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Research Reports

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Issue: The Question of Nepal

BACKGROUND

Prior to 2006, Nepal was a kingdom, ruled by the Shah Dynastic family from 1768 to 2006. After the emergence of a constitution in 1990, Nepal's government has become unstable. The Maoist rebellion movement began as small protests in the year 1996, but have since gained much power and destroyed major development centers in Nepal. Nepali journalists, members of NGO's, and the U.S. Government have been working together to discuss different ways for Nepal to become more stable and have stronger ties with the United States. Due to Nepal's harsh mountain ranges and rapidly increasing population, it has become a much more difficult country to stabilize. Much of the Nepali population is fleeing and many are clueless as to what is actually going on. Many people live in areas in the mountains which are extremely difficult to reach, and can only be accessed on foot by those familiar with the area. The main reason for this conflict is directly tied with social and economic issues, many based on the link between the which, if sorted out will make things much easier to resolve. The thought of killing Maoists had been agreed to be the worst solution, and the international community as well as the Nepalese government prior to elections in April had instead come up with various proposals of action to be discussed.

TIMELINE OF CONFLICT

- Nepalese established monarchy for over 200 years.

Political instability

- 1995 - Radical leftist group, the Nepal Communist Party (Maoist), begins insurrection in rural areas aimed at abolishing monarch and establishing people's republic, sparking a conflict that would drag on for over a decade.
- 1997 - Prime Minister SherBahadurDeuba loses no-confidence vote, ushering in period of increased political instability, with frequent changes of prime minister.

Palace killings

- 2001 1 June - King Birendra, Queen Aishwarya and other close relatives killed in shooting spree by drunken Crown Prince Dipendra, who then shoots himself.
- 2001 4 June - Prince Gyanendra crowned King of Nepal after Dipendra dies of his injuries.
- 2001 July - Maoist rebels step up campaign of violence. Prime Minister GP Koirala quits over the violence; succeeded by SherBahadurDeuba.
- 2001 November - Maoists end four-month old truce with government, declare peace talks with government failed. Launch coordinated attacks on army and police posts.

Emergency

- 2001 November - State of emergency declared after more than 100 people are killed in four days of violence. King Gyanendra orders army to crush the Maoist rebels. Many hundreds are killed in rebel and government operations in the following months.
- 2002 May - Parliament dissolved, fresh elections called amid political confrontation over extending the state of emergency. SherBahadurDeuba heads interim government, renews emergency.
- 2006: Ex-PM freed from jail
- 2004: Deuba begins third term
- 2002 October - King Gyanendra dismisses Deuba and indefinitely puts off elections set for November. LokendraBahadurChand appointed as PM.
- 2003 January - Rebels, government declare ceasefire.

End of truce

- 2003 August - Rebels pull out of peace talks with government and end seven-month truce. The following months see resurgence of violence and frequent clashes between students/activists and police.
- 2004 April - Nepal joins the World Trade Organisation (WTO).
- 2004 May - Royalist Prime Minister Surya BahadurThapa resigns following weeks of street protests by opposition groups.
- 2004 June - King Gyanendra reappoints SherBahadurDeuba as prime minister with the task of holding elections.

Direct power

- 2005 1 February - King Gyanendra dismisses Prime Minister Deuba and his government, declares a state of emergency and assumes direct power, citing the need to defeat Maoist rebels.
- 2005 30 April - King lifts the state of emergency amid international pressure.
- 2005 November - Maoist rebels and main opposition parties agree on a programme intended to restore democracy.
- 2006 April - King Gyanendra agrees to reinstate parliament following weeks of violent strikes and protests against direct royal rule. GP Koirala is appointed as prime minister. Maoist rebels call a three-month ceasefire.
- 2006 May - Parliament votes unanimously to curtail the king's political powers. The government and Maoist rebels begin peace talks, the first in nearly three years.
- 2006 16 June - Rebel leader Prachanda and PM Koirala hold talks - the first such meeting between the two sides - and agree that the Maoists should be brought into an interim government.
- 2006 November - The government and Maoists sign a peace accord, declaring a formal end to a 10-

year rebel insurgency. The rebels are to join a transitional government and their weapons will be placed under UN supervision.

- 2007 January - Maoist leaders enter parliament under the terms of a temporary constitution. Violent ethnic protests erupt in the south-east; demonstrators demand autonomy for the region.

