The United Nations and Nepal's Peace Process
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preface</td>
<td>5</td>
</tr>
<tr>
<td>Chapter One: 1996 - 2006</td>
<td>7</td>
</tr>
<tr>
<td>Chapter Two: January 2007</td>
<td>29</td>
</tr>
<tr>
<td>Chapter Three: January - April 2007</td>
<td>45</td>
</tr>
<tr>
<td>Chapter Four: May - October 2007</td>
<td>57</td>
</tr>
<tr>
<td>Chapter Five: October 2007 - January 2008</td>
<td>69</td>
</tr>
<tr>
<td>Chapter Six: January - February 2008</td>
<td>81</td>
</tr>
<tr>
<td>Chapter Seven: February - April 2008</td>
<td>93</td>
</tr>
<tr>
<td>Chapter Eight: Election Day, April 2008</td>
<td>103</td>
</tr>
<tr>
<td>In Memoriam</td>
<td>113</td>
</tr>
<tr>
<td>Afterword</td>
<td>114</td>
</tr>
</tbody>
</table>
PREFACE

Nepal is one of the oldest members of the United Nations, and for fifty years has played a leading role in supporting UN peacekeeping operations. So when, in 2006, the parties to Nepal’s peace process requested assistance from the United Nations in its efforts to consolidate peace after a decade-long conflict the UN was eager to offer support.

The establishment of the United Nations Mission in Nepal (UNMIN) to support the peace process was the culmination of years of UN engagement with Nepal in its efforts to find a peaceful solution to the conflict. My predecessor, Kofi Annan, first offered his good offices in August 2002 as the international community became increasingly concerned at the cost of the conflict in lives and damage to the community.

The most salient feature of Nepal’s peace process, at all stages, has been the fact that it is nationally led. Nepali leaders from a wide political spectrum initiated dialogue to open the way to end the conflict, and at each step of what has at times been a fragile peace process have remained committed to dialogue as the way to work through even the most difficult problems. The world can take a lesson from this persistence.

This book aims to show through photographs and text the different stages of UN involvement in mitigating the impact of the conflict, in helping Nepalis to find a peaceful solution, and in helping the parties to the emerging peace process successfully consolidate permanent peace in Nepal. The UN has made a wide range of its resources available to support Nepal—from the development and humanitarian agencies, to the Office of the High Commissioner for Human Rights and, since early 2007, with the UNMIN, a special political mission established by the Security Council to support the peace process.

While the peace process is still ongoing, this book illustrates the period leading up to the 10 April 2008 election and the first meeting of the Constituent Assembly.

Nepal is still one of the poorest countries in Asia and the world. The people of Nepal need durable peace in order to be able to lead their country into a new era based on respect for human rights and the rule of law, and the economic development that will allow individuals and communities to prosper. The United Nations is committed to working with the people and Government of Nepal to help them achieve this goal.

Ban Ki-moon, Secretary-General of the United Nations
Civil society organised monthly ceremonies in central Kathmandu to highlight the human cost of the conflict: 13,246 individuals who lost their lives were commemorated in this ceremony in May 2006.
Nepal’s decade-long internal armed conflict 1996-2006

Since 1990 Nepal has undergone considerable turbulence in its attempt to embrace more open political and economic systems. Despite achieving democratic rule in April 1990 in the wake of a “people’s movement”, the country soon faced internal armed conflict after the Communist Party of Nepal(Maoist) launched an insurgency in 1996.

While in its early stages this conflict was largely confined to the mid-western regions, it steadily gained momentum, and the response of the security services further alienated large parts of the population. At the beginning of the conflict security operations were conducted by the Nepal Police, later reinforced by the Armed Police Force. In November 2001 the Nepal Army was mobilised to combat the growing insurgency, and in November 2002 the police were placed under the “unified command” of the Army for joint counter-insurgency operations. Both the Maoist insurgents and the security forces committed serious violations of international humanitarian law.

The conflict brought normal life in large parts of the countryside to a standstill.
Secretary-General Kofi Annan visited Nepal in March 2001, meeting King Birendra and government officials. In August 2002 he offered his good offices to help achieve a peaceful solution.

In October 2002, King Gyanendra, who had acceded to the throne following the death of his brother, King Birendra, in the June 2001 palace massacre, dismissed the Prime Minister and ruled until February 2005 through a series of appointed prime ministers. A second ceasefire and peace talks between the government and the CPN(Maoist) collapsed in August 2003 in an atmosphere of mutual mistrust. The casualty rates from the war rapidly soared.

UN engagement: Secretary-General offers support, 2002

Nepal faced a deepening crisis of governance after the collapse of the first ceasefire and peace talks between the Government of Nepal and the CPN(Maoist) in 2001 and the suspension of Parliament in 2002. In August 2002 the Secretary-General, for the first time, offered his good offices in a public way in his annual report to the General Assembly:

“In Nepal...I am increasingly concerned by the escalation of violence between the government and the armed insurgency. If requested, I would positively consider the use of my good offices to help achieve a peaceful solution.”
In July 2003, after contact between the United Nations with the government and with regional countries, senior political officer Tamrat Samuel travelled to Nepal to see whether the UN could assist with ongoing peace efforts. He met with government officials, including the prime minister, and had limited contact with the Maoist leadership. Samuel made regular visits to Nepal from this time, and was appointed Deputy Special Representative of the Secretary-General in Nepal in 2007.

"It was a fluid situation of uncertainty between the king and the political parties and then the conflict with the Maoists. During this period, the UN effort was to at least help create a coherent negotiating platform that would bring all three sides together and identify the key problems. The United Nations did not have any direct role in terms of defining the agenda and setting the time scale for any negotiations, but it was able to advise the parties as to what needed to be done in order to bring this conflict into some kind of a serious process."

Tamrat Samuel,
in an interview in Kathmandu on 25 April 2008
Years of conflict increased the vulnerability of already poor rural communities to humanitarian crisis. In early 2003, as part of an effort to adapt the work of the UN Country Team in Nepal to the conflict situation, a Human Rights and a Peace and Development Adviser were appointed. In early 2005, with escalating humanitarian needs across the country, the UN Office for the Coordination of Humanitarian Affairs (OCHA) established an office in Nepal and the UN Resident Coordinator was appointed as Humanitarian Coordinator. One of OCHA’s immediate responsibilities was to coordinate humanitarian response efforts and monitor the capacity of development and humanitarian agencies to access beneficiaries and implement programmes. The Basic Operating Guidelines, a set of working principles adopted by donor and UN agencies in October 2003 under the leadership of the Swiss Development Corporation, provided the basis for OCHA’s monitoring and consolidation of information on operational space for development and humanitarian workers and agencies.
UNICEF welcomed the January 2003 ceasefire, and in a statement highlighting the toll of the conflict on children, said thousands had been killed, injured, orphaned and traumatised. It set out five basic principles for the protection of children: 1) no weapons in schools; 2) no recruitment of children; 3) no political activities in schools; 4) no harassment of teachers or students; 5) no disruption of school operations.

