually trusted \textit{National Entity}\textsuperscript{13} under the government ownership for facilitating climate financing in Nepal. The resources could flow from donors or international regime to the Ministry of Finance. The Ministry of Finance provides the annual budget based on a plan to the national entity. National Entity will then manage on behalf of the government of Nepal and coordinate with line ministries, civil society and community groups to implement the programme. The high level policy coordination could be done by the Prime Minister chairing climate change Council on approval of national budget for climate change which will include the allocation of resources for sectoral and common pool activities. A similar type of institutional modality could also work at grass root level.

\textbf{Increasing Multi-Stakeholder Involvement in Implementing Adaptation}

As climate change affects almost every phenomenon on the earth, climate change adaptation demands a system of effectively functional institutions and networks involving local to national and international actors. These institutions can bring comparative advantages and add value to foster adaptive capacity and community resilience. The purposeful participation and engagement of stakeholders can be both in terms of management as well as service delivery. The mix of local and national capacity in forging meaningful dialogue and delivery is important in an adaptation context. There is also argument that the important way of achieving collaboration will be establishing principles of adaptive and collaborative management within and between national and local institutions (West, 2012). The multi-stakeholder forum at national and local level is meaningful to forge consensus on the governance mechanism and delivery options.

\textbf{Addressing Knowledge, Technology and Capacity Needs}

The capacity to deal with climate change uncertainty and innovations around shaping implementation demands for new skills, knowledge, technology and capacity. It should go beyond national and sector specific limited capacity to more broad knowledge and capacity at various levels ranging from community to policy makers. Centralized information and knowledge management should be challenged with innovative and flexible and shared learning dialogue and knowledge transformation from one village to another, district to district, generation to generation and beyond administrative and political boundaries. Technology transfer debate has to happen within climate change community, government and donors. Similarly, the capacity need should be identified from a different paradigm that fosters capacity of recipient rather than experts and higher level agencies.

\textbf{Enhancing Reliability on Information}

Information on climate change, impacts and future predictions needs to be reliable. Authorities in responsible departments need to take urgent actions. Government can get external funding and technological support for such initiatives. Control and correction of misinterpretation and false attribution is equally important for responsible actions to cope

\textsuperscript{12} Institutions here refer to formal and informal organizations committed for collection actions.

\textsuperscript{13} The national entity is considered for an institution [that is] established by the government of Nepal to manage climate financing and coordinate between and among all relevant agencies and stakeholders in the country for climate change initiatives at both policy and practice. This entity would be semi-autonomous body closely working with DNA to UNFCCC and other national bodies.
with adverse impacts of climate change in Nepal. This demands for action to strengthen the research system for improving the information and knowledge on climate change.

CONCLUSION

Policy economy and institutional analysis suggest that the governance of financing climate change is important in Nepal. Financing climate change needs to be used effectively because of the severe threats of climate change and their impact on the poorest. Donors have not lived up to their responsibilities to fund climate change adaptation; Nepal has not effectively a) accessed existing funds, nor b) used effectively the money it has received. Donor reluctance to fund climate change adaptation in Nepal is diminished by documented corruption and distrust of the Nepal Government capacity to manage finances.

The Government of Nepal has made a commitment to climate change adaptation in terms of policy documents, but not yet in terms of practice. This is the core of the ‘governance’ argument. The governance failure is due to a problem of institutions (between formal institutions including organizations, structures and systems and informal institutions such as norms and practices). The Ministry of Environment has principal responsibility, but is not trusted by other ministries (ministries are like ‘silos’) and that planning adaptation is not decentralized.

One the basis in describing the governance problem, this paper argues that the solution lies in a) ‘mainstreaming’; b) creation of a national entity; and c) decentralization, including but not limited to using the community-based resource management model for planning and implementing adaptation and addressing issues around knowledge and technology barriers.
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Appendix A

Funding scenarios on climate change in Nepal

As of 2010, Least Developed Country Fund (LDCF) has about 180 million in total and is expected to reach $ 500 million by 2015. The current allocation for Nepal is around 10 million if divided among LDCs equally. Nepal might have 10-15 million USD (with probability of getting maximum out of it) in future to implement its urgent and immediate priorities identified by NAPA. Currently, government of Nepal is working with both UNDP to develop Project proposal for disaster risk reduction project. There is another financial window, Climate Investment Fund (CIF), which can be an opportunity for Nepal to access financial resources. The available resource is $ 6.1 billion for climate technology fund and strategic climate fund (Ayers et al., 2009). There are already committed multilateral funding in Nepal, like PPCR, with 50 million grants and 36 million concessional loans. Resources is also announced for Nepal though Scaling Renewable Energy Programme (SREP) with around 40 million USD to invest in renewable energy and low carbon development policies and pilot programmes14. Similarly, World Bank has provided 3.4 million USD to prepare REDD Readiness Plan for Nepal.

There were bilateral commitments being made for climate change. The UK governments department for International development (DFID) had committed to support climate change adaptation work in Nepal. European Union had also joined hand with DFID and used its Global Climate Change Capacity Assistance (GCCA) money to address the capacity building needs and mainstreaming issues on climate change. The total commitment is 18.9 million for 4 years. The USAID has indirectly provided (through INGOs) more than 40 million USD on climate change. There are other direct and indirect supports on climate change but largely focused on technical assistance.

Source: Adapted from Regmi, B. (2011, p. 4), 'Shocked and Stressed', The Kathmandu Post, July 5, 2011.

