



SECURITY COUNCIL REPORT UPDATE REPORT



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NEPAL

Council Action

The Council is expected to finalise a resolution on Nepal by the end of the week. The resolution is likely to endorse the Secretary-General's recommendations for the mandate and focus of a UN Mission in Nepal (UNMIN). The draft resolution was circulated by the UK on 15 January and at the time of writing was being discussed at the experts level.

Recent Developments

On 11 January the Council considered the Secretary-General's report on Nepal's request for UN assistance in support of its peace process and was briefed on recent developments in Nepal by Ian Martin, the Secretary-General's Personal Representative to Nepal. The report was based on the findings of the Council-endorsed UN assessment mission which was in Nepal from 9 to 17 December 2006.

The Secretary-General had recommended a focused mission of limited duration with the main components of the mission related to support for the Comprehensive Peace Agreement.

After the 11 January consultations the president of the Council told the press that the Council supported the need for "speedy deployment of a UN mission on the basis of the Secretary-General's recommendations and within the parameters outlined by the Comprehensive Peace Agreement".

On 15 January Nepal's House of Representatives adopted a new interim constitution and dissolved itself to make way for the interim parliament. The interim parliament includes 83 nominees from the Maoists, making them the second biggest party. Among the Maoists' candidates are a large number of women and representatives of marginalised social groups.

The 35 UN military experts whose deployment was approved by the Council in December have arrived in Nepal and began registering weapons from the Maoists on 17 January. More than a hundred ex-Gurkhas (Nepali soldiers who served with the Indian and British armies) have been recruited temporarily to begin the arms management process and will be deployed in the seven cantonment sites until the full-fledged UN arms monitoring team is in place.

There continues to be trouble caused by break-away Maoist rebel factions. One group, the Janaantrik Terai Mukti Morcha (JTMM) has said that it wants a separate state in southern Nepal for the Terai people of Indian origin. The JTMM have been responsible for sporadic violence in the last few months as well as a three-day general strike in southern Nepal.

Key Elements of the Resolution

The draft resolution sets out the mandate for UNMIN as follows:

- monitoring the management of arms and armies in accordance with the Comprehensive Peace Agreement (includes confinement of Maoists and their arms, registration of combatants and weapons and monitoring the Nepal army in its barracks);

- assisting in implementing the agreement on the management of arms and armies through a Joint Monitoring Coordinating Committee (to be chaired by UNMIN);
- assisting in monitoring the ceasefire arrangements (together with Office of the High Commissioner for Human Rights);
- providing technical support to the national electoral authorities for the conduct of the election of a Constituent Assembly in a free and fair atmosphere (involves deploying technical experts, providing assistance for the coordination of international support for the electoral process, deploying UN police advisers and developing and implementing confidence-building measures); and
- providing a team of electoral expert monitors to review technical aspects of the electoral process and report on the conduct of the election.

The draft resolution suggests that the mission be set up for a 12-month period under the leadership of a Special Representative of the Secretary-General. The mission is expected to include up to 186 military officers acting as monitors, in addition to personnel such as electoral experts, and police and civil administration teams.

Key Issues

For many Council members a major concern is that the new mission remains a focused one. The Council is sensitive to the need not to go beyond the parameters of what Nepal's government and the Maoists have requested.

One remaining area of concern for some members is that in monitoring the ceasefire, particularly in relation to human rights violations, it would be easy to for UNMIN to go beyond its mandate.

Given the emphasis on a mission of limited duration another issue is whether the elections can be held by mid-2007 as suggested. Difficulties in registering voters in areas where there is no local administration could slow down the registration process. If the elections are not held by June they are likely to be delayed until November as there is a reluctance to hold them during the July to October monsoon period. Such a delay could affect the duration of UNMIN. It could also lead to health risks for those confined to Maoist and army barracks.

Another issue is the UN's ability to do its job given the fragile security situation. The growing militancy in the south-eastern part of the country could undermine the peace which is a prerequisite for successful elections.

Council Dynamics

The Council has generally been in agreement on how it should act on this issue. While China had expressed a preference for a six-month mission during last week's consultations it has now agreed to a 12-month period. In the discussions there was consensus on the need for a focused mission and some members expressed concern about possible "mission creep". The US was keen to include details such as the small advisory police team as recommended by the Secretary-General to advise Nepal's government in election planning. However, members like China and Indonesia felt that this was covered under the broader mandate set out in the draft resolution and was not necessary.

UN Documents

Secretary-General's Report
<ul style="list-style-type: none"> • S/2007/7 (9 January 2007) was the report containing recommendations on the mandate of the proposed UN mission in Nepal.
Selected Letter
<ul style="list-style-type: none"> • S/2006/920 (22 November 2006) contained Nepal's request for UN assistance in the peace process.
Presidential Statement
<ul style="list-style-type: none"> • S/PRST/2006/49 (1 December 2006) expressed support for the Secretary-General's intention to send a technical assessment team to Nepal and noted that the Council would await formal proposals.