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A Model for Peace in Nepal? (ARI)

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Theme: This paper looks at how far Nepal has progressed along the road to peace and at the prospects for the process to continue staying on track.

Summary: Since the extraordinary People's Movement of April 2006, Nepal has been moving steadily, to the surprise of some, down the path to peace. If politicians on all sides can keep their nerve, and their commitment to peace and genuine democracy, then Nepal will have elections this June that will take it one more huge step forward to the modern, human rights-respecting democracy that its millions of demonstrators so powerfully called for last April.

Analysis: Since the extraordinary People's Movement of April 2006, Nepal has been moving steadily, to the surprise of some, down the path to peace. It still has a long way to go. But as UN arms monitors arrived in Nepal in January 2007, to be followed soon after by Maoist guerrillas in camps, putting their arms under UN supervision, and then by pictures of Maoist MPs entering a newly convened Nepali Parliament, optimism is in order.

One of the poorest countries in the world, with a population of around 28 million, Nepal lies between the two giants of China and India. It is not a region of the world renowned for peace: Tibet lies to Nepal's north, a stream of refugees arriving in Kathmandu every year; to the west beyond India are Pakistan and Afghanistan; to the east lies India's own troubled north-eastern states, Bangladesh and Burma; and further distant, off India's south-eastern coast, lies troubled Sri Lanka. India's borders are far from peaceful places. And so, perhaps Nepal, in its own way, can become a model and an encouragement for other parts of the region not to give up on their efforts for peace, even in the most unlikely of circumstances.

Here we look at how Nepal has got this far and the prospects for the peace process staying on track. The prize of sustained peace is clear: both allowing Nepal to build a genuine democracy with full human rights, and to start a real process of development and move away from the poverty, hunger and inequality that stalks so much of its population.

Democracy and Revolution

As pictures of hundreds of thousands of Nepalis demonstrating for peace and democracy suddenly appeared on TV screens around the world last April, the energy, the persistence and the sheer numbers suggested a spontaneous revolution, the sense of a damn finally bursting its banks. Certainly, in numbers it was unprecedented in Nepal, and extraordinary in comparative terms –some suggest as many as 4 or 5 million people were on the streets, with demonstrations across Nepal's different regions from the high Himalayan valleys to the flat terrain leading down towards India.

And the protests were largely peaceful on the demonstrators' side, though with some violent incidents of stone and rock throwing, met too often by considerable violence on the part of the security forces, both police and army, with thousands injured and 21 killed during the 19 days of demonstrations. In September last year, the UN, reporting on its investigation of the protests, condemned all three branches of Nepal's security forces 'for excessive and improper use of force' and called on the Rayamajhi Commission investigating the protests to ensure those responsible are held accountable.

But, while no one knew for sure when the protests would erupt or how large they would be –or how bloody– many, during the preceding year, had certainly predicted them and mobilised to encourage them. Nor was the April 2006 Nepali push for democracy against a feudal royalist dictatorship the first time Nepalis had struggled for democracy and to modernise their Himalayan kingdom. As Arjun Narasingha KC, a leading member of Nepal's largest political party, the Nepali Congress, put it in early May 2006, after the demonstrations had forced the king to back down: 'People wanted an end of autocracy for ever. It has been like a snake and ladders game since 1950, fighting with the king continuously. The next generation of Nepalis should not have to fight once again for democracy.' People, he emphasises, demonstrated for peace, and for an end to a hierarchical, male-dominated, caste-ridden feudal society.

King Birendra, the brother of the current king, the much despised Gyanendra, had allowed a form of multi-party democracy in 1990. But the 1990s proved in many ways a turbulent decade, as too often corrupt and ineffective political parties squabbled in Parliament, failing to tackle the serious social and economic problems of such a poor country.

By 1996 the Maoists had left parliament to start their armed uprising. It was not taken seriously at first, but it continued (with an estimated 13,000 deaths on all sides including many civilians) until the current peace process began, and resulted in the Maoists controlling most of the countryside, leaving the Nepali Army only in control in the Kathmandu valley and a few regional centres. Says one retired senior army general: 'We fought to a stalemate'. Both national and international human rights groups, along with the UN, have documented extensive and major human rights abuses on both sides, including abductions, disappearances, deaths, torture, ill-treatment and extortion. The Comprehensive Peace Accord, signed in late November last year, taking a leaf from the South African book, agreed that a truth and reconciliation commission was one necessary part of building a new Nepal.

As the new century dawned, Nepal hit yet more difficult days. In 2001, king Birendra and other members of the royal family were murdered; shot, according to the official version, by a drunk and love-crazed crown prince, while conspiracy theorists suggest other versions, pointing at the person who benefited, the current king Gyanendra and his much hated son, now the crown prince. In October 2002, Gyanendra suspended the elected Parliament and appointed instead a Prime Minister and Government, claiming the state of the Maoist insurgency necessitated such action.