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14 Climate Investment Fund (CIF) website www.cif.org
Climate Change and Climate Refugee in Egypt: An Overview from Policy Perspectives

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Abstract

The discourse about the climate induced displacement has been sidelined by the fact that the existing international Agreements and/or Treaties do not recognize climate refugees. It is unlikely either that an immediate action will be undertaken to address this evolving issue. It is important to recognize that the international and national recognition of environmental migration is a burgeoning need - the reinforcement and adaptation of infrastructure in countries at risk, and the development of infrastructure to manage migrants once they move, both in local and urban areas, and in destination countries, in the case of international movement. Redefinition of refugees is important to immediately address this issue, and countries prone to climate change such as Egypt merit serious consideration.

Key words: Climate change, drought, Egypt, refugees, sea level rise

INTRODUCTION

‘Environmental migrants are understood to be those individuals, communities and societies who choose, or are forced, to migrate as a result of damaging environmental and climatic factors’ (Morton Andrew, Philippe Boncour and Frank Laczko, 2008).

The significance of the discourse about climate and climate refugee lies in the alarming fact that the world will witness 200 million climate refugees in the coming four decades (Myers, 2005; Hugo, 2008). Some other organizations fear that the number may go up to a billion. In October 2008, a summit was held organized by the United Nations University to specifically address the issue of human mobility caused and induced by environmental degradation (United Nations, 2008). This topic obviously is not a fresh one. This was, however, considered the first major concerted discussion that dealt with causes, policies and rights surrounding environmental displacements. The results of this summit attached considerable emphasis on this growing phenomenon that is causing human displacement on the global front. From a number of high-profile weather related disaster such as the Tsunami of 2004 and Fukushima Disaster in 2011, it has become clear that the world is facing an environmental shift. This shift is obviously adverse. International, national and multi-lateral organizations have been expressing serious concerns about this change and its attendant consequences (Hugo, 2008). However, the significance of the issue of displacement and migration in response to environmental changes, and the magnitude of the problem is still largely left unattended by policy makers, researchers and academics (Brown, 2007). Displacement is a challenge faced by the international community that represents states, international organizations, intergovernmental organization and international bodies governed by international law. Policy makers...
grapple with the responsibility of source and destination countries to provide humane options for these transient populations (Brown, 2007).

Without defined and internationally agreed-upon mechanisms for managing migration of this population, human rights violations may go rife, and these populations continue to be viewed as a burden for societies they settle in (Black, 2001). This is no less the case for environmentally-forced or induced migrants in particular (Reuveny, 2007). However the situation is further complicated by their claim to vulnerability, and the ambiguous ethical responsibilities of the responsible states, should it be decided that its contribution to climate change had a causal factor in the conditions that forced these population mobility (Afifi and Warner, 2008). Hugo (2008) argues that the most environmental migration occurs intra-nationally. However, the counter argument is that intra-national and international migrants have never been segregated by causes. It might be true that the climate degradation may not create migrants immediately. Therefore, we are not aware if most of them are moving internally. Based on Hugo’s claim, however, a question comes on how much can be done through international policy and what jurisdiction the international community has in imposing or ensuring the status and rights of these migrants.

If we look at the root causes of the grim climate changes, we may wonder about the emissions rate of CFC. Obviously, industrialized nations have the highest. There are some nations that emit CFC far higher amount than the Treaties allows. They are, therefore, more or less responsible for the dramatic degradation of the environment. This paper takes the position that climate change is occurring some of which can be attributed to the responsible states. In addition, although climate change, and much of the resultant migration, is a slow process, it is necessary, for the international community, in particular the responsible states, to set up policy systems to reduce and manage this form of human mobility, for security reasons as well as humanitarian causes (Brown, 2007; Hugo, 2008). Human mobility caused directly or indirectly by climate change and environmental degradation is referred to here as climate or environmental refuge.

This problem is no longer confined within one country or a region. It has rather become a global concern. Therefore, this has to be faced and managed with global effort. In the Middle East and North Africa (MENA), Morocco, Tunisia and Libya, for instance, are each losing over 1000 square kilometres of productive land a year to desertification. In Egypt, which is uniquely dependent upon irrigation, half of irrigated croplands suffer from salinization (Myers, 2005). Turkey has lost 160,000 square kilometres of farmlands to soil erosion (SAAW International, 2007). This statistics may not look that grave. However, the implications for the respective countries are really crucial.

This paper takes a particular look at Egypt, as a country in the Global South, which is in the intriguing position of being a potential source country, as well as current and future destination country for both migrants and refugees in Africa (Afifi, 2009). It has become increasingly clear that the 1951 definition of a refugee is inadequate for determining the protection rights of the multitude of vulnerable displaced peoples, given the complex migration pressures in the globally current circumstances (Hugo, 2008). In addition, current refugee and migration policy, including international programs managed by International Organization for Migration (IOM) and United Nations High Commissioner for Refugees (UNHCR), aimed at managing the flow of refugees and migrants are
inadequate for the volume, and ineffective (Myers, 2005), creating populations of indigent dependents rather than productive members of society.

**CLIMATE CHANGE, DISPLACEMENT CORRELATES**

The inextricable link between climate change and displacement has been recognized by policy makers, scientist, researchers and academics (Black et al., 2008). However, actions about solving this grave problem are not loudly heard. The major dilemma facing advocates for the recognition of climate migration is the lack of an appropriate terminology and definition. Currently, environmental migrants are not internationally recognized. Therefore, policies that exist to protect refugees do not entail to protect the causes of the climate refugees (Myers, 2002; Ramolgan, 1996). El-Hinnawi’s (1985) call for the recognition of climate refugees has sparked a debate. El-Hinnawi represented UNEP, and the use of a more ‘urgent’ term (i.e. refugee) would have been expedient in terms of securing potential funding for his agency (Black, 2001). This type of political motivation has continued to serve as the driving force in the debates as to whether individuals or families who move due to environmental pressures are ‘refugees’ or ‘migrants’ and whether they are environmentally ‘motivated’ or ‘forced’ (Renaud et al., 2007). Each of these terms is loaded and carries significance in terms of what type of aid this population is entitled to.