In November 2004 UNICEF established the Mine Risk Education Group, comprised of Nepali and international non-governmental organisations as well as UN agencies. Research indicated that Nepal was among the top ten countries affected by victim-activated explosions, and the group conducted campaign activities to raise awareness among Nepali communities of the dangers of the explosive remnants of war.
Women and girls were deeply affected by the conflict, subjected to sexual violence as well as other abuses and displacement. But the conflict also increased women’s visibility. Many women and girls joined the Maoist army. In villages and across civil society they began to take on leadership roles.

Nepali human rights defenders investigated and reported cases of disappearance to the United Nations Human Rights Commission. In December 2004, following the dramatic rise in disappearances, the UN Working Group on Enforced or Involuntary Disappearances visited Nepal. Estimates of those who disappeared during the decade of armed conflict broadly range from 1,000 to 5,000 people. The International Committee of the Red Cross was based in Nepal and visited detainees in the custody of both the security forces and the Maoist army.
On 1 February 2005 King Gyanendra dismissed his appointed prime minister and ministers and assumed executive powers while directing a harsh crackdown on mainstream democratic parties, the media and civil society. The king’s assumption of sweeping and direct authority threatened to prolong and escalate the conflict while creating a risk of state collapse.

The Secretary-General views these actions as a serious setback for the country. He does not believe that they will bring lasting peace and stability to Nepal. Steps should be taken immediately to restore democratic freedoms and institutions...He urges calm and restraint by all parties in the country so as to avoid actions that could worsen the situation.

Statement attributable to the Spokesperson for the Secretary-General on Nepal, New York, 1 February 2005
Curfews and army patrols characterised life on the streets after King Gyanendra’s takeover.
**Worsening human rights situation**

The human rights situation worsened as the conflict intensified, and the state of emergency imposed with the king’s takeover resulted in a further crackdown on democratic rights. During 2004, human rights abuses in Nepal were frequently reported to the UN Human Rights Commission through its special procedures. In January 2005, UN High Commissioner for Human Rights, Louise Arbour, visited Nepal. Member States became increasingly concerned, and in March 2005 the Human Rights Commission considered Nepal. In its resolution 2005/78 the Commission expressed grave concern about the situation, urging both the CPN(Maoist) and the government to put an end to violations of international humanitarian law and human rights.

On 10 April 2005, under intense pressure to improve the human rights situation, the Government of Nepal signed an agreement accepting an office of the High Commissioner for Human Rights with a strong human rights monitoring mandate.

In April 2005, Walter Kälin, the Representative of the Secretary-General on the human rights of internally displaced persons, visited Nepal. Tens of thousands were displaced as a result of the war and sexual violence was common. OHCHR-Nepal reported that people were forced to flee their homes due to killings, the threat of forced recruitment or abduction, extortion of food or money and threats of economic impoverishment. It also reported that Maoist retaliation against violence by vigilante groups contributed to sudden mass displacement in certain areas.

Ian Martin was appointed Representative of the High Commissioner for Human Rights in Nepal, and established the OHCHR-Nepal office on 7 May 2005 with a small team of human rights officers. At full strength, the Office became the largest stand-alone field office of the High Commissioner, with approximately 50 international human rights officers as well as national officers.

In June 2005, the UN Committee on the Rights of the Child noted with grave concern reports of the abduction and conscription of children for political indoctrination and for use as combatants, informants, cooks or porters, and as human shields, by the CPN(Maoist). It also expressed concern about reports of disappearances and arbitrary detention by State security forces, who allegedly used children as spies and messengers. In November 2005 UNICEF and OHCHR established monitoring and reporting taskforces on children and the armed conflict, under Security Council Resolution 1612. UNICEF worked with Nepali NGOs monitoring child rights violations in the context of the armed conflict in 39 districts.

In September 2005, Manfred Nowak, the UN special rapporteur on torture, visited Nepal and concluded that there was systematic torture in Nepal, practised by the police and the Nepal Army, as well as by the Maoists.
In August 2003 the Nepal Army was accused of extrajudicial executions in the central hills of Doramba of up to 19 persons they suspected of having links to the Maoists. Nepali human rights defenders from the National Human Rights Commission and civil society carried out a fact-finding mission and exhumation soon after the incident, showing that many of those killed had died of bullet wounds to the head.

In June 2005 the Maoists attacked two civilian buses, killing and injuring large numbers of civilians as well as security forces personnel travelling on the public transport. On 6 June, a Maoist improvised explosive device blew up a bus near Maadi village in Chitwan, killing 38; and on 10 June a similar attack in Kavrepalanchok killed two civilians and four Nepal Army personnel.

OHCHR-Nepal investigated the attacks, and found the CPN(Maoist) to be responsible for the killing of civilians and to have been in violation of its international humanitarian law obligations. OHCHR also criticised the state, in the context of the Nepal Army’s repeated and regular use of public transport facilities, which amounted to a failure to protect civilians and therefore a breach of its international humanitarian law responsibilities.
Civil society resisted the crackdown on democratic rights, but demonstrations were dealt with harshly. Here, civil society leader Krishna Pahadi (centre, in yellow) protests in July 2005.
A common basis for peace: disparate political and social forces unite

The king’s policies and their failure to bring about peace united disparate political and social forces against royal rule and towards a common basis for the restoration of democracy and long-term peace.

In September 2005 the Maoists declared a unilateral 3-month ceasefire, allowing for talks with mainstream political parties.

In November 2005, the Seven-Party Alliance of parliamentary parties and the CPN(Maoist) signed a 12-point understanding vowing to "establish absolute democracy by ending autocratic monarchy." CPN(Maoist) expressed its commitment to democratic norms and values including competitive multiparty politics, civil liberties, human rights, the rule of law and fundamental rights. The Seven-Party Alliance embraced the long-held main CPN(Maoist) demand for a Constituent Assembly to determine the future form of government. Both sides expressed their desire for the United Nations to play an important role in the peace process.

The 12-point understanding committed the parties to launching a nationwide democratic movement. The parties called on "civil society, professional organisations, various wings of parties, people of all communities and regions, the press community, intellectuals and all the Nepali people" to form a peaceful people’s movement. Plans to launch this movement in January 2006 were crushed by mass arrests in Kathmandu. The parties shifted plans to April, spring in Nepal.

In July 2005, Lakhdar Brahimi, a Special Adviser of the Secretary-General, made a six-day visit to Nepal, meeting the king, senior government officials, leaders of political parties and a cross-section of representatives of Nepalese society. Mr Brahimi reported that "the Nepalese are also conscious that this situation should not be allowed to continue...a solution is needed urgently."
The Jana Andolan: mass people’s movement to restore democracy and make peace

The ground-breaking 12-point understanding, coupled with the Nepalese people’s strong desire for peace and the restoration of democracy, helped establish the foundation for the emergence of a broad-based people’s movement.

In January 2006 planned protests were unable to proceed due to Government-imposed curfews and arrests of activists. In March, with a Maoist blockade of Kathmandu and district headquarters crippling transport, talks between the Seven-Party Alliance and Maoists saw the SPA set 6 April to begin protests. According to press reports, the Home Minister stated that the Government would take all necessary measures to foil them.

Curfews were imposed and demonstrations banned in many locations. Demonstrations began to be organised in the days leading up to 6 April, and these gradually grew. Following the success of the initial demonstrations in bringing people onto the streets, organisers announced they would continue the protests indefinitely, until democracy was restored.

