



News Update from Nepal

12 April 2007

Security, Law and Order

While the security situation in the country is worsening due to the ongoing agitation of various groups - Madhesi, ethnic, teacher's unions and students - political leaders in the capital are busy in bargaining for power in the interim government and succession of government leadership. The Tarai agitation has caused a supply crisis, revenue decline and rising inflation. It forced the regime to issue prohibitory orders in five districts of eastern Nepal, to ban rallies and meetings, tighten security and urge all political parties and interest groups to coordinate with the local administration while holding peaceful rallies. On March 17, Premier G.P. Koirala accepting the "Leadership and Good Governance Award" from the Universal Peace Federation led by Korean guru, Rev. Moon, admitted, "I am embarrassed to accept an award for good governance when the peace and security in Nepal is at its worst."

On March 14, Chief Election Commissioner, B.R. Pokhrel informing the party leaders spoke, "Neither the constituency has been delimited nor management works have been completed. The peace and security situation is not satisfactory, political parties have not been able to carry out their activities smoothly and the Election Commission (EC) offices are locked in some of the districts. The election monitoring team should be invited three months before the election and the date to hold polls should be declared. The government has not managed to select the 140,000 employees needed for the election purpose, to fully update the voters' list, prepare the Code of Conduct and announce the date for the CA polls." To these remarks, Premier Koirala said, "In an abnormal situation the elections will be abnormal." President of NC (Democratic) Sher B. Deuba proposed to postpone the CA elections due to the security vacuum.

The EC has issued a Political Party Registration Regulation for the CA election and opened the registration of the political parties. On March 26, the interim parliament passed the Work, Duties and Rights of the Election Commission Bill and Election Crime and Punishment Bill. These laws have set a ceiling on the election expenses for candidates and parties and have made it binding for the candidates to submit their election expenditure to the EC within 35 days. A candidate violating this will lose not only his or her seat but will also be barred from any election for the next six years. The new laws also make provisions for state funding for the political parties and prohibit them from taking any donations from businessmen and national and international organizations. The laws seek transparency in spending the state funding.

On March 13, the parliament formed a Security Special Committee (SSC) under the chairmanship of Speaker Subas Nembang. According to the Interim Legislature Regulation (ILR), the mobilization of the army has to be endorsed by the cabinet, the Premier will have

to table a proposal at the SSC and the latter will give its decision within 30 days. The committee will have a maximum of 21 members.

On March 9, the Parliament amended the Interim Constitution. Amending Article 33 (D), the Bill has stated that *Madhesis*, *Dalits*, ethnic *Janajatis*, women, laborers, peasants, the disabled, backward classes and regions will be provided with a proportional representation in the state. Similarly, amending Article 138, the Bill said that the present centralized and unitary model of the state will be restructured so as to make it inclusive and democratic, with a federal system in place. On March 30, the eight-party alliance finalized the Common Minimum Program (CMP) of the interim government, the code of conduct for ministers, a commitment for creating a conducive atmosphere for the CA elections and guidelines for the future coalition.

On March 14, the cabinet decided to cut the number of employees at the Royal Palace by 75% - 50% immediately and 25% will get voluntary retirement. The government also promoted four dozen senior security officials of the Nepali Army (NA) and the Armed Police Force (APF) and assigned new job responsibilities to them. The CPN (Maoist) opposed this and also the formation of a Constituency Delimitation Commission (CDC). Due to over partisan politics, both the Chairmen of the Human Right Commission Bishwo Nath Upadhaya and the Constituency Delimitation Commission, Ram Nagina Singh declined to accept their post. On March 20, the government formed a five-member CDC headed by ex-judge Arjun Prasad Singh to redraw the constituencies for the CA elections. This also evoked opposition from the CPN-UML and CPN (Maoist). Both parties demanded its dissolution.

Monarchy and Opposition Politics

On March 12, Premier Koirala said, "The king should have stepped down long ago. However, there is ample time; he should abdicate as per the wishes of the people. In some sense, a republic has been declared in the nation as claimed by the Maoist Chairman." He also asked the Maoists to settle arms and armies to ensure free and fair elections. On March 8, a Bill to amend the Interim Constitution of Nepal 2007 was registered by the CPN (Maoist) and Jana Morcha Nepal in the Parliament Secretariat to abolish monarchy in the country and declare a republic.

On March 12, the CPN (Maoist) accused the palace of allocating Rs. 600 million to an "assassination team of the Army" deputed for killing leaders of parties including CPN (Moist), CPN-UML and Nepali Congress (NC). He said that his colleague Janardan Sharma has submitted a CD (Compact Disk) to the Speaker Subas Nembang which contains documents with evidence of the palace conspiring against Maoists with the help of the Nepalese army. The speaker found nothing sensitive in the CD. The palace refuted this allegation and also plots to kill American officials as fabricated, baseless and done with bad intentions.