Currently, the only term or definition to be put forth by a UN body is that of El-Hannawi, despite the fact that there is clear disagreement among UN agencies, as evidenced by the fact that UNHCR refuses to recognize environmental migrants as ‘refugees’ under its mandate (Myers, 2002). However, there is of course debate about the scope of El-Hannawi’s definition. Some find it too broad and there have been numerous calls to narrow and specify it (Renaud et al., 2007). Even the preliminary findings of the European Union’s extensive EACH-FOR project did not produce consistent terms to refer to environmental migrants (Environmental Change and Forced Migration Scenarios, 2008).

*Figure 1: Showing Climate change-displacement link*

Source: by the author, 2012
Bates (2002) presented three categories of disruptions that may cause environmental displacement: disasters, expropriations and deterioration. The first two categories are acute and can be either anthropogenic or natural events; individuals who are forced to migrate due to these events which Bates refers to as environmental refugees (Bates, 2002), or in the case of development projects, expropriation refugees. The third category of environmental disruption is the most ambiguous, occurring progressively by either natural or anthropogenic means, and often affects the population indirectly. This type of environmental migration also follows a pattern similar to economic migration, characterized by ‘dispatch migration,’ where individual members of households are sent out initially to take advantage of possible economic advantages elsewhere, and later followed by their family, if greater opportunity comes up there (Afifi, 2009).

Expropriation refugees are usually provided for by the state, as a condition of the development project that displaces them (Bates, 2002). However, environmental emigrants are generally treated similarly to economic migrants, and thus are subject to similar forms of exploitation. Given the gradual, and often localized, progression of this type of environmental degradation, usually a result of desertification, salinization of agricultural land, or sea level rise and encroachment - this type of migration generally occurs within a country or region, leaving individuals internally displaced, and therefore reducing international jurisdiction (Bates, 2002). In addition, the lack of intensity of this type of movement, unlike migration spurred by the first two categories, makes it seem less urgent, both to policy makers and to the public.

I trust the debate about climate change is anthropogenic or nature and will continue. The reality is the predicament in determining whether migration is environmentally sourced is resolving the degree to which climate change or environmental degradation causes population’s displacement. According to Renaud, Bogardi, Dun, and Warner (2007), migration decisions are not made based on a single reason: commonly a number of factors play into a decision. This indicates the complexity of such a decision, and the difficulty of leaving one’s home (Ullah, 2010). The international debate has focused on whether this move is made out of ‘choice’ or ‘necessity’ (Hugo, 2008; Renaud et al., 2007); whether environmental degradation spurs voluntary or forced migration. This leads to some questions about the demarcation line between voluntary and forced. Who determines at which point an individual or family can no longer maintain a secure livelihood? Must they have exhausted their resources completely, arriving at a new location utterly destitute and completely dependent on an administrative body to provide for them?

It must be recognized that, at a very basic level, environmental emigration is integrally intertwined with economic migration, which is the root of the difficulty in distinguishing appropriate policies for the two (Adamo, 2003; Henry, 2006). All people who are threatened by environmental hazards do not move out. Some stay back as they think they are resilient enough. Resilience is not all about psychological strength; it is also about economic strength particularly, given the evidence that there has been a high contribution to climate change and environmental degradation by the responsible states (Hugo, 2008; Renaud et al., 2007). Ethical arguments come into play surrounding the recognition and protection of this form of migrant. At some point the responsible states have to come to terms with the devastation that their economic policies—notably neoliberalism (Marfleet, 2009)—have wreaked on much of the Global South. Therefore, an element of the debate will be the extent of ethically responsible societies.
Like mentioned above, one of the major distinguishing factors of the majority of environmental migrants, currently, is that they move, most commonly, within their country of residence. Since the degradation of land affects agriculturalists significantly more than any other employment sector, migration flows most frequently run from rural to urban centers, in search of other livelihood means. Except Tsunami 2004 and Fukushima disaster in 2011, the impact in most cases is slow and the mobility is slow as well. This means step migration is also constituted by climate migrants along with economic ones. Once they get to urban centers, they face a number of challenges including overcrowding, disease, discrimination, and a lack of the necessary skill set to gain employment suitable for their skills (Afifi, 2009; Hugo, 2008). This renders them a burden on the society, which breeds resentment and frustration in the local population, particularly in situations where there are low or dwindling resources to begin with (Reuveny, 2005). Most developing countries do not have an infrastructure in place to help integrate migrants, and many do not have the resources to initiate such a project.

Reuveny (2005) argues that there are two possible reactions to devastating climate change: either to develop ways to adapt and defend against it, or to vacate the area in favor of a more hospitable environment. He goes on to state that the developed countries are more likely to have the resources and the technological capabilities to adapt and defend against potential devastation by climate change, while the underdeveloped countries of the Global South are more likely to resort to migration away from devastated areas. This fact is notable when one takes into account that studies have indicated that the primarily developing countries of the Global South (Africa, Asia and South America) are experiencing higher degrees of environmental degradation than the primarily developed countries (Reuveny, 2005).

The economy of the most countries of the Global South is dependent on agriculture and environmentally-based livelihoods (Renaud et al., 2007). This dependency has put them into more vulnerable situation because their livelihoods are contingent on the whims of nature. Since this trend appears to be happening across the Global South (Bogardi, 2007) it is comprehensible that, although, visibly at least, currently most environmental migration occurs within countries, eventually, should this trend continue, the pressure may go simply beyond our imagination (Environmental Change and Forced Migration Scenarios, 2008). This implies that problems related to environmental degradation could not be overlooked.