The 19-day movement organised by the Seven-Party Alliance and civil society, with CPN(Maoist) support, brought hundreds of thousands of people onto the streets. The protests were unprecedented in size, with strong participation by women and marginalised groups. On 24 April, on the eve of a major demonstration called to march on the palace, the king announced the reinstatement of the House of Representatives, bringing to an end his direct rule.

OHCHR-Nepal investigated the deaths of 18 individuals, concluding in most cases that the deaths were a direct result of excessive use of force by the security forces. Nepali sources put the death toll of the Jana Andolan at 21, with thousands injured.
In the lead-up to the people’s April 2006 movement, OHCHR-Nepal intensified meetings with relevant actors to gather information about planned protests and to convey messages: to demonstrators regarding the need to keep the demonstrations peaceful, and to security forces to use force only in accordance with international standards and national laws. Ian Martin, Representative of the High Commissioner for Human Rights in Nepal, publicly called on the government to uphold the right to peaceful assembly and emphasised the obligations of security forces. OHCHR-Nepal monitored demonstrations and the conduct of security forces in Kathmandu and across the regions.
Women led many demonstrations during the Jana Andolan.
Parliament restored, ceasefire, peace talks

The Jana Andolan led to the restoration of parliament on 24 April and a mutual ceasefire, and opened the way for further negotiations between the Seven-Party Alliance and the CPN(Maoist).

The Government of Nepal wrote to the UN Secretary-General in July requesting assistance from the United Nations as it developed a framework for the peace process. A pre-assessment mission led by Staffan de Mistura was dispatched to Nepal in July, and following this mission the parties wrote separate but identical letters to the Secretary-General on 9 August outlining the key areas in which they sought United Nations support: continued human rights monitoring through the Office of the United Nations High Commissioner for Human Rights (OHCHR), monitoring of arms and armed personnel, electoral monitoring and assistance, and assistance in the monitoring of the ceasefire code of conduct.

The Secretary-General appointed Ian Martin as his Personal Representative to act as a senior political interlocutor to be based in Nepal, leading a small team of political, military, electoral and ceasefire monitoring advisers. This team assisted in forging a consensus between the parties on the specifics of the United Nations role in the peace process.

As requested by donors, the Resident Coordinator established four peace support working groups: on Security Council resolution 1325 (2000) regarding women and peace and security, chaired by UNFPA and Norway; on transitional justice, chaired by OHCHR; on reintegration and related issues, chaired by UNICEF and UNDP; and on constitutional and electoral issues, chaired by UNDP.

The House of Representatives held its first meeting on 28 April 2006, after being restored following the Jana Andolan.
On 21 November 2006, the parties signed the Comprehensive Peace Agreement consolidating earlier agreements and understandings, and declared an end to the war. This historic achievement was the culmination of a year-long process of negotiation between the signatories and an expression of the widespread desire of the people of Nepal to end a conflict that had claimed more than 13,000 lives. All parties agreed to the election of a Constituent Assembly as the foundation for a more inclusive democratic system able to address the country’s persistent problems of social exclusion. However, marginalised groups, including women, expressed concerns that the planned mixed electoral system would not ensure their adequate representation.
On 28 November 2006, following negotiations facilitated by the United Nations, the parties reached an agreement on modalities for the monitoring of arms and armies which extensively detailed the arrangements for United Nations monitoring. Ian Martin, in his capacity as Personal Representative of the Secretary-General, signed this agreement as a witness on 8 December 2006.
Maoist army cantonment sites were set up in November 2006. Here the UN is seen setting up to carry out the registration of personnel in Nawalparasi.
UNMIN established: special political mission in support of Nepal’s peace process, January 2007

Security Council
On 1 December 2006, days after the signing of the Comprehensive Peace Agreement, the Security Council signalled its willingness to respond positively to the request for assistance from the Nepali parties, and approved the advance deployment of 35 arms monitors and 25 electoral advisers.

On 23 January 2007 the Security Council unanimously supported the establishment of UNMIN in its resolution 1740, with an initial 12-month mandate. Ian Martin was appointed Special Representative of the Secretary-General and head of UNMIN.

The mandate
The main focus of UNMIN was to assist in the conduct of the Constituent Assembly election in a free and fair atmosphere. To achieve its objective, and based on the requests of the parties to the Comprehensive Peace Agreement, UNMIN’s mandate was to:

- Monitor the management of arms and armed personnel of the Nepal Army and the Maoist army
- Assist the parties through a Joint Monitoring Coordination Committee in implementing the Agreement on Monitoring the Management of Arms and Armies of both the Nepal Army and the Maoist army
- Provide technical assistance for the planning, preparation and conduct of the election of a Constituent Assembly in a free and fair atmosphere, in consultation with the parties
- Assist in the monitoring of ceasefire arrangements

In addition, an independent team of election monitors appointed by the Secretary-General and reporting to him reviewed all technical aspects of the electoral process and the conduct of the election.
Mission set up

UNMIN was established as a focused mission of limited duration. At full strength, UNMIN was authorised to have 1073 personnel, including up to 186 arms monitors. The mission’s efforts to recruit national staff from traditionally marginalised groups resulted positively in a proportion of 47 per cent from such communities. Among civilian personnel, approximately 30 per cent were female. Thirteen arms monitors were women, despite repeated UNMIN requests to member states to prioritise women monitors.

On 26 March, the General Assembly, in its resolution 61/259, approved a budget of $88,822,000 for the Mission for the year 2007. While arms monitoring and electoral assistance were able to move forward expeditiously, the mission faced considerable operational constraints in terms of human and logistical resources as its budget allocation was being deliberated. Some staff were loaned to UNMIN from other UN missions for this set-up period, and the Governments of Denmark, India, Norway and the United Kingdom provided assistance with urgent logistical requirements. UNMIN also received significant assistance from UN agencies in Nepal in this set-up phase.
Heavy lift airplanes from the UN logistics base in Brindisi brought logistics, communications and transport equipment to UNMIN.
Implementing the mandate

Arms monitoring
Under the terms of the Agreement on Monitoring the Management of Arms and Armies (AMMAA), the Maoist army was to place its combatants in 28 cantonment sites: seven main sites, where weapons would be stored, as well as 21 satellite sites. Maoist combatants began moving into sites in late November 2006. The government agreed to restrict the Nepal Army to barracks, except for certain approved activities.

At full strength, UNMIN was to have 186 arms monitors, unarmed and performing duties in civilian dress. These were a mix of serving military offered to the mission by member state troop-contributing countries, as well as retired military. UNMIN arms monitors were based in the five regional headquarters, seven main Maoist cantonment sites and Chhauni Barracks of the Nepal Army in Kathmandu.

