

Challenges to the peace process in Nepal

ネパールの和平プロセスへの課題

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Abstract:

From 1996 until 2006 there was a civil war, presently referred to as armed conflict, between government forces and guerrillas of the then Communist Party of Nepal (Maoist). A total of about 13,000 fatalities were recorded during that time. According to the United Nations (UN), 4,500 people were killed by the Maoists and 8,200 were killed by the government, and an estimated 150,000 people were displaced as a result of the conflict. Even after the signing of the peace accord and the rebels have come to the power, impunity, and rivalry still prevail. On December 28, 2007, the Interim Parliament passed a bill and declared Nepal the Federal Democratic Republic. The first meeting of the constituent assembly officially implemented that declaration on May 28, 2008, and Nepal is a secular nation at the moment with multiple cultures, languages, and religions. This paper will briefly discuss Nepal, its conflict and, the peace process and the Maoist inclusion in the Nepalese army.



(要旨)

1996年から2006年にかけて、政府軍と当時のネパール共産党（マオイスト）のゲリラとの間で、現在武力紛争と呼ばれている内戦があった。この間に合計約13,000人の死者が記録された。国連（UN）によると、毛沢東主義者によって4,500人が殺害され、政府によって8,200人が殺害され、紛争の結果15万人が避難民となったと推定されている。和平協定への署名後も反政府勢力は権力を維持し、免責され、依然として競争に勝っている。2007年12月28日、暫定議会は法案を可決し、ネパールを連邦民主共和国とすることを宣言した。2008年5月28日の最初の制憲議会でその宣言が公式に実施され、ネパールは現在、複数の文化、言語、宗教を持つ世俗的国家となった。本稿では、ネパールの紛争、その和平プロセスとネパール軍への毛沢東主義の包摂化について検討する。

Keywords: Nepal, Conflict, Peace process.

キーワード：ネパール、紛争、和平プロセス

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1. Introduction

Nepal is a landlocked country in South Asia. It is bordered by China to the north and by India to the south, east, and west. The country Nepal was formed by King Prithvi Narayan Shaha, referred to as King of the Kings (Badamaharajdhiraj), on December 21, 1768, throughout the unification of all the small kingdoms. Until 2008, Nepal was a kingdom, ruled by the Shah dynasty. At present Nepal is a federal democratic republic. Its recent history has involved struggles for democratic government with periods of direct monarchic rule. From 1996 until 2006, there was a civil war between government forces and guerrillas of the Communist Party of Nepal (Maoist).

Initially, Nepal had a constitutional monarchy. At that time (1996), King Birendra had lifted the 30-year-old ban on political parties and opened up the parliament to opponents. However, the King maintained considerable, excessive, and equivocal powers. Nepal became the theatre of increasing political turmoil and in 1996 CPN Maoists launched their insurgency and opened guerrilla warfare. Claiming an ideological legacy from the Chinese Revolutionary leader Mao Zedong, they

fought for the abolition of the constitutional monarchy and the formation of a federal republic.⁶ CPN Maoists, excluded from the parliament, started a guerrilla war against the monarchy and official political parties. Numerous people from poor economic backgrounds, with less literacy and unemployed groups, were attracted to the ideology of CPN Maoists.

2. Political parties in Nepal

Nepal follows a multiparty democratic system, and the number of political parties in Nepal is more than one hundred. This segment will briefly discuss the major political parties and their roles in the development of the conflict and the initiation of the peace process.

A . The Nepali Congress Party

The Nepali Congress party is a centrist party, which has been in continuous operation since it was founded under a slightly different name in 1947. Elected to office in 1959 in a landslide victory, the Nepali Congress Party government sought to liberalize society through a democratic process. The palace coup of 1960, by King Mahendra, led to the imprisonment of the powerful Nepali Congress Party leader, Bisheshwor Prasad Koirala, and other party stalwarts.⁷ Many other members of the party sought sanctuary in exile in India. Political parties were prohibited from 1960 to 1963 and continued to be outlawed during the panchayat system under the aegis of the Associations and Organizations (Control) Act of 1963, nevertheless, the Nepali Congress Party persisted. The party placed great emphasis on eliminating the feudal economy and building a basis for socio-economic development. It proposed nationalizing basic industries and instituting progressive taxes on land, urban housing, salaries, profits, and foreign investments. While in exile, the Nepali Congress leaders served as the nucleus around which other opposition groups clustered and even instigated popular uprisings in the Hill and Terai regions. During this time, the Nepali Congress refused the overtures of a radical faction of the Communist Party of Nepal for a tactical alliance.

