

Changing Realities and Challenges for the Peace Process of Nepal

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"You don't make peace by talking to your friends. You have to make peace with your enemies."

- Nelson Mandela to Northern Irish Politicians.

1. Background: Global Context

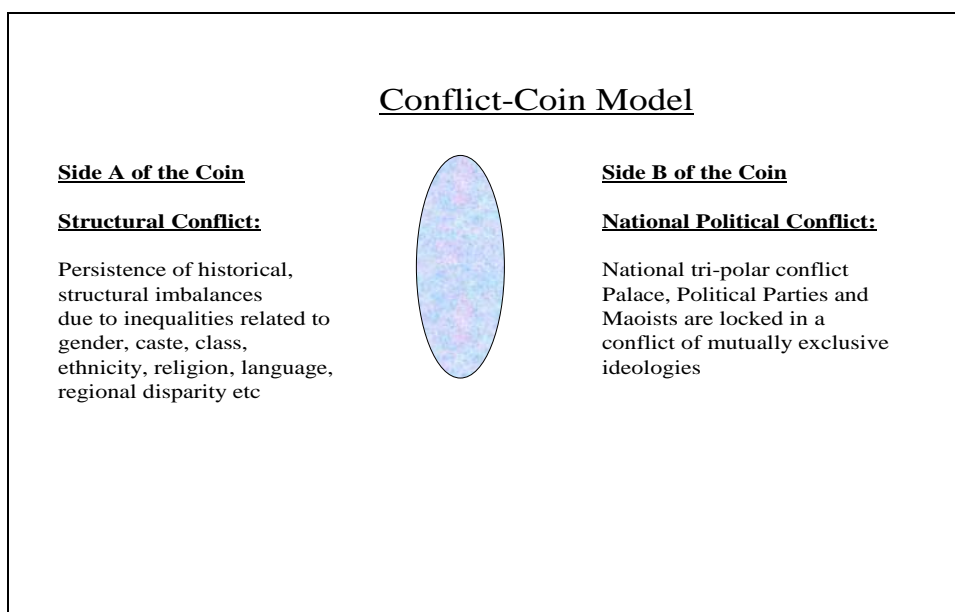
In today's world human rights have expanded to a great extent starting from civil, political economic rights to groups, environment and development rights and this expansion is growing over the time. The global community has accepted different generations of human rights, which are of equal importance and are applicable universally in equal footing. The notion of cultural relativism in human rights sector is no longer valid, and hence they are taken as means to bind together the present international communities into one global community. Therefore, any violation of human rights in some part of the world naturally ignites concern of the whole global community.

Nepal, for being a responsible and respectful member in the family of the nations around the world, after having signed in a number of international human rights conventions and treaties, has the responsibilities to abide them in practice. Therefore in the context of on-going conflict in Nepal, as frequent human rights violations are being reported, they are automatically calling for global concerns, which can no longer be labeled as interferences into the internal matters of the country. Democracy and development are inseparable means to realize human rights of the citizens. Countries where there is no democratic set up, even the first generation of human rights can't be fully realized, and any effort to development without democracy brings very little meaning.

1. Background: National Context

The nature of the ongoing conflict in Nepal can be understood by looking into two sides of a conflict-coin. In one side are the imbalances created by inequalities related to the historical, structural, cultural, ethnic, language, caste, class, gender and geographical conditions.

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Conflict was repressed until 1990, when the open environment provided by the new democratic set up allowed it to surface out in public. It is not the democracy that created these inequalities as such, but only allowed the repressed voices to speak out, which are promoting equity concerns. On the other side of the coin is the tri-polar national political conflict, where the three forces; the palace, the Maoists and the pro-parliamentary democratic parties; are locked into each other with mutually exclusive political ideologies.

It is necessary to understand that conflict is inherent to any human society and occurs with its own dynamics. The conflict if managed positively can provide basis for human development and civilization. If it is left to grow in its own way, it can bring a great deal of pain. As already experienced, each failure of the last two peace negotiations between the government and the rebels have resulted in further escalation of the violence with increasing intensity of mutually hurting stalemate, causing enormous physical and psychological pains due to loss of valuable human and material resources of the nation. With the kind of the socio-economic resource base and geo-political conditions as they are, Nepal cannot afford to go on with such a conflict (Side B) and urgent action is needed to resolve it. And at the same time, it is also necessary to respond to the historical and structural causes of the conflict (Side A) so that a durable peace can be attained.

2. A Short History of the Conflict

Conflict is an inevitable phenomenon in every society and it is not necessarily bad for societies in every instance. If it is constructively transformed, conflict may open up new avenues for change and development. This paper is plain talk on a difficult theme. Difficult in the sense that the ongoing armed-conflict in Nepal, which is the focus of the study, has already claimed thirteen thousand lives² and still in the dilemma of peace after several rounds of peace dialogues held in past and present. In addressing the theme, the focus naturally has been kept on the process as a leitmotif-not just as a possibility and a peace priority but also as a prerequisite to the higher goals of this nation's political regime-democracy and development, the central notion being that peace can evolve as a structured mechanism and as logical converse to structural conflict and violence.

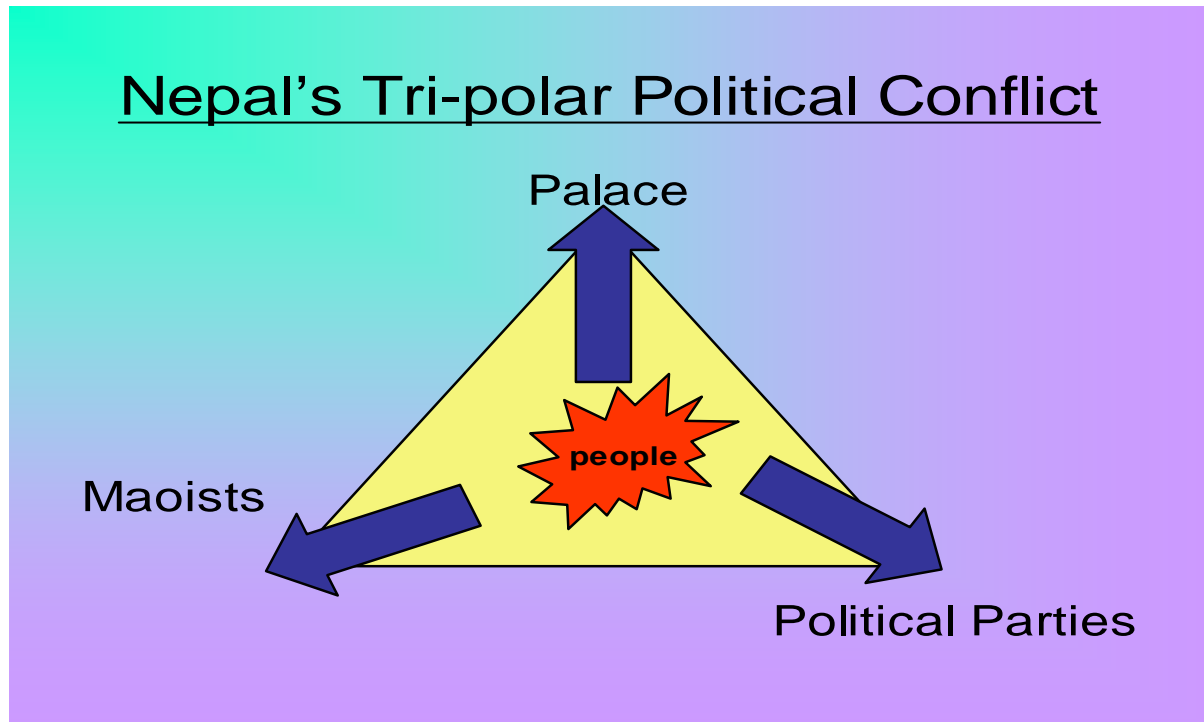
2.1 Causes of Armed-conflict

The history of the Himalayan Kingdom of Nepal, whose spectacular scenery and friendly people have enchanted visitors for centuries, is characterized by repression, socio-political exclusion, economic disparity, regional inequality and widespread poverty. After centuries of thinking ourselves as subjects of feudal rulers, more and more Nepalese are beginning to see themselves as citizen of a democratic state. The pace of this fundamental social change led to the restoration of democracy in Nepal.

- **Political Exclusion and Instability:** The attempt to install democracy began by the People's Movement in 1990, where not only political parties but also civil society participated against the partyless and autocratic Panchayat System. And the consequential change of system to a multiparty democracy and a constitutional monarchy gave rise to high expectations among Nepalese population, mainly among the marginalized sections. However, the promised political, societal, or socio-economic improvements could not be brought about; the economic level of the excluded groups has remained very low. Traditional power relationships persist, the old elites have remained the power, and poverty, corruption, exploitation and nepotism have not changed. Infighting among the political parties characterizes the

² The latest database as of February, 2006 provided by INSEC shows that the death toll has already crossed thirteen thousands of human lives. See "The Maoist Insurgency and Nepal-India relations; FFP Publications, Series 010; March, 2006; Kathmandu, Nepal.

politics on a daily basis and political instability has slowed down the democratic process from its very beginning. Constant political infighting led to more than ten different governments in just a decade.



In my view caste and ethnic disparities was not the direct cause of the insurgency- which is more likely a result of lack of political space for certain splinter groups outside the main parties. Because power holders are increasingly aware of the link between Nepal's history of feudal and caste-based hierarchy and not only the insurgency, but also the failure of the political parties to reform themselves and become genuinely responsive to the electorate. The replication of traditional caste, ethnic and gender hierarchies and the lack of opportunity for the emergence of new leadership within the parties, has undermined their legitimacy as a democratic alternative to past autocratic power structure.

