

Photo: Bimal Chandra Sharma



# Chapter 2

## 2.3 State and Human Rights **Legislature**

## Background

This chapter reviews legislative work of Federal Legislature of Nepal during 2019. The legislature is one of three organs of government in a democratic system, whose functions include lawmaking and oversight of the executive and the judiciary. The Constitution of Nepal provides for a two-chambered legislature at the federal level and unicameral legislatures in the seven provinces. The lawmaking functions at the Local Level has been vested in the Village Assembly and Municipal Assembly.<sup>1</sup> This chapter reviews the federal legislature's lawmaking function, exercise of its powers of oversight over the executive and the judiciary. It also assesses the coordination between the federal and provincial legislatures. It does not evaluate both provincial and local level lawmaking.

### 2. Constitutional Provisions

The Constitution of Nepal has provisioned for three tiers of legislative *viz.*: Federal legislature, provincial assemblies and local level assemblies. The federal parliament has 16 committees, 10 at the House of Representatives, four at National Assembly and two joint committees. Following is the list of the committees and their respective chairpersons.<sup>2</sup>

### 3. Parliamentary Sessions

The 3<sup>rd</sup> and 4<sup>th</sup> sessions of parliament were held in the review period. The scheduled 5<sup>th</sup> session was delayed owing to the absence of the Speaker of the Lower House who had not been elected for over four months after the incumbent Speaker resigned following an accusation

of sexual harassment. There were 57 bills on the discussion agenda for the winter session.<sup>3</sup> The parliamentary committees have been reviewing bills relating to the functioning of the federal, including one on coordination between the three tiers of government.

The position of the Speaker remained vacant following the resignation of Krishna Bahadur Mahara in early October following allegations of attempted rape. At the time there were at least 25 bills, including those that are directly related to the functioning of the federal system, from the previous session remained to be endorsed at them. Of them, two were at the National Assembly while eight were being studied by lawmakers.<sup>4</sup> The previous session was prorogued on 19 September. Among the bills that remained to be approved were those related to the Federal Civil Service and Federal Public Service Commission, needed for enabling provincial governments to hire employees. Another was related to coordination between the three tiers of government.

The absence of federal laws, prevented provincial governments from exercising authority delegated by the Constitution. The five bills awaiting certification by the Speaker at the Parliament are Bill on the Operation, Supervision and Coordination of Nepal Police and Provincial Police, Police Adjustment Bill, National Identity Card and Civil Registration, Land Related Bill (Eighth Amendment), and Industrial Enterprise Bill are awaiting new speaker for certification.<sup>5</sup> Thus, as such crucial bills are awaiting verification by the Speaker, the execution of the

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1. Constitution of Nepal, Part 18, Art. 221

2. Parliament.gov.np. Accessed on 7 February 2007

3. With over 50 bills to endorse, Parliament looks at a busy winter session. Available at <https://kathmandupost.com/politics/2019/12/14/with-over-50-bills-to-endorse-parliament-looks-at-a-busy-winter-session>. Accessed on 7 February 2020

4. Ibid

5. <https://myrepublica.nagariknetwork.com/news/sapkota-to-certify-five-pending-bills-immediately-after-appointment/>. Last Accessed 7 Feb. 2007

List of the Committees and their Respective Chairpersons		
SN	Name of the Committee	Chair Person
	House of Representatives	
1	Finance Committee	Krishna Prasad Dahal
2	International Relations Committee	Pabitra Niraula (Kharel)
3	Industry, Commerce, Labor and Consumers Welfare Committee	Bimal Prasad Shrivastav
4	Law, Justice and Human Rights Committee	Krishna Bhakta Pokhrel
5	Agriculture, Cooperative and Natural Resources Committee	Purna Kumari Subedi
6	Women and Social Committee	Niru Devi Pal
7	State Affairs and Good Governance Committee	Shashi Shrestha
8	Science and Technology Committee	Kalyani Khadka
9	Education and Health Committee	Jaypuri Gharti
10	Public Accounts Committee	Bharat Kumar Shah
<b>National Assembly</b>		
11	Sustainable Development and Good Governance Committee	Tara Devi Bhatta
12	Legislation Management Committee	Parshu Ram Meghi Gurung
13	Delegation Management and Government Assurances Committee	Ram Narayan Bidari
14	National Concern and Coordination Committee	Dil Kumari Rawal Thapa (Parwati)
<b>Joint Committees</b>		
15	Parliamentary Hearing Special Committee	Laxman Lal Karna
16	Committee on Implementation, Monitoring, and Evaluation of State's Directive Principles, Policies	Nira Devi Jairu

Constitution itself has been compromised.