Joint Monitoring Coordinating Committee
A Joint Monitoring Coordinating Committee (JMCC) was established to coordinate the implementation of the AMMAA. UNMIN Chief Arms Monitor Brigadier-General Jan Erik Wilhelmsen chaired the JMCC, with vice-chairpersons from the Nepal Army (Major-General Shiva Ram Pradhan) and the Maoist army (Deputy Commander Nanda Kishor Pun “Pasang”), plus six other members, two each from UNMIN and both armies. The JMCC had three main functions:

- To assist the parties to the AMMAA implement the agreement
- To serve as a dispute resolution mechanism, to resolve all military or operational difficulties, complaints, questions or problems regarding implementation of the AMMAA
- To assist in confidence-building, working to gain the trust and confidence of the parties and to promote the overall goals of the AMMAA among the people of Nepal.
An advance deployment of 35 arms monitors were authorized in December 2006 and was deployed to each of the 7 main cantonment sites by mid-January 2007. They worked with members of the Interim Task Force (ITF)—established by the Government of Nepal in cooperation with the Maoists, and comprising 111 Nepali ex-Gurkha members of the Indian Army—as well as UNDP registration teams and UNICEF child protection personnel.

The first meeting of the JMCC was held on 17 December 2006, and by the time the newly elected Constituent Assembly convened on 28 May 2008 it had met on 74 occasions. Pictured, from left, Deputy Commander Nanda Kishor Pun “Pasang”, Deputy Chair (Maoist army); Suman Pradhan (UNMIN political affairs officer); Brigadier General Jan Erik Wilhelmsen, Chairperson (UNMIN Chief Arms Monitors); Major-General Shiva Ram Pradhan, Deputy Chair (Nepal Army) and Colonel Ganesh Bahadur Bhandari (Nepal Army).
Twenty-four hour presence at weapons storage areas

UNMIN’s first arms monitors arrived in December, as part of the advance deployment of 35 monitors. Logistical support from the Government of Norway enabled UNMIN to deploy small teams to each of the seven main sites in mid-January 2007. Their presence was strengthened by the support of members of the Interim Task Force (ITF) established by the Government of Nepal in cooperation with the Maoists, and comprised of 111 Nepali ex-Gurkha members of the Indian army.

The first step for arms monitors was to register Maoist army personnel and weapons, and to store the weapons under 24-hour surveillance. An equivalent number of Nepal Army weapons were stored under the same conditions. This was done in January-February 2007, with the assistance of UNDP registration teams and UNICEF child protection personnel as well as the ITF.

Mobile arms monitoring

Arms monitors conducted active monitoring and field visits and inspections, monitoring the redeployment and concentration of forces; the restriction of the Maoist army to cantonments and the Nepal Army to barracks; the management of arms; and reporting on compliance with the AMMAA.

Joint Monitoring Teams (JMTs) were formed in June 2007, led by one UNMIN arms monitor with one member each from the Nepal Army and the Maoist army. Ten JMTs were trained, with two operating out of each regional headquarters. Teams conducted community liaison work, as well as investigations. These teams strengthened the sense of ownership in the peace process by combatants from both armies and contributed to building public confidence.
UNMIN established round-the-clock video camera surveillance of the seven Maoist army weapons storage sites, as well as the Nepal Army weapons storage site.

Joint Monitoring Teams liaised with local authorities and community leaders, and conducted investigations into alleged breaches of the arms agreement.
UNMIN established a small team of mine action experts to work with the Nepal Army and the Maoist army to assist them to fulfil their commitments under the AMMAA. The team, working with contracted experts from ArmorGroup, worked with the Maoist army for the safe storage and destruction of improvised explosive devices and other unexploded remnants of war, and with the Nepal Army to begin the clearance of 53 identified minefields. The team also liaised with UNICEF on mine risk education for the general population.
Electoral assistance

Nepal’s Election Commission (EC) secretariat had experience in conducting parliamentary and local elections in the country, but its capacity had been significantly reduced by the conflict, and organising the election of a Constituent Assembly presented its own unique challenges. The Constituent Assembly election was administered by a newly appointed Election Commission and under new parameters, including a new legal framework and a new electoral system. This electoral system was developed after UNMIN was established and was modified a number of times following political agreements related to the election.

Discussions following the appointment of a chief election commissioner from October 2006 considerably clarified the assistance required, with the Election Commission identifying the need for technical assistance in:

- legal framework development
- overall operational planning
- voter registration
- voter education
- political party certification and candidate nomination
- the regulatory framework for the media campaign
- political campaign financing; logistics and communications
- observer accreditation
- training and capacity-building
- dispute resolution.

UNMIN’s Chief Electoral Adviser, Fida Nasrallah arrived on 15 January 2007 and began intense preparations for a 20 June election. After two election postponements UNMIN’s Electoral Assistance Office deployed the following staff for the 10 April 2008 election:

- in Kathmandu EC headquarters, nine international advisers provided daily technical assistance
- in each of the five development regions, two international advisers provided assistance to the EC’s Regional Resource Centres and also covered the five district electoral offices. They also coordinated the work of UNMIN District Electoral Advisers
- in the districts, 70 international district electoral advisers and 70 national language assistants worked with Election Commission district teams in all aspects of preparation for and conduct of the ballot.

Chief Election Commissioner Bhoj Raj Pokharel was appointed on 30 October 2006 and the other four commissioners—Dolakh Bahadur Gurung, Usha Nepal, Neel Kantha Upreti and Dr Ayodhi Prasad Yadav—in November 2006 and January 2007.
UNMIN civil affairs teams travelled to districts throughout the country. In the hills this often meant long treks between villages.
Ceasefire monitoring: civil affairs

UNMIN’s civil affairs component included officers deployed to the regions as well as in headquarters: at full strength, there were 65 international and national civil affairs officers.

The civil affairs team aimed to provide support to the work of a future national independent monitoring mechanism, as well as to local structures and mechanisms that were planned to be established within the framework of the peace process. Neither national nor local mechanisms were established before the election of the Constituent Assembly, and in this context civil affairs officers liaised with local authorities, police, civil society and local communities and conducted direct monitoring work. Monitoring aimed to contribute to creating adequate political space in the rural areas, where there had been a prolonged absence of the state, as part of creating a free and fair atmosphere for the election.

Civil affairs officers also worked closely with local government and civil society to develop and promote conflict mitigation and dispute resolution strategies at the local level, especially in some of the most vulnerable communities.

Other mission components

A number of teams supported the three key mandate tasks.

The political affairs unit provided political advice and assessments to the Special Representative of the Secretary-General as well as the mission as a whole. The team monitored, analysed and reported on political, civil, social, economic and other relevant issues.

Gender, child protection and social exclusion advisers aimed to ensure that the work of electoral, civil affairs and arms monitors maximised the inclusion of women and traditionally marginalised groups in the peace and electoral process.

The public information and outreach team worked directly with Nepal’s vibrant media sector as well as through public information materials such as radio, a monthly newspaper, factsheets disseminated to district-level peace process actors, and special projects such as street theatre.

The translation and interpretation team ensured that the mission worked to the highest standard in Nepali and other languages of Nepal. It provided training and support to interpreters working in regional offices with the various sections of the mission.
Mission support

The mission support team played a critical role in setting up the mission within very tight timeframes, including establishing and supporting the mission’s presence at its Kathmandu headquarters, five regional offices and a 24-hour presence at seven Maoist army cantonment sites and one Nepal Army barracks. Led by a chief of mission support, logistics, road and air transport, communications, administration, finance, personnel, and medical teams, among others, provided essential support. A UNV support unit coordinated the deployment of over 240 UN Volunteers as district electoral advisers.