- **Legal Exclusion:** Nepal's new Constitution 1990, drafted by old elites, established a more inclusive state, describing Nepal as "multi-ethnic, multi-lingual, and democratic" and declaring that all citizens are "equal irrespective of religion, race, gender, caste, tribe or ideology", however, still retains some ambiguities- by declaring Nepal as a Hindu Kingdom, denying women the rights to pass citizenship to their children & equal inheritance rights and explicitly protecting the traditional practices of Hindu Caste System. It contains and supports several discriminative provisions

like, Nepali as the only official language, to permit continued caste discrimination and is also unable to define in any clear terms the limits of the power of the King. However, Nepal has ratified the Convention on Elimination of all forms of Discrimination against Women (CEDAW) and Nepal needs to change about 85 laws and 137 legal provisions that are discriminatory to women, a task which remains to be done yet³. Consequently, again in the second time, Nepalese people feel that the transformation from "subject" to "citizen" was again remains incomplete in the democratic revolution of 90s.

- **Social and Cultural Exclusion**: Gender, caste and ethnicity are three interlocking institutions that determine individual and group access to assets, capabilities and voice based on socially defined identity in Nepal. Attaining the inclusion goal will require fundamental shifts not only in the structure of governance and access to economic opportunity but also in the underlying hierarchical norms, values and behaviors that govern social interaction. But, in Nepal political and economic power is consolidated by interlinking it with the Hindu caste system. The priestly Brahmins were at the top of the ritual order, with the Kshatriya (kings and warriors) just beneath them and in command of the political order; next came the Vaishya (merchants) and the Sudra (peasants and laborers). Beneath everyone were occupational groups, Sudra's are considered "impure" and "untouchable".

In the Hills, in migrating Hindus of Caucasoid stock made up the priests and warriors and the lowest "untouchable" groups. The middle rank is accorded to indigenous group, generally of Mongoloid racial stock. Caste-based discrimination is officially abolished in 1963, while diluted, remains even today. Later, the women's movement⁴ has succeeded in placing questions of gender equality and justice on the national agenda, and the Dalit movement⁵ has begun to challenge Nepal's caste society. The janjati movement⁶, once describing by many Brahmins and Kshatriya as a "divisive" phenomenon, has now succeeded in bringing fundamental issues of fair ethnic representation to the fore. Exclusion and hierarchy within excluded groups is also being questioned.

³ See "Unequal Citizens : Gender, Caste and Ethnic Exclusion in Nepal" ; The World Bank and DFID Nepal Publication, 2006

⁴ This movement is against of the discrimination of women in society.

⁵ This movement is raising the rights of equal treatments to the said "Untouchables".

⁶ This movement is raising the demand of separate federal state of indigenous people of Nepal.

These three major social movements remain independent of each other, despite their many common demands. Because little dialogue has taken place between them, the demands of some groups contradict those of others. This has given the state space to delay fulfillment, and in turn has resulted in the growth of radical or revolutionary offshoots.

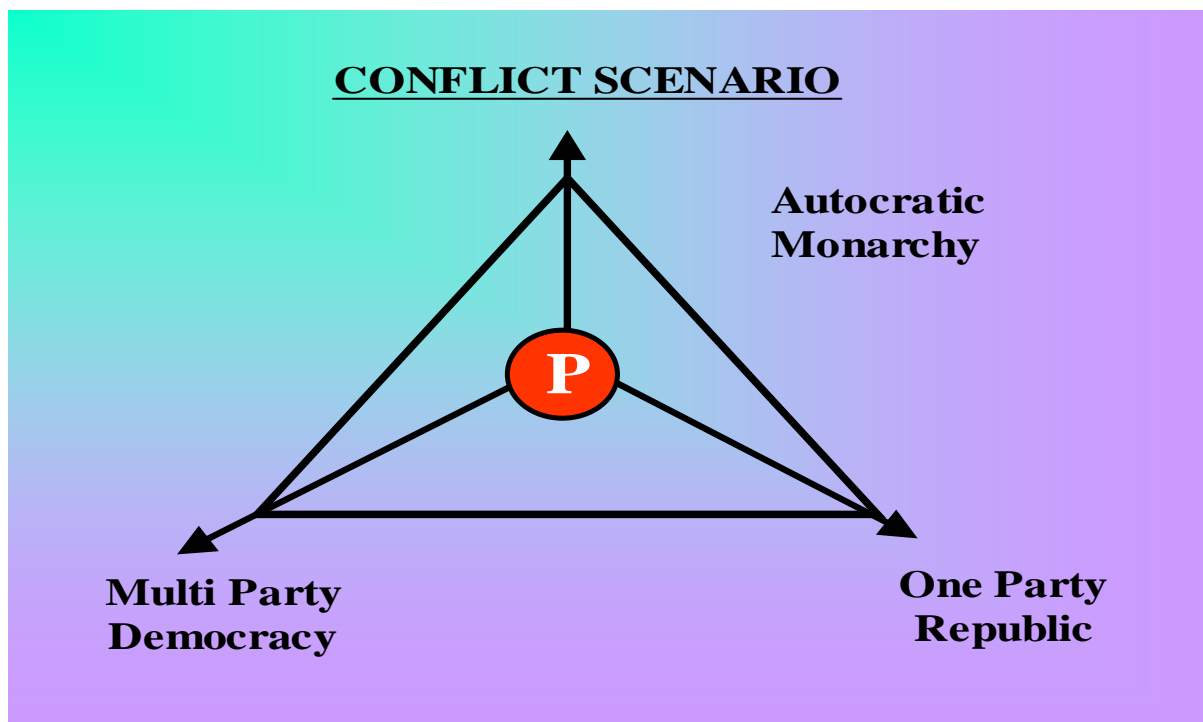
- **Poverty and Underdevelopment outcomes:** Conflict can be examined as poverty and underdevelopment outcomes by using indicators of economic well being, human development levels, and voice and political influence. The Nepal Living Standard Survey, 2004 estimated that 31% of Nepalese were living below the poverty line. The Brahman/Kchhatriya group and the Newars have the fewest households in poverty and the Tarai Middle caste also have low proportion under the poverty line. In contrast, almost half of almost all Dalits live in poverty, and poverty incidence among Hill Janjatis and Muslims is significantly higher than the national average. It reveals that certain groups pay a "penalty" in terms of lower household percapita consumption because of their caste, ethnic or religious identity. Likewise, a gender dimension of poverty affects health and education outcomes and leads to greater economic insecurity for women.

Political poverty is manifested in the main political parties failure to increase participation of women, Dalit and Janajatis in governance institutions. The Tenth Plan (2002-2007), the Poverty Reduction Strategy Paper, recognizes that lack of voice, political representation and empowerment are as important dimensions of poverty as economic and human development dimensions, and proposes "affirmative action"⁷ to level the playing field. However, it too fails to present a realistic strategy and concrete mechanism to mainstream inclusion.

- **Emergence of Armed Left-wing:** The greater public awareness of exclusion and its inconsistency with democracy, poverty and underdevelopment with high level of corruption and nepotism in the past decade of 90s erodes the patience of people and brought the issue of exclusion out into the open ground and created a greater sense of

⁷ Affirmative action seeks to correct historical disadvantages and unfair discrimination by enabling access to full opportunity and benefits to groups that have been excluded. See: Tenth Plan (2002-2007); National Planning Commission of Government of Nepal.

urgency among at least some of the current power holders to make real the promise of equal rights for all citizens and address the issue of power sharing and inclusion. In this situation, Maoist have effectively exploited the failure of the "old regime" to address these disparities and offered an apparent alternative identity and important symbolic recognition to disaffected Janjati, Dalit and Women. In this connection, on 4th February, 1996 United People Front of Nepal (UPFN)⁸ submits a "Forty-Point Memorandum" to the then coalition government⁹. These demands were divided into three sections: one dealt with issues concerning nationalism and was mainly focused to the Indian influence over Nepal; the second referred to political demands related to democracy and the third dealt with the people's social and economic well-being. These demands correlated with demands expressed after the constitution was proclaimed in 1990. The Maoist stated the failure of the government to implement these demands to be the reason for their declaration of armed struggle after a few days of the submission of these demands.



⁸ After the restoration of democracy in 90s, this Front is a joint forum of three Communist Party of Nepal namely CPN(Fourth congress), CPN (Masal) and CPN(Unity Centre) as a left-political wing, which secured 9 seats in the HOR in the May, 1991 General Election. In March, 1995 and after the mid-term election, this CPN (unity centre) lead by Prachanda was renamed itself as CPN(Maoist) and started a political orientation program in the district of Rukum and Rolpa of Western Region of Nepal.

⁹ Mr. She Bahadur Deuwa of Nepali Congress formed a three-party coalition government including RPP and NSP. This government has operated a police operation named "Operation Romeo" against CPN(Maoist) in Rolpa and Rukum district in November 1995.

Initially, the government considered the Maoist movement to be an internal security problem and not a political problem. The police responded brutally to the movement, which led to even more local people joining and supporting the Maoist. Two years after the People's War began, local elites and landlords left rural areas. Since then, the armed struggle has spread to all of Nepal's 75 districts, virtually creating a parallel state. In 1997, the Maoists began to form Janasarkar (the People's Government) and Jana Adalat (People's Court) in their base districts. As of today, the influence of the government does not extend beyond Kathmandu Valley and certain district Headquarters.