Some of the bills registered at the Parliament were against the democratic values and constitutional provisions. The provisions proposed in some of the new bills including the amendments such as Bill to Amend the Citizenship Act, Forest Bill, National Human Rights Commission Bill, and Media Council Bill and Information Technology Bill and *Guthi* Bill were widely criticized. The Human Rights Commission Bill was also controversial as human rights defenders feared that it has sought to bring the constitutional body under the purview of Office of Attorney

6. Parliament Mirror, 2076, p 30

General. The government withdrew the bill on the *Guthi* (trusts) following widespread protests.

In addition to the backlog, there were 29 bills, including bills on Establishment, Registration and Operation of the Civil Society Organizations, Mass Media, and Public Service Broadcasting awaiting approval of the Council of Ministers. All bills cleared by the Ministry of Law, Justice and Parliamentary Affairs need to be approved by the Cabinet before it is taken to parliament. Eight bills passed in the 4<sup>th</sup> Session were mostly related to the budget and public expenditure.<sup>6</sup> The House met

for 65 sessions.<sup>7</sup> In addition to approving bills, the parliament had also approved extension of the tenure of the special committee formed to recommend ways to address obstruction of parliament.<sup>8</sup> Overall, the parliament was no able to deliver its responsibilities on time for one reason or another.

The 10 committees under the House of Representatives had been considering 27 bills for over a year. Among the bills under consideration those the longest were those insurance and citizenship ones.<sup>9</sup> Bills registered at the both houses of parliament till January 2020 and bills awaiting for verification by the Speaker of the House of Representatives were:<sup>10</sup>

One reason why bills remain pending in is ministerial interest in getting it approved. The Minister for Federal Affairs and General Administration, for example, had requested four days to make the bill ready for approval but failed to come back with bill even after a month.<sup>11</sup> This bill related to the deployment of government employees. Another reason for the delay in approvals, was the vacancy created in parliament following the resignation of the Speaker of the House and the time that the government let to elapse before electing a new speaker. Among important bills that need to be enacted as laws are those related to the coordination between various levels of government, that

House of Representatives		
SN	Status of the Bill	No of Bill
1	Under consideration at different Committee	10
2	Distributed for study to members	10
3	Disputed during the discussions	9
4	New	7
5	Yet to be verified by speaker	5
<b>Sub-Total</b>		<b>41</b>
6	Under Consideration	9
7	Sent to House of Representatives	7
<b>Total</b>		<b>57</b>

related to operationalizing inclusion for ensuring social justice and participation of excluded groups<sup>12</sup>, and those relating to the realization of Fundamental Rights. With the law on fundamental rights, the constitution required enacting this bill within three years after the promulgation of the Constitution (2015).

### 5. Bill on reproductive rights of inmates<sup>13</sup>

Inmates in Nepali prisons did not have reproductive rights. In October 2019, the Prison Bill 2019 was registered in parliament, which h among others, seeks to provide this right. The bill proposes allowing legitimate couples in prison to meet for reproductive purposes, and another section, proposes allowing men and women in jail to marry or those

7. Federal Parliament, House of Representatives, Fourth Session, Schedule of Business, Secretariat of Federal Parliament, Kathmandu

8. Federal Parliament, House of Representatives, Fourth Session, Schedule of Business, Secretariat of Federal Parliament, Kathmandu, Point No 16

9. Rishiram Poudel, "Bill pending for one and half year" Kantipur, 13 Magh, 2076 (27th Jan. 2020)

10. Kantipur, Magh 13, 2076

11. Rishiram Poudel, "Bill pending for one and half year" Kantipur, 13 Magh, 2076 (27th Jan. 2020)

12. Article 42 (1) of the Constitution reads as: Right to social justice: (1) The socially backward women, Dalit, indigenous people, indigenous nationalities, Madhesi, Tharu, minorities, persons with disabilities, marginalized communities, Muslims, backward classes, gender and sexual minorities, youths, farmers, labourers, oppressed or citizens of backward regions and indigent Khas Arya shall have the right to participate in the State bodies on the basis of inclusive principle.