This means it is in the best interest of the developed states to intervene early in the process with directed aid and infrastructure support programs. This is also the most prudent option in psychosocial terms because, being mindful of the distress caused by the disintegration of communities and the general break-up and loss of social networks that results from displacement (Baron, Jensen and De Jong, 2002), migrants are usually in positions of greater vulnerability, and in need of greater aid investment after they have moved.

EGYPT AND CLIMATE CHANGE

The persistent climate change signals severe environmental devastation in the world. Egypt is no exception. The vast majority of the Egyptians lives on the Nile Delta and the rest of the country remain almost abandoned (Sterman, 2009; Ullah, 2011). The geographical location of Egypt has placed in a position to face several environmental threats. Droughts and rise in sea level are the main causes among others. The Nile
Delta is already subsiding at a rate of 3-5 mm per year. Only a 0.25-meter rise in sea level would devastate most cities that keep Egypt’s economy vibrant (Agrawala et al., 2004). A rise of 0.5 meters would place 67% of the population, 65.9% of the industrial sector, and 75.9% of the service sector, below sea level. Thirty percent of the city’s area would be destroyed, 1.5 million people would have to be evacuated, and over 195,000 jobs would be lost (Agrawala et al., 2004).

Tourism is one of the principal sectors that generate major foreign currency reserve. Climate change is predicted to harm this sector through SLR. About 20% of Egypt’s foreign currency earnings come from tourism and 12.6% of the workforce depends upon this industry (Yeranian, 2009). Water crisis already begins to surface in the region. The Nile waters originate outside Egypt, flowing through nine countries to the south - Kenya, Burundi, Uganda, Rwanda, Zaire, Tanzania, Ethiopia, Eritrea, and Sudan. Egypt and Sudan currently claim the vast majority of the Nile’s water. Ethiopia which already faces severe water crisis is demanding more water from the Nile than the Nile Basin Treaty of 1959 allows for. As the Nile’s waters dwindle, the survival of communities in Ethiopia and other states currently disputing water rights with Egypt will also be placed in jeopardy. Climate change could exacerbate the food security issues that Egypt already faces. The Climate Institute and others warned about Egypt’s vulnerability to drops in Nile flow, loss of arable land, and changes in Egypt’s trade balance for critical crops.

It is important to provide some information on the country profile. Egypt is an interesting case due to its status as a signatory to the 1951 and 1967 conventions on refugees, as well as the 1969 OAU Agreement, its interest to the international community as a gateway to Europe, and its status as a country itself at risk of major devastation due to environmental change (Jäger and Frühmann, 2009).

Strategically located in the Middle East and North Africa (MENA), Egypt is a party to a number of international Treaties and Agreements as well as a number of environmental treaties, including the Kyoto Protocol. Egypt is located in northern Africa, bordering the Mediterranean Sea between Libya and Gaza Strip. To the south it shares a border with Sudan. The country has a total area of 1,001,450 sq km, with 3,500 km of coastline facing the Mediterranean in the north and the Red Sea in the east. The dominant feature of the northern coastal zone is the low-lying delta of the River Nile, with its large cities, industry, flourishing agriculture and tourism (EEAA, 1999). The agricultural area represents 3.5% of the Egyptian territory (1.0 million km2 leaving 96.5% as arid desert lands (Abdel-Dayem, 1987). Egypt’s Climate is semi-desert, characterized by hot dry summers, moderate winters and rare rainfall. The Climate in Egypt has been changing in phase with global change, but with lower rates of variation. There is a downward trend in maximum temperature over the delta, over the northern part of Upper Egypt and over the extreme south of Upper Egypt (EEAA, 1999).

The growth of the Egyptian population has increased exponentially particularly in the last few decades, making it one of the most populated counties in the world. By mid-1990, the Egyptian population reached around 56 million; now in mid-2010 the Egyptian population is estimated to be 80 million. The urban population was recorded at 43% in 2008, with an estimated annual growth rate of 1.8%, indicating urban migration (Afifi, 2009). To date, farmers do not pay for water use for irrigation, which is potentially problematic since this means that they have no motive to adjust irrigation methods, and

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1 Egyptian Environmental Affairs Agency
flood irrigation is still widely used, although it has proven wasteful and highly damaging, contributing to increased soil salinity. Currently the two major environmental stressors facing Egypt are desertification and water shortages, compounded by saline intrusion in regions. There are recorded instances in both the Western and Eastern Deserts where sand dunes, caused by desertification and wind erosion, have eradicated villages and oases; however no systematic research has been done to track the migration of the former inhabitants of these locales (Afifi, 2009).

A rise of 0.5m in the sea level is expected in the coming four or five decades. As a result flood will occur in the Nile Delta and at least 1,800 square kilometers of agricultural land, including the metropolises of Alexandria, Rosetta and Port Said which will submerge, causing several billion in damages, the loss of over 70,000 jobs, and displacing 1.8 million people (Afifi, 2009). The Nile delta is the most significant agricultural region in the country; therefore the chance of its submersion would mean a true disaster for the country. Aside from surface intrusion, there is a risk of salinization of the aquifers, rendering groundwater unusable for agricultural use or human consumption.

Afifi (2009) seems to be surprised at the silence about this issue from policy makers, low level of awareness among general population and no concerns among academics. As with environmental emigration in general, currently and for the near future environmental pressures will likely only cause migration within the country, either from rural to urban environments or from degraded rural environments to those that can still sustain agricultural growth. Eventually, however, as the pressures grow and a higher number of people are displaced, it is likely that more individuals will be willing to take the risk to cross to Europe in search of a secure, and stable lifestyle.

