



SECURITY COUNCIL REPORT UPDATE REPORT



14 September 2010 No. 2

NEPAL

Expected Council Action

The Council is to act on the future of UNMIN before its mandate expires on 15 September. Over the last week the Council received two letters with different requests on UNMIN's mandate renewal—one from the Nepalese government and the other from the UCPN-Maoist party. Following agreement on 13 September by the Nepalese government and the UCPN-Maoist party on UNMIN's term and mandate, the Council has now received letters from the Nepalese government and the UCPN-Maoist party requesting a four-month extension. The government's letter made it clear that this would be the final extension while the UCPN-Maoists letter was not explicit on this matter.

At press time Council members were discussing several options including a technical rollover for one month to give itself more time to assess the situation.

Key Recent Developments

On 13 September Council members had been set to discuss at the expert level a draft resolution which would rollover the UN Mission in Nepal (UNMIN) for one month with no change to its mandate. A draft presidential statement expressing concern about the political crisis and the expectation that the UN would receive a unified request from the government and Nepalese parties before the end of one month technical rollover mandate was also on the table. However, the news that the Nepalese government and the UCPN-Maoist party had come to an agreement on renewing UNMIN's mandate opened up new options and a number of members asked for more time to get feedback from their capitals on the new development.

The Council had over the week received letters with different requests from the Nepalese government and the UCPN-Maoist party. The first letter from the Nepalese government only came during the Council's closed consultations following a briefing by the Secretary-General's Representative in Nepal, Karin Landgren, on 7 September. The letter requested a four-month extension of UNMIN's mandate and asked UNMIN to focus on "the monitoring of management of the Maoist combatants and their arms until the Special Committee takes responsibility of this task". (The Special Committee was formed to supervise the integration and rehabilitation of former Maoist combatants.) The letter made no mention of whether the Nepal army should be under UNMIN monitoring.

On 9 September the UCPN-Maoist party sent a letter asking for a six-month extension of UNMIN and for UNMIN to continue monitoring both the Maoists ex-combatants and the Nepal army.

The Secretary-General's report circulated on 2 September recommended that the current mandate of UNMIN be rolled over in order to allow discussions with "a duly formed government". It also said that if the discussions did not offer clarity over the role of the Mission or if there was no prospect of consensus among the parties to the Comprehensive Peace Agreement and the Agreement on the Monitoring of the Management of Arms and Armies on the fulfilment of their commitments and the phasing out of UNMIN monitoring then the Secretary-General would propose alternatives including possible termination of the mission.

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On 7 September Council members were briefed by the Secretary-General's Representative in Nepal, Karin Landgren, who referred to the discouraging picture presented in the Secretary-General's report of the state of Nepal's peace process. She went on to elaborate on recent developments and risks to the peace process. In his statement the Nepalese permanent representative made it clear that the Nepalese government held different views on a number of issues from those presented by Landgren and from the Secretary-General's report.

On 13 September the Nepalese government and the UCPN-Maoist party signed an agreement in which they pledged to take up the remaining tasks of the peace process and complete them by 14 January 2011. The parties also agreed to request the extension of UNMIN's mandate for four months with no change and to complete the integration and rehabilitation of the ex-Maoist combatants within this time-frame.

(For more information on developments in Nepal please see our report in the September 2010 *Monthly Forecast*.)

Key Issues

A key issue is deciding what sort of term would be most useful to UNMIN as it attempts to complete the final tasks of its mandate.

Another key issue is how to ensure that the Nepalese government and the UCPN-Maoist party fulfil the commitments made on 13 September to complete the remaining tasks of the peace process by mid-January.

An issue for the Council is whether it would be useful to have a representative of the Secretary-General visit Nepal to consult with the Government of Nepal and political parties on UNMIN's role in the coming months.

Also an issue for the Council is how serious the Nepalese government is about wanting UNMIN to leave by mid-January and what steps need to be taken towards closing down the mission by that time.

A related issue is ensuring that at the time UNMIN withdraws from Nepal its departure does not have any negative impact on peace and stability in the country.

Options

The Council has the following options:

- a one month technical roll-over; and
- renewing UNMIN for 4 months as requested in the respective letters from the Nepalese government and the UCPN-Maoist party.

Also an option is not to renew UNMIN's mandate thereby effectively closing down the mission now.

Council Dynamics

Until the Nepalese government and the Maoists reached a common position on 13 September on UNMIN's mandate renewal there appeared to be a growing consensus that a one-month technical roll-over would be the best option. Some members had voiced concern about doing a technical roll-over without the express consent of the Nepalese government but this appeared to be less of a concern by the weekend.

Following the news that the government would be sending letters with a consensus request for a four-month extension Council members appeared to be more divided over how to proceed. Some members such as the UK, which is the lead country on Nepal, as well as a number of European countries, felt that a one-month technical roll-over was still a better option as it would send a signal that the Council was seriously concerned about the political situation and would also allow further discussion of the UN's future role in Nepal. Some members were sceptical about how much difference thirty days would make. Other members were more comfortable with a new mandate that more closely reflected the time period requested by the Nepalese government and the UCPN-Maoist party.

UN Documents

Security Council Resolutions
<ul style="list-style-type: none">• S/RES/1921 (12 May 2010) extended UNMIN until 15 September 2010.• S/RES/1740 (23 January 2007) was the resolution establishing UNMIN.
Secretary-General's Report
<ul style="list-style-type: none">• S/2010/2/453 (2 September 2010) concerned the implementation of UNMIN's mandate.
Other
<ul style="list-style-type: none">• S/PV.6377 (7 September 2010) was the briefing by the Secretary-General's Representative, Karin Landgren.• S/2010/229 (5 May 2010) was the letter from the Nepalese government requesting an extension on UNMIN's mandate for four months.

Other Relevant Facts

Representative of the Secretary-General and Head of Mission
<ul style="list-style-type: none">• S/RES/1921 (12 May 2010) extended UNMIN until 15 September 2010.• S/RES/1740 (23 January 2007) was the resolution establishing UNMIN.
Size and Composition
248, including about 72 arms monitors as of August 2010
Duration
23 January 2007 to 15 September 2010

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