Maoists join government

- 2007 April - Former Maoist rebels join interim government, a move that takes them into the political mainstream.
- A US offer to resettle thousands of Bhutanese refugees in Nepal has raised hopes but has also sparked tension in the camps, says Human Rights Watch.
- 2007 September - Three bombs hit Kathmandu in the first attack in the capital since the end of the Maoist insurgency. Maoists quit interim government to press demand for monarchy to be scrapped. This forces the postponement of November's constituent assembly elections.
- 2007 October - UN Secretary-General Ban Ki-moon urges Nepal's parties to sink their differences to save the peace process.

End of monarchy

- 2007 December - Parliament approves abolition of monarchy as part of peace deal with Maoists, who agree to re-join government.
- 2008 January - A series of bomb blasts kill and injure dozens in the southern Terai plains. Groups there have been demanding regional autonomy.
- 2008 April - Former Maoist rebels win the largest bloc of seats in elections to the new constituent assembly, but fail to achieve an outright majority.
- 2008 May - Nepal becomes a republic.
- 2008 June - Maoist ministers resign from the cabinet in a row over who should be the next head of state.
- 2008 July - Two months after the departure of King Gyanendra, Ram Baran Yadav becomes Nepal's first president. Mr Yadav's appointment triggers a fresh political crisis, as the Maoists had backed a rival candidate. Maoist leader Prachanda says his party will form an opposition to the new government.

Political

Political Causes/Roots of the Conflict

Maoist leaders were aiming to change the Nepali monarchy into a communist republic and thus began their rebellious acts of violence against the Nepalese government. The Maoist party, or factions at the time, were able to gain popularity in the rural areas with their promises for food and less dictatorial control over the

people. Considering that Maoist support comes from the rural community, it is understandable that they are some of the few with access to these people in the hills and rural agricultural regions. With the declaring of the ending of a 4-month truce, Maoist factions immediately fired bombs into the cities, however, there were no casualties, not reported injuries resulting from these attacks. Despite the fact that their truce was able to dramatically decrease the amount of deaths within the area, Maoist factions persisted to call it off and keep fighting. This then left Nepal in a defensive stance, prepared for many more suspected attacks.

Elections in April 2008

Elections in April resulted in a upheaval of power, the Maoist Communist Party gaining the most seats in the Constitutional government (220). Ram Baran Yadav, the first Nepalese President as of the 23rd of July, was the General Secretary of the Nepalese Congress Party, until he assumed his present role. Parmanand Jha is the Vice-President, who swore he would remain independent of party politics when he took office. Former Maoist party chairman, Prachanda, is the Prime minister, assuming office on the 18th of August, in a Maoist retaliation to lost Presidential elections.

Major Parties in Nepal

Based on April elections

- The Communist Party (Maoist) of Nepal was largest party in the Nepalese Constituent Assembly election, 2008, and has great control over the Nepalese government. If a decision for true representation of winning parties had not been chosen, the Maoist party would have even more seats.
- The Nepali Congress is a centrist party focused on reform. Second most popular party in Nepal, by recent elections.
- The Communist Party of Nepal (Unified Marxist-Leninist) is the other Communist part of Nepal, but instead of united with the Maoists in the recent elections, chose to remain independent, and paid the price in votes. They have had more support in the past, and are older than the Maoist party, but did not garner the support in recent elections.
- The National Democratic Party, also known as the Rastriya Prajatantra Party, is a right-wing pro-monarchy party.
- The Nepal Sadbhavana (Goodwill) Party is a pro-monarchy party within Nepal.
- The Nepal Sadbhavana Party is regional political party in Nepal that works for Madhesi rights, favored the introduction of Hindi as the second national language in previous years, and, during the Civil War, worked for the establishment of a secure relationship with India.
- The Nepal Workers Peasants Party is a party supporting reform within Nepal, and has one seat as of the parliamentary elections in April.

Suggestions for possible Political clauses:

- The review of the Indo-Nepalese treaty of 1950, and revision based on present affairs
- Cabinet's mandate over the Royal family, including final probe into the palace killings of 2001, and role of Royal family in present Nepalese society
- Arms monitoring and cease of trade of small arms in both the National Army and the People's Liberation Army (Maoist Army)
- Election and constitutional rights of Nepalese people, including the support of restoration of government in rural areas
- Final phases of creation and secure establishment of cabinet and government
- Relationship between present Maoist government and international neighbors
- The merging of the National Army and People's Liberation Army (Maoist combatants)
- Cantonment (military camp) support and registration of Maoist army personnel; including management of improvised explosive devices and risk education, and reintegration of minors and late recruits