Royal Coup: A Step too Far

Overstepping himself further, on 1 February 2005, he instigated a royal coup, with the full backing of the then 'royal' Nepali Army. This step too far proved a powerful last straw and set in motion the sequence of events that led to the April People's Movement –or Jana Aandolan as the Nepalis call it–. Even those who had backed the king against the Maoists, in particular the US, India and the UK –who had been supplying arms–, had to step back in the face of such a coup.

By summer 2005, despite a clampdown on the media, arrests of civil society activists and with the king retaining his powers to run the country, small civil society demonstrations started in Kathmandu, some attracting several thousands, staying often through monsoon downpours to call for democracy. And it was during those months that stronger calls started to be heard for Nepal to become a republic. One civil society leader, and former minister, Devendra Raj Panday said that summer: 'Our main challenge is to bring change to the political parties – the king will go'. While leading human rights activist Krishna Pahadi asserted: 'People from all walks of life are trying to create a public opinion – our only destination is an advanced democratic system. We ask the political parties to go to a republic and to adopt the people's agenda'.

Meanwhile, behind the scenes, moves were afoot, not least with the encouragement of India, to see if the Maoists and the seven main political parties (who formed a seven party alliance –the SPA–) could be brought together to find a road to peace. The king, with his coup, had managed to make himself demonstrably the main obstacle on the road to peace. An informal agreement between the two groups was reached that summer, and by November 2005 a 12 point formal deal on a road to peace and democracy, including an end to the Maoist uprising, had been agreed. Two months before that the Maoists had called a unilateral ceasefire (one the royal government did not respond to). Those who were arguing that the Maoists were ready for a 'soft landing' to their nine-year insurgency were being proved right.

Peaceful Revolution

But what was worrying many was not so much how long it would take to get sufficient numbers on the streets to get the king to back down and to move towards democracy, but how violent it would be. Some wondered if the king would stand and fight –and would the army shoot down hundreds of unarmed demonstrators– or might the king –like the Shah of Iran– run at the last minute. In the event, the situation fell between these two extremes. Seeing the political mood changing, in January 2006 the king had imprisoned a number of key civil society and political leaders, including Pahadi and Raj Panday. They stayed in jail as the protests took off in April, only to be released with the success of the movement they had helped to catalyse and lead.

In early April 2006, the seven political parties called a general strike. It rapidly took off around the country, backed by the Maoists, so that soon nothing was moving on Nepal's roads, shops were closed and crowds in increasing numbers came onto the streets, some of the slogans calling not only for 'king out' but even 'death to the king'. While international media attention focused on Kathmandu, out in the regions, Maoists and parties, together with civil society activists were bringing huge crowds onto the streets. In the southern region of Chitwan, Nepal's gateway to India, up to 200,000 were on the streets of the local capital Narayanghat. And here too the republican sentiments were strong. A local human rights activist in May, after the demonstrations were over, emphasised that: 'The villagers fear that the king can instigate a coup again so they want to see the king leave the country'. They want peace, she says, and then an end to poverty and unemployment.

Back in Kathmandu, a defensive king had made a first failed attempt to offer a partial renunciation of power. The demonstrators defiantly stayed on the streets (despite misplaced encouragement by the US and EU to accept the offer –inept diplomacy regretted by some–) and within days the king handed over power to the seven-party alliance. The mood was ecstatic, but even so, in the early days of May 2006

there were doubts too. Could the peace process really go through? Would the king and his wealthy backers in some parts of the elites and army not regroup and come back again? But even in those days of elation and doubt, one senior member of the Rana family (closely linked to the royal family), Prabakhar Rana, insisted fundamental change had occurred: 'If our eyes are not open yet to the demands of the youth, then Nepal could have an even bigger shock. The new Nepal will not carry anything of the past or present. His Majesty's point of view missed the boat because of all these young people.'

The mood finally transformed into one of much greater confidence on 18 May, as what some called the Nepali Magna Carta, a proclamation by the reinstated Parliament declared it sovereign again. It put the Royal Nepalese Army under parliamentary control, renaming it the Nepali Army, called the Nepali government simply that, no longer His Majesty's government, gave itself the right to choose the royal succession, declared that the king should now pay tax and be answerable to Parliament and the courts, and transformed Nepal from a Hindu to a secular state.

Devendra Raj Panday, a key civil society leader, released from jail just over two weeks earlier, called the proclamation 'a great and historical thing'. He went on: 'If we can preserve what we got, the battle with the king is finished. The king's status now is that of an uninvited guest.'