On March 11, RJP Chairman Surya B. Thapa said that the political situation in Nepal is deteriorating due to the "mishandling of the political power by the eight-party alliance". RPP Chairman Pashupati S. Rana warned that the nation is heading towards anarchy. He said, "Barring a political party from reaching out to the people means an attempt to derail the

election processes.” On March 14, members of the Youth Communist League (YCL), a Maoist wing, attacked a meeting of RPP (Nepal) leaders at Birtamod, smeared their faces with black and took them around the town with a garland of shoes around their necks. RPP (Nepal) chairman Rabindra Nath Sharma warned of a revolution if they are prevented from organizing programs. He said, “A referendum should be held to decide on monarchy and secularism.”

On March 19, the Federation of Nepalese Chamber of Commerce and Industry (FNCCI) announced a nation-wide closure of all industries till the leaders of the eight-party coalition including the Premier express a pledge to ensure peace and security in the business sector. This move came when the Premier refused to talk about the beating of Hari Shrestha, owner of the Hotel Woodland at Durbarmarg by Maoists. Prachanda requested the FNCCI to investigate the conflict between Hari Shrestha and Workers. Industrialists postponed their strike after getting from the eight parties a written assurance saying that their demands will be met. On March 20, the Home Ministry instructed the local administration and the police to take under control, if necessary even by using force, any miscreants disturbing the law and order.

Agitation in Tarai

As the government-initiated talk with various Tarai groups failed they resumed their protest activities. The Janatantrik Tarai Mukti Morcha both factions (JTMM-Singh and Goit) broke the ceasefire. On March 9, Nepal Janatantrik Party (NJP) took the responsibility of planting bombs in the residence of human rights activists Krishna Pahadi and Devendra Raj Panday. It said, “Foreign interference in our internal affairs is increasing. On top of that national puppets of foreigners and several groups are cheating us and are playing the game of dividing the nation in the name of federalism, ethnicity and right to self-determination. And Pahadi and Panday are among those who are into it behind the masks of human rights activists.”

The Madhesi People’s Rights Forum (MPRF) resumed its indefinite strike in Tarai from March 6 reiterating its demands - a consensus on fundamental principles of the new constitution before the CA, a proportional election system, a federal system of governance with the right to self-determination, the home minister’s resignation and a high level commission to probe in the incidents of Tarai, etc. It began padlocking all customs points on the Nepal-India border and district level offices related to tax, excise, land revenue, electricity and telecom offices, in all district headquarters in Tarai. On March 14, MPRF cadres torched dozen government offices in Rangeli, Morang district. So far 67 people died in the agitation called by MJAF.

On March 21, at Gaur municipality, MPRF killed 30 people mostly CPN (Maoist) cadres and civilians. The clash occurred when MPRF cadres destroyed a podium prepared by the Maoist-affiliated Madhesi Mukti Morcha (MMM), the former had first planned to organize its meeting there. Ian Martin, the UN Secretary General’s representative said, “The international community is shocked by the killings in Gaur. The only proper response is not to offer any excuses, but to cooperate in criminal investigations that will result in the prosecution of those responsible for any act of violence.” Maoist leader Prachanda said that the Gaur

Massacre was the handiwork of the royalist and regressive elements, Indian Hindu fundamentalists and anti-peace elements, who want to destabilize the country's sovereignty and do not want democracy, peace and CA elections. He also asked the government to ban MJAF. On March 23, the US embassy said, "Law and order must be enforced - and not on a selective basis." It added, "The *en masse* walk out of the PLA (People's liberation Army) from cantonments has once again demonstrated their disdain for the commitments they have made to the peace process. If unity and inclusiveness is not promoted, further bloodshed may result and Nepal's peace process could be imperiled." The same day Indian police authorities promised to support the Nepali policemen in capturing the culprits, who fled to India.

The MJAF condemned the role of the "Home administration, its tactical conspiracy and indirect involvement in the Gaur incident." It also criticized the Maoists saying, "Anti-democratic conspiracy." The government has set up a three-member high-level judicial commission headed by a sitting judge Hari P. Ghimire to probe into the incident. Maoists, however, objected the probe commission which has been formed without consulting them. On March 24, Nepal Madhesi Students' Front (NMSF), the student front of MJAF, has severed its link to the MJAF, accusing it of indulging in "non-political and pro-palace" activities. On March 18, *Seema Jagran Manch* (SJM) of Bihar, India organized a sit-in-strike in support of MJAF at Jogbani point and blocked 300 trucks passing into Nepal with public goods. It was protesting the police crackdown on Indian nationals during MJAF rallies and expressing solidarity with it. On March 30, the JTMM (Singh) declared the Tarai region a "Republican Free Tarai State" and announced April 9 "Republican Free Tarai Liberation Day."