B. The Communist Party of Nepal (Unified Marxist Leninist)

The Communist Party of Nepal (UML) was established in India, on April 29, 1949, to struggle against the autocratic Rana regime, feudalism, and imperialism. The founding general secretary was Pushpa Lal Shrestha. CPN UML played an important role in the 1951 uprising that overthrew the Rana regime. After the Raksha dal (political group name) revolt in 1952, the CPN UML was banned in 1952. In 1957 the second party congress of CPN UML was held in Kathmandu.⁹ This was the first time, the party could openly hold its congress. Keshar Jung Raymajhi, a veteran political leader of communist ideology, was elected as general secretary. The CPN UML has long played major roles in the uprising of people.

C. Communist Party of Nepal (Maoist)

The Communist Party of Nepal (Maoist) was founded in 1994 and led by Pushpa Kamal Dahal (otherwise known as Prachanda). Following massive popular demonstrations and a prolonged "Maoist declared People's War" against the monarchy, the CPN (M) became the largest party in the Constituent Assembly Election of 2008. The CPN (M) was formed following a split in the Communist Party of Nepal (Unity Center), and it used the name 'CPN (Unity Centre) until 1995. On February 13, 1996, the party launched the Nepalese People's War, and it controlled rural areas of the country's territory before the agreed ceasefire.¹¹ In 2001, the Nepalese Army began a military campaign against the Maoists, especially in the western areas of the country, although there have been intermittent ceasefires. Fighting was roughly continuous through 2005 when the CPN (M) was at the height of its military power.

3. About the Civil War

During the ten years long (1996 to 2006) conflict that followed, more than 13,000 people were killed and thousands displaced. The Maoist strategy was first to attack police stations and government officials, but they also targeted suspected informants, landowners, and civilians. Nepalese villagers would often find themselves caught in the middle of the conflict.

By abducting civilians and forcing some to shelter them or to join their troops,

Maoists imposed an increasingly authoritarian regime on many parts of rural Nepal. According to the United Nations, vigilante groups were formed to protect villagers, many of which were supported directly or indirectly by security forces. Local media reported violent incidents, such as mobs killing and terrorizing people suspected of being Maoist supporters. Eventually, Maoist rebels bombarded larger regions, cut telephone, and electricity lines, and enforced economic and transport blockades in Kathmandu.

In 2001, amidst the upheavals, the crown prince massacred ten members of the royal family, before turning his gun against himself. The former monarch's brother was then crowned King of Nepal, but as the violence increased, popular support for the royalty waned. In November 2001, after 4 days of violence during which more than 100 people were killed, congress declared a state of emergency, granting more power to the ruler. Hundreds of civilians were later killed by rebels and governments' military operations.

In 2005 King Gyanendra dissolved the lower house and took all executive powers. The bloodshed worsened - the army said 2,000 people were killed that year compared with an average of 1,200 in previous years. In September 2005, the Maoists declared a three-month unilateral ceasefire, unreciprocated by the royal government, who vowed to defeat them by force. In January 2006, Maoists attacked military and paramilitary installations throughout the Kathmandu Valley, long considered to be relatively safe from rebels' violence.

With support from the seven parliamentary parties (SPA), the Maoist rebels arranged a mass uprising against the reign of King Gyanendra. The Nepalese government used various means to contain the uprising. Frustrated by lack of security, massive unemployment, and poor governance, thousands of people took to the streets to demand that the King renounced his powers, but the royal government turned even more brutal and continued its repression. Daytime curfews were imposed amid a Maoist blockade, and food shortages took effect.