Over 240 UN Volunteers supported a wide range of Mission functions.
Continued human rights monitoring: Office of the High Commissioner for Human Rights

OHCHR-Nepal was established in May 2005, with the aim of protecting human rights in the context of the armed conflict and threats to democratic rights. The parties to the CPA requested ongoing human rights monitoring by OHCHR, which had teams in five regional offices and one sub-regional office, as well as at Kathmandu headquarters. These teams worked in close collaboration with UNMIN.

Louise Arbour, UN High Commissioner for Human Rights (third from left), visited Nepal in January 2007, just before the establishment of UNMIN. Here she is seen with Lena Sundh, Representative of the High Commissioner in Nepal (second from left).
UNMIN’s coordination with UN agencies

Most UN agencies present in Nepal have been established for a long time, in order to support and implement a wide range of development programmes and assist in the response to emerging humanitarian needs. The UNMIN coordination unit assisted the SRSG in his role as overall coordinator of UN support to the peace process by liaising and coordinating with the UN Country Team and its respective agencies as well as with donors and relevant government ministries. This team worked with UN agencies in the development of projects to support the peace process funded through the UN Peace Fund.

UN Peace Fund

The UN Peace Fund for Nepal was established in April 2007, and was designed to:

- Deliver focused, time-limited support for urgent peace process tasks
- Complement the government-administered Nepal Peace Trust Fund and other existing mechanisms
- Promote rapid, flexible responses sensitive to the unique needs of Nepal’s transitional environment
- Enhance UN and donor coordination in the interest of more efficient transparent support to Nepal

The UNDP served as Administrative Agent of the fund.
UNMIN arms monitors led teams who registered Maoist army personnel and weapons in January and February 2007. Weapons, seen here in Kailali, were stored under round-the-clock monitoring by UNMIN arms monitors.
Arms monitoring: registration and weapons storage key to peace process momentum

After the signing of the CPA, the impetus of the peace process relied on the quick response from the United Nations in its arms monitoring role. Timing was crucial, as the Seven-Party Alliance had linked the inclusion of the CPN(Maoist) in the Interim Legislature-Parliament and Interim Government to progress regarding the management of arms and armed personnel.

The first step was to register Maoist army combatants and weapons, and to complete the weapons storage process first of the Maoist army and then an equivalent number of Nepal Army weapons.

The registration of Maoist army arms and combatants began on 17 January at the main cantonment sites in Chitwan and Nawalparasi, even before the formal mandate of UNMIN. The process was completed within one month, and on 8 March UNMIN reported the results to the JMCC: 31,252 personnel and 3,475 weapons registered.

From 10-13 April, UNMIN registered and stored 2,855 Nepal Army weapons at the Chhauni Barracks in Kathmandu and maintained 24-hour monitoring.

UNDP registration teams, UNICEF child protection experts and members of the Interim Task Force supported UNMIN arms monitors in the registration process.

Though managing the cantonment sites was not an UNMIN or UN responsibility, the Mission and the UN system in Nepal made repeated efforts to encourage the Government and the CPN(Maoist) to improve what were very poor living conditions.
UNMIN arms monitors registered Maoist army weapons and personnel and Nepal Army weapons, with assistance from UNDP registration experts from Afghanistan, who worked with and trained Nepali teams.
Mine action

In early 2007, the Maoist army began to bring improvised explosive devices and other explosive remnants of war into designated storage sites near each of the main seven cantonment sites. UNMIN’s mine action team, with assistance from the contracted mine experts, ArmorGroup, completed an inventory of all material, counting 6,789 kilogrammes of net explosive quantity stored, which comprised about 52,000 different items. Ninety-seven per cent of this material was categorised as unsafe to store.

On the advice of UNMIN and UNICEF, the cabinet decided to establish a national mine action authority to manage a comprehensive national programme of mine action. UNMIN’s mine action team participated in the inter-ministerial committee responsible for policy and guidance on mine action.

UNMIN trained Maoist army personnel—74 men and three women—in the safe handling of explosives, safe storage, firefighting and demolition practice safety.
Interim Government formed: Maoists enter Parliament and Government

On 1 April 2007 the Seven-Party Alliance Government and the CPN(Maoist) formed an Interim Government under Prime Minister Girija Prasad Koirala, in which CPN(Maoist) ministers held five out of 22 cabinet positions. The parties adopted a common minimum programme, by which they renewed their commitment to past agreements, including building a conducive environment for a peaceful election: they agreed on 20 June 2007 as the date for the Constituent Assembly election.

The eight parties also agreed to address a range of issues: to establish a joint coordination committee of the eight parties to assist the Interim Government; to solve problems and monitor the implementation of the common minimum programme; to establish local monitoring committees in each district, comprising locally active political parties and others; and to monitor implementation of the peace agreement. A Ministry of Peace and Reconstruction was established, with responsibility for the implementation of these agreements.

I welcome the establishment of the new interim government as a key moment for the consolidation of Nepal’s peace process...A truly unified government should be in a stronger position to face the challenges still ahead: creating conditions for a credible Constituent Assembly election; addressing the legitimate demands of groups in Nepalese society calling for more inclusive democracy; establishing effective law enforcement across the country; and providing for the future of former combatants and a wider reform of the security sector.

Ian Martin, SRSG, 1 April 2007
With Maoist army personnel in cantonments and weapons stored under 24-hour UN surveillance, 83 CPN(Maoist) members entered the Interim Legislature-Parliament on 15 January 2007, and the Interim Government was formed on 1 April 2007; CPN(Maoist) ministers held 5 out of 22 cabinet positions.
Escalating social unrest and long-standing issues of exclusion threaten to overtake Government-Maoist peace process

However, these important achievements occurred against a backdrop of escalating social unrest and long-standing issues of exclusion, aggravated by the determination of traditionally marginalised groups, including the Madhesis, the Janajatis, the Dalits and the Tharus, to seize the opportunity to press for adequate representation in the Constituent Assembly. At times, the demands from traditionally marginalised groups threatened to overtake the Government-Maoist peace process as laid out in the Comprehensive Peace Agreement and the Interim Constitution.

Public security continued to be a concern in many parts of the country. A number of armed groups operated in the Terai, including the two factions of the Janantrik Terai Mukti Morcha (JTMM), the Terai Tigers, the Terai Cobra and the Nepal Defense Army (NDA), a fundamentalist group committed to a Hindu kingdom in Nepal. Widespread complaints by political parties and civil society were leveled against the CPN(Maoist)’s Young Communist League (YCL)—that it continued to engage in a persistent pattern of low-level intimidation and threats against various sectors, particularly businesses in urban areas, leading to protests from the business community.

In January-February Madhesi protests escalated into what became known as the Madhesi Andolan. Concerns were high that potential spoilers were seeking to take advantage of the unrest to derail the peace process. Tensions and violence increased between protesters representing the Madhesi People’s Rights Forum (MPRF), two armed factions of the JTMM and cadres of the CPN (Maoist). Some clashes took on a communal character between Madhesis (those not of hill origin) and Pahadis (those originating in the hills). Prime Minister Girija Prasad Koirala delivered a major speech on 7 February, announcing significant concessions in an effort to calm the situation.