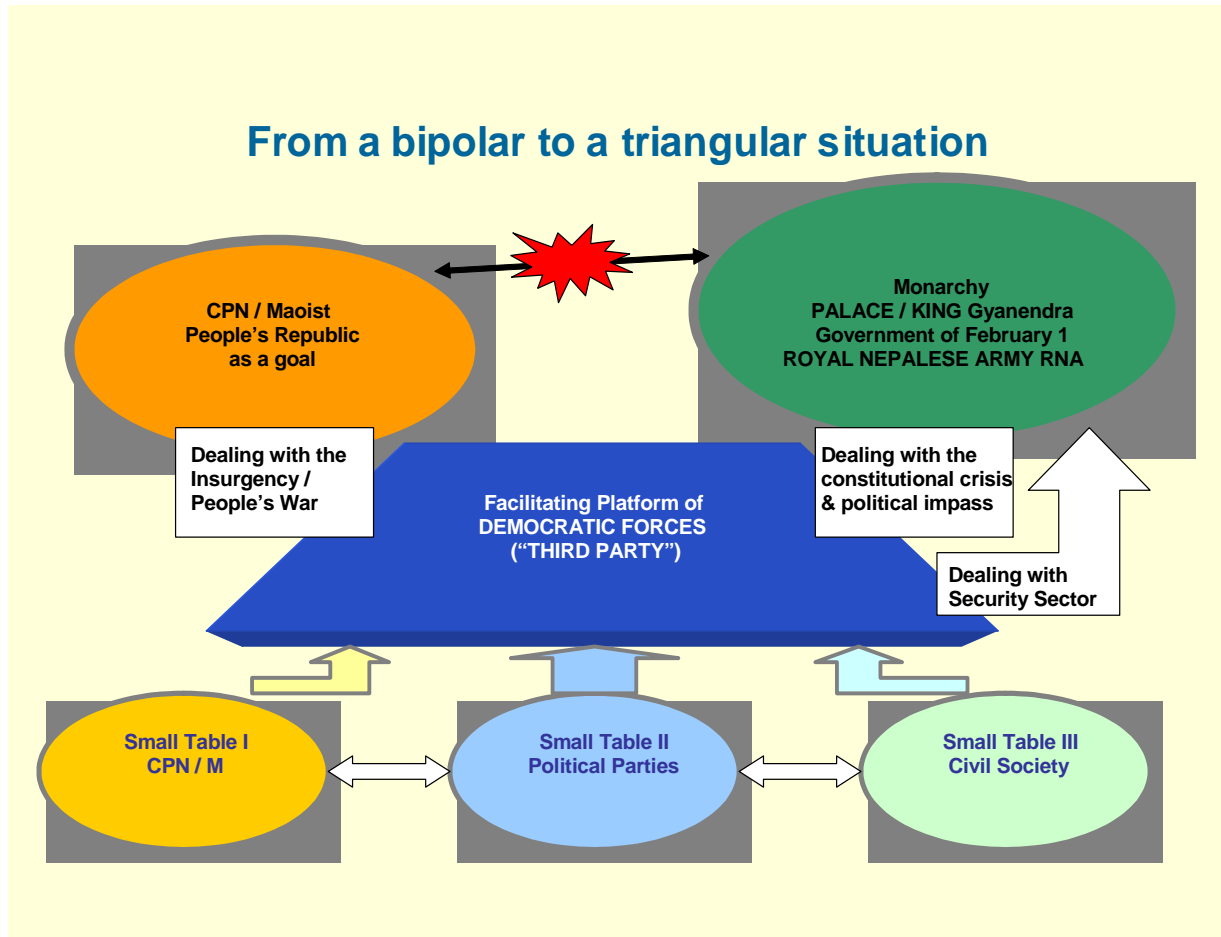
- **Anti-democratic Activities:** After the Royal Massacre in June, 2001 conflict then escalated further, because the King claimed that he wanted to be an active King as soon as he ascended the throne. In the mean time the Maoist withdrew from the first ceasefire¹⁰, initiated in July 2001 and starting to attack on several police posts and army barracks. The government responded by declaring a state of emergency and most civil rights were suspended. The King issued the Terrorist and Destructive Activities Control and Punishment Act and the government tagged the Maoists as terrorist, hoping to obtain American military support in the fight to suppress the Maoist by force¹¹. The increasing American military assistance to Nepal has been strengthening the military approach the government chose. Likewise, in spring 2002, when the parliament became entangled in the debate over the extension of the state of emergency, the King reacted by dissolving the parliament and calling for new elections and the government renewed the state of emergency.

The next step against the democratization process was the postponement of the local elections and elected local representatives were replaced by bureaucrats. After dissolving parliament and local representatives the King started handpicked government in the name of solving Maoist conflict and restoration of democracy. In lieu, the conflict escalated into a three-party struggle between the Maoists; the Monarchy with the security forces and the Political Parties. In other hand, dissolving

¹⁰ The Maoist and the government announced Ceasefire on the same day in 25 July, 2001 and after three rounds of peace talks of "Godawari to Godawari" the Maoist unilaterally broke down the ceasefire in November, 2001 and the government has made Proclamation of the State of Emergency, declaration of "terrorist" to the Maoist, deployment of RNA through out the country and enforcement of Terrorist and Disruptive Activities Control and Punishment ordinance in November, 2001.

¹¹ Karl-Heinz Kramer 2003: Equality and Participation; Precondition for Ways out of Crisis. Paper presented at the conference on the Agend of Transformation: Inclusion in Nepali Democracy at Kathmandu.

parliament and local representatives resulted in a political vacuum in all levels, leaving citizens disempowered. Due to these circumstances, on the local level, the government is unable to provide necessary services and governance.



2.2 Chronological Events of Armed-conflict in Nepal

Nepal has undergone armed conflict for the last ten years. The history of present conflict can be traced to the "*Forty-Point Demand*" placed to the then Government in 1996. When the Government did not address the demand seriously, newly formed political front, the Communist Party of Nepal (Maoist) declared a nationwide-armed struggle since 13th February, 1996, with the "*Proletariat Goal*"¹². First several years of the Maoist struggle drew scant national and international attention and were limited to a relatively small geographical area. However, it subsequently spread throughout the country, and has resulted in fatal consequences later.

¹² The goal that they have described as "Overthrowing Nepal's feudal system and establishing a rule of the proletariat in the country."

Nepalese peace process began only in 2001 after a huge Maoist attack on Dunai, the Headquarter of Dolpa District of Western Nepal. After this incident the government showed eagerness to begin the peace talks with Maoists. The first attempt to it started was disrupted because of the controversial release of two Maoists leaders from detention. Again the Government made started several attempts to resolve conflict through peaceful means. Consequently, two major formal peace talks took place in six rounds. The first peace talks were held on August 2001 and ended after three rounds of discussions. The Second peace talks started in April 2003 and also ended after three rounds. Both of these talks were facilitated by local people and there was no third party involvement. However both of the peace talks collapsed mainly due to the disagreement on the question of Constituent Assembly, the major demand of the rebel, and the deepening crisis of trust created by the absence of confidence building measures and effective mechanism to monitor the ceasefire and implementation of the common agreement including the code of conduct.

The Parliament was dissolved in 2002 and election for fresh Parliament was not held because of the insurgency. The King ruled the country since then through handpicked Prime Ministers of different political parties. He appointed Mr. Sher Bahadur Deuba as Prime Minister and formed a coalition Government of four political parties after street demonstrations against his handpicked Government in 2004. He sacked that political Government as well on February 2005, and assumed the direct autocratic rule of the country. In response, the main political parties, namely Seven Party Alliance (SPA), joined with the Maoists in signing the "*Twelve-Point Agreement*" on November, 2005 aimed at the resurrection of democracy and paving the way for long-lasting peace in the country.

In April, 2006, the SPA declared pro-democratic movement against the King. After the 19-day long people's popular and historical uprising (which received the Maoists active, but unarmed support), the King relinquished his role as head of government and returned power to the people on 24 April 2006. With the appointment of an interim prime minister, and the reinstatement of the previously dissolved parliament, the country at the moment is in the midst of a massive political transformation that will include the implementation of the Twelve-Point Understanding, the Eight-Point Agreement, and COC. The groundbreaking agreements will hopefully set the path toward the peaceful settlement of the decade long conflict. A detailed armed-conflict history as chronological events is presented in Annex-2.

2.3 Impact of Armed-conflict

2.3.1 Positive Impact

Increasing work pressures on women is conflict induced positive impact that is now leading a high group of working women in Nepal. Because of state of terror, economically active aged work forces have deserted their own villages and women are forced to work in farms as well as several other essential livelihood fronts. Recruitment of women in both army (NA and PLA) has began a new era for women development. In this way, dependency ratio of women is observed as slowing down in the conflict areas.

Social and political consciousness and demands for basic human rights is becoming very high in the rural conflict areas than before. Hindu caste system, untouchables of certain people and superstitious religions are broken out and knowledge of political systems and basic human rights are emerged.

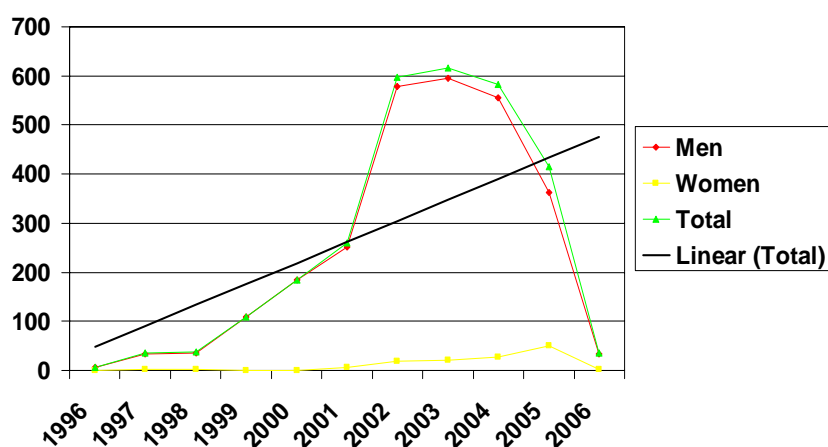
2.3.2 Negative Impact

Nepal is undergoing one of the biggest socio-political crisis in its entire modern history. The People's War launched by the Maoist began their insurgency movement and has completed its tenth year of continue fighting. During the past ten years and then onwards as of now, the country has witnessed unparalleled amount of losses in terms of human life of 12595 of which almost two-thirds (8133) were killed by the security forces and the remaining (4462) by the Maoists rebels¹³, billions of physical resources, countless social destruction, and millions of people's migration.

This is a pity in Nepal that conflicting parties are not so far engaged in such a consensus not letting any damages to innocent peoples and individuals. There should be a 'rule of war' on the ground so that minimum losses to the ordinary citizens could be held. Paradoxically, lacking of 'minimum-value consensus' at the cost of humanitarian losses and emotions is aggravating the situation day by day. However, the situation following the April, 2006 changes in politics of Nepal can take a 'u-turn' in this regard.