Soon there was a plan to hold a march with over one million people into the city centre and encircle the royal palace. The security forces turned fierce; thousands of citizens were injured and twenty-one people died in the uprising. On April 21st, 2006, following weeks of violent strikes and protests against the direct royal rule, foreign pressure increased. The King surrendered his power and called for the country's parliament to reassemble, for the first time in after four years.

4. Initiation of the Peace Process

Nepal's government and Maoist rebels signed a comprehensive peace agreement (CPA) declaring an end to the ten-year civil war, paving the way for the inclusion of the rebels in mainstream politics and June 2007 elections to an assembly that is to write a new constitution. The comprehensive peace agreement (CPA) between Nepal's government and the Maoist rebels was signed on the evening of 21 November 2006 after months of difficult negotiations. Following this, the April 2006 mass movement brought an end to King Gyanendra's direct rule. Its roots are in talks between the major parliamentary parties seven-party alliance (SPA) and the Communist Party of Nepal (Maoist), CPN(M), that was secretly initiated in New Delhi in mid-2005 with the Indian government's blessing. The CPA broadly endorses the rough framework those talks produced but addresses many issues left unresolved in the earlier rounds.

The peace agreement charted a course towards elections for a constituent assembly (CA) following the formation of an interim legislature and government, including the Maoists. In a detailed agreement on arms management, the Maoists committed to the cantonment of their fighters and locking up their weapons under UN supervision; the Nepalese Army (NA) will be largely confined to barracks. The constituent assembly, to be elected through a mixed first-past-the-post and proportional system, also decided the future of the monarchy.

However, the deal was not as comprehensive as the name implied. It took a further week of intensive wrangling to reach an agreement on the modalities for arms management and to finalize an interim constitution. Though many objectives were yet to be attained, the peace process had succeeded in its first part: the successful completion of the Constituent Assembly election.

5. The Role of India, China, The United States, and The United Nation Mission in Nepal (UNMIN) (International Response)

A . India

India's stance on Nepal has many domestic ramifications, as different constituencies have perceived interests and positions. New Delhi's willingness to engage the CPN(M) since mid-2005 and encourage it to enter open politics is particularly sensitive at a time when India's Maoists are on the offensive. In Chhattisgarh state, they have for the first time announced the establishment of a parallel "revolutionary government", a step similar to the CPN(M)'s establishment of its United Revolutionary People's Council. The Maoist victory in Nepal was welcomed by Indian leftists. The most important left party is the CPI(Marxist), which supports the governing United Progressive Alliance (UPA) partnership from outside government and has been closely involved in Nepal's peace process.

B. China

Nepal's other giant neighbour has always been less talkative with Nepal but is no less keen to secure its national interests. Long doubtful of the CPN(M) – and uncomfortable by its use of the "Maoist" tag – China was quick to shift policy after the April 2006 people's movement and step up engagement.

Chinese Ambassador Zheng Xianglin has been at pains to stress the continuity in China's policy: China's good-neighbourly and friendly policy to Nepal is consistent. The Chinese government adheres to the principle of non-interference into the internal affairs of other countries and respects the choice made by the Nepalese people concerning their social system.

C . The United States

The U.S. has maintained its strong support for political pluralism while gradually building contacts with the Maoists. It welcomed both the elections and the republic declaration. Ex-President Carter criticized the slow pace of Washington's shift in viewpoint: "It's been somewhat embarrassing to me and frustrating to see the United States refuse among all the other nations in the world, including the United

Nations, to deal with the Maoists, when they did make major steps away from combat and away from subversion into an attempt at least to play an equal role in political society". However, the U.S. has taken quiet steps to reorient its policy. Following informal contacts, U.S. Ambassador Nancy Powell held a first meeting with the Maoist leadership on 1 May 2008. When Deputy Assistant Secretary of State for South and Central Asian Affairs Dr Evan A. Feigenbaum visited Nepal on 24-26 May, he met Prachanda and reportedly held a fruitful discussion. Prachanda requested the U.S. to continue economic assistance and to support Maoist efforts to introduce a "new model of development". In terms of democracy promotion, the U.S.'s main policy priority is clear: "Consolidation of gains in the peace process, promotion of security sector reform and the rule of law, and strengthening democratic institutions".