Environmental Change and Forced Migration Scenarios (EACH-FOR) -- a research project – has been orchestrated by the European Union to determine likely source countries for migration to Europe. The project has been conducting research in a number of countries, including Egypt. They found that should the predicted environmental changes in Egypt occur, the increase in internally displaced individuals flocking to Cairo could be overwhelming for the country’s economy and social welfare (Afifi, 2009).

In addition to managing its own population, under the growing threat of environmental crisis, Egypt has historically been a destination country for traditional refugees and economic migrants alike, mostly from bordering countries and East Africa (Bilsborrow, 1992). Egypt already hosts refugees from at least 35 countries especially from the African countries. The number of refugees in Egypt reached 4 million including more than 26,000 from Sudan, among them about tens of thousands from Darfur and the rest from east and south Sudan, in addition to the Sudanese working in Egypt or those who have family commitments. There are also unknown numbers of refugees from Somalia (ESIS², 2012). Both East Africa and Sub-Saharan Africa are regions identified as being most at risk of environmental degradation in the African continent (Myers, 2002).

Given the established migration routes from these areas to Egypt, it is quite predictable that many of these people may end up crossing the border, should the situation continue to be untenable in their own regions. This suggests that as pressures grow in East and Sub-Saharan Africa, there may be an increased influx of environmental emigrants into Egypt, increasing the burden on the country’s resources and population. Most of these

² Egypt State Information Service
international emigrants are likely to end up in an urban setting. This implies that Egypt will have to be prepared for its own rural migrant people to come in and besides those people from neighboring countries.

**Figure 1: Map of Egypt showing major financial hubs**

![Map of Egypt showing major financial hubs](image)

As emphasized by several researchers (Ramlogan, 1996; Reuveny, 2005), Egypt has a high likelihood of conflict resulting from a severe shortage of resources combined with the influx of an ethnically differentiated population. This indicates that, unless there are clear and extensive directives taken, backed by international funding, Egypt could be facing a humanitarian crisis in combination with major security problems within a few decades (Hugo, 2008). Given Egypt's proximity to Europe, and the current flow of irregular migrants across the Mediterranean, it is extremely likely that these issues will not be confined within the country, but will be pushed over into neighboring countries and the European Union (Environmental Change and Forced Migration Scenarios, 2008). The inevitable problem is that many will go through illegal channels to leave.

Though the policy makers kept mum about this threat, recently the Ministry of Environment of Egypt warns about the likely millions who could be forced to migrate as climate change makes their livelihoods untenable. Egypt's coastal zone, home to more than 40 per cent of the population, will be hit hardest. As the sea-level rises, flooding and salt-water intrusion is expected to 'lead people to abandon land and homes, which could trigger social unrest' (Sawahel, 2005).

Internal migration is generally seen as economic migration. Since there is no technique to segregate migrants by causes, environmental migration has always been subsumed in the economic migrants. For example, in South Asia, river erosion constitutes largely the rural urban migration pattern. However, this has never been termed as environmental migration. Likewise, internal migration in Egypt is characterized by the migration trend from South to North; from South and North to the Canal Zone; from Egypt's hinterland to Cairo and Alexandria, and from Egypt's centre to its peripheries.
(Zohry, 2005; Adams 1986; Aldakhil, 1999; El-Boraey, 1986; Ibrahim, 1986; Nassef, 1985). ‘South’ refers to the governorates of Middle and Upper Egypt includes Fayoum, Menia, Beni-Sueif, Assiut, Souhag, Qena, Luxor, and Aswan. These governorates represent a narrow strip of green land on both sides of the Nile. Cairo’s net gain from the South averages about 40% of its total in-migrants. The Delta governorates have contributed the balance of 60% during the twentieth century (Zohry, 2005). Most of this hinterland contribution to Cairo’s population has come from Menoufia, Souhag, Assiut, Gharbia, Daquhlyya, Qualyoubyya and Qena (Aldakhil, 1999; Nassef, 1985). This means that the multi-directional internal migration is not just about economic migration. If we take a look at the following Egyptian map, we can clearly understand the spread of population across the country. The numbers representing governorates of Egypt Governorates do not seem to be divided based on landmass but rather on the population. Ninety percent of the total land is occupied by only 5% of the population.

RECOMMENDED POLICY OPTIONS

The Intergovernmental Panel on Climate Change (IPCC) in the nineties argued that the greatest single impact of climate change could be on human migration (Brown, 2008). There is a consensus among researchers that research, awareness-building, legislation change, empowering humanitarian aid, and policy provisions are primary steps to manage consequences of climate change. Reuveny (2005) proposes a number of techniques that are more applicable in destination countries than in origins. However, this may further instigate migration due to opportunism. In contrast, Myers’ (2005) policy suggestions are strongly focused on source country techniques and preventive policies aimed at stemming the need for migration, which are certainly necessary, but ignore the fact that some migration has and will continue to occur. In combination, these could balance the development of local infrastructure to defend against environmental change, and to develop opportunities, support and resources in its inevitability, as well as provide for those who will inescapably be forced to leave their homes for another destination. Maintaining an international overseeing body, which coordinates the appropriation and use of funding from United Nations Development Program (UNDP), IOM and national governments, is a clear necessity.

The need for a definition is a crucial step in the conceptualization of environmental migration, and the development of policy responses to address these flows. ‘Terms and concepts such as environmental migration, climate change-induced migration, ecological or environmental refugees, climate change migrants and environmentally-induced forced migrants are found scattered throughout the literature’ (Dun and François, 2008). Myers’ (1997) definition of environmental refugee, among several others (Jacobsen, 1988) includes the mention that individuals not only have to have left their homelands, permanently or semi-permanently, but that they are unlikely to return. Each local intervention must start with assessment to evaluate whether the environmentally degraded land could be rehabilitated and migrants resettled.

