



## **News Update from Nepal**

1 November 2008

### **National Security and Human Rights**

Nepal's security situation on the ground has not improved much. On October 14, Rajan Mukti faction of Janatantrik Tarai Mukti Morcha (JTMM) killed one civilian in Sirha, a bomb blast killed one woman and two children in Rautahat and one civilian was abducted at Sirha. Nepal Oil Corporation officer was kidnapped at Biatnagar. The detonation of a bomb by the Nepal Defense Army in a mosque in Morang which killed three persons has caused a strike on October 16 demanding security of the mosque and a compensation to the family of the victims. One Maoist-affiliated Young Communist League (YCL) member is drowned in Trisuli river in Dhading as the CPN-UML affiliated Youth Force chased him. JTMM (Singh) terrorized over a dozen of VDC Secretaries of Jhapa demanding \$1,220 donations and seized the property of one local person in Nepalgunj. An armed group shot dead one school teacher at Rautahat, eight were injured in Janakpur blast and two injured in Dang. The activists of the Sanyukta Janatantrik Tarai Mukti Morcha killed Village Development Committee secretary in Kapilvastu. On October 25, the Central President of Tharuhat Autonomous State Council Nepal, Laxman Tharu, declared an armed revolt against the state amid a drill of the Tharuhat Liberation Fighters in Dhanagadhi.

On October 16, Prime Minister Puspa Kamal Dahal admitted that the Maoist-led government has failed in bringing about "desired good governance," as corruption and irregularities are still rampant in the administration. People are denied of timely service. On October 17, the National Human Rights Commission (NHRC) expressed dissatisfaction over the non-implementation of 75 percent of its directives and recommendations to the government. It held the CPN (Maoist) responsible for holding back information on 299 disappeared persons and the Nepal Army for personal details of 671 disappeared. It expressed concern over the worsening human rights situation in the Tarai, the southern flatland, due to the ongoing violence by non-state armed groups.

On October 23, the Judicial Council transferred 132 judges working in district courts across the country. Earlier, the government transferred Chief District officers and other government officials. Accordingly, it also reshuffled the top bureaucrats. The government has also made political appointments in state-owned corporations. Members of the ruling coalition Madhesi Jana Adhikar Forum (MJAF) opposed this reshuffle as it was done without consultation with coalition partners. The focus of government more on power struggle than drafting a new constitution irked former Chief Justice and Constituent Assembly (CA) member Bishwo Nath Upadhayaya. He said, "If there is no favorable environment and no possibility of drafting the new constitution what will be the point in my taking oath. There will be no meaning other than drawing a monthly allowance from the state coffers from a job involving no work."

## Peace talk

On October 2, the six ruling parties decided to form a high-level Political Coordination Committee to resolve their differences and make the cabinet function smoothly. But they failed to draw a conclusion on forming a Constitutional Council to appoint various constitutional heads left vacant since long time. On October 16, the political committee under the cabinet headed by the Prime Minister decided to form a 25-member peace committee in all 75 districts with a view to restoring peace and maintaining social harmony. Each local peace committee will have seven members while the district committee will have 25 members. The \$ 1.625 million program, envisaged by the Comprehensive Peace Agreement (CPA), will continue for four years. It will facilitate the resolution of issues at local levels and implement the CPA.

On October 3, the government formed a three-ministerial committee consisting of Minister for Peace and Reconstruction Janardan Sharma, Minister for Local Development Ram Chandra Jha and Education Minister Renu Kumari Yadav to hold talks with non-state armed actors. Out of 27 armed groups in Tarai and hills only nine of them responded positively to the committee's appeal for dialogue - five JTMM groups (led by Goit, Jwala Singh, Rajan Mukti, Ranvir and Prithvi), Kirant Workers' Party, the Liberation of Tarai Tiger Ilam, the Madhesi Virus Killers and Tarai Cobra. But, they have set preconditions: announce ceasefire, release arrested cadres, guarantee their security throughout talks, withdraw all false charges against their party cadres and return security forces to the district headquarters. The government immediately pledged security to them. On October 22, Tarai Samyukta Janakranti Party put a nine-point charter of demand as a precondition to sit for talks with the government. Major demands are: Madhesi killed during the agitation be declared martyrs, compensation to the victims, right to self-determination, implementation of 8-point agreement made with United Madhesi Front, etc. The government is holding inter-party consultations for broader support for the talks and engaged in confidence-building with Madhesi parties.

The integration of Maoist combatants, however, became a bone of contention. The seven-point agreement of June 25 among the major parties spells out that the combatants who meet eligibility criteria will be adjusted in the Nepal Army. NC, Madhesi parties, Rastriya Janashakti Party and Rastriya Prajatantrik Party (RPP) said that the image of the NA should not be tarnished through politicization and integration of Maoist combatants into it. On October 20, Minister for Physical Planning and Works Bijaya K. Gachhedar warned of dire consequences in case the Maoist combatants were integrated into the NA. He said, "Hundreds of Madhesis will form their own army and will claim to be integrated into the national army and that will spell disaster for the country." On October 26, Chairman of RPP-Nepal Kamal Thapa demanded space for the king and feared that the country would fall into the clutch of extreme leftist forces should the Maoist-led government continue. To this, the Prime Minister said that the CPN (Maoist) is open to exploring all possible options for integrating the combatants. Defense Minister Ram B. Thapa confirming this said that the representatives of the people will decide "the structure of the new national army and national security policy."