6. The United Nations Mission in Nepal (UNMIN)

Domestic commentary on the successful election has tended to refer to the UN Mission in Nepal (UNMIN) only in terms of its widely expected imminent demise. This is neither fair nor constructive. UNMIN has given cause for some of the bad publicity it has generated – there is truth to the feeling that it is overstuffed and resourced given the fineness of its mandate. However, that mandate was the decision of Nepal's political leaders, and UNMIN's role in enabling the elections to happen was critical. Further, then technical assistance, which many election officials privately praised. Its work as a neutral referee has kept a useful check on the political process, as well as enabling more coordinated international support. If Nepal's peace process goes well, international actors, especially UNMIN should be thanked.

C. About Election 2008

Nepal's constituent assembly (CA) elections were a major step forward in the peace process, paving the way for the declaration of a federal democratic republic and the start of the constitution-writing process. Although falling short of an outright majority, the Maoists won a decisive victory at the 10 April 2008 polls, securing a mandate for peace and change. However, the largely peaceful and well-managed

vote opened a confused new round of political haggling and difficulty. The Maoists have been unable to secure agreement on a new coalition government. Other parties, still struggling to accept their defeat, have set new conditions for supporting a Maoist-led administration.

The Communist Party of Nepal (Maoist, CPN(M)), emerged as the largest party by a wide margin, winning more than one-third of CA seats. The largest established parties, the Nepali Congress (NC) and Communist Party of Nepal (Unified Marxist-Leninist, UML), were not wiped out but have had difficulty coping with their relatively weak showing – their combined seats are less than those of the Maoists. The NC was particularly hard hit by the strong performance of new Madhesi parties, among which the Madhesi Janadhikar Forum (MJF) had secured a dominant position. Royalist parties failed to win a single first-past-the-post (FPTP) seat, only saving a toehold in the new assembly through the parallel proportional representation (PR) contest.

All in all, the elections were credible and a credit to those who organized, fought, and voted in them. Although some disruption and intimidation took place, it was far less than predicted. Voters were offered a genuine political debate and real choices. In return, they took their responsibilities seriously and turned out in large numbers to have their say. For all the losers' public petulance, very few collected evidence to file formal complaints.

7. Political Scenario after Peace Process

There was some progress on significant issues related to the peace process right after the process. As regards the all-important constitution-making work, nationwide public consultations on the constitution were placed and modest progress was witnessed in some aspects of the peace process and a further deterioration of relations among key stakeholders, notably between UCPN-M and the other major parties and between UCPN-M and the Nepal Army.

On 3 May, after a prolonged disagreement over several critical issues, the UCPN-M-led Government dismissed the Chief of Army Staff, accusing him of defiance, and appointed the second-in-command, Deputy General Kul Bahadur Khadka,

Acting Army Chief. The decision followed a request on 20 April by the Cabinet to General Katawal for clarification regarding three recent instances of alleged non-compliance by the Nepal Army with Government directives, including that concerning the recruitment of some 3,010 new personnel into the Nepal Army. General Katawal provided a clarification of the issues on the following day. The Cabinet meeting at which the decision to dismiss General Katawal was made was attended only by ministers from UCPN-M and the Madheshi People's Rights Forum (MPRF), with the latter registering a note of disagreement. Then, UML withdrew from the governing partnership and, together with the Nepali Congress (NC) and 16 other political parties, requested President Ram Baran Yadav to get involved and reverse the discharge of the Army Chief. The parties claimed that the discharge had not been made by an agreement among the parties and thus violated the Comprehensive Peace Agreement and Interim Constitution. The President wrote to General Katawal the same day, directing him to continue in his position. Amid this tense stand-off among the Government, the President, and the Nepal Army, Former Prime Minister Prachanda announced his resignation on 4 May. He stated that the Cabinet decision had been taken after the Nepal Army had repeatedly disobeyed Government policies and orders, that the action taken by President Yadav had been unconstitutional, and that steps should be taken to correct it and to ensure "civilian supremacy" over the Army.