The people of Nepal have suffered killings, torture, disappearances and other gross violations on a massive scale. At the same time, as conflict has receded, issues related to discrimination are emerging as major factors to be addressed. Resolving both are crucial to building sustainable peace.

Louise Arbour, UN High Commissioner for Human Rights, during her January 2007 visit to Nepal
At least 18 out of the 24 deaths documented by OHCHR-Nepal during the Madhesi Andolan in March 2007 were the result of police action; many others were injured, and there was extensive damage to property, including government offices.
There were also disturbances in the western Terai, an area where the indigenous Tharu community is concentrated. Many Tharus suffer from extreme poverty and are landless, a result of the practice of bonded labour (kamaiya). Although the practice was banned in 2000, many former kamaiyas remain essentially homeless and have consequently squatted on Government property. Land issues have been and can be expected to continue to be highly contentious. Other indigenous groups, many represented by the Nepal Federation of Indigenous Nationalities, also protested for greater inclusion throughout the year.
On 21 March 2007 at least 27 people, mostly linked to CPN(Maoist), were killed in the eastern Terai town of Gaur after violence broke out at simultaneous rallies of CPN(Maoist) and Madhesi People’s Rights Forum (MPRF). UNMIN civil affairs and OHCHR-Nepal human rights monitors maintained a monitoring presence in the tense aftermath of the violence, and OHCHR-Nepal conducted investigations. UNMIN arms monitors in cantonment sites intensified monitoring. The Gaur killings underscored the serious deficiencies of law enforcement in the country.

OHCHR-Nepal, with participation from UNMIN civil affairs officers, conducted a series of district dialogues during the first half of 2007. These brought together civil society, police, political parties and local authorities to discuss issues relating to human rights and the peace process. Some focused especially on the issue of discrimination and were attended by United Nations special experts on racism, discrimination and indigenous peoples. The experts emphasised the importance of representation and inclusion in the peace process. Here Lena Sundh, Representative of the UN High Commissioner for Human Rights (centre) and Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples, Rodolfo Stavenhagen (second from her right), visit in April 2007.
Election postponed

Nepal’s Election Commission worked hard towards a 20 June 2007 election. UNMIN electoral advisers supported the Commission, and prepared to deploy 124 international and 43 national UN volunteers to work in the districts. But preparations became increasingly difficult owing to three key factors:

- the late passage of essential electoral legislation, making it impossible to meet the timetable for logistical and other reasons
- the need to address the concerns of traditionally marginalised groups, including through the addition of constituencies and the consideration of quotas within the electoral system
- the time needed to create adequate public security.

On 12 April 2007 the Election Commission informed the Interim Government that an election by the mid-June deadline established in the Interim Constitution had become impossible and that a minimum of 110 days from the passage of the necessary legislation would be required. This announcement had the effect of stalling the process for some time, with some parties reluctant to acknowledge publicly that a credible June election was no longer feasible.
Violence in Kapilvastu in September 2007 led to the displacement of thousands of people.
Complications emerge after election postponement, May to October 2007

A political stalemate followed the advice from the Election Commission that a June election was not possible, and it was not until early June that a breakthrough was achieved. On 14 June, the Interim-Legislature passed the key electoral legislation, and ten days later the eight parties set a new date—22 November 2007—for the Constituent Assembly election.

Despite this breakthrough, the overall political climate and management of the peace process became more complicated during the second half of 2007. The unity of the eight parties came under a severe test largely as a result of their failure to fully implement agreements. There was a deeper gulf of perspective regarding the extent and breadth of the political, social and economic changes the country should undergo, as well as regarding the future of the Maoist army personnel and the country’s security sector.

The Constituent Assembly Members Election Act of 14 June 2007 established a mixed electoral system under which 480 members were to be elected through separate but simultaneous votes:

- 240 constituency-based members to be elected through a first-past-the-post system
- 240 members to be elected through a proportional representation system in proportion to their nationwide share of the votes
- an additional 17 members to be nominated, thereby comprising a 497-member Constituent Assembly.
Demands for greater representation increased from traditionally marginalised groups

The Eight-Party Alliance Government on 7 August signed a 20-point agreement with the Nepal Federation of Indigenous Nationalities (NEFIN), a Janajati umbrella group, in which they maintained a mixed first-past-the-post and proportional electoral system, but committed to ensuring representation for smaller indigenous communities and to forming a State restructuring committee and a Janajati commission. A number of Janajati groups have maintained serious reservations about the agreement.

The Government also signed a 22-point agreement on 30 August with MPRF, the group that originally spearheaded the Madhesi movement. However, the agreement quickly attracted intense criticism from some quarters within MPRF, who objected in particular to the fact that a fully proportional electoral system had not been adopted.

After their fifth expanded central committee meeting (plenum), held in Kathmandu in early August, the CPN(Maoist) articulated new demands, which included calling for a round-table conference among all parties and groups to agree upon a fully proportional representation electoral system, as demanded by traditionally marginalised groups, and to demand the declaration of a republic by the Interim Legislature-Parliament before the election of the Constituent Assembly. They issued a set of 22 points they deemed as “necessary conditions” for the election to take place and warned that they would quit the Eight-Party Alliance Government and wage street protests if the demands were not met by 18 September.
The Maoist Young Communist League (YCL) carried out street protests following the August plenum. Earlier, in a June report, OHCHR-Nepal documented the recurring use of violence and intimidation by the YCL, which overshadowed its legitimate activities and raised concerns that the Maoists had failed to fully abandon parallel security mechanisms.

Women’s groups also mobilised to pressure for greater inclusion, creating a database of over 3,000 women leaders from 74 districts. Badi women, among the most disadvantaged of the Dalit caste, held a series of high-profile demonstrations in August 2007.
Tensions in the Terai

The absence of significant progress in carrying forward a broad process of dialogue at an earlier stage contributed to the proliferation of political and criminal organisations in the Terai. Maoist cadres were a particular target of assassinations. Violence by the JTMM factions and other armed groups as well as strikes enforced by MPRF dissidents shut down large parts of the Terai.

In September, the situation in the Terai took an even more ominous turn in parts of Kapilvastu district in the central region. Violence sparked by the assassination of a local Muslim landowner, former vigilante leader and political activist threatened to take on a Hindu-Muslim as well as Madhesi-Pahadi (people from the plains-people from the hills) character. It left at least 14 dead and resulted in significant destruction of property and looting, as well as the displacement of thousands of people.

Reports indicated that up to 70 per cent of rural areas in the Terai lacked public officials because of the armed conflict. This was exacerbated by the flight of Pahadi public officials, as well as intimidation of local journalists and human rights defenders. Efforts to normalise conditions through the redeployment of police and local officials had limited effect. Village Development Committee secretaries, in August, declared two successive national strikes, citing lack of security and politicised governance conditions.

The risks posed by spoilers to the peace process was made apparent on 2 September, when three bomb blasts occurred in Kathmandu, killing three and wounding more than two dozen others.
Verification of Maoist army personnel

UNMIN began the second phase of registration of Maoist army personnel on 19 June. This involved verification of age and date of recruitment to establish eligibility as combatants: namely whether they were under 18 on 25 May 2006, and whether they were recruited before 25 May 2006.

