International support for peace and transition in Nepal

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External actors made various attempts to broker a negotiated settlement to the armed conflict in Nepal from quite early on. Each initiative failed, but together they succeeded in laying the basis for subsequent international involvement. By the time of the political transition and the end of the war in 2006, it seemed only natural for a number of extra-national players to become involved in supporting Nepal’s peace process.

The extent of international partners’ engagement varied, as did their influence. They worked together on occasion, but sometimes at cross-purposes. This article does not provide an exhaustive overview of external support for the peace process, which is well covered in the literature elsewhere (for example by Teresa Whitfield in 2012). Rather, it traces the evolving influence of selected international actors on the political process in Nepal, and how external leverage diminished as the process progressed and internal actors gained confidence and power.

India

No international actor has had more influence on Nepal’s peace process than India. Its size and proximity to Nepal gives it tremendous leverage, which Indian policymakers have rarely hesitated to use. Having cultivated relationships with the Nepali Congress [NC] and the Communist Party of Nepal-Unified Marxist-Leninist [UML] through the 1990s, India established direct links with the Maoists around 2002–03. At that point, the rebels were based in Indian territory and were keen to assure New Delhi that they would not act against its interests.

After King Gyanendra assumed direct control in Nepal in February 2005, Indian officials and politicians became willing to see a substantially diminished role for the monarchy. They even facilitated negotiations between the parliamentary parties and the Maoists, which led to the 2005 12-Point Understanding that preceded the Comprehensive Peace Accord (CPA). The parties and the Maoists were deeply appreciative of India’s support and came to perceive New Delhi as a guarantor of the peace agreement. India’s presence gave the parliamentary parties the confidence that they would be able to resist any royal resurgence while also containing the Maoists within the parliamentary order. For the Maoists, India offered international recognition and legitimacy.

The CPA identified the ‘democratisation and restructuring’ of the Nepali Army as a central tenet of the peace process. The Maoists insisted on comprehensive reform of the institution, including the induction of large numbers of Maoist combatants into its ranks. India dismissed this notion and insisted that, at most, a few thousand Maoist fighters could be recruited into the army. It would take
years of protracted negotiations before the parties finally agreed on the integration and rehabilitation of Maoist combatants. The final outcome was in close accordance with India’s desire to see the structure of the Nepali Army unchanged, a condition New Delhi believed was crucial to ensuring stability in Nepal.

At the political level, relations between India and the Maoists started deteriorating almost as soon as the Maoist Chair, Pushpa Kamal Dahal Prachanda, became prime minister in 2008. New Delhi was unhappy that Prachanda had gone straight to Beijing following his inauguration, in violation of the long-standing tradition that saw Nepali leaders visit India first. But it was when Prachanda tried to sack the army chief in early 2009 that relations really started going downhill. India and Nepal’s traditional parliamentary parties believed that the Maoists wanted to install a pliant army chief as a way to enable bulk integration of combatants into the army, facilitating what was believed would have been a Maoist takeover of the institution itself. India stood firmly behind the NC and the UML, and appeared also to have tacitly encouraged President Ram Baran Yadav to block the Maoists. Prachanda subsequently resigned and the government was replaced by a coalition headed by the UML’s Madhav Kumar Nepal.

At the time of writing, the Maoists have split into a number of factions and have ceased to be a threat to the Nepali state. The largest, the Communist Party of Nepal-Maoist Centre (CPN-MC) led by Prachanda, is firmly enmeshed in parliamentary politics and no longer harbours any revolutionary dreams. From India’s standpoint, its goal of neutralising the Maoists and co-opting them into the parliamentary system has been a success.

**Madhesi question**

India’s other major priority during the peace process has been to ensure accommodation of demands by Madhesi [from Nepal’s southern Tarai plains] in the new constitution. Madhesis have close cultural and kinship links with Bihar and Uttar Pradesh states in North India, and India feared that unrest in the Tarai could spill over across the border. India has also long considered Madhesi leaders as key allies within Nepal who can be expected to further Indian interests. For these reasons, the establishment of a federal structure in Nepal acceptable to Madhesis was a primary goal for Indian policymakers.

In the early years of the peace process, India played a central role in consolidating Madhesi parties. In late 2007, it even encouraged a number of Madhesi leaders to quit the older parliamentary parties and form the Tarai Madhes Loktantrik Party (TMLP – Tarai Madhes Democratic Party). The TMLP was intended as a counterpoise to the Madhesi Janadhikar Forum (MJF – Madhesi People’s Rights Forum), the major force behind the first Madhes movement in early 2007, in what seemed to be an attempt to divide Madhesi mobilisation in order to control it more easily. Indian officials in Kathmandu also successfully pressured the Madhesi leadership and the Nepali government into reaching agreements that addressed Madhesi demands to a considerable extent.

Over the longer term, however, India had much less success in facilitating an agreement between Madhesi parties and the state. Despite India’s efforts, Nepal’s political parties were unable to concour on a federal structure by the May 2012 deadline to draft a new constitution, and the first Constituent Assembly was dissolved [see article on federalism, p.75].
The Madhesi parties performed poorly in the 2013 general election, losing much leverage in the second Constituent Assembly.