This assessment should be on an international level of execution and auditing in order to have a significant degree of transparency. However, if this is not a viable option, the next step would be to instigate a system to track and manage migration flows within the region, and develop infrastructure to support permanent refuge in other regions of the country, or, as a last resort, internationally. In order to do this, the local government and supporting agencies must evaluate the coping capacity of the community, and the extent of the assistance already available at the local or national level as compared to the
need. A focused program design should follow to fill in the gaps, ideally before the crisis period, and in such a way as to encourage those who have already migrated to return and re-integrate into the community, perhaps in a new role.

Skill building and education for people at risk of emigration due to environmental degradation and loss of a secure and humane lifestyle could be an important step of any sustainable intervention. This skill building should encompass education about the environmental threat and ways to combat or decelerate it. If necessary, this may involve re-training agriculturalists in new methods of agriculture or even in new vocations entirely. An example could be re-training Egyptian farmers in areas close to the Western Desert, where desertification and wind erosion are causing sand dune encroachment on agricultural land, as wind farm technicians, able to do maintenance on windmills that generate electricity for export. These programs could be coordinated with skill building programs initiated in urban areas that house a high proportion of environmental emigrants, offering an opportunity for them to re-train in vocations now desirable in their region of origin, and encouraging them to repatriate. An additional aspect of community education should be focused on developing social support and strengthening individual coping skills to deal with the increased stress of lifestyle shift (Baron, Jensen and De Jong, 2002).

Having a well-developed and properly administered infrastructure that distributes resources and records and manages the flows of settlement, either within the community of origin, emphasizing ‘adaptation in place’ (Reuveny, 2005), or ensuring that newly settled migrant communities are able to integrate in a productive manner, thereby preventing them from becoming a drain on social programs, is a key element of a sustainable solution to environmental migration. These two elements of infrastructure development, adaptation in place and integration at destination, need to be maintained in balance: One of the arguments resisting the development of infrastructure to provide services for migrants is that it creates a pull force and, thereby, increase the flow of migrants (Reuveny, 2005).

In situations of international migration, this results in a nation spending a high proportion of its budget for social services providing for non-nationals which, as exemplified by the case of Egypt, where the country is having difficulty providing a humane standard of living for its national population, is highly problematic. However, if development occurs dualistically, initiating with skill building and infrastructure development in source regions, including providing services such as emergency food distribution, followed by the development of services strategically in destination regions, it may allow an agency to direct the flow into areas that need development, and which can retrain migrants by providing work and a secure standard of living conditions.

There is growing debate over whether climate change-affected populations are a ‘new’ group in need of protection and if existing legal frameworks are sufficient to provide for their protection. Within the humanitarian and risk reduction communities, however, these same populations have generally been seen as falling within existing, and expanding, caseloads (Kirsch-Wood, Jacob and Linde, 2008). A normative framework for people displaced by the effects of climate change inside their own country is better developed than that for people displaced outside their country (Koser, 2008). One debate concerns the definition of internally displaced persons, a descriptive rather than legal definition provided in the Guiding Principles. The proposed interventions above, although crucial for suspending increasing environmental emigration, are likely to be untenable for most
developing countries to implement independently. This means that it would fall, at least in part, under the responsibility of international community to reallocate aid in such a way as to support these initiatives.

Reuveny (2005) argues that the states have a moral responsibility, as well as a security incentive, to help bear the burden of protection against environmental degradation, both due to its part in contributing to climate change and detrimental economic policies, and in order to stem the flow of environmental emigrants before they begin attempting to cross international borders. Indeed, the analysis findings for EACH-FOR’s Egypt scenario (Jäger and Frühmann, 2009) determined that, in the case that policy changes are implemented prior to a security crisis, Egypt would still face pressures of population growth and unavoidable climate change. However, these stresses would be manageable, particularly with support from international bodies. However, should policy changes follow the security crisis; the model found that there would likely be large migration flows towards Europe (Jäger and Frühmann, 2009). Ultimately, preventative measures, although they might not be popular due to their lack of immediacy, will prove significantly less costly, in economic and non-economic terms, than emergency measures after the fact.

Countries that are responsible must recognize and take responsibility for their role in disasters and move to ease the burden that currently sits with countries of first asylum, most usually in the Global South (Afifi and Warner, 2008). If they do not, they will not only be acting unethically, but will lose out on the possible economic benefits which countries and governments can obtain through international projects and alliances among both sending and receiving states of productive, regulated migratory workers.

This is particularly the case, currently, with environmental migration. There is great reluctance, internationally, to recognize environmental migrants as in need, or deserving of services (Brown, 2007). This is due in part to the fact that currently most environmental migration occurs within a nation, resulting in internally displaced persons, and limiting international jurisdiction over policy and intervention for this population (Dun and Femenne, 2008). In addition, many causes of migration tend to be interrelated, conflating economic and environmental migration, both of which may spring from a lack of resources due to climate change or an unstable or inefficacious government spurring migration from a rural area to an urban one, perhaps even instigating conflict between ethnic groups as in the creation of the 1951 refugees (Westing, 1992; Reuveny, 2005). Debates around the definition are like that those ‘displaced as a result of environmental or climate change are refugees and advocate for the expansion of the definition of a refugee in the 1951 Refugee Convention in order to include them; others call for the adoption of new instruments to provide them with protection similar to that provided for refugees’. Some others believe that any notion of the existence of ‘environmental refugees’ and their need for refugee-like protection is at best ‘exaggerated and at worst politically motivated and dangerous’ (Stavropoulou, 2008).