Following the completion of verification at the first site on 26 June, there were delays while Maoist commanders assessed the results and then sought to link the verification process to other issues, including improvement of conditions in the cantonment sites; payment of agreed monthly government allowances to Maoist personnel in cantonments; and the start of discussions on the future of the Maoist army and the Nepal Army, emphasising their demand for the formation of a new national force made up of elements from both. UNMIN made clear that verification was an obligation under the Agreement on Monitoring the Management of Arms and Armies, and that it could not accept any preconditions for the continuation of verification.

As the Government showed a degree of flexibility in addressing some of the Maoist demands, the verification process resumed in mid-August.
On 4 July, the JMCC approved a destruction plan for IEDs and other explosives at the Maoist army storage sites. Progress on destruction was hampered by the monsoon and some reticence from Maoist cantonment commanders, but got underway in September 2007. By June 2008 all IEDs had been destroyed at Maoist army cantonment sites.

In September, UNMIN’s mine action team completed de-mining training for 32 Nepal Army personnel to enable the Nepal Army to fulfil its obligations including clearance of 53 minefields. By June 2008, five minefields had been fully cleared, two partially cleared and a further two were close to completion.
Electoral preparations

The Election Commission moved ahead with electoral preparations amid the political turmoil. From a technical perspective, preparations for the November 2007 election were proceeding in a timely manner without major problems. The integrity and competence of Nepal’s Election Commission were unanimously recognised.
We're going to try to do everything that we can possibly do to help make the election a huge success. It is critically important to the people of Nepal that...the election be open and fair and totally transparent.

B. Lynn Pascoe, United Nations Under-Secretary-General for Political Affairs, speaking at a press conference in Kathmandu, 19 August 2007
Human rights: public security, rule of law and the danger of a culture of impunity

OHCHR-Nepal continued to highlight the weakness of public security and the rule of law, and the threat posed to these by a culture of impunity for past as well as current crimes and human rights violations.

After initial hope that there might be some progress in addressing impunity following the 1 June Supreme Court ruling on disappearances, the Government announced that it intended to set up a commission of inquiry into disappearances on a basis that fell far short of international standards. OHCHR-Nepal also raised serious doubts about a draft Truth and Reconciliation Commission bill, under which those responsible for gross human rights violations would be amnestied and which would have allowed potential excessive interference from the government. Nepali human rights defenders, along with OHCHR-Nepal, called for greater public consultation on proposals.

In August, the government published the report of the Rayamajhi Commission on violations during the King’s Government, which included a recommendation for the prosecution of 31 members of the security forces.

Families of individuals who disappeared during the conflict continued to protest for action to determine the whereabouts or fate of their loved ones.
Crisis deepens as Maoists quit government and election postponed

On 18 September, the four Maoist ministers in the Interim Government tendered their resignation to the prime minister following the failure to reach an accommodation on the CPN(Maoist)’s 22-point demands. The Maoist members of parliament, however, did not resign.

The Maoists continued to push for the declaration of a republic before the election of the Constituent Assembly and the adoption of a fully proportional electoral system for the election. The Maoists indicated that they would take direct action to obstruct the election from moving forward if their demands were not met.

On 25 September, following protracted negotiations, Prime Minister Girija Prasad Koirala’s Nepali Congress (NC) party and the Nepali Congress (Democratic), which broke away from NC in 2002, reunified to become the largest party in the Interim Parliament. They adopted a federal, republican platform, marking a historic shift in their approach to the monarchy and governance.

Despite intense negotiations, the parties were unable to resolve their differences and, as a result, the leaders of the seven parties agreed on 5 October to defer the Constituent Assembly election scheduled for 22 November. The Cabinet took a formal decision and the Election Commission suspended the electoral calendar. No new date was proposed for the election.

The second postponement of the Constituent Assembly election was a major disappointment for the people of Nepal and the international community.

Nepal’s peace process now stands at a crossroads...The political developments of the past year are significant enough to merit a review of the Comprehensive Peace Agreement and its implementation...The parties need to jointly and expeditiously identify the main issues that are of critical importance for the success of the peace process. They should engage in a debate of these issues, allowing for adequate public participation, and arrive at a broad road-map to carry forward the peace process.

Secretary-General Ban Ki-moon, in his report to the Security Council, 18 October 2007
The Seven-Party Alliance broke the political deadlock with the 23-point agreement in late December 2007, and in January 2008 they held a series of joint rallies to build public support for the Constituent Assembly election. In the face of threats of violence against the rallies, UNMIN and OHCHR, seen here in Janakpur, worked closely together in monitoring them.
Chapter FIVE
October 2007-January 2008
Nepal entered a period of political impasse and crisis when the parties announced the postponement of the 22 November election on 14 October. Underlying the immediate issues that led to this second postponement of the election was the significant divergence in the positions and priorities among the main partners in the Seven-Party Alliance, particularly CPN(Maoist) and the Nepali Congress, regarding the fundamental direction and aspirations of the peace process.

There was growing frustration among the traditional mainstream parties at what they viewed as the Maoists’ refusal to abide by democratic norms, including their continued use of violence, intimidation, extortion, abduction, land seizures and similar tactics. The Maoists, on the other hand, accused the Nepali Congress and the Interim Government that it led of being reluctant to embrace fundamental socio-economic change and the restructuring of the state, particularly in relation to security sector reform and the greater inclusion of traditionally marginalised groups. There was agreement among most observers and the main political players themselves that all sides had failed, to a greater or lesser extent, to fulfil some of the important commitments they made over the previous 18 months, and that the crisis facing the peace process was in many ways about its implementation.

The current crisis has come about not just because of failure to reach agreement on two issues in the lead-up to the election, but as a reflection of deeper differences in perception and approach, and as a result of weaknesses in the overall management of the peace process, particularly the failure to implement agreements on certain key issues.

Tamrat Samuel, DSRSG, speaking at a United Nations Day ceremony, Kathmandu, 24 October 2007
The seven political parties nonetheless remained in dialogue. After protracted negotiations, the now Seven-Party Alliance reached an initial agreement on 15 December to hold the election by the end of the Nepali year (12 April 2008), followed on 23 December by a wide ranging 23-point agreement re-establishing the basis for their cooperation. This agreement committed the parties to amending the Interim Constitution to state that Nepal shall be a federal democratic republic, and that the republic shall be implemented at the first meeting of the Constituent Assembly, until which time the prime minister shall conduct all the duties of the head of state.

Under the 23-point agreement the mixed electoral system for the Constituent Assembly was to be amended, so as to retain 240 seats elected on a first-past-the-post constituency basis while increasing the number of seats elected on the basis of proportional representation from 240 to 335. Members to be nominated by the Council of Ministers was to be increased from 17 to 26. This set the basis for a 601-member assembly.

On 28 December, the Interim Legislature-Parliament approved the proposed amendments and on 4 January 2008 it passed the consequential amendments in the electoral legislation.