13. Kantipur, 15 Aswin 2076 (2nd Oct.2, 2019) <https://ekantipur.com/news/2019/10/02/157002821164947423.html?author=1>; Last Accessed Feb. 7, 2020

under incarceration to marry individuals outside the prison.<sup>14</sup> The bill has also proposed special provisions for accommodation, food and health facilities for pregnant women and breastfeeding mothers in jail.<sup>15</sup> However, a pregnant woman sentenced to jail for life and convicted of a heinous crime would not be entitled to benefit from the facility. The bill has also proposed protections of the rights of people with disability that requires prison officials to pay attention to the care of inmates with physical and mental disabilities, those suffering from terminal diseases, and those who had attained the age of 65 years.<sup>16</sup> The Supreme Court had ordered the government to the reproductive rights of the inmates in.<sup>17</sup> Though the Court had asked for submission report within eight months of the Court verdict, it took almost a decade.

## 6. Resignation of Speaker of the House of Representatives

The Speaker of House of Representatives Krishna Bahadur Mahara resigned on 2 October 2019 over charges of attempted rape. Police arrested him on 6 October 2019<sup>18</sup> and the post remained vacant until 26 January 2020 when Agni Sapkota was elected as new speaker.<sup>19</sup> The resignation was not submitted immediately after the accusation became public. He stepped down only after he was ordered to by the ruling party, which also raised the question of the allegiance as

the Speaker is supposed to be free of party obligations upon election.

## 7. Party Influence on the Legislature

Despite the independence and impartiality associated with the positions of Speaker and Deputy Speaker of House of Representative, political parties still consider the individuals occupying the posts as their members. This was evidenced in the instruction of the ruling Nepal Communist Party (NCP) to both Krishna Bahadur Mahara, Speaker<sup>20</sup> and Deputy Speaker Dr Shiva Maya Tumbahamphe asking them to resign after the accusation against the Mahara became public. The NCP had no legal or moral authority to ask Deputy Speaker Tumbahamphe to resign from her post or to stall parliament proceedings, since her party membership also becomes suspended upon election as Deputy Speaker. Tumbahamphe, on her part, did not resign and told media that her accountability rested with the House and not her political party.<sup>21</sup> Eventually, she resigned prior to the election of the new speaker, which is evidence of the influence her party, the NCP and that of the head of the executive, had exercised over her choice.

The main opposition party also largely failed to uphold its responsibilities in parliament satisfactorily. Not only ruling NCP but also the opposition Nepali Congress party did not challenge the unconstitutional practices of NCP in

14. The Prison Bill, 2019, Section 28

15. Section 37

16. Section 37

17. Janga B Singh and Ors v Office of PM and Council of Ministers, NKP 2068 Vol 53 Issue 6 Aswin, 2068 Kantipur, 15 Aswin 2076 (2nd Oct.2, 2019) <https://ekantipur.com/news/2019/10/02/157002821164947423.html?author=1> ; Last Accessed Feb. 7, 2020

18. <http://hr.parliament.gov.np/np/notices/1570782683>. "Mahara arrested" Nepali Times, 6 Oct. 2019. Available at <https://www.nepalitimes.com/latest/mahara-arrested/> Last accessed on 2020 Jan 26; <https://kathmandupost.com/2/2019/10/06/police-arrest-krishna-bahadur-mahara-for-rape-charges>

19. <http://hr.parliament.gov.np/np/notices/1570001822>; Last accessed on 26 Jan 2020.

20. Dr Surya Dhungel. <https://ekantipur.com/news/2020/01/12/157882657288696672.html>

21. Nepali Times, <https://www.nepalitimes.com/latest/no-speaker-no-parliament-in-nepal/>. Last accessed 7 Feb. 2020

the aftermath of the resignation of the speaker.<sup>22</sup> The NCP also leaned over one provincial assembly to influence the naming of the province. The party decided the name of Province No 3 as Bagmati and instructed its members to follow the party whip rather than allow elected members come to a decision.<sup>23</sup> Thus, the democratic exercise at the Federal Legislature and the State Assembly was unduly influenced by the political party.