On October 21, the ruling CPN (Maoist) and CPM-UML have reached an agreement to form a special committee to look after the integration of Maoist combatants into the NA and

formation of other commissions stipulated in CPA. Since the NC opposed the Maoist heading the Army Integration Special Committee (AISC), the latter proposed CPN-UML to head the committee to provide guidance to the government. On October 22, NC put preconditions: the decision-making process should be based on consensus; the committee should be either chaired by a non-Maoist party or shared on a rotation basis; committees have only one representative from each of the major parties; the ruling parties must define major parties and local peace committees should be formed on the basis of previously agreed terms. On October 28, the government formed a five-member AISC under the chairmanship of Deputy Prime Minister and Home Minister Bam Dev Gautam. Defense Minister, Peace and Reconstruction Minister and Prof. Mohamad Habibullah of MJAF are the members. It has reserved a seat for the NC candidate although the latter seems reluctant to join.

## **Party politics**

The 21<sup>st</sup> Central Committee meeting of the CPN-UML rejected the proposal of General Secretary Jhal Nath Khanal for the formation of new committees before the party's general convention. This demonstrates that the establishment faction within the CPN-UML is in minority. Its influential leaders, K.P. Oli and Madhav K. Nepal, do not feel comfortable with CPN (Maoist), especially its proposal of a People's Republic as an alternative to a democratic republic. Khanal, however, stressed the need to reorient the party with new policies, programs and visions suitable to the changed context. On October 11, Prime Minister Dahal urged CPN-UML leader Madhav Kumar Nepal to continue playing an active political role. On October 13, he said that a federal democratic republic is his party's transitional objective and its long-term goal is to go for a people's republic. He said, "We will go for a new model of democracy which secures the rights of farmers, workers and marginalized people." He requested NC President G.P. Koirala to "lend the government a helping hand, write the constitution and take the ongoing peace process to a logical end." On October 17, Dahal claimed that the Maoist tag will be removed during the unification program with other communist factions. Head of organization department of the party Mohan Baidya, however, opposed the removal of the Maoist tag as people have already accepted it and the dispersal of Maoist combatants among various security forces in the name of integration as mooted by the Prime Minister. Similarly, CPN-UML is also discussing about the removal of the tag Unified Marxist-Leninist in its forthcoming 8<sup>th</sup> national convention.

Sadbhavana Party asked the government to conduct a fresh census to ensure a proportionate representation of Madhesis in state structures. This view is also shared by Tarai Madhesh Loktantrik Party (TMLP). President of TMLP, Mahanta Thakur, blamed the government for creating anarchy in the country as their cadres are engaged in violent activities. All the Madhesi parties prefer a vote of conscience in the Constituent Assembly, the rest of the parties are against it.

On October 19, NC leaders threatened to launch a revolt from within the parliament if the government does not abide by past agreements, facilitate the return of seized property to the rightful owners and dismantle the structure of Maoist-affiliated YCL. NC has declined to join the government and instead started a National Awareness Campaign to expose what it calls, "the authoritarian tendency of CPN (Maoist)." On October 25, NC President G.P. Koirala alleged that the CPN (Maoist) has appeared as vestiges of totalitarianism and his party would launch a new movement for peace and democracy. He said, "There is no justi-

fication for the Maoists seeking consensus on integration of their combatants while flouting the politics of unity, consensus and cooperation." He added, "When there was unity among the political forces, the Kathmandu-based ambassadors would rush to meet Dahal. But now there is a reversal of the role."

Former Finance Minister Dr. R.S. Mahat rapped current one Dr. Baburam Bhattarai for releasing a budget of \$8.75 million to Maoist combatants, who have been living in UNMIN-Supervised cantonments and doing nothing to alleviate the plight of Maoist victims. On October 20, the NC raised serious objections to the government decision to allocate a budget for the newly set up Ministry of State Restructuring and demanded that the ministry be scrapped immediately. The establishment of this Ministry contravenes Article 138 of the Interim Constitution and the jurisdiction of the CA which talks only about a high level recommendation commission on state restructuring.

## **Foreign Policy**

On October 11, during his visit to the USA, Foreign Minister Upendra Yadav met US Assistant Secretary of the state for South and Central Asian Affairs Richard Boucher and requested for duty free access to Nepalese readymade garments into the US. He also revealed that the UN has agreed to include more Nepal Army personnel at higher levels in UN peace-keeping operations and also increase the number of Nepali peace-keeping troops from the current level of 3,700 to 5,000.

On October 13, NC acting President Sushil Koirala alleged that United Nations Mission in Nepal (UNMIN) has not been playing an impartial role but favoring the Maoist combatants. He asked, "If UNMIN can speak about the rights of the Maoist People's Liberation Army, why does it remain silent about the plight of Maoist victims? He also criticized it for being silent on the extra-constitutional activities of YCL. Chief of UNMIN Ian Martin urged all to judge its performance on the basis of the overall role it had played in Nepal's peace process. He maintained that the UN could play the role of a mediator in the dialogue between the government and armed groups in the Tarai, but only after the government and the political parties sought the former's help. The UNMIN's newly extended tenure was for the management of arms and armies. The UN body had resumed discussions on rehabilitating the disqualified Maoist combatants. The US Ambassador to Nepal Nancy Powel in her meeting with PM Dahal said that the US government has started a process to remove the CPN (Maoist) from its Terrorist Exclusion List. On October 31, UN Secretary General Ban Ki-moon visited Nepal and met high-level officials to discuss about Nepal's peace process.

The Asian Development Bank has pledged a grant worth \$106.3 million to support the local governance in resource management and service delivery. Norway has agreed to provide \$4.875 million to Nepal to implement the Integrated Pest Management Program. South Korea has agreed to provide a loan of \$45 million to Nepal for the implementation of 30-MW Chamiliya hydro-electricity project in Darchula district. The US provided \$ 7.5 million food aid while the European Commission has allocated Euro 4.5 million to flood victims of Nepal and India.

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