It is the high time to broaden the definition of refugee. The existing definition which came from the 1951 Convention does not officially recognize environmental refugees. This puts humanitarian organizations often times into a dilemma when it comes to extension of assistance. Whether or not environmental emigrants can be distinguished from economic migrants is significantly less of an issue than the fact that these mass movements of people from regions of relative deprivation to regions with more resources
are occurring, and they are getting larger annually, causing strain on national and international governing systems.

Undoubtedly, water is at the heart of the climate change debate, for instance, sea temperature and sea-level rise, increased frequency and intensity of precipitation and flooding, more severe heat-waves and droughts, and increased intensity of tropical cyclones (Cronin, Dinesh and Paul, 2008). Human beings are historically nomadic, moving from areas of exhausted resources to new grounds, however, we are also historically adaptable, and thus it is imperative as we face increasing threat from climate change, that the international community recognize the trends in migration and implement a balance between retentive infrastructure and resettlement infrastructure in regions most affected by migration. Myers (2005) points out that these emigrants are usually from impoverished backgrounds, and therefore have no constituency and lack political leverage. This leaves it up to agencies and researchers to act as advocates, for, ultimately, aren’t all migrants forced? Who wants to leave their home, relatives and community in order to live in inhumane conditions?

CONCLUSION

Preparing for the health implications of climate change-induced migration requires a mapping of the epidemiological profile of the areas that may become ‘sending’ areas and of those that could become ‘receiving’ ones (Carballo, Chelsea and Karen, 2008). Morton and colleagues emphasized that credible, evidence-based forecasts are needed to raise awareness, analyze impacts and direct corrective action but work has yet to start on targeted research to develop valid estimates of potential migration and to correlate them with climate models and predictions (Morton, Philippe and Laczko, 2008). Countries such as Kiribati and Tuvalu that are seriously considering to be relocated due to sea level rise could be the best reminders for us today to really be aware of the dangers of climate change.
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BOOK REVIEW

Deng Xiaoping and the Transformation of China

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This is a great book by a distinguished scholar, Professor Ezra F. Vogel, who commands Chinese and Japanese languages fluently and has an extensive knowledge of East Asian development. Very few people have such a gift like him. Of course, he knows America as well. While equipped with this background, he is also old and experienced enough to witness and write down the story of what was happening during the last 30 years in China. It is an unusual story and still hard to explain why China rises today. He provided a compelling answer.

His answer was simply that all leaders of the last 30 years, at home and abroad, supported it by embracing China’s “reform and opening” policy. When Mao was in his final years, Mao had already sensed the wrongs of the Cultural Revolution. He then allowed Premier Zhou Enlai to restore the order and recovery of the economy. Zhou and Mao both agreed to bring back Deng Xiaoping in 1973. Deng immediately followed Zhou’s reform policy. China had already begun the pragmatic project of modernization, and Deng was not the first initiator.

Professor Vogel summarized that Mao, however, hesitated because of ideological radicalness. Zhou was therefore attacked in late 1973 and Deng in 1975. Yet Mao died shortly after that. The new leader, Hua Guofeng, surprisingly purged the radical “Gang of Four” in 1976, clearing the last hurdle to reform the country. Hua was a reformist just like Deng. Both were not different in terms of policy making. The only difference was that Hua’s leadership lacked prestige. Senior elites supported the return of Deng. Hua launched his last effort to legitimize his status by “two whatevers” theory. Deng easily beat it by answering “practice is the sole criterion for judging truth.” By late 1978, Deng became the preeminent leader. Hua accepted the change.

Then, Professor Vogel continued to say that China like Meiji Japan had an era of “Iwakura mission” to learn from the outside. He spent almost 300 pages from chapter 8 through chapter 18 to describe Deng’s first decade of “reform and opening.” Around the time, Japan liked it and genuinely helped China, and the US welcomed it by encouraging China’s reform activities. Did Russia’s Soviet empire give troubles? No, Moscow was silent and Vietnam posed no problem. The entire West was glad to accept China’s change. Small voices aroused by Wei Jingsheng did not cause much attention in the
world, Hong Kong was absorbed into the "one country two system," Taiwan on China’s waiting lists and the old Tibet was not a threat. Guangdong’s model became universal in the mainland. China was totally open and modernized. It was a true revolution to bring China into the modern world.

Finally, he told us the famous drama of the Tiananmen Tragedy. His account contained nothing new. While Deng stopped it and China remained stable, the regime was not shaky at all. In the end, Deng in 1992 continued his "reform and opening" policy in the South, waking up again all elites to complete the job unfinished. This is why China became one of the super powers in his conclusion chapter.

Is this book a biography of Deng’s life? It is definitely not, nor is it a definite history of recent China. Deng’s life before his age 65 was barely mentioned by the author. It is not enough to claim a book of biography. Deng was Maoist and he had been one of the major communist leaders before 1949. He played an important role when the People’s Republic was founded. The purge of anti-revolutionaries in the Southwest, fall of Gao Gang, and the anti-rightist movement all were deeply involved in Deng’s backstage participation. Deng was as brutal and bloody as Mao. When treating enemies, they all were senseless tyrants. Deng did little to change China’s political system. Professor Vogel did not discuss all these big issues.

Deng also very much repeated Mao’s pattern, but in a reverse side in China’s policies one way or another. Whereas Mao “leaned to one side,” Deng embraced the US. Mao immediately fought the Korean War after the treaty with Moscow, while Deng taught Vietnam a lesson after the visit in Washington. Meanwhile, both were very much sensitive on sovereignty issues. Mao insisted upon it against Moscow and Deng moved into crushing the pro-democratic movements. These issues could be elaborated more.