Moving to Peace

And so attention increasingly shifted away from the king –though whether Nepal will become a republic remains unfinished business– and on to whether the political parties and the Maoists could create both peace and democracy together. And, despite doubts over its speed, the process began to take shape in May. A reciprocal ceasefire was called and peace talks started. In June the Maoist leader Prachanda appeared in public for the first time in 25 years in Kathmandu and met with Prime Minister G.P. Koirala. The key aim was to move towards elections for a constituent assembly (now planned for June 2007) that would write a new democratic constitution for Nepal, and that will also decide if Nepal will become a full republic (or retain the king as constitutional monarch). In moving towards this, the crucial 12 point deal between the Maoists and seven political parties the previous autumn had also referred to an interim government, and an interim constitution.

But moving along the path to peace was going to be tricky. And the biggest issue was arms management. Nepal had ended up in a rather unusual situation. The Maoists with their guerrilla army had cooperated with the seven parties to unseat the king (backed by the Nepali Army) from governing the country. But once the king had backed down, the seven parties were temporarily in government, and so in control of the Nepali Army facing the Maoists, their partners in the peaceful revolution, with their own soldiers in the countryside. And while many politicians were arguing that the Maoists could not possibly come into the government without giving up arms (a line strongly pushed by the US, shifting their support belatedly from the king to the army, and to some extent to the seven-party alliance), the Maoists were arguing they should be treated equally with the Nepali Army in terms of any monitoring of arms and soldiers.

In particular, the Maoists did not want to face full demobilisation until after successful constituent assembly elections were held. Nor was the Nepali Army seen positively by much of the population, after its rights abuses, backing of the king and shooting of unarmed demonstrators in the April protests. Shyam Shrestha, editor of the *Mulyankan* magazine in Kathmandu, commented as these debates went on in mid-2006: 'They should do something soon on the army or they will bear the anger and wrath of the people'.

Arms management talks dragged on from summer to autumn. Input from the UN seems to have been of no little importance in finding a way through to a creative solution. In an interview in summer 2006, Ian Martin, the personal representative of the UN Secretary-General in Nepal, agreed that arms management was both a central issue in getting to an interim government and also that Nepal's circumstances were unique: 'We have a lot of experience of periods of supervision of forces prior to disarmament or absorption into government forces but the situation is fairly unique in terms of issues of phasing and linkage to the political process'.

Finally, in late November 2006 a comprehensive peace agreement was reached. Maoist troops would gather under UN supervision and register in seven main camps across Nepal, while the UN would monitor their arms locked away in containers, albeit with the Maoists holding the key. Once that was completed, the Nepali Army would lock away an equal amount of weaponry. By mid-January 2007 (at the time of writing) the UN had announced it had 35 arms monitors in Nepal, that collection of arms was under way, and that once completed it would announce the details and then look to the Nepali Army to put its arms away in accordance with the peace deal.

At the same time in mid-January, the interim constitution –provisionally agreed between the Government and Maoists at the end of last year– was voted unchanged into operation, paving the way for Maoist MPs –in scenes few could have imagined even a year earlier– to enter parliament. They now form the second-largest political grouping in parliament (and unusually for Nepal, with one third of its representatives being women, and others representing social and ethnic groups –emphasising the new socio-economic rights and challenges Nepal must now meet–). The interim constitution also transferred all executive powers of the

head of state to the Prime Minister G.P. Koirala –leaving the king with no powers at all–.

If all goes well with arms collection and monitoring, the Maoist leaders should finally join an interim Government in February. And that Government will be responsible for taking Nepal through to elections to its constituent assembly. In mid-January too, the UN Security Council agreed to send a full UN Mission to Nepal (UNMIN) to continue to help with arms monitoring, election preparations and human rights monitoring. As Ian Martin puts it: 'The overriding objective of my Office and of the UN Mission to come is a successful constituent assembly election'.

Conclusion: There are many months, and challenges, ahead before these elections can be held. Arms monitoring must be fully implemented. The Maoists must enter the Government. Human rights abuses and disappearances must be strongly followed up, and those responsible made accountable –and continuing or new abuses prevented–. One armed splinter group from the Maoists called a strike early in January in the south of the country, demanding autonomy –and others could follow–. Electoral rolls must be drawn up and political freedoms fully allowed. And while some are happy for the constituent assembly to decide on whether Nepal keeps its unloved king or not, some defenders of the king may look for any chance to upset the peace process as it enters the crucial weeks ahead. But each day in January 2007 also seemed to bring more positive news. By 18 January, the Maoist leader Prachanda announced that the Maoists' parallel government administration in local areas would be closed down, one more key part of the peace process.

If politicians on all sides can keep their nerve, and their commitment to peace and genuine democracy, then Nepal will have elections this June that will take it one more huge step forward to the modern, human rights-respecting democracy that its millions of demonstrators so powerfully called for last April.

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