¹³ Report of Informal Sector Service Centre (INSEC) 2005a and 2005b.

Tendency of Casualties



The plight of IDPs in Nepali society is not adequately known and highlighted issue. This is still due because of lack of clear and complete picture in the absence of actual data. No comprehensive survey has been done so far to identify the exact figure and location of IDPs. Different sources reflect different figures, which have made the situation more hazy and muddled. For example, the number of IDPs in Nepal, as of 2004, seems 8,000 according to the Government¹⁴, 50,356 according to Informal Sector Service Center¹⁵, 100,000-200,000 according to Internally Displaced People Worldwide 2004¹⁶ and 200,000 as according to the Global IDP Database¹⁷. Association of Victims of Maoist Violence reveals that as more as 60,000 people fled to capital city Kathmandu from their native locations. To one's dismay, data on IDPs so far seem to have been revealing only one-side of the story. There must have been tremendous cases in which, as many believe, activities of either conflicting or warring parties, i.e. state and insurgents, have simultaneously aggravated so as to boil IDPs on ground reality.

While looking at the IDPs segregated number at regional level, the relationship between the gravity of violent conflict and situation of IDPs seems quite linear. In accordance with a study, Mid-western Development Region is the biggest host region since it has 27,581 IDPs as compared to Western Development Region, the second biggest hosting region, with 7,247

¹⁴ HMG/N's Relief Program for IDPs 2061 (2004); Ministry of Home Affairs, Kathmandu

¹⁵ See Report of INSEC on "Conflict induced Internal Displacement in Nepal", 2005; INSEC.

¹⁶ The worldwide mapping report is originally produced by Andras Bereznay and modified by the Global IDP Project.

¹⁷ See Global IDP Database, Norwegian Refugee Council.

IDPs. Likewise, Far western, Central and Eastern Development Regions have possessed 6,758, 4,791 and 3,979 respectively, thus, remaining in the third, fourth and fifth positions respectively.

Conflict-induced Internal Displacement in Nepal

(upto the end of 2004)

Development Regions	Number
Eastern	3,979
Central	4,791
Western	7,247
Mid-western	27,581
Far-western	6,758
Total	50,356

Source: Conflict-induced Internal Displacement in Nepal, INSEC, 2005

Perhaps the most difficult pain of the IDPs is about own security. The feeling of insecurity remains the main causal of all other problems. In search of physical security, they have become IDPs even though they are not out of circle of insecurity and threats. Their physical properties, which they have left behind, also are equally at risk. Some studies and reports¹⁸ show that many of such IDPs are badly traumatized by past events. There are several cases in which it is seen trauma that many victimized individuals and the children of the victim family had experienced in the past is now converted into deep traumatic neurosis.

Ultimately children are again in vulnerable position. Unexpected number of conflict induced population is causing difficulty for children in getting space in school. Consequently, their rights of having good education are undermined. As the outcomes of this poignant situation, many children have dropped out their school. This kind of interruption especially in their primary and high school education will certainly leave them in the street for mercy of god. Another major area dismantled by the issue is adverse impact in health status. As health services are running in severe deficit in most shattered localities, huge number of IDPs and local host people are lacking the very essential facility. On other hand mostly in the Western Region of Nepal girl-child marriage is emerging as a social impact of conflict that leads to vulnerable position of health and education hazards to them and is likely to lead them to vicious poverty circle.

Increasing work pressures on women, children and elderly people is another conflict induced problem area. Because of state of terror, economically active aged work forces have deserted

¹⁸ Report of the Inter-Agency Internal Displacement Division (IDD) Mission to Nepal which was led by Denish MacNamara on 11-22 April, 2005.

their own villages, hamlets and hilly towns, thereby, lacking laborer in those parts for paddy fields. Only women, aged people and children are left behind. They are forced to work in farms as well as several other essential livelihood fronts. In this way, pressures of excessive work are mounting on them. Obviously, if this trend continues, the children in future may not be able to grab any better livelihood and other opportunities.

Increased pressure in urban settlement is another area of impact of conflict on the society. It has been a long trend in modern Nepal to migrate from rural parts to urban centers. In this process, urbanization growth rate is always on rise above than 6-7% per annum. However, the present conflict problem has been the most rotating factor that made the urbanization of Kathmandu valley over the last some years in even more than 10%. Albeit there are no additional services being supplied, the pressure of urbanization is steadily taking its course and ultimately, this geometric trend would be deepening urban poverty amongst the conflict induced communities in the years to come.

So the violent conflict of the past ten years has devastated the social, political and economic fabric of the country, with long lasting impacts. In addition to the massive death toll, thousands have been wounded and handicapped. It is believed that as many as three thousand people have “disappeared” as of April 2006. The number of individuals and families displaced from their homes is staggering. The conflict has also claimed a huge toll on Nepal’s physical and economic infrastructure. A study¹⁹ estimated that the value of only the government properties destroyed in the conflict is close to 1.07 billion.

3. Changing Direction -- New Realities

Right now both the "pro-democratic" groups are assuming their shared responsibility to establish a full-fledged multi-party democracy and agreed to protect human rights, to safeguard the achievements of the 1990 and April 2006 People's Movements, strengthening the country's national integrity, to ensure individual and collective prosperity, to enable social progress, to protect our indivisibility and national unity, and ending the rule of the autocratic monarchy.

The struggle between absolute monarchy and democracy running for a long time in Nepal has now been reached in a very grave and new turn. It has become the need of today to establish

¹⁹ This study is conducted by the Peace Secretariat/GON in 2005 and data covers up to the year 2004 only.

peace by resolving the ten year old armed conflict through a forward - looking political outlet. Therefore, SPA and Maoist feel that it has become an inevitable need to implement the concept of full democracy through a forward - looking restructuring of the state to resolve the problems related to class, cast, gender, region and so on of all sectors including the political, economic, social and cultural, by bringing the autocratic monarchy to an end and establishing full democracy.

Assuming the vision and mission of the democracy, peace, prosperity, social advancement and an independent, sovereign Nepal is the principal wish of all Nepali people in the country today, SPA and Maoists are fully agreed that the autocratic monarchy is the main hurdle for this and due to the reason they have a clear opinion that the peace, progress and prosperity in the country is not possible until and full democracy is established by bringing the absolute monarchy to an end. Therefore, an understanding has been reached to establish full democracy by bringing the autocratic monarchy to an end through creating a storm of nationwide democratic movement of all the forces against autocratic monarchy by focusing their assault against the autocratic monarchy from their respective positions. Making public its commitment, institutional in a clear manner, towards the democratic norms and values like the competitive multiparty system of governance, civil liberties, fundamental rights, human rights, principle of rule of law etc., Maoists has expressed its commitment to move forward its activities accordingly.

The Maoists has expressed its commitment to create an environment to allow the people and the leaders and workers of the political parties, who are displaced during the course of armed conflict, to return and stay with dignity in their respective places, to return their homes, land and property that was seized in an unjust manner and to allow them to carry out the political activities without any hindrance. Making a self-assessment and a self-criticism of the past mistakes and weaknesses, Maoists has expressed its commitment for not allowing the mistakes and weaknesses to be committed in future

4. A New Start: Negotiation Process & Reciprocal Ceasefire

Despite of the two rounds of failed negotiations and growing bitterness and bloodbath going on between the insurgents and the government before 2005, now it is likely that a domestic solution to the problem of insurgency will be found soon. After the "Twelve-Point Agreement" between SPA and Maoists in November 2005, a peaceful movement against the

authoritarian moves since October 2002 by the King and for the restoration of democracy in Nepal started and succeeded in April 2006. As we all know, the early time of this year 2006 after a long labor course brought about colossal changes in the political landscape of the country.

Immediately following the people's movement and the restoration of parliament, the Maoists declared a unilateral ceasefire on April 2006, which was reciprocated by the Government of Nepal shortly thereafter on May 2006. The Maoist formed a three-member peace negotiation talk team (NTT) coordinated by Mr. Krishna Bahadur Mahara, a central committee member and the party's spokesperson on May 2006. In the same manner, the Nepalese Government also formed a three-member peace negotiation talk team coordinated by the Hon. Home Minister Krishna Prasad Sitaula. Several meetings have been held between the two dialogues teams resulted in the signing of the "*Ceasefire Code of Conduct*" (COC) by both the parties. In the same manner, on June, 2006 at the first summit meeting between the Prime Minister and the Maoist Supremo, they signed the "*Eight-Point Agreement*" that set the stage for drafting of an Interim Constitution. Executing their joint agreements, the Government and Maoists established three joint structures: namely, the "*National Monitoring Committee on Ceasefire Code of Conduct*" to monitor the "*Twelve-Point Understanding*" and the COC; the "*Interim Constitution Drafting Committee*" to draft an interim constitution that will ensure the democratic rights acquired through the people's movements, and the "*Negotiations Talk Observers Group*" of respected and senior Nepali civil society members to observe, advise and witness all the formal negotiations.

In addition to the above mentioned committees, the Government appointed the "*National Peace Committee*" (NPC) consisting of ten political parties representing in the Parliament to support and guide the peace process and negotiations. As per the agreement, the Government has to assume full responsibility for the administration, implementation and financing of these joint mechanisms and peace structures.

4.1 Current Scenario

Recently formed Negotiating Talk Team (NTT) have completed their two rounds of talks concluding to a consensus to go with Constituent Assembly as soon as possible and have a common understanding to dissolve present House of Parliament by establishing an alternative structure, to legislate a interim constitution and to monitor the COC agreed among them. UN

has been requested as a third party observer institution for monitoring the human rights situation and overall election procedures of the Constituent Assembly as well. National Peace Committee has been formed for the policy guidance for both negotiating talk teams and the government in order to restore peace in local level society. In the dawn of restructuring of the nation for tomorrow's hope, perhaps, right now various issues ought to be sorted out while triggering peace process in Nepal.