On 5 May, further controversy erupted when local television and radio stations began to broadcast a leaked videotape of a speech that Prachanda had made on 2 January 2008 to Maoist army commanders and personnel at the Maoist army cantonment site in Chitwan, during which he said that the party had inflated the number of its army personnel presented for registration and verification. He also said that some money allocated for the cantonments would be used to "prepare for a revolt". The statement drew immediate public condemnation and raised serious doubts about the Maoists' commitment to the peace process. It also prompted questions about the eligibility of the 19,602 combatants verified by UNMIN, and of the Mission's role in the verification process, which had taken place between June and December 2007. In a press conference on 6 May, Prachanda said that his

reference in the videotape had been to the central command of the Maoist army which comprised between 7,000 and 8,000 personnel. Also, he said the Maoist forces had included a larger regional command, as well as 100,000 local militia. He said that his statement should be understood in the political context at a time when the progress of the peace process had appeared uncertain. Despite this explanation, serious concerns remained about the content and tone of the statement among national and international stakeholders.

In a 19 May press statement providing factual information about the registration and verification exercise, UNMIN clarified that it had carried out the verification following the two criteria determined by the parties. It had been asked to identify: (a) personnel who had joined the Maoist army after the date of the ceasefire (25 May 2006); and, (b) those who were below the age of 18 years on that date. The statement also indicated that, in addition to the regular briefings provided by the Chief Arms Monitor to the Joint Monitoring Coordination Committee, which is chaired by UNMIN and comprises senior representatives of the Nepal Army and Maoist army, my Special Representative had briefed senior political leaders on the exercise regularly.

On 23 May, a senior leader of the Communist Party of Nepal-Unified Marxist-Leninist (UML), Madhav Kumar Nepal, was elected Prime Minister; he then formed a new coalition government with the support of twenty-one other political parties, excluding the Maoists and two other parties. The formation of the new government required several weeks of intensive negotiation. By 1 July, thirty ministers from six of the coalition parties had been sworn in. MPRF split into two groups as a result of differences over whether to join the Government, and both factions applied to the Election Commission for official recognition as MPRF. The coalition partners agreed on a common minimum program, as well as a code of conduct for the Council of Ministers. The Common Minimum Program committed the Government to implement the Comprehensive Peace Agreement of November 2006, including the establishment of a national peace and rehabilitation commission that would monitor compliance and implementation.

The new Government reversed several decisions made by the UCPN-M-led Government, including its dismissal of the Chief of Army Staff and the appointment of his replacement. The Government has also extended by three years the service of eight Nepal Army brigadier generals whose terms were refused extension by the Maoist lead government. The generals had contested their non-extension in the Supreme Court which, on 24 March, issued a stay order pending its final verdict. The actions of the new Government were criticized by UCPN-M and led to escalated protests by the party, further straining its relations with the UML-led government.

The work of the Legislature-Parliament, the session which began on 29 March, was severely hampered by successive obstructions of its proceedings and were continued by the UCPN-M, which demanded civilian supremacy after the establishment of the CPN-UML-led government. UCPN-M obstructed parliamentary proceedings since 5 May, seeking a debate or other clarification of the President's action regarding the Army Chief. The protest was suspended on 23 May for the election of Prime Minister Madhav Kumar Nepal, and again on 23 June when several political leaders made statements regarding the current political situation. On 6 July, following an agreement among UML, NC, and UCPN-M on how to address the Maoists' demands, UCPN-M lifted its obstruction of the legislative process and for the first time in months, the Legislature-Parliament conducted business in a normal fashion. The agreement also provided for continued discussions to forge a consensus on the President's action within one month.

The obstruction of the Legislature-Parliament delayed action on a range of issues, including the mandatory debate on the budget for the remainder of 2009/2010, which had been scheduled to commence early in July, and discussion of the numerous bills due for consideration during the current session. The Ordinance on Maintaining Inclusiveness in the Public Sector, which provided for the inclusion of the traditionally marginalized groups in government services, including the police and army, lapsed when the deadline for parliamentary approval expired. The

Ordinance had sparked controversy when the Tharus and several other traditionally marginalized groups in the Tarai objected to being grouped with the Madheshis in the legislation. A bill addressing the inclusion of traditionally marginalized groups in the public sector was registered in the Legislature-Parliament.