Although Indian Prime Minister Narendra Modi more recently urged the Nepali government to draft a constitution through ‘consensus’ (i.e. taking Madhesi demands into account), Madhesi parties rejected the federal model in the constitution that was finally agreed upon by Nepal’s three major parties in September 2015. India supported a popular movement in the Tarai against the new constitution by restricting the transport of essential goods across the border, but the Nepali government did not give in. These events severely strained the relationship between the two countries. Although movement across the border was eased in February 2016, relations between the two countries only started thawing after the UML-led government was replaced by a coalition of the Maoists and the NC in August that year.

China
China’s involvement in Nepal’s peace process has been indirect and discreet, in line with its policy of ‘non-interference’ and acknowledgement of India’s primacy in Nepal. For decades, China has been chiefly concerned with seeking the Nepal government’s recognition of Tibet as an integral part of China and preventing the growth of a pro-Tibet movement. In line with this policy, Beijing backed King Gyanendra’s government after the royal takeover in 2005, and it was only in 2006 that the Chinese recognised that major shifts were under way and started engaging closely with first the political parties and later the Maoists.

A change in China’s approach occurred in March 2008, when ‘free-Tibet’ protests erupted in Kathmandu. China subsequently intensified its efforts to find ‘reliable partners’ with the power and inclination to take care of its key security concerns. For a time, China cultivated the Maoists as a possible ally and, as mentioned above, even invited Prachanda to Beijing almost immediately after he took office as prime minister. But it did little to prevent the collapse of the Maoist-led government. Over the years, China continued to maintain ties with successive governments and offered aid to the Nepali Army.

The Chinese viewed the open border between India and Nepal as enabling Tibetan protestors to infiltrate Nepal. It was concerned that international organisations such as the UN Office of the High Commissioner for Human Rights (OHCHR), which set up office in Nepal during the conflict, could speak out about the treatment of Tibetans by the Nepali Government. China was also worried that a federal structure would lead to centrifugal tendencies in a country that lay in the underbelly of Tibet, giving western powers and pro-Tibet activists an enlarged space for operation. In a marked departure from its usual stance of non-interference, during meetings with Nepali politicians visiting Beijing at the time of the first Constituent Assembly, Chinese officials went so far as to express disapproval of the idea of federalising Nepal a number of times, a position that set China in potential opposition with India.

United States
After 2001, the US began to view the Nepali state’s fight against the Maoists as part of the ‘global war on terror’, with some senior officials at the embassy in Kathmandu influenced by a Cold-War era anti-communist mindset. Even though it condemned the 2005 royal takeover, the US remained strongly opposed to the emerging alliance between the Maoists and the parliamentary parties. The then-ambassador repeatedly warned the parties against allying with what he considered to be a violent communist group intent on authoritarian domination.

The American attitude was ambivalent even after the 2005 12-Point Understanding. Though it ‘cautiously welcomed the new political understanding’, it asked the parties to prevent the Maoists from fully entering politics until they had decisively laid down arms and abandoned all violence. The US later committed substantial financial support to the peace process through USAID and subsequent ambassadors demonstrated much less antipathy towards the Maoists. However, it was not until 2012 – six years after the peace process began – that Washington finally removed the Maoists from its Terrorist Exclusion List (TEL).

This approach made it difficult for the US to play an active role in Nepal’s peace process. The Maoists’ presence on the TEL meant that neither US officials (except for the most senior ones) nor NGOs supported directly by the US government were able to engage with them. On most important matters, the US was comfortable in following India’s lead, a reflection of the new strategic partnership between the two countries.

United Kingdom
As the conflict progressed, the UK, working through the Department for International Development (DFID), had come to appreciate that inequality and the marginalisation of various social groups had catalysed the Maoist insurgency. DFID began development programming to address underlying grievances. In 2004, for example, it started the Janajati Empowerment Project (JEP), which was aimed at ensuring greater social, political and economic inclusion for the country’s indigenous groups. DFID’s support for measures to ensure greater inclusion increased after the end of the war.
Over the years, however, the Nepali Government became increasingly hostile towards British attempts to push for democratic freedom and inclusion. In early 2015, the UK ambassador published a column in the local press arguing that Nepal’s new constitution should include the right for all religious freedoms, including to convert. The government strongly objected to the article and the Ambassador subsequently left Nepal. Such incidents have made the UK, as well as other donors, more and more cautious in their engagement with the government, in particular on matters seen as political.

**United Nations**

The establishment of an OHCHR office in Nepal in May 2005 led to a steady decrease in disappearances by the Nepali Army. Its call for the government to respect democratic rights earned the respect of the political parties and the Maoists, and both sides grew keen to have the UN involved in the peace process. India initially opposed such third-party involvement in its ‘backyard’. But NC president Girija Prasad Koirala managed to convince Indian officials of the desirability of a UN political mission.