Though the country has taken a new political course as an outcome of the historical wave of popular uprisings whirled in April 2006, the issue still deserves great attention of all political parties, Maoists, humanitarian activists, human rights organization, the state and world community. The country, today, demands the establishment of a permanent peace along with a positive resolution of the armed conflict. So SPA and Maoists are, therefore, committed to establish a permanent peace by bringing the existing armed conflict in the country to an end through a forward-looking political outlet of the establishment of the full democracy by ending the autocratic monarchy and holding an election of the constituent assembly that would come on the basis of aforesaid procedure.

The Maoists expresses its commitment to move forward in the new peaceful political stream through this process. In this very context, an understanding has been made to keep the Maoists armed force and the Nepal Army under the United Nations or a reliable international supervision during the process of the election of constituent assembly after the end of the autocratic monarchy, to accomplish the election in a free and fair manner and to accept the result of the election. These political parties are also expecting for the involvement of a reliable international community even in the process of negotiation.

The King has expressed his beliefs that the parliament will contribute to the overall welfare of Nepal and the Nepalese people. After this event, the House of Representatives has already declares its commitments for moving to the path of Constituent Assembly, all the executive powers of Nepal shall be vested on the Council of Ministers, and "His Majesty's Government" shall be referred as "Government of Nepal" from now onwards. Similarly, The title "Royal Nepal Army" has been changed to "Nepal Army"; the Existing provision regarding the National Security Council is hereby repealed and establishing a National Security Council under the chairpersonship of the Prime Minister in order to control, use and mobilize the Nepalese Army; Chief of the Army Staff of the Nepalese Army started to appointed by the Council of Ministers; the existing arrangement of Supreme Commander of

the Army is repealed and the promise about the organization of the Nepalese Army shall be inclusive and national in near future.

The HOR also proclaimed that the power to make, amend and repeal laws regarding the succession to the throne shall be vested on the House of Representatives; the expenditure and facilities of the King shall be as decided by the HOR; the private property and income of the King is now being taxable pursuant of the law; question over the acts performed by the King may be raised in the HOR and in the court.

4.2 Present Peace Structure of Nepal

Expressing commitment towards democratic values and norms, including a competitive multi-party system of governance, civil liberties, fundamental rights, human rights, press freedom and the concept of the rule of law; guaranteeing the fundamental rights of the Nepali people to participate in the process of framing a constitution through participating in the election of constitution assembly without being influenced by any fear, threats, or violence; some peace structures has been established as per the desire of the Nepali people in order to transform the ceasefire between the Government of Nepal and the Maoists into a permanent peace and resolve the problem peacefully through negotiations and agreements. To implement these understandings, the Interim Constitution, Ceasefire Code of Conduct, and all other agreements in the future, SPA and Maoists should jointly mandate, have create, and initiate the following mechanisms, structures and institutions:

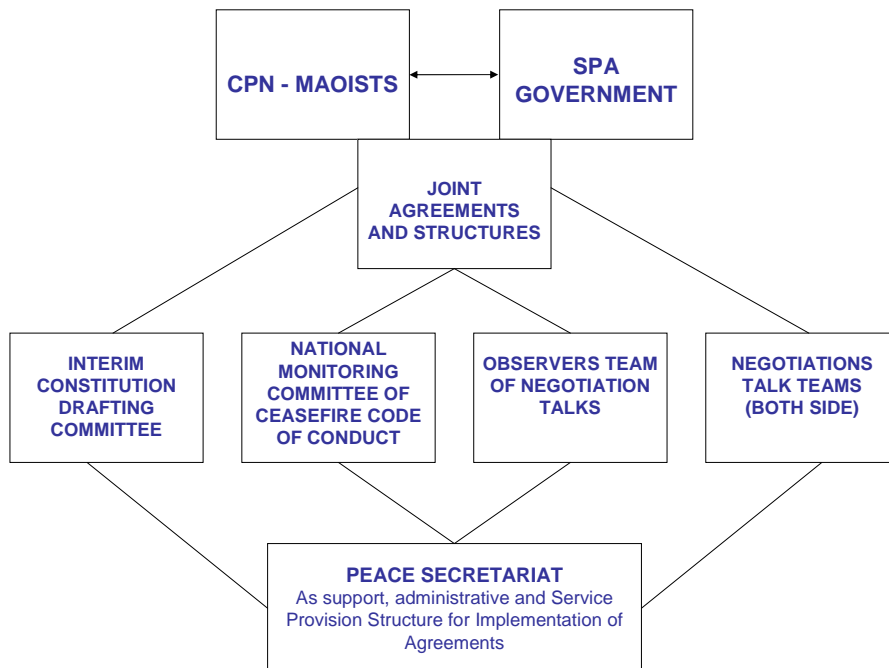
- Nepal Government and Maoists Negotiation Talk Teams;
- National Peace Committee and Local Peace Councils;
- National Monitoring Committee on Ceasefire COC;
- Peace Talks and Process Observers and Advisors Group;
- Interim Constitution Drafting Committee;
- An alternative arrangement of HOR;
- Joint Nepal Army, Maoist (PLA) and UN Task Group for DDR and Arms Management;
- Interim Government;
- Peace Secretariat.

NMCC is now monitoring the COC between GON and Maoists and ICDC has completed drafting of interim constitution and already submitted to the NTT. NPC has framed draft of

the Ceasefire Agreement, Human Rights Agreement and National Peace Accord along with the formation procedures rules of LPCs. Now, both NTT are preparing for the second talks between the Prime Minister and Maoist Supremo in October, 2006. The Peace Secretariat (PS) is mandated to support and enable the smooth functioning of these structures and the negotiations process. The PS reports to this newly established NPC, the Prime Minister's office and the Government's Negotiations Team.

After a long debate and a decade of thinking of the proletarian state, Maoists are beginning to see themselves as a responsible and committed party to restore the stolen multiparty democracy and peace in Nepal. The pace of this fundamental shift in the political ideology of Maoist has been a challenge and opportunity that may lead to the restoration of long lasting peace and multi-party democracy in Nepal.

Current Peace Configuration of Nepal



4.3 Problems of the Peace Process in Nepal

- **Involvement of every sphere of the Society:** In general it is important to be inclusive with regard to the peace process, particularly where the objective is to create a framework for binding a variety of agreements. An inclusive process provides a better platform for stability, acceptance of the new political order and loyalty to the

nation. Even a small minority, standing outside the political framework can seriously destabilize and disrupt a new constitutional state. However, involvement of some members of civic society, SPA and Maoists is ensuring the peace process, but proper inclusion of Dalit, Janjatis, Women and Security forces is yet to be done. The SPA, GON and Maoists should bear in the mind the fact that all political parties and every sphere of society can contribute to the overall process.

- **Confidence Building Measures:** Though some quarters of the policy echelon are aware, still there is a limbo situation of 'who bell the cat' for the task of confidence building in negotiation of the peace talks. This is largely due to the state of confusion and mistrust regarding whose jurisdiction and liability belongs to the business. In absence of clear roadmap for resolution, none of them seems proactive in response to this issue. However, both SPA and the Maoists are agreed for accusation, claims or cases filed by both the parties against various individuals will be withdrawn and the detainees will be released gradually; whereabouts of the people who have been disappeared will be publicized immediately; to help in the rehabilitation of and extend cooperation to displaced people to return to their respective houses in a peaceful, comfortable and respectable manner; to return the properties of the leaders of political parties, activists and civilians, which were seized, locked up or prohibited from being used during the period of the conflict, to concerned persons or their families and problems arising while returning the properties will be resolved through mutual agreement. In practice, even the COC has not been properly followed by the Maoists²⁰ and the commitments that had been agreed on twelve-point understanding have not been followed by SPA/GON also. Both conflicting parties could not pursue to adopt confidence building measures that should have to apply in such transition period, and are seem to be now reluctant to fulfill their commitments to Nepali people.
- **Peace Ownership by Security Forces:** At the moment, the NA, the APF and the civilian police combined maintain a total force of 145,000 security personnel, compared with the optimistically- estimated figure of 1500 armed guerillas and some 20000 militia members, despite Maoist claims of maintaining over 100000 armed guerillas and militia members²¹. The legitimate force of the state and the PLA of the Maoist both should reconstitute and streamlined to owned the peace process of Nepal. However, all political parties attitude towards security forces and PLA is almost

²⁰ NMCC Report No. 2, Published by National Monitoring Committee on Ceasefire Code of Conduct; September, 2006, Kathmandu, Nepal.

²¹ Security Sector Reform in Nepal; FFP Publications, Series 008, June 2005, Kathmandu, Nepal

negative in order to streamlining these forces to the ownership of peace, peace stakeholders should have to create pressure to them to mobilize forces to the peace process as well.

- **Role of Political Parties:** Once the Political parties are adequately aware of the fact of the conflict problem is an imperative humanitarian issue, we should be mindful that it might turn into a severe societal crisis and devastation if not dealt properly and timely. Only the wise way of addressing the issue is to proactively foresee the fall out effect of the crisis and go down up to the root-causes of the problem. However, it is urged that we should opt for a transformational solution rather than a myopic pacification. In this light, role of the political parties should focus on both remedial as well as preventive approaches that will create a conducive environment and would be the vital constituent of the solution. However, amid the reconciliatory political atmosphere being cultivated at the moment towards end of more than a decade long conflict, the political parties should not spare any chance and opportunity that can respond to the confidence building issue that have been causing mistrust among the parties. In other words, the answer to the issue ought to be a part and parcel of peaceful conflict transformation package of the country. The scene right now is not just as we think, but as of today, political parties are seem to be divided in their consensus, as it was before the popular movement, of the issue of monarchy and the arms management of PLA is concerned and day to day escalating and widening their mistrust among them. Most importantly, a clear implementation of roadmap and peace mechanism with serious commitment is to be placed rather than curtain policy in order to hide real truth. The ongoing drama is sure to be counter-productive in a course of time and people of Nepal may not forgive for that.