Since early June, UCPN-M and affiliated organizations conducted a program of countrywide protests against the reinstatement of the Army Chief, calling for civilian supremacy over the Nepal Army. The protests disrupted daily life and led to clashes between Maoists and other party cadres. On 21 June, the Maoists escalated the protests, blockading government buildings, and clashes between UCPN-M cadres and the security forces were reported in Kathmandu and several other locations. On 29 June, following the first UCPN-M politburo meeting since the party, went into opposition; Maoist Chairman Prachanda announced that the party would make preparations to lead a joint national government.

8. Challenges to the Peace process

It is obvious that the peace process in Nepal was passing through different hurdles and was facing multiple challenges from different sides. There were lots of challenges to this peace process. In this chapter, some main challenges to the peace process will be discussed.

A. Drafting of the constitution

The main objective of the current Constituent Assembly was to draft a constitution within the period. It had made further progress on its central task of drafting the new constitution, albeit with delays due in part to the uncertain political situation. In a positive step, all of the political parties had pledged not to disrupt the work of drafting the constitution. The ten thematic committees continued to prepare concept papers, taking into account information obtained through the public opinion survey that they conducted in February, as well as suggestions submitted to the Constituent Assembly secretariat. The deadline for submission of the concept papers was pushed back from late May to early August. By 1 July, the Assembly had debated the concept papers of three of the thematic committees. Based on the recommendations

to be made by the Assembly following the debates, the Constitutional Committee was to develop a first draft of the new constitution for discussion during a dedicated month-long plenary session, scheduled to start in mid-September.

Significant challenges remained in the drafting of the constitution. There were fundamental differences among the political parties on major issues, including the new federal structure, the system of government, and the allocation of resources. The fluid political climate was also having an impact on the pace of the work. The Constitutional Committee had not met since 27 May, and the Chairmanship became vacant after former Chairperson, Madhav Kumar Nepal was elected Prime Minister. Both NC and UCPN-M had expressed interest in the position.

B. Integration and rehabilitation of Maoist army personnel

The Special Committee set up to supervise, integrate and rehabilitate Maoist army personnel, which held its first meeting on 16 January, was become dormant because of the political crisis. The Committee, which comprised two members each from MPRE, NC, UCPN-M, and UML, had been chaired by Maoist Chairman Prachanda until his resignation as Prime Minister on 4 May.

The work of the Technical Committee of the Special Committee, which was established on 27 March, was affected by the political uncertainty. Under the terms of reference prepared by the Special Committee, it was tasked with developing guidelines for bringing the Maoist army under the supervision of the Special Committee. The members of the Technical Committee, who visited three Maoist army cantonment sites, briefed the new Minister for Peace and Reconstruction, Rakam Chemjong, and met with the Prime Minister who has directed it to proceed with its work and requested the early submission of a plan for integration. The Technical Committee held several informal meetings to consult with stakeholders in the peace process and to review international experiences.

C. Discharge of disqualified Maoist army personnel

Limited substantive progress was made during the reporting period on the

discharge and rehabilitation of the 4,008 Maoist army personnel disqualified during the verification process. With the support of UNICEF and UNDP, the Ministry produced a draft survey to assess the aspirations of those to be discharged, which was an important early step in the discharge process. The United Nations and its partners remained prepared to work closely and more intensively with the Government in implementing a suitable program that would effectively meet the needs of the disqualified personnel. It was encouraging that Prime Minister Nepal had said that his Government would give priority to the discharge of the disqualified Maoist army personnel. Minister for Peace and Reconstruction Chemjong had indicated that he intended to review the Ministry's draft plan for the process and considered establishing a working group to refine and implement it.