Humanitarian

Human Rights

Nepali civilians have been greatly affected by this conflict. Their rights to safety and life have been strictly violated and an estimated 4,000 people have been killed over the course of 6 years in the duration of the civil war. The International Committee of the Red Cross (ICRC) has reported that villages were being used as "human shields" and often became victims of uncontrolled violence. Nepalese civilians have also been greatly deprived of proper medical care and are paying the price. The ICRC has assisted by providing medical care to civilians throughout the conflict, but there has been little initiative by Nepalese factions for similar care of civilians. Human Rights Watch made reported the use of child soldiers by Maoist factions during the civil war. The violation of Human rights is a major social problem, which has greatly contributed to the instability in the areas of politics and economy. There is no existing document or mandate defending or outlining the basic human rights of the citizens of Nepal, and many do not know what rights they have. This is probably rooted in the long help identity of a monarchy society, and resulting passive acceptance of breaches of personal liberties in light of absolute sovereignty of the monarch.

Women's Rights

In general, women's rights are non-existent, so first hand accounts say of those in the region, and women continue to be the victims of lack of identity within society. However, several international NGO's have

addressed this problem, looking into creating means of support for women through the creation and selling of handicrafts on the free market in neighboring and other More Economically Developed Countries (MEDC) . Children are also primary victims of the recent civil war and a patriarchal culture. This can be addressed by education, and such education is not available to the majority of people, especially not women, leaving the majority of people illiterate and with limited vocations.

The contrast of high-density population in Katmandu and other large cities and low-density population throughout the agrarian mountain communities has made it even harder for the country to move forward in the democratic process, due to limited resources and lack of understanding of the populace. This misunderstanding has also led to a further misunderstanding of the populace' need for information. Technology to transmit information on national affairs and politics has further supported the grassroots level attitude of passive acceptance of political actions being beyond the common man's control.

Economic Issues

[Tourism being the primary source of income for many people, the maintenance of the country's industry is extremely important to people. In order for tourists to choose to visit, however, there needs to be an assurance of security for visitors. While there has been no reported targeting of foreigners with intentions of violence during the recent conflict, mild harassment in the form of begging and more excessive aggravation by army factions in the mountains for money or guides has discouraged tourists from attempting to see Nepal's beauty. These reports come from those who have stayed in Nepal in the last 5 years, particularly a teacher at a local international school. Another aspect of the maintenance of the tourism industry is sustainable development, and the non-exploitation of the country's resources for the sake of tourists. A balance must be maintained to insure that Nepal's natural situation is not spoiled for future generations, and that rural communities do not suffer for the sake of the development of urban hubs (Katmandu).

Refugees

The refugee situation in Nepal is one that is causing problems for its people, mainly on the receiving end from countries such as Tibet. In 2007, a US offer to resettle thousands of Bhutanese refugees in Nepal raised hopes but has also sparked tension in the camps. The inflow of refugees into Nepal has the potential of worsening the humanitarian situation for the civilians there, as resources which are already nonexistent are further diminished.

Much support for individual rights and sustainable development comes from foreign NGO's, which should be replaced by local government and/or establishments to maintain and uphold these values in the future.

Suggestions for possible Humanitarian clauses:

- Creation of mandate of human rights, and establishment of monitor of these human rights
- The question of child soldiers in the recent civil war, including their reeducation and role in Nepalese society, related to rights of children
- Containment, detection and removal of land mines
- Future role of UNMIN until January 2010
- The rapid provision of basic services in rural areas where their absence could hinder the peace process
- Sustainable development in light of tourism and its effect on the culture and progress of Nepalese society
- Economic stability on grassroots level in rural areas
- Establishment of records of death related to the recent civil war, with economic and social implications
- Protection of rural society in relation to rushed development and quick impact economic projects targeted at vulnerable, conflict affected communities

UN Resolutions

Security Council

Annual renewals of UN Mission in Nepal (UNMIN):

- S/RES/1740 (2007) | 23 Jan 2007 – Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)
- S/RES/1796 (2008) | 23 Jan 2008 – Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

General Assembly

These resolutions were all written before the end of the civil war between the Nationalist army and the Maoists, so each resolution encompassed the humanitarian role of UNMIN in Nepal, and the solutions to the immediate problems within Nepal, mainly the immediate ceasefire between sides.

- GA 731323
- GA 720185
- GA 742092
- GA 754789
- GA 820073

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- Full text of the Comprehensive Peace Agreement held between Government of Nepal and Communist Party of Nepal (Maoist), <http://www.reliefweb.int/rw/rwb.nsf/db900SID/VBOL-6VSHK8?OpenDocument>
- Prachanda's first interview as Nepal PM, BBC.com, http://news.bbc.co.uk/nol/ukfs_news/hi/newsid_7590000/newsid_7596500/7596523.stm