On March 15, life in Sarlahi suffered due to the general strike called by Chure Bahwar Ekta Samaj (CBES), a recently formed group, which demanded an autonomous region in the foothills of the hilly region and above Tarai. It has agreed to respond to the call of government for negotiation.

Foreign Affairs

On March 3, Ian Martin, UN Secretary-General's Special Representative to Nepal, speaking at a program organized by the Asia Society said, "China is extremely supportive of the peace process in Nepal." He also said that the peace negotiations are "smiled upon" by India. On March 7, visiting Norwegian Minister for development Cooperation, Erik Solheim, said that Norway will not only support Nepal's peace process but will also continue to assist Nepal in its long-term development goals. He suggested an inclusive government soon. He pledged \$ 2 million for Nepal's peace process. Denmark and Norway provided Rs. 3 billion energy aid to Nepal.

On March 9, expressing deep concern over a public statement made by Prachanda about the "royal palace plotting to kill top US Embassy officials and blame it on Maoists, the Embassy asked the Maoist leadership to share the information with it and the police. The US Ambassador James F. Moriarty said, "I have seen no evidence, now it puts our citizens at risk, it has been a week and a long time there is no evidence." He termed Prachanda's statement "dangerous and irresponsible." The US Under secretary of the State for Management, Henrietta Fore, while in Kathmandu said that Maoists do not deserve member-

ship in the coalition government unless they renounce violence.” On March 22, German Ambassador to Nepal Franz Ring said, “There is no environment to trust the Maoists as they have continued extortion, abductions and violence against business persons and industries across the country. We call upon the Maoists to cease these activities immediately.” On March 22, the US Secretary of the State Condoleezza Rice stated, “Maoists should be completely disarmed. The situation in Nepal is tenuous and the peace process still complex.” She also described India as the United States’ closest international partner in working on affairs in Nepal. On March 30, the US Ambassador Moriarty told Premier Koirala, “inducting Maoists in the government would be dangerous until they surrender all their weapons.”

On March 20, a five-member delegation of the Members of the European Parliament (MEP) headed by Neena Gill arrived in Nepal for a four-day visit from March 21-24 and discussed on various matters such as the peace process, the CA elections and the Bhutanese refugees with the concerned officials.

Appendix

New Cabinet

On April 1, the 8-party consensus formed a new 23-member cabinet, declared to hold CA elections on June 20 and pledged to amend the constitution giving power to the interim legislature to abolish the monarchy by a two-thirds majority. They unanimously selected G.P. Koirala as the Prime Minister. This is his sixth time. The portfolios are given below:

G.P. Koirala, Prime Minister, Defense and Health (NC)
Ram Chandra Paudel, Minister, Peace and Reconstruction (NC)
Sahana Pradhan, Minister, Foreign Affairs, (CPN-UML)
Krishna Mahara, Minister, Information and Communications (CPN-Maoist)
Pradip Nepal, Education, Sports and Culture (CPN-UML)
Dr. Ram Sharan Mahat, Minister, Finance (NC)
Krishna P. Sitaula, Home, (NC)
Narendra Bikram Nembang, Minister, Law, Justice and Parliamentary Affairs (NC-D)
Mahanta Thakur, Minister, Environment, Science and Technology, (NC)
Dev Gurung, Minister, Local Development (CPN-Maoist)
Rajendra Mahato, Minister, Industry, Commerce and Supplies, (NSP-A)
Prithvi Subba Gurung, Minister, Culture, Tourism and Civil Aviation (CPN-UML)
Hisila Yami, Minister, Physical Planning and Work, (CPN-Maoist)
Matrika Yadav, Minister, Forest and Soil Conservation (CPN-Maoist)
Chhabilal Bishwokarma, Agriculture and Cooperatives, (CPN-UML)
Jagat Bahadur Bogati, Minister, Land Reforms and Management, (ULF)
Khadga Bahadur BK, Minister, Women, Children and Social Welfare, (CPN-Maoist)

State Ministers

Ramesh Lekhak, Labor and Transport (NC-D)
Gyanendra B. Karki, Water Resources (NC-D)
Ram Chandra Yadav, General Administration, (CPN-UML)
Mohan Singh Rathour, Education and Sports, (CPN-UML)

After Jana Morcha Nepal (JMN) recommends its candidate the portfolio of the Health Ministry which has been held by the Premier now will go to it. The international community welcomed this move and hoped for the consolidation of the peace process. The EU has termed the formation of the new government as an “important milestone in the peace process.” In a statement issued by the German Ambassador to Nepal, Franz Ring on behalf of the EU said, “The EU looks to the new government to operate in line with democratic principles, to tackle impunity, to deliver reforms through state institutions and to dismantle any parallel structure.”

Contact: Daniel.Reichart@fes.de, Tel.: 030 – 26 935 937
Ulrike.Ehnes@fes.de, Tel.: 0228 – 883 508