## 8. Arrest of MPs

This year Speaker Krishna Bahadur Mahara, formerly member of the NCP, MP (Nepali Congress) party Mohamad Aftab Alam and MP Pramod Kumar Shah of the Rastriya Janata Party (RJP) were arrested by the police on different charges. Shah was arrested for vandalizing an airport ticketing counter in Janakpur,<sup>24</sup> Mahara on allegation of attempted rape and Alam for setting off an explosion before the first Constituent Assembly election (2008) and killing and burning people in brick kilns. The Parliament Secretariat did not use the word “arrest” for Mahara, and instead used the word under control, while the term arrest was used in the case of both Alam and Shah.<sup>25</sup> It was not clear if this was intentional or a lapse because it does reflect a special favor to the MP of the ruling party as the two words have different connotations.

## 9. Effort to Enact Laws Contrary to Constitutional Provisions

Some bills registered in parliament such as Media Council Bill, Infor-

mation Technology Bill, Constitution of Special Service Bill and Bill for Amending National Human Rights Commission Act, 2012 have been widely criticized, particularly the provisions seeking to curb rights enjoyed by the associated organizations and provisions in the Constitution.

### 9.1 Limits on Freedom of Expression

The government’s efforts to make laws on free expression including media and information technology laws have been met with strong opposition of stakeholders. The bills on the Media Council and Information Technology were registered in the Parliament in 2019. The Media Council Bill includes both civil and criminal sanctions for those found violating the provisions under the pretext of regulating the media. Journalist have organized protests to oppose the provisions. Amnesty International also expressed its dissatisfaction with the IT bill as something that sought to limit the constitutionally protected right to freedom of expression.<sup>26</sup> Even worse, the bill also proposed disproportionate prison terms and steep fines against those expressing themselves on digital platforms. Amnesty also called on Nepal’s parliament to amend the IT Bill in accordance with international standards and ensure that the law was not used to criminalize the peaceful exercise of the right to freedom of expression.<sup>27</sup>

If enacted, the IT law would give government powers to arbitrarily censor content online, including on social media, and punish offenders with up to five

22. Dr Surya Dhungel. <https://ekantipur.com/news/2020/01/12/157882657288696672.html>

23. <https://ekantipur.com/news/2020/01/12/157882657288696672.html>; Last accessed Feb. 7, 2020

24. <https://www.setopati.com/politics/191501>

25. Notice issued by Parliament Secretary on different dates on the arrest and taken control of MPs in its website.

26. AMNESTY International, Nepal: Information Technology Bill threatens freedom of expression, 16 Jan 2020

27. Nepal: Information Technology Bill threatens freedom of expression <https://www.amnesty.org/en/latest/news/2020/01/nepal-information-technology-bill-threatens-freedom-of-expression/> ; Last accessed Feb. 7, 2020

years' imprisonment and a fine of 1.5 million Nepali rupees.<sup>28</sup> Amnesty also noted that free expression related bills used vague and overbroad clauses to unduly restrict the right.

### **9.2 Amendments to the National Human Rights Commission Act, 2068 (2012)**

Constitution empowers the NHRC to make recommendations for filing cases against human rights violators at the District Court.<sup>29</sup> Similarly, NHRC Act (2012) requires agencies receiving recommendations for action to implement the recommendation and inform the Commission within three months of.<sup>30</sup> In case of difficulties in complying with the recommendation, the concerned agency is required to send a report to the Commission with information on the difficulties in implementing the recommendation, decision or order, citing the reasons thereof, within two months of receipt of the same.<sup>31</sup> However, if the Commission decides again that the order needs to be implemented pursuant to Sub-section (4), the concerned office and individual are required to implement the same as soon as possible and inform the Commission.<sup>32</sup> In contrast to the provisions, no such recommendations by NHRC have been implemented to date.<sup>33</sup> The amendment bill submitted by Prime Minister K. P. Oli has proposed abridging the existing mandates of the Commission. It has proposed that the authority of prosecution be rested with the Attorney

General, exemplifying the doctrine of colorable legislation<sup>34</sup> which simply means, what the Constitution has prohibited in doing directly, cannot be authorized indirectly under a guise.<sup>35</sup> It is a situation where legislative power is exercised in bad faith to attain ends beyond the sanctioned purposes of power by simulation or pretension of gaining a legitimate goal. In this case, the amendment seeks to compromise the mandate of the NHRC.