But the book is one of the best works recently about Deng’s China. Professor Vogel correctly pointed out that Deng was central to China’s transformation and his leadership was the true source of China’s success. Without him, China could be very different. He significantly healed the wound of the past, maintained peaceful relationships with major powers, created a favorable environment for China’s growth, and boldly launched a series of reforms. This is one of the miracles of the modern world, enough to remind us of a great story coming of age. This book is, thus, centered on Deng to look over the entire major China’s events and its high politics. With abundant information and fine judgments, it is the book which we urgently need in order to understand the rise of China.
BOOK REVIEW

Kiss That Frog!
12 Great Ways to Turn Negatives into Positives in Your Life and Work

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I chose to read this book, which was written by Brian Tracy and his daughter, Christina Tracy Stein due to its interesting title and the line after that, which says “12 Great Ways to Turn Negatives into Positives in Your Life and Work.”

I am sure every one of us has heard of the fairy tale of the “Princess & the Frog”. If you have not heard about the story, it is about a beautiful princess who longed for a handsome prince she could marry but who had not appeared in her life. One day, while she was walking alone in the woods by a small lake, she saw an ugly frog which was living in the woods. As the princess sat quietly by the water, thinking about her situation and longing for a handsome prince to come along, the frog hopped up to her and spoke. He told her that he was actually a prince under a spell, and a kiss from her would break the spell and turn him back into a prince. The ending of the story, as you would expect, was that the princess kissed the frog and he turned into a handsome prince, and they married and lived happily ever after.

This book is not about the fairy tale, but it uses the analogy of “kissing the frog” to symbolize acceptance of the negative things in our lives. After all, the thought of kissing a warty frog can be quite revolting to most of us, at least. When we ‘kiss the frog’, we are actually embracing the negative experiences in our lives, and allowing ourselves to break free of any emotional burden that we may have carried with these experiences. Some negative experiences in our lives, go far beyond the actual incident, and stay in our lives, be it consciously or at a subconscious level. Some of us never get past our own ‘frogs’ – we just cannot get ourselves to kiss it, even if we know the possible positive result of doing so. Of course, it is easier said than done. A lot of hard work and determination will be involved in changing your mindset. But through your encounter and willingness, and you will gain the strength to overcome hurdles and reap the everlasting benefits.

No matter what we want individually in our lives, it is a universal truth that we are all looking for happiness, one way or another. We all want to enjoy positive experiences
and feelings. But, perhaps the biggest obstacle that stands between us and an extraordinary life are usually negative attitudes towards ourselves and others.

The authors used 12 ways of powerful techniques namely “Seven Truths About You; Imagine Your Handsome Prince; Look Your Frog in The Face; Clear the Pond of Ugly Frogs; Drain the Swamp; Change the Water in Your Pond; Look for the Beauty in Frogs; Leap forward Confidently; Kiss Your Ugly Frogs Good-bye; Expect the Best of Your Frog; Let Go of Those Painful Frogs; and Seven Keys to a Positive Personality” and incorporated the metaphor “Frog” in the fairy tale to illustrate how to overcome the negative thoughts and emotions that hold you back and turn every problem into a benefit and live a happier life. It is quite easy to understand the explanation with examples for each of the 12 ways put forward by the authors. There are incredible and useful for the authors to use “Now do this” at the end of each way so that readers are able to recap and ponder about those points illustrated in that particular way and practise it.

One of the stories that left an impression on me was the one on Michelangelo’s David. The famous sculptor had been walking past a block of marble that was lying on the roadside many times. One day, he stopped and examined the block closely, and realized that this was exactly what he was looking for to create the statue he had been commissioned to sculpt. He brought it back to his studio and finished the statue in 4 years. He said, “I saw the David in the block of marble at the very beginning. My sole job from then on was to remove everything that was not the David, until only perfection was left” (Tracy & Stein, 2012, pp. 9-10). In the same situation, you may like David imprisoned in the marble. It is time you start to remove all your fears, doubts, insecurities, and false beliefs that hold you back until what remains is only the very best person you could possibly be.

In the concluding statement, the authors stressed the importance of taking action to put those ideas to work by kissing your frogs, facing the unpleasant situations in your life, and into becoming a completely positive, happy and healthy person.

This book is relatively easy to read because of systematic structure of its content with brief introduction, short write up and easy to understand passages with relevant examples to illustrate each of the 12 ways in its body and brief points for each action to follow in its conclusion.

Although, this is a very good book to read and it arouses your positive mood, gives you meaning in life and builds your courage, the authors used a lot of assumptions and generalised some principles with not-so-convincing explanation at times. Furthermore, some of the concepts or principles were very basic which known to everybody. The authors seem not to understand how difficult it is to change the hardened built-in habits and some factors preventing us from changing theses habits.
Thank you very much for your overwhelming response to the call for papers for the issue in August/September 2012.

The next issue of TMC Academic Journal will be published in February/March 2013. We invite contributors to submit your original and unpublished research articles, book reviews and reflections in any fields of Business, Mass Communication, Hospitality and Tourism, Psychology and Information Technology for publication in TMC Academic Journal by the due date. All submissions are subjected to a stringent double-blind peer review process.

Important dates for Volume 7, Issue 2, Feb/Mar 2013:
- Open for submission: 15/09/2012
- Last day of submission: 30/11/2012
- Notification of acceptance/rejection: 15/01/2013
- Submission of final version: 30/01/2013

Authors of accepted papers will be invited to submit their bio data for inclusion in the journal. Authors are also required to sign the Transfer of Copyright Agreement as stated in TMC Publication Guidelines.

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We look forward to receiving your manuscripts.

Dr. Huong Ha
Chief Editor