

Nepal Report: Latest Political Development

- by Kanhaiya Joshi
FOSEED

In the midnight of 7th November, 2006, the historical agreement between the Seven Party Alliance (ruling parties) and the rebellion party CPN (Maoist) took place after the 21 hours long vigorous discussions for two days. The accord resulted break through by ending a little over decade long civil war and restoring the lasting peace in the developing and small country in the South Asia. It is historic one because the peace talks became successful without any external mediation and in shortest time ever. Moreover, coalition government is going to be formed comprising the democrats, modest communists and others and most importantly it is including the radical communists, the Maoist in this twentieth first century.

According to the media main agreements reached between SPA and the Maoists are as follows:

1. Peace accord to be signed officially by 16 November, 06.
2. Maoist fighters to go to cantonment areas by 21 November, 06.
3. Interim legislature comprising 330 members to be formed.
4. Interim constitution to be announced by 26 November.
5. Current House of Representatives and National Assembly to be dissolved .
6. Interim government to be formed by 1 December.
7. First constituent assembly meet in June to decide on monarchy.

Accordingly, the Maoist fighters will be kept in Ilam, Sindhuli, Kavre, Palpa, Rolpa, Surkhet and Kailali districts. There will be 3 other camps in each of the districts. All the arms of the Maoists will be locked up under the single lock up system with UN monitoring devices attached to each of the camps and the equal number of arms of Nepali Army will also be locked up. The details of the arms management will be carried out in close consultation with the Maoists, the UN and Nepal Government.

Regarding House, there will be 330 members in total (currently 205 in the lower house and 60 in the upper house including the king 'nominees making 265 in total). In the Interim House, the current members will also be included except those who were against People's Movement II and those nominated by King. The Interim House will be of one tier only (at present there exist two tiers). Thus, as per agreement reached, Nepali Congress will have 75 seats, NCP(UML) will have 73 and NCP(Maoist) will have 73, Nepali Congress (Democratic) will have 42 and others (representatives from various class organizations and professional organizations, oppressed class, ethnic and indigenous communities, field representatives and political personalities will have 48 seats.

Notably, in the present House of Representatives, Nepali Congress has 75, NCP (UML) has 73, Nepali Congress (Democratic) has 42, RPP has 8, People's Forum has 6, Nepal Peasants and Workers' Party has 1, Sadbhavana (Ananda Devi) has 2 and Sadbhavana has 3.

Further, all the people's governments and people's courts run by the Maoists will also be announced as dissolved along with the announcement of the interim constitution and interim legislature. It is notable, here, that since last couple of years, there have been two governments and courts in Nepal. One is official or state government and the other one is of rebellions'. Moreover, the state government could be observed only in the capital, cities, towns, district and regional headquarters only whereas the rest of the country or massive parts of the country were under the control of the Maoists.

Regarding the monarchy, the first meeting of the constituent assembly, that is, the majority will decide the future of monarchy. Anyway, from now on the King will have no role in the state affairs. The properties of Late King Birendra and Queen Aishwarya and their family members will be nationalized and keep them as trust and will be run by Nepal Government. Similarly, the properties (like, palaces in different cities and towns including capital, parks and even national parks, trusts, lands etc) owned by the present king by the capacity of kingship will also be nationalized.

Referring the composition of Constituent Assembly there will be 425 members. The electoral system will be of mixed type in which 205 members will be elected geographically as present and past and 204 will be elected as per proportional representation overcoming the prevalent discrimination and disparities of gender, various ethnic and indigenous communities, lingual, religion etc and 16 others will be appointed by the council of ministers.

There will be constitutional courts also to overcome difficulties that may arise while making the new constitution. The Assembly Election will be monitored by the United Nations. The members of the constitutional council will be appointed by the constitutional council headed by the PM and Chief Justice and Speaker of the Interim Legislature as members.

Again, the local bodies will be run according to the understanding reached between SPA and Maoists. Insofar, the local bodies have been run by the employees only due to the vacant of elected local representatives since a couple of years.

Regarding the restructuring of the state, a high level commission will be formed in order to transform the prevalent unitary and central governance into inclusive, democratic and progressive one to end class, ethnic, linguistic, cultural, religious and regional discrimination.

Lastly, the meeting was able to adopt a modality of giving relief and compensation to those killed and displaced during the conflict. A high level Truth and Reconciliation Commission will also be formed to pave the way for reconciliation in society.

And here are some tips to bear in mind that are last but not least are as follows:

- Two sides have been observing a ceasefire for the past six months.
- Disarming of Maoists had been a sticking point in the peace process.
- Peace process hit another snag on whether future of monarchy should be decided through a referendum or constituent assembly elections.
- In June, the two sides agreed to hold elections to a constituent assembly to write a new constitution, meeting a key Maoist demand.
- Two sides agreed five months ago to form an interim parliament that would bring Maoists into the political mainstream.
- This is the third time the two sides have tried to hammer out a peace deal.
- Two previous attempts in 2001 and in 2003 failed
- First round of high level talks was held on 8 October, 06 second round on 10 October, 06, third on 12 October, 06 and fourth on 16 October.
- Maoist conflict has claimed at least 12,500 lives

Similarly, chronicles of the agreements between SPA and Maoists prior to People's Movement II till date are as follows:

- 12 points agreement signed on November 22, 2006 to end autocracy and restore peace and democracy.
- 25 points code of conduct signed on May 26, 2006.
- 8 points agreement on arms management, interim constitution, interim legislature, interim government, and Constituent Assembly election and restructuring of the state signed on June 16.
- 5 points letters sent to the UN on August 9 for arms management and monitoring of CA polls.
- Agreements signed to hold CA polls on the second week of June on October 10, 2006.
- 6 points accord signed at midnight on Tuesday, November 7, 2006 to manage arms and finalize a political package.