### **9.3 Constitution of Special Service**

The government presented another bill in parliament that seeks to amend and unify the law relating to constitution and operation of Special Services. The Constitution guarantees protection of the right to privacy as a fundamental right, but several provisions in this bill seek to curtail civil liberties. The bill now under discussion in parliament includes provisions that allows authorities to intercept and tap communication between citizens.<sup>36</sup> The bill proposes allowing the National Investigation Department to covertly listen to and record phone calls of any individual without obtaining permission from any agency or individual.

Approval of this bill would make it possible for an official to listen to and record conversations, and read emails of any individual kept under surveillance as per the wish of government official. Section 10 of the bill states that the "department can monitor, investigate, intercept and archive conversation, audio, video or

28. Ibid

29. Constitution of Nepal, Article 249

30. NHRC Act, 2012 Section 17 (2)

31. NHRC Act, 2012. Section 17 (3)

32. NHRC Act, 2012. Section 17 (5)

33. Tejman Shrestha. "Effort to Narrow Down the Mandates of National Human Rights Commission, Nepal." *Prachi Bimonthly*. Vol. 97 Aug, 2019

34. Tejman Shrestha. "Interpretation of Art 158(2) of Constitution of Nepal and Colorable Legislation" in *Kanoon Paricharcha (Commentary of Law)*, Prof Dr Laxmi P Mainali, Ed. Vol. 1 (Department of Law, TU, Kathmandu: 2019) at 265, pp 263-295

35. Tejman Shrestha. "Conflict between Mandates of Attorney General and National Human Rights Commission, Nepal: Or Colourable Legislation?" *Prachi Bimonthly*. Vol. 98 Dec, 2019, at 34, pp 29-35

36. Section 8

electronic symbols or details carried out through the use of public communication equipment or other medium by suspects, individual or institutions and organizations under surveillance”<sup>37</sup> The clarification says, “Interception must be understood as the act of acquiring subject-matter as per need through over-watch and surveillance of the communication network”. This provision allows intelligence operatives to obtain information on conversations carried out on a communication network such as telephone, email, social network, which encroaches in the right to privacy.

#### **9.4 Efforts to Strengthen Military Intelligence**

There were reports in 2019 about a draft bill that originated in the Defense Ministry seeking to strengthen military intelligence, which sought to provide sweeping powers to the government to mobilize the army and also intercept and record communications.<sup>38</sup> The Defense Ministry draft had been sent it to the Law Ministry for comments a review. According to media reports, the then minister of law had criticized the draft accusing the government of autocratic tendencies and moving away from democracy. Such a scenario becomes evident when all the bills relating to free expression and human rights are analyzed with draft bills on Special Services, National Security Council are analyzed.

#### **10. Provincial Assemblies**

The seven provincial assemblies were not able to enact all laws they re-

quire for autonomous governance in 2019. The situation was similar in 2018. Pursuant to Article 7 (2) of the Constitution the assemblies have to enact laws to determine additional working languages of the provinces to account for diverse languages spoken. However, no initiative was taken towards that end.

Further, not all provinces were able to exercise their right to determine the name for province that came in numbers 1 to 7 in the Constitution. Province Number 3 decided to name the province Bagmati<sup>39</sup> but the role of Provincial Assembly members in the process was questionable as it was decided in accordance with a decision of the ruling party.<sup>40</sup> Similarly, Article 60 (5) of the Constitution states that each province shall make necessary law to distribute fiscal equalization grants out of the grants received from the Government of Nepal and revenues collected from its sources, on the basis of the expenditure needs and revenue capacity of subordinate local levels. Likewise, pursuant to Article 148 (2) the provinces are also required to make laws relating to operation of local level judicial bodies that are already functional. Thus, State Assembly are also responsible for enacting law to operationalize the local judicial bodies.