Even before the establishment of the UN Mission in Nepal (UNMIN) in 2007, the UN had played a key role in helping to determine the parameters for the management of Maoist combatants and the Nepali Army. A UN military advisor facilitated negotiations that led to the Agreement on Monitoring the Management of Arms and Armies (AMMAA) signed in late 2006. The mainstream political parties felt that the UN presence lent international legitimacy to the peace process and restricted both the Nepali Army and the Maoist People’s Liberation Army (PLA) from violating the ceasefire. For the Maoists, the UN offered international recognition as a legitimate political actor.

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Yet, the parties and the Maoists were keen to maintain national ownership of the peace process, and India remained wary of UN involvement. As a result, UNMIN was not given a direct role in facilitating negotiations. UNMIN’s three responsibilities were: to verify Maoist combatants, monitor the two armies and report if they violated the AMMAA (for example, by operating outside of barracks and cantonments); to provide technical support to Nepal’s Election Commission; and to deploy civil affairs officers across the country in order to observe local political developments and provide support to a national independent monitoring mechanism.

UNMIN’s electoral support came to an end with the 2008 elections. From then onwards, its sole responsibility was to monitor the two armies. Its limited mandate led to significant frustration within the UN system. As it was not given any direct role in negotiations regarding the integration and rehabilitation of Maoist combatants or security sector reform, UNMIN was forced simply to stand by during the seemingly intractable disagreements and interminable delays in the negotiation process.

Over time, substantial hostility towards UNMIN developed among the older parliamentary parties, the Nepali Army and India. UNMIN’s position contradicted India’s and that of the parliamentary parties. UNMIN repeatedly reminded them that the CPA spoke not just of the ‘integration and rehabilitation’ of Maoist combatants, but also of the ‘democratisation and restructuring’ of the Nepali Army. Senior UNMIN officials maintained that security sector reform was essential if a stable and inclusive peace was to be established. Such reminders severely irritated the older parliamentary parties, India and the army, and these groups accused the UN mission of being biased in favour of the Maoists.

UNMIN’s opponents claimed it had verified as legitimate vastly inflated numbers of Maoist combatants. Of the more than 31,000 people who came to the cantonments, 19,602 were verified [see article on the People’s Liberation Army post-2006, p.46]. Although in a leaked video Maoist leader Prachanda can be seen telling party members that their army consisted of around only 7,000–8,000 personnel at its peak, there are no grounds to believe that the verification process itself was mismanaged. According to the guidelines provided to UNMIN, everyone who had been a member of the Maoist army before 25 May 2006 and was over 18 years of age on that date was to be regarded as a legitimate combatant. What was often forgotten during the verification controversy was that the Maoists had recruited thousands of people in late 2005 and early 2006, with the tacit support of Girija Prasad Koirala.

The Nepali Army resented UNMIN’s repeated appeals that it abide by the peace agreements. For example, UNMIN formally advised the prime minister and the army chief that an army recruitment drive in mid-2007 was a breach of the AMMAA. Over time, the army lobbied the government to remove peace agreement restrictions. In 2010, the Madhav Kumar Nepal-led government asked UNMIN to stop monitoring the army. The UN refused to accept this, asserting it was in violation of the original
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peace agreements. In 2011, the Nepal Government rejected an extension of UNMIN’s mandate and the mission came to an end.

UNMIN’s repeated calls for the inclusion of marginalised groups and women in the peace process were another reason for the hostility it faced from the mainstream political parties. In 2007, Madhesi groups had asked UNMIN to help mediate an agreement with the government. The parties and India strongly opposed meetings between UNMIN officials and Madhesi leaders, and accused UNMIN of trying to exceed its mandate. While UNMIN made no effort to seek a formal role in resolving the Madhesi crisis, it continued to call for broad-based inclusion in the peace process. In the early years of the peace process, UNMIN thus helped shape public discourse and especially the views of other members of the international community.

Conclusion
Nepal’s traditional parliamentary parties and the Maoists were both well disposed towards the international community in the early years of the peace process – when relations between the parties and the former rebels were tenuous. Each side welcomed international involvement as a way of strengthening the process. The presence of India and UNMIN did, in fact, help keep at bay potential spoilers, such as the royalist right. They also helped prevent violations of the ceasefire. Had UNMIN not been present to monitor the two armies, severe tensions between the Maoists and the Nepali Army could well have emerged. Pressure from India and the US contributed to the gradual moderation in the Maoists’ behaviour and their transition from a rebel force to a non-violent political party.

In addition, the relatively open political space at the time allowed some in the international community to advocate overtly for the inclusion of historically marginalised groups in the peace process and Nepal’s political structures more generally. As the parties involved became more secure in their positions, their need for international support turned to resentment as calls for reforms by foreign officials now threatened their power. UNMIN was the first to bear the brunt of this resentment when it called for reforming the Nepali Army. International NGOs were similarly vilified when they advocated inclusive policies. Finally, India itself was attacked when it called for an inclusive constitutional settlement that addressed the demands of Madhesis and other marginalised groups. While India has once again gained a degree of leverage after the Nepal government changed in August 2016, there remains at the time of writing very little space for any other international role in sensitive political matters.

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