- **Institutional Set-up and Capacity Building:**

Though there are already a set of political-technical committees working with the PS, the PS lacks at this date experts within its staffing structure. PS, having most of its employees near in the age of retirement, scarce resources and expertise and lack of knowledge and skills of peace negotiation process, anyway is cooping with the various political committees. So that the idea of developing and building the capacity of Technical Working Groups (TWGs) is to promote "inclusive black-box model" have been proposed. The model is based on confidential options generation to address key technical issues within the larger political context. In order to utilize the

"inclusive black box" model in the form of TWGs so that all parties to the conflict can exercise consensus-based decision making on different issues relating to the peace process amid a multiplicity of views it is necessary to create an environment in which the technical advisory mechanisms will allow concerned officials to obtain multiple options to reach a logical conclusion. In this scenario, the bureaucratic rules and work style may not cope with the urgent technical needs of the peace process of Nepal. As of today, these technical groups and institutional set-up have not been formed and political leaders are keeping individual consultants in hand for the action.

- **Planning and Programming:**

Setting a strong mechanism for coordination and collaborative efforts for the planning and programming of overall peace process is quite necessary in this time. It is a common phenomenon in most of the developing countries that policy ends up with its formulation. In order to avoid the resumption of such unpleasant disappointment, a strong mechanism for coordination in responding collaborative efforts is a must. Otherwise, policy alone cannot address the issue on ground level.

Realizing the need of developing a basic support system of database, a well-grounded system has to be built on. The database should be revealing afresh with a sufficient room for an updated analysis of the situation. Upon that system, mapping the issues can be done on regular basis in getting the bottom of the scale and gravity of the problem. Above all, all related line agencies, local bodies (i.e. DDC, Municipality and VDCs), NGOs, private sector and local community organizations should be given enough respectful space in the planning and implementation of peace process. In order to provide technical support to the National Planning Commission and other concerned agencies in formulating short-term, medium-term and long-term policies and plans for providing relief to the conflict victims and reconstruction of the destroyed physical infrastructures and, to co-ordinate, monitor and evaluate the implementation of such policies and plans PS should have a strong planning and programming cell that have not to be done yet.

As it has always been the case, coordination problems exist amongst Government agencies and other actors quite severely. No planned effort has been seen with coordinated venture except some meager examples. Notwithstanding, some agencies have done something for the sake of peace, but on their own basis without well-

coordinated impact. In this respect, coordination has been a constraint in the execution of the program.

5. Task and Challenges Ahead

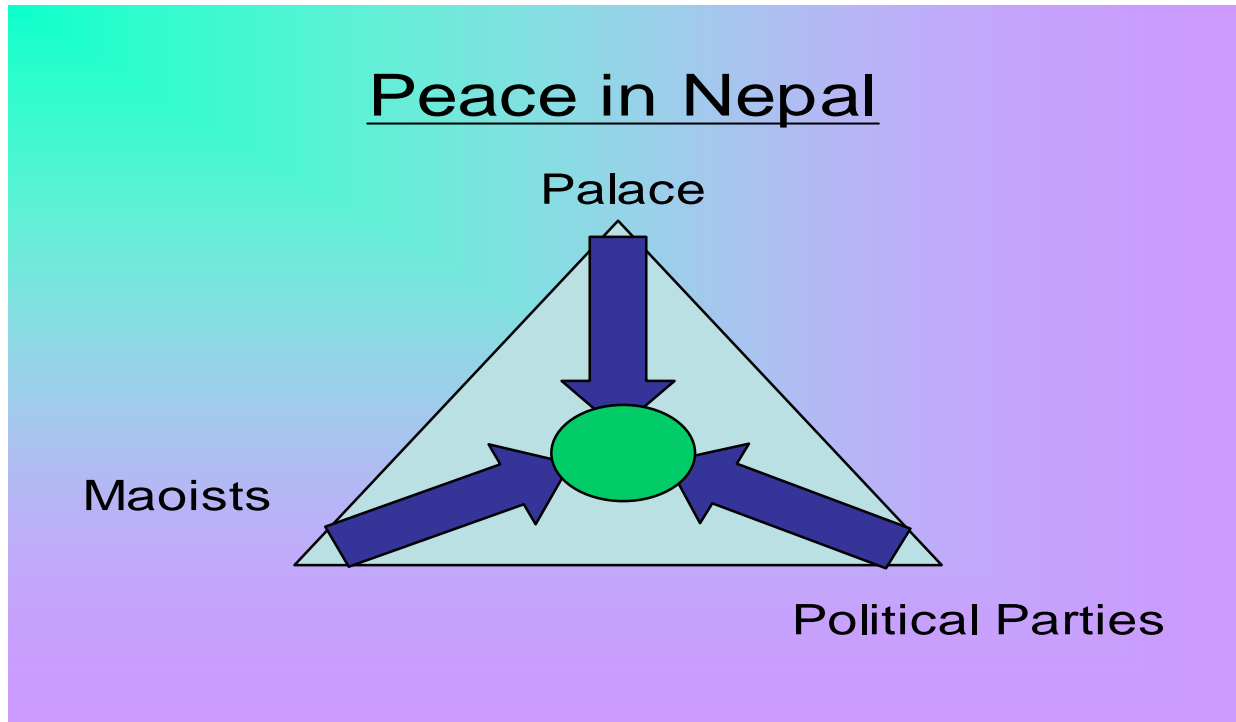
Nepal is currently in an open moment in its history, where different features are possible. Such moments are rare in the histories of the countries. Their defining feature is that a rupture with the past becomes possible and the possibility of a future to which people can have a consensus and aspire becomes probable. They do not, however, last long, and unless widened by vision and sustained action, are shut quickly and can be the beginning of vicious circles of stalled development or collapse. The value of time of unusual significance in an open moment as it can be either a friend or an enemy; it is the harnessing of time to the implementation of a series of tasks, articulated in a compelling road map, which can create a new momentum.

5.1 Post-Conflict Task Ahead

Peace-keeping in the “In-conflict” situation is the function of security measures whereas a peace-building activity in “Post-conflict” situation requires political consensus and understandings to formulating and executing policies, strategies and functional policies required for the peace management process and the workable peace and development strategies along with management of security issues for resolution. Theoretically, consistent approach to the conflict management starts from its prevention, settlement, management, resolution and ends with conflict transformation stage. Conflict prevention aims to prevent the outbreak of violent conflict, whereas Conflict settlement involves a process to end violent behaviors by reaching a peace agreement. Similarly, conflict management aims to limit and avoid future violence by promoting positive behavioral changes in the parties involved and conflict resolution addresses the causes of conflict and seeks to build new and lasting relationship between hostile groups. Lastly, conflict transformation addresses the wider social and political sources of conflict and seeks to transform the negative energy of war into positive social and political change.

Nepalese peace process is now in the cross road of the bi-polar to dual power situations heading to conflict settlement stage. By limiting the power of Palace, SPA and Maoists are creating a dual power scenario whereas the leader of SPA, Nepali congress, as of now, is proposing a ceremonial king system aiming space for the King also. Similarly, Maoists are

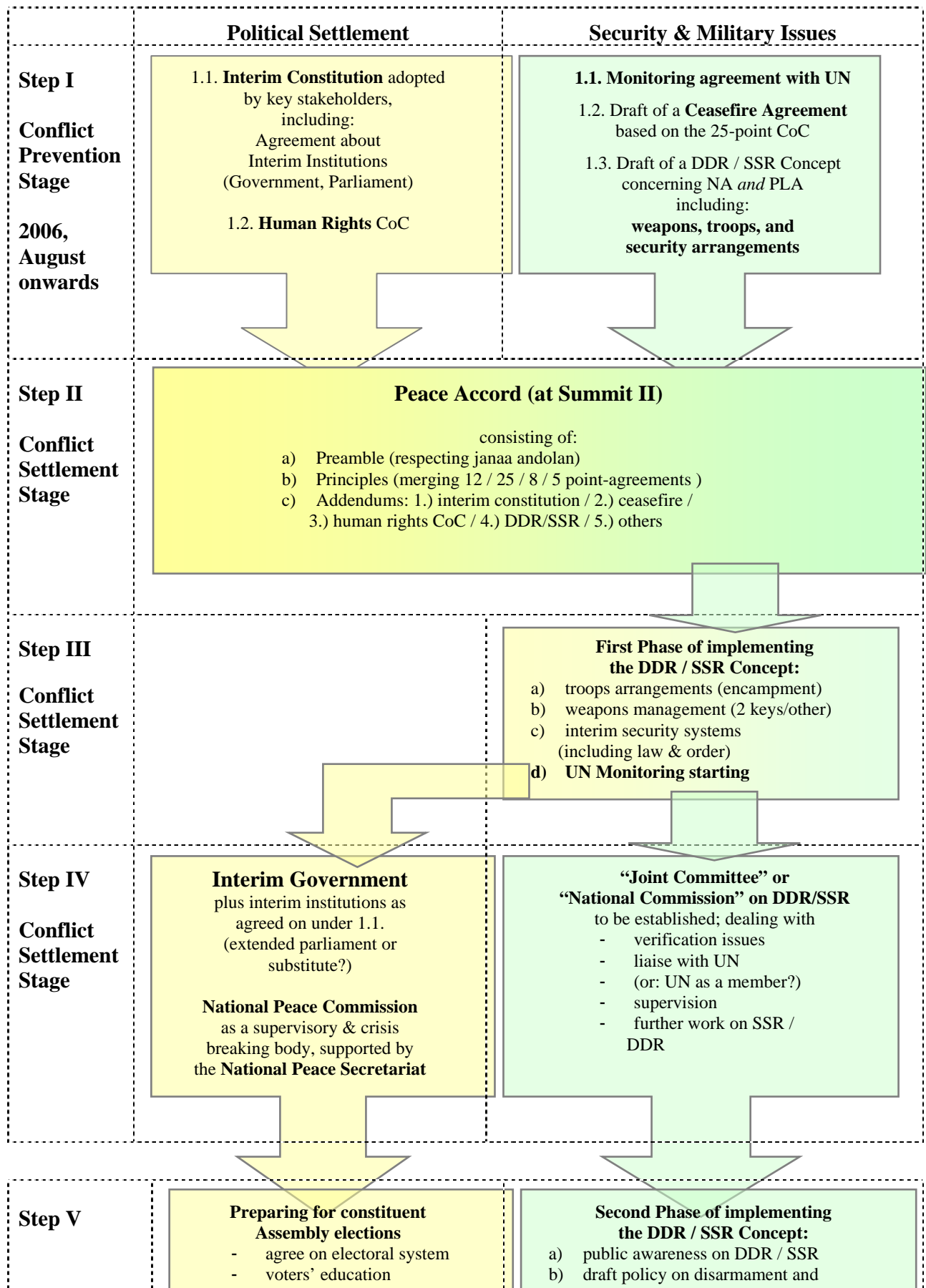
asking for either immediate suspension of Kingship until and unless Nepali people decides through Constituent Assembly or an interim constitution guarantying the republican system, and on the other hand the Palace is hoping a cooperative trade-off between all bi-polar powers. Such tripartite expectations interlocking the political power and peace process of Nepal.

