



Nepal's Peace Process

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Nepal Institute for Policy Studies (NIPS)

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Thank you for those words of introduction and thank you all for coming today. It is a great honor and pleasure to speak at such a renowned Nepali policy institute, to such a distinguished and influential group.

Dear Friends,

During the summer of 2008, Nepal's peace process was depicted in stunning imagery in a photographic exhibit at United Nations headquarters in New York. Each day, thousands of visitors from around the world witnessed your country's historic achievements.

There was an aerial photograph of Kathmandu during the people's movement of 2006. It showed the crowds of people streaming through the streets of Kathmandu with purpose and determination, a river of humanity demanding democracy and change. Another photograph captured the signing of the Comprehensive Peace Agreement, the moment at which a terrible decade of conflict between Nepalese came to an end.

There were images of election day in April 2008, showing Nepalese from all walks of life, and especially the women and marginalized of this country, waiting patiently to cast their votes for a Constituent Assembly. There was a joyous scene of the inaugural session of the Assembly, which is the most diverse elected body ever constituted in Nepal. Its establishment fulfilled a long held dream of many Nepalese. Its first acts would be historic ones: the dissolution of the monarchy and the declaration of a secular republic.

Those were, indeed, inspiring days both for Nepal and for those of us at the United Nations who have had the privilege of being associated with this Nepali-led process. It was more than appropriate to see Nepal's remarkable achievements showcased on such a stage at the United Nations. Our organization followed with great concern the dark years of conflict in this country, and follows with great expectation your current efforts to consolidate peace.

Distinguished guests,

I need not tell you that over the past two years, the exhilarating feeling of those earlier moments in the peace process has faded. Progress has slowed and unity has frayed. The Nepali public has become impatient and disappointed, and the feeling is increasingly shared in the international community.

Beyond the disappointment lies a sense of deep concern for the future, a fear that Nepal's opportunity for a durable and transformative peace could slip away unless actions are taken urgently to restore the momentum.

The recently completed discharge of minors and late recruits from the Maoist cantonments was an important advance. The establishment of a high-level political mechanism to foster greater focus on the peace process responded to a long felt need for such a forum to be created.

Yet the central issues on the peace agenda remain as yet unresolved, and the challenge for Nepal – and the purpose of my visit this week – is to examine the situation together in order to see how to move forward from here.

I have already begun an intensive round of discussions with senior Nepali leaders from government and across the political spectrum. Later today, I will be visiting one of the Maoist cantonment sites where UNMIN arms monitors are stationed.

When I return to New York, I will brief the UN Security Council on the state of the peace process in Nepal. Based on a request from the parties, the Council provides the mandate under which the United Nations Mission in Nepal has worked since 2007 in support of the peace process.

For the sake of peace and the people of Nepal, important decisions must be taken in the days and weeks ahead.

The two key commitments that remain to be addressed are well known to this audience.

First the integration and rehabilitation of the Maoist army personnel and the parallel commitments on the democratization of the Nepal army

Just over three years since the end of the conflict, Nepal remains suspended at a delicate point along a nation's journey from war to peace. Research and painful experience have shown that more than half of the time, countries emerging from protracted civil wars slide back into conflict within the first decade. While I am in no way suggesting Nepal is heading down the road of resurgent conflict, I do wish to underscore the vital importance of this issue. The effective integration and rehabilitation of former combatants is one of the most important factors distinguishing those countries that successfully navigate these transitions to peace.

Former combatants need to be afforded a real stake in the economic, political and institutional life of the country. Inclusion of some in the security forces is a critical security guarantee and confidence-building measure. Moreover, it is in the interest of the state and all of its people to transform and shape a post-conflict security force that is apolitical, committed to human rights and firmly under democratic oversight. These are basic tenets of a successful peace compact.

Unfortunately, Nepal today still has two armies, and no agreed strategy for what to do about this. Thousands of former Maoists combatants remain in camps that were intended to last only a few months, under UNMIN monitoring that has also gone on much longer than anticipated. It stands as a great accomplishment that the cease-fire has held, with few incidents. Nepal is fortunate and can take credit for the fact that the problems have not been more pronounced.

There is lively political discussion on which must come first - Maoist army integration or the drafting of the constitution - but there is no agreed action plan, and no consensus yet on the modalities or the numbers to be integrated into the security forces.

The recent establishment of a task force headed by the Minister of Defense to look at the commitments related to the democratization and rightsizing of the Nepal Army was a useful sign of movement forward on that critical issue.

The question of the future of the two armies should not remain unresolved any longer. We encourage leaders to engage in serious, good-faith discussions leading to agreements and actions.