Pursuant to Article 162 (5) and Article 166 (3) the provinces are also required to make laws relating to authentication of decisions or orders to be issued by the provincial government and the chief of the province. However, the federal government has imposed restriction on provincial governments in exercising

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37. Navaraj Mainali, Another Law in parliament where intelligence operative can record phone call and read email and SMS of anybody, 2076 Paush 22, <https://www.nayapatrikadaily.com/news-details/33056/2020-01-07>;  
Last accessed Feb. 7, 2020

38. Jagdishwor Pandey, Effort to constitute a separate military intelligence, 23 Poudh 2076. <https://ekantipur.com/news/2020/01/08/157844829907799391.html> ; Last accessed 7 Feb. 2020

39. CPN to issue whip to enforce party decision on name and capital of Province 3. 9 Jan. 2020. <https://en.setopati.com/political/152124> ; Last accessed 7 Feb. 2020

40. Ibid



this right. A recent Supreme Court annulling the decision of the executive to bring the Sarnath Forest Development Project in Province Number 2 under its jurisdiction<sup>41</sup> could cause the provincial governments to be able to exercise some of their lawmaking rights in accordance with federalization now underway in Nepal.

## 11. Conclusion

Proper function of the Legislature in terms of lawmaking, overseeing the Executive's functions, outlining foreign affairs, and holding the Judiciary to account can indicate the health and success of democracy in a country. However, the Legislature fell short of fulfilling its functions to reflect that in 2019.

This review covered the 3<sup>rd</sup> and 4<sup>th</sup> sessions of parliament. The 5<sup>th</sup> session was called to convene towards the end of 2019 and more than 50 bills were registered. However, the business of parliament was affected by the resignation of the Speaker and the inability of the executive to immediately elect a replacement. The 4<sup>th</sup> session passed only eight bills all of which were largely related to financial matters.

There were 27 bills are under discussion at 10 committees of House of Representatives but many important bills could not be finalized because of the vacant position of Speaker was not filled for over four months. Eventually, the Deputy Speaker Dr Shiva Maya Thumbahamphe was also asked to resign by her party before the new speaker was elected, which was a mockery of the presumed non-partisanship associated with the position. Even the Main Opposition Party in parliament was unable to instill a sense of urgency in the government to speed up election of the Speaker.

Many bills in the process of lawmaking were not free from criticism except some bills like that on the reproductive rights of inmates. Bills like those concerning IT, constitution of a Special Service, Guthi, Media Council and the NHRC bill threaten to cause serious breaches in the fundamental rights guaranteed by the Constitution as well as international instruments to which Nepal is a State party. After 1990 Nepal was envied by people across the region for its openness towards critical views and opinions. This reputation is now at risk with government attempts to limit freedoms and control what people can say, write and even sing.<sup>42</sup> Thus, the Legislature of Nepal in the year 2019 derailed in fulfilling its constitutionally mandated duties.

## 12. Suggestions

The following recommendations are made based on the review of legislative functions in 2019.

1. The civilians must be constantly vigilant about the bills reaching parliament and they many have attempted to constrict freedoms enjoyed by people in democracies. For this, adequate arrangements need to be made to ensure them easy access to the business of Parliament.
2. The thematic committees of parliament have largely failed in seriously evaluating the proposals in the different bills submitted in parliament. They need to be supported to assist them in their work, and to also independently perform their functions rather than rubber-stamping the wishes of the Executive and the ruling party.
3. The position of the Speaker also came under criticism for moral and behav-

41. Ram Kumar Kamat. SC stays center's decision to bring Province 2 forest under its domain The Himalayan Time. <https://thehimalayantimes.com/nepal/sc-stays-centres-decision-to-bring-province-2-forest-under-its-domain/>. Last Accessed 7 Jan. 2020.

42. AMNESTY International

- ioral issues and also in terms of impartiality and independence as long as the elected individuals occupied the position. The functional impartiality and independence of the person elected as Speaker is also something that leaders of political parties need to internalize and uphold.
4. Several bills in parliament that fall short of freedoms granted in democracies, and Nepal's international commitments such as the IT, Media Council, Special Service Constitution and NHRC bills all other legislations must be amended in accordance with international law and standards.
  5. The NHRC Bill, in particular, must be amended and prepared in accordance with international law, such as Paris Principle on NHRIs, providing not space for colorable legislation.
  6. None of the laws that directly affect the exercise of fundamental rights by citizens were consulted with stakeholders and experts. This is unacceptable in democracies. The Legislature needs to consider wider stakeholder consultations in such bills to ensure sound institutionalization of Nepal's continuing efforts to democratize.
  7. All of the suggestions point back to the principle of separation of power and check and balance that can assure sustainability of democracy. Members of Parliaments who exercise this rights in a democracy must be vigilant about the Executive to minimize their roles as representatives of people by rubber-stamping its wishes.