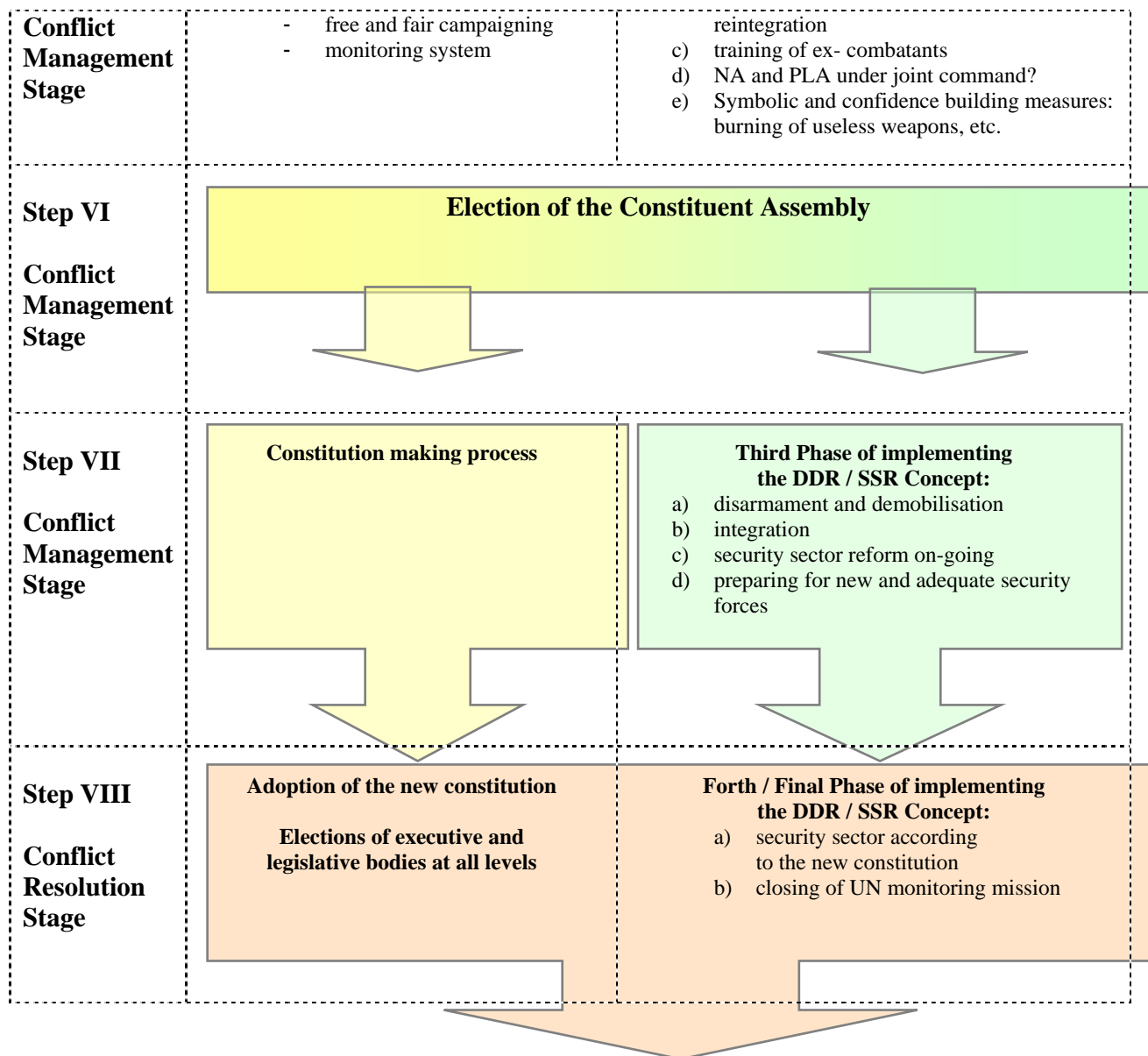


Basic task in the hand, as of today, is to settle, manage, resolve and transform the conflict safely into the peace and development. Nepali peace process is in the phase of conflict settlement now and it requires some agreements like ceasefire agreement, human rights agreement and overall peace agreement between SPA and Maoists. In response to this situation both parties should have common understanding and consensus to the peace settlements. Both parties have to go far away together with so that a common approach for conflict management, resolution and transformation shall be ensured.

PS should have the capacity to provide advice to the concerned agencies about minimization of risk of conflict; to develop negotiation strategies as required; to conduct awareness program for enhancing peace and enhance their cooperation for the conflict resolution. In this scenario, PS consulting the available experts in the field, have design a peace process proposing all stake holders in the following manner. However, right now, we are in the process of STEP I and approaching to the STEP II, however consensus between parties on the current issues is seem to be problematic.

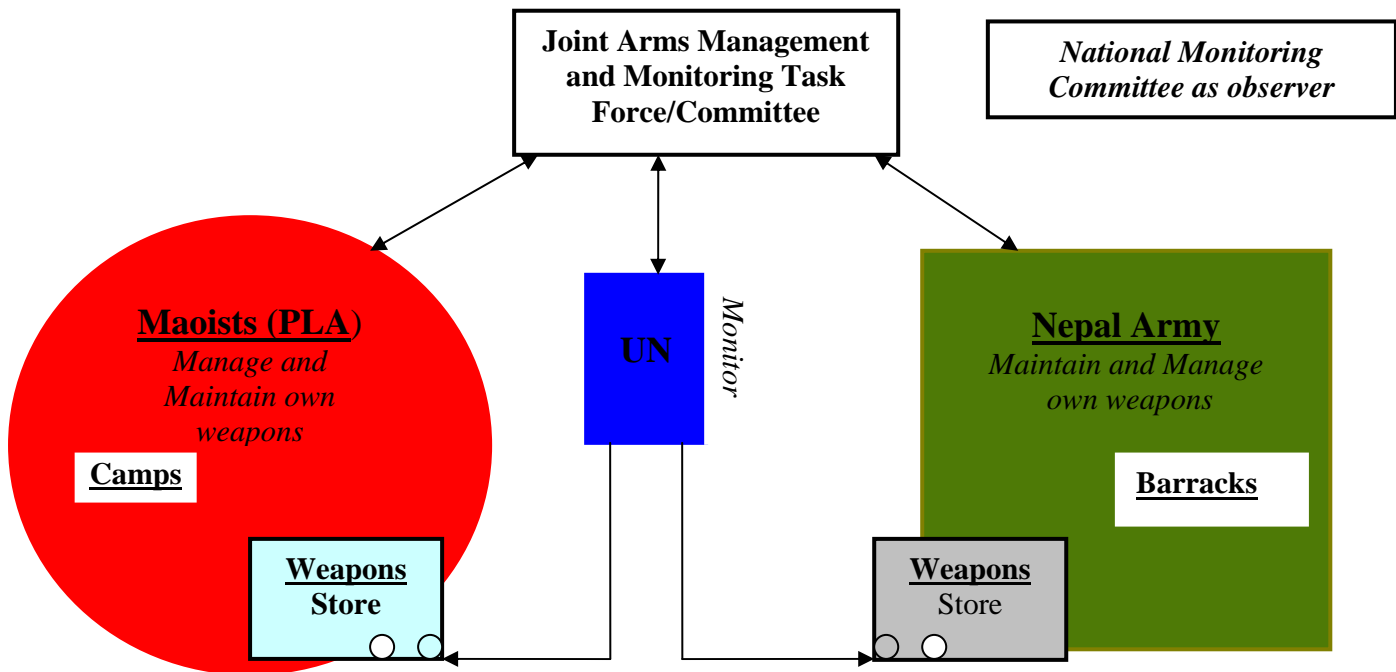
Proposed Post-Conflict Peace Process for Nepal





CONFLICT TRANSFORMATION STAGE THAT LEADS TO A BEAUTIFUL AND PEACEFUL NEPAL

**Proposed Arms Management and Monitoring Options
For Nepal Army and Maoists (PLA)**



Options for Monitoring

- Keys/locks options
- Observation cameras
- UN Observer or liaison officer
- Seals & alarms
- Seals & keys with partners
- Others

To explore:

- Security arrangement of weapons and forces
- Information management
- Joint Coordination
- Establishment of joint committee

5.2 Challenges and Opportunities

The challenging situation in Nepal is the presence of unstable dual power. United in their common struggle against monarchy, the SPA, currently forming the Government, and the Maoists, an organized military and political force with the presence across the country, now needs to forge an agreement on defining the future system of the country. A tripartite power structure, with the Monarch at its apex, has been replaced with two sets of actors, who have yet to provide a clear roadmap to the people of Nepal regarding the future destination of the country. Participation of the Maoists in government can be the beginning of a process for ending the condition of dual power. In other hand, the SPA launched their agitation when the security apparatus of the royal regime was used both against the Maoists and them, but now, their ability to use the same apparatus for guaranteeing law and order and the capabilities of this organization as credible instruments for ensuring law and order remain questionable.