D. Others challenges affecting the peace process

The ministry of peace process and Reconstruction deployed secretaries to the local peace committees, which were to support peace process implementation and conflict resolution at the local level, in all seventy-five districts. The ministry reported that, by 1 July, committees comprising representatives of political parties and civil society had been set up in 55 districts. Meanwhile, the tenure of the parliamentary committee established to monitor the November 2008 agreement between the Maoist-led Government and the NC was extended on 19 April for three months. The committee, which among other issues was tasked with the return of seized property and dismantling of the "paramilitary" structure of the UCPN-M-affiliated Young Communist League, had made only limited progress, mainly on information-gathering.

Law and order remained a matter of serious concern, especially in the Tarai, where many armed groups were operating in a climate of general impunity. There were increased reports of tensions and violent clashes between the Young Communist League and UML-affiliated Youth Force cadres and the supporters of other parties in several districts, particularly during the UCPN-M protests.

The number of traditionally marginalized groups, several of which are Maoist-affiliated, also imposed general shutdowns across the country to press for their

respective agendas. Militant organizations associated with several groups, including the Limbu, Tamang, and Tharu, were active and had reportedly increased their recruitment of young people.

9. Conclusion

Cautious optimism is still an option in Nepal but the grounds for it are increasingly shaky. The peace process has built several impressive achievements, from a solid ceasefire to successful elections and the start of a democratic constitution-writing process. Many potential disasters have been averted. Parties across the board have capable and committed leaders who, when push comes to shove, are not always as short-sighted and irresponsible as their inflammatory public pronouncements suggest. The cross-party capacity for dialogue, compromise, and cooperation for broader national interest has been dented but not destroyed. There remains a strong demand for a decisive shift away from the perceived corruption, self-interest, and destructive behaviour of the 1990s. Maoists often seem to have retained the worst of their behaviour and adopted some of the worst of other parties', instead of the other way round. It is naive to pretend that the risks of failure have not increased. Consensus politics lies in tatters and divergent interests, always present, have become sources of festering distrust bitterness. With the king gone, there is no common enemy to provide a rallying point. Political parties are weak and divided; the state is losing legitimacy and capacity. Capable honest brokers, essential in forging the peace deal, are almost absent. Civil society is fractured; the UN has lost its gloss; India appears partisan and interventionist.

The peace process can still be rescued and the historical legacy is still there for political leaders to claim. Getting to a ceasefire, elections and a constitution drafting process required courage and statesmanship on both sides. When pressed, top leaders proved they had these qualities. But the political process rests on weak institutions. State bodies are alarmingly fragile; parties are buried in internal feuds and personality clashes. If they recover some of their former boldness they could restore much of Nepal's battered dignity and tattered sovereignty. Broadening the peace process to bring parties and other players on board could deliver on the

promise of peace, democracy, and change that brought people onto the streets in April 2006. If they fail, Nepal's growing inequality, weakening state, and restive, politically aware population make it a country ready for revolt.

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<http://www.mcgill.ca/trauma-globalhealth/countries/nepal/civilwar/>

International Crisis Group.

<http://www.crisisgroup.org/home/index.cfm?id=1265&l=1>

UNMIN (United Nations Mission in Nepal)

<http://www.unmin.org.np/>

ACRONYMS/ABBREVIATIONS

| | |
|---------------|---|
| APF | Armed Police Force |
| BJP | Bharatiya Janata Party |
| CA | Constituent Assembly |
| CPN(M) | Communist Party of Nepal (Maoist), |
| CPN(ML) | Communist Party of Nepal (Marxist-Leninist) |
| IC | Interim Constitution |
| MJF | Madhesi Janadhikar Forum |
| | (sometimes referred to in other sources as the Madhesi People’s Rights Forum, MPRF) |
| MoPR | Ministry of Peace and Reconstruction |
| MP | Member of Parliament |
| NA | Nepalese Army |
| NC | Nepali Congress |

- SC United Nations Security Council
- UCPN(M) United Communist Party of Nepal (Maoist)
- UML Communist Party of Nepal
(Unified Marxist-Leninist)
- UNMIN United Nations Mission in Nepal
- OHCHR Office of the High Commissioner
for Human Rights
- YCL Young Communist League
- UNDP..... United Nations Development Programs