Definitive progress in integration and rehabilitation would translate immediately into increased confidence in the peace process and should also help to unlock obstacles in the political arena. Progress would also go a long way toward creating the conditions for UNMIN to wind down and complete its mandated tasks.

Second, the drafting of the new Constitution

The second major challenge is the drafting of the new Constitution.

The Nepali people did their part on April 10th 2008. They elected a diverse Constituent Assembly invested with the mandate to transform the state in a more inclusive, democratic and participatory direction – to build a “new Nepal”.

The tasks at hand would be extremely challenging in any society. They involve contentious issues such as the federal structure, the form of governance, and the inclusion of historically marginalized groups. Much work has been done to date in the thematic committees of the Constituent Assembly, but difficult questions remain ahead. The May 28 deadline is fast approaching for the completion of the Constitution.

We strongly encourage that every effort be made to accelerate progress in the days and weeks ahead. At the same time, inclusive discussions are needed to prepare carefully for the possibility that a final draft of the constitution will not be completed by the deadline. The way forward, in that event, should be determined through dialogue and consensus.

As part of this process, it will be critical to engage traditionally marginalized groups for whom the new constitution carries the promise of greater recognition and representation.

Restoring Trust, Moving Forward

Restoring Nepal to the path and to the promise of its peace agreements is possible if there is political will to move forward.

On one level, it means making steady progress on each of the outstanding commitments of the agreements I have just mentioned. On a deeper level, it is about reviving the spirit of consensus-based politics that drove the peace process during its earlier stages. It means finding a way to remain focused on longer-term vision of the peace process and not sidetracked by short-term political maneuvering.

The establishment of the high level political mechanism was an important step in that direction. It provides the parties with a useful arena for refocusing on the pending agenda of the peace process. We encourage them to make more effective use of this forum.

Restoring trust also requires positive actions to demonstrate sincerity about each party's commitment to peace and the democratic process. Violence by youth groups must be brought under control.

The fundamental understanding of the peace process should guide the actions of all involved, namely the commitment to competitive multiparty democracy, civil liberties and human rights on the one hand, and to Nepal's political, economic and social transformation on the other.

Both the Nepal Army and the Maoist army can help to restore trust by demonstrating a stronger commitment to human rights, particularly by cooperating with investigations into alleged violations committed by their personnel both during and after the conflict.

The role of the United Nations

The United Nations has been privileged to be a part of the peace process in Nepal. I would like to say a few words in this regard about the role of UNMIN in this effort.

In recent decades, the United Nations has deployed political and peacekeeping mission to dozens of countries who have asked for assistance in working through difficult transitions from war to peace. There are 16 peacekeeping missions in the field today, along with 11 field-based political missions, of which UNMIN is one.

No country is more familiar with this flagship activity of the United Nations than Nepal; you can take great pride in your remarkable contributions to UN peacekeeping.

In contrast to almost every other current missions, UNMIN has a notably limited mandate, concentrated essentially in two areas (of which one has been completed): assisting in the holding of the Constituent Assembly election, and arms monitoring.

As per our mandate we have a small mission concentrating on arms monitors. There is a senior representative of the Secretary-General on the ground, but with only a tacit “good offices” role of fostering consensus and reconciliation, in contrast to the explicit political mandates common in UN missions elsewhere in the world.

Even within its arms monitoring function, UNMIN, contrary to popular misconception, has been given no mandate or capacity to police the cantonments. Its access to information about the status of the two armies or their numbers depends entirely on their voluntary cooperation. And, as both parties well know, the information UNMIN holds as a result of the registration process in the cantonments is subject to confidentiality agreements that were accepted by both sides in the peace process. Honoring that commitment is essential to our impartiality. Honoring one’s commitments is the essence of being an honest, reliable actor in the peace process.

This light UN footprint was designed at Nepal’s request and insistence, and the United Nations has scrupulously respected these limitations - even when we have felt we have more to offer to Nepal, based on UN experience in dozens of conflicts around the world.

In the face of this situation, we are dismayed that some commentators try to hold the mission responsible for situations and shortcomings that by the very insistence of the parties themselves, the mission has little or no capacity to control. This is absurd and should come to an end.

UNMIN is here to help. It should not take the blame for those who fail to shoulder their responsibilities to make the peace process work.

Conclusion

Dear Friends,

Despite the obstacles Nepal still faces, the United Nations remains very strongly committed helping the Nepali people realize their dream of a peaceful and prosperous future. I hope this visit can in some way help to spur renewed focus on the tasks at hand in the peace process and the flexibility and the urgency required to address them.

None of Nepal’s achievements today would have been possible without the courage and vision of the Nepali people and their leadership. These are qualities that can still be summoned to carry the peace process through to its successful conclusion.

I am convinced that if you work together around this common goal, the next set of images that come from Nepal can be just as inspiring as the first.

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