Conflict should not be perceived as a variable extraneous to the social system, but should be integrated into the development and relief programs to make the peace building strategy enduring. It is also important to recognize that conflicts have a tendency to become embedded in the social and political structures over the long term as a consequence of which they may reignite later. So we should have to bear in mind that each major breakthrough in the course of peace process comes through an initiative that demands a strong measure of will and commitments.

Being prepared to make the most of new opportunities requires not merely developing a COC, DDR plan, UN presence and constitutional blueprint to have in the hand, but also the capacity to deal with the challenges that such changed circumstances bring to alliances, leadership and, particularly the militant grassroots. A rigid position (an asset during times of repression and militant resistance) may now become a barrier to the strategic flexibility that is required for engagement in political negotiations, especially in the following burning issues in hand right now.

- **Role of the Monarchy; whether constitutional?**
- **Interim Constitution; Towards Republic vs. Constitutional Monarchy**
- **Interim Parliament; A dilemma of the Dissolution of HOR**
- **Arms management; Technical matter associated with Political Package**
- **Interim Government; Inclusion of Maoist with Arms?**
- **Structure of Constituent Assembly; Question of Federalism and Proportionate representatives**

5.2.1 Addressing the Challenges by Summit II

The above mentioned main issues and challenges that SPA and Maoist are trying to sorted out through the Summit II²², however as of today, the Summit II is converted into series of inter-party group discussions. **First round** of discussion held in October 8, 2006 and ended up without settling anything. Main agenda of that meeting were about future of the monarchy, structure of the interim legislature and modalities of arms management, whereas the press statement release by Negotiation Talk Team jointly²³ stated that they discussed on the draft of the interim statute, election to Constituent Assembly, implementation of the pacts the two sides had reached before, issues of relief to the victims of the conflict, socioeconomic transformation and restructuring of the state. In the nine hours course of time "they discussed

²² October 8, 2006 was agreed between SPA and Maoist for Summit II and supposed to decide these issues, but it was converted into several series of inter-party discussion meeting. Eight Parties, representing 4 leaders each in the meeting, discussed in these issues but could not reach in a common consensus and so that they decide to meet again in 10 October, 2006.

²³ Joint press statement issued by the Government Talk Team and Maoist Talk team on 8th October evening.

everything but could not reach any agreement due to "lack of time" and again will meet in Tuesday (i.e.10th October, 2006)"²⁴. Main cause of the failure of this discussion was the "Nepali Congress stance on the future of the monarchy"²⁵. Later in 10th October, 2006 **Second round** of discussion held and ended up with a press conference stating some decisions that have been made. A joint press statement issued at the press conference stated that they agreed both the talk teams will prepare mutual agreement on the modalities of arms management and other main political issues that would be presented in Thursday meeting (12th October, 2006), to hold an election to the Constituent Assembly by the second week of June, 2007, to appoint Chief Election Commissioner and Commissioners by October 17th for the preparation of election. However the arguing notion that the Maoist should not be taken into the government until and unless their arms are decommissioned²⁶, the Summit agreed on the date of election that would be announced by the interim government which will have representation of the Maoist also. Although, the Tuesday Meeting could not make any breakthrough on main political issues it made a little bit more progress than the day before yesterday²⁷. **Third round** of meeting in 12 October, 2006 was same as first round of meeting. Leaders of the eight political parties argues to need some more time for the preparation of the whole political package²⁸ and they will meet with their agenda on 15th October, 2006. In the

Fourth round, however they could not conclude the matter in hand in the 15th October due to the inflexibility on the role of monarchy and arms management issues. Indications are that both the parties were rigid on their respective stances. On very effective leader of the Maoist argues that the central issues of the talks are the question of the monarchy and restructuring of the NA and share the assurance that other issues will not take much time to resolve once a breakthrough is made on those two issues, which is influenced by the royalists and external forces²⁹. This Sunday talk at Prime Minister's official residence between the leaders of SPA and Maoists could have been the shortest peace talk one ever, because it lasted 360 seconds and the Prime Minister would announce the time and venue of the next meeting.

²⁴ An interview with UML Leader Mr. J.N. Khanal after the talks by a Nepali Daily "The Himalayan" 9 October, 2006.

²⁵ An interview with Maoist Leader and Talk Team Member Mr. Dev Gurung after the talks by a Nepali Daily "The Himalayan" 9 October, 2006

²⁶ US Ambassador Mr. James F. Moriarty' expression to the Prime Minister on September 21, 2006; A Nepali National Daily "The Himalayan" issue of 22 September, 2006.

²⁷ Maoist Chairman Prachanda's comments after talk on Tuesday; A Nepali National Daily "The Himalayan" issue of 11 October, 2006.

²⁸ Conveyor of NTT Mr. K.P.Sitaula and Mr. K.B.Mahara on the Press Conference at Peace Secretariat clarifying the reasons of postponement to the Press.

²⁹ Maoist Leader Dr.Baburam Bhattarai reacting after the end of talks of 15th October, 2006; A Nepali National Daily "The Himalayan" issue of 16 October, 2006.

This paper suggests that parties to civil conflict should use emerging opportunities not only to seek short-term gains, but also to consolidate the overall process of conflict transformation, sustain its momentum and make the reform process irreversible in order to prevent the restoration of the status quo ante.

5.3 Geopolitics and International Support

The growing intensity of the fighting between Maoist insurgents and the state security forces and its devastating effect on the security situation, human rights and socioeconomic life of the people have started to bring Nepal into sharper international focus. The escalations of violence and growing instances of human rights violation have tarnished the image of the country. It has not only lowered Nepal's stature in the international community but has also added to the concern of international powers and immediate neighbors. The spill-over impact of the insurgency has alerted its neighbors and there is going risk of unwanted foreign intervention if the insurgency is not resolved through peaceful negotiations.

The geopolitical specialty of Nepal has lent comparative advantage to the insurgents allowing them to conduct a prolonged armed insurgency. The special geopolitical situation of Nepal, the open boarder between Nepal and India and the compulsion of Nepal to use Indian Territory for accessing the sea port has made Nepal highly dependent on India. So Nepal cannot ignore the role of India in the peaceful transformation of conflict in Nepal. India's positive willingness to contribute in the conflict transformation in Nepal can determine the pace of progress towards it. Bhutanese refuse crisis is a glaring example that Nepal can learn for giving due consideration to India's positive contribution and assistance for solving the Maoist insurgency in Nepal. Considering this fact, attitude and dealing with the rebels, the impact of Nepal's left-wing insurgency in India's internal security and its possible contribution to resolve the Maoist conflict in Nepal as a stepping stone and entry point for generating broader debate on Nepal's international relation as a whole in the context of the on-going Maoist conflict in Nepal.

It was only after the breakdown of the second rounds of talks in 2003, the UN Secretary General proposed for the UN involvement in the peace process of Nepal for the first time in 2003. The Maoists, all the main political parties and civil society of Nepal welcomed the

proposal, but the reaction of Indian government was quite negative³⁰ and the US government has also opposed the UN involvement in the peace process as a mediator rather than facilitator³¹. China, the northern neighbor, has no interest to be involved, nor does it support or oppose the UN involvement³². So China's current position on its neighbors, especially its policy towards Nepal, is termed by some policy analyst as that of a "sleeping dragon"³³.

Despite of this history of conflicting interests, Nepal now requested to UN as an observer to the Arms Management and the election process of Constituent Assembly and as of now, an UN mission have been established for the preliminary preparation in Nepal. A quite consensus environment to help UN in Nepal and its peace process has created by the international neighbors and as of today, they are possessing interests for external assistance to the peace process of Nepal.

One of the core issues behind many policy failures especially in the developing country is the outcome of resource crisis. Third countries like Nepal can hardly allocate its own scarce resources from other already prioritized ambit of the nation. Moreover, donors too are less interested to get indulged in such humanitarian areas, which are often known as the resource absorbing but unproductive areas. Despite of this scenario, SDC, EU, USAID, Norway, Finland are possessing interests to help in the peace process of Nepal. There are some areas where Nepal could not have enough expertise, like in the area of DDR, SSR and Arm Management, and may seek international support.

6. Conclusion

Nepalese Leaders face an enormous number of demands on their time and energy. Addressing the daily crisis will quickly consume them, preventing from focusing on the requirements for leading a process of change that an open moment requires. If the vision of new Nepal is to be transformed from a slogan to a coherent program of action, this will require aligning the energies of the leadership around a series of tasks to which they will be paying sustained attention. In this regard, six essential tasks to transforming the open moment into a coherent process for marshalling the

³⁰ For details see "Geopolitics of Nepal and International Responses to Conflict Transformation"; January, 2005; FFP Series 006, Friends for Peace, Kathmandu, Nepal.

³¹ Ambassador Mr. James F. Moriarty's interview in the Nepali National Daily "The Kathmandu Post", 4 October, 2004

³² See Policy Statement of May 10, 2002 by Former Chinese Ambassador to Nepal Mr. Wu Congyong. Lecture of the successive Ambassador of China to Nepal on May 28, 2004 at the Nepal Council of World Affairs and China Study Centre, Kathmandu, Nepal.

³³ "Geopolitics of Nepal and International Responses to Conflict Transformation"; January, 2005; FFP Series 006, Friends for Peace, Kathmandu, Nepal.

energies of the people of Nepal into creating a new Nepal are must. Defining the state systems, restructuring the state through new rules, consolidating security, delivering inclusive development, constituting the market and resource mobilization are those area of concern together with the whole peace process activities.

Nepal should develop its own national unity and broad national consensus on the basic questions of resolving the armed conflict. If the nation is divided, neither the conflict could be resolved progressively and in a sustainable way, nor our national sovereignty and interests could be preserved during the peace process. A divided nation always invites foreign intervention and hegemony. So the conflict should be resolved basically by the Nepalese people ourselves. The role of India or any other country and even the role of UN could be and should be complimentary only. Only on the condition that the nation is united and others role in peace process would be conducive without harming any of our national interest. There should be broad national consensus that, this time and probably the last chance, our national polity and fate will be decided by ourselves on our negotiating table and not by others as was done in 1950.

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