In addition, local bodies were to be created, and at the national level a coordination committee of top leaders was to support and coordinate the functioning of the Interim Government. Other commitments included compensation to be provided to the families of those who were killed or who disappeared during the conflict; land and property seized by the Maoists to be returned; payments to Maoist combatants to be released; and the special committee to consider integration of Maoist combatants to be activated. All political parties and their affiliated organisations committed to refrain from violence, abduction, extortion and any activities that could disrupt the election.

With the signing of the 23-point agreement, the CPN(Maoist) committed to rejoining the Interim Government, which it did on 30 December, and the seven parties agreed to hold joint public meetings in seven locations to appeal for participation in the election.
The SRSG and the DSRSG, working with UNMIN’s political affairs team, made every effort to assist the parties in examining and addressing the underlying issues that threatened the unity of the seven parties and their ability to work with other democratic forces and civil society, in order to hold a successful and inclusive Constituent Assembly election as soon as this could be made possible. Here Prime Minister Girija Prasad Koirala is seen with Deputy SRSG Tamrat Samuel at a public function.

Starting in January 2008, the Seven-Party Alliance held a series of mass rallies in towns across the Terai and hills, despite bandhs, use of improvised explosive devices and other attempts to thwart them. UNMIN and OHCHR-Nepal monitored these rallies.
Violence and intimidation have no place in a democratic transition, and in particular in Nepal’s Constituent Assembly election process. Political differences must be resolved through peaceful means. I have no doubt that acts of terror will discredit whatever cause they are claimed to promote with the Nepalese people as well as the international community.

Ian Martin, SRSG, following bomb attacks in Birgunj, 30 January 2008
In the three-month period toward the end of 2007, civil affairs officers monitored 30 districts and 65 Village Development Committee areas in Nepal. A major focus of civil affairs officers who visited the districts was to encourage respect for the role of Nepali civil society in helping to create a free and fair atmosphere for the election.

In a report on human rights one year after the signing of the CPA, published in December 2007, OHCHR-Nepal warned that human rights had been marginalised and subordinated to political considerations, and that the failure to stop the downward trend would risk deepening social divisions and engender further violence. The report noted that between January and October 2007, 130 people were killed, including 29 by police, often in circumstances suggesting excessive use of force. More than 60 people had been killed by armed groups since May 2007.
Nepali women activists organised two national conferences in December 2007, as part of the global 16 Days of Activism against Gender-based Violence. The National Consultation of Women Human Rights Defenders was attended by more than 300 women from districts across the country. The Dalit Women’s National Conference, organised by the Feminist Dalit Organisation, focused on Dalit women’s participation and representation in the peace and electoral process. SRSG Ian Martin addressed both conferences.
Verification completed: integration unresolved

Despite the political stalemate in late 2007, the second-phase registration, verifying the details of registered Maoist army personnel, was completed on 23 December.

Of the 32,250 total registered Maoist army personnel:
- 19,602 were verified as meeting the criteria agreed between the parties, comprising 15,756 men and 3,846 women
- 8,640 personnel did not appear for verification interviews in the second phase and were automatically disqualified
- 4,008 persons remained to be discharged from cantonments after the total of absentees has been taken into account: 2,973 of this total were assessed to be under the age of 18 on 25 May 2006.

No children associated with the Maoist army were formally discharged before the election, despite the completion of the verification process. UNMIN child protection officers investigated a number of reported cases of forcible re-recruitment of children who were informally released by the Maoist army. UNMIN continued to consult the government and the Maoist leadership on a range of issues related to the discharge of those verified as minors and late recruits and their reintegration, with the assistance of the United Nations Development Programme (UNDP) and the United Nations Children’s Fund (UNICEF).

In addition to the 4,008 individuals disqualified during the verification process, more than 8,000 left the cantonments between the first-phase and second-phase registration, many in what appeared to be a policy of informal release of late recruits and minors. About 4,000 are estimated to have joined the UNICEF-led reintegration programme since it was launched in June 2006.
UNMIN continuously stressed to the parties the importance of starting without delay the discussion and decision-making on the integration and rehabilitation of Maoist combatants, the democratisation of the Nepal Army and the future of the country’s security sector as a whole. The cantonment of Maoist combatants and restriction to barracks of the Nepal Army were intended to constitute only a temporary confidence-building arrangement for the Constituent Assembly election.
Beyond the Seven-Party Alliance: Madhesi and Janajati groups press for an inclusive process

But the road to the Constituent Assembly election of 10 April 2008 was not an easy one. Madhesi representatives were immediately critical of the Seven-Party Alliance 23-point agreement, protesting that it had been reached without dialogue with them. Janajati groups also felt that the agreement did not address their grievances. Chief among the demands of traditionally marginalized groups was the call for adequate representation in determining the future constitution and the structures of the State at all levels; in particular, their desire for a federal system of government and control over their public affairs had been central to the political debate since early 2007.

A number of Madhesi politicians split away from existing parties to form a new party, the Terai-Madhesi Democratic Party. The party, together with the Madhesi People’s Rights Forum (MPRF) and the recently formed Sadbhawana Party, established the United Democratic Madhesi Front (UDMF), an alliance that planned a protest movement in February making their participation in the 10 April election conditional upon a set of demands.

On 29 January, the Election Commission approved registration of 74 political parties to contest the election, and in February parties submitted their candidate lists.
**Electoral preparations proceed amid tensions**

The UN Electoral Expert Monitoring Team issued its third monitoring assessment report after having visited Nepal from 27 September to 8 October 2007. The report described the suspension of the election as a political rather than a technical decision. From a technical perspective, the Monitoring Team considered that preparation of the election had proceeded in a timely manner.

Meanwhile, the Election Commission resumed preparations and, upon the January announcement of the 10 April polling date, consolidated preparations in a tense political and security climate.

UNMIN made significant changes to the composition of its electoral team following the second postponement. At the request of the Election Commission, all UNMIN electoral staff were withdrawn from the districts. Of the 81 international district electoral advisers originally deployed in the field, only 15 were retained in the Electoral Assistance Office and regrouped at the UNMIN regional offices until the end of December. These 15 operated as mobile teams covering a number of districts in their respective regions to maintain the UNMIN electoral presence.

However, with political issues unresolved between the government and Madhesi and Janajati groups, and the security and law-and-order situation difficult in many parts of the country, the 10 April 2008 election was not certain to go ahead.

With 10 April 2008 announced as the new election date, UNMIN moved quickly to re-mobilise its district electoral adviser teams.
Madhesi demands resulted in 16 days of protests across the southern plains in February 2008, as seen here in Birgunj, which threatened to derail the April election.
Election preparations

On 25 February candidates for the 240 constituencies—elected by the first-past-the-post system—submitted their nominations at offices across the country amid tensions and in some places violence, as Madhesi groups attempted to prevent candidates from filing.

In February the Commission recruited and trained Returning Officers and provided refresher training to some 9,000 voter education volunteers, re-activating the voter education campaign. However, security remained a major concern.

The Election Commission continued logistics preparations for the election despite concerns about security and the uncertain political climate, preparing materials for distribution across the countryside, including to many remote and inaccessible locations.
The Election Commission faced logistics challenges getting electoral materials to all 75 districts, including many remote communities.

My hope is that as many groups as possible will decide to participate in the election, but groups and individuals have to make their own decisions as to whether they think it is an election that they will participate in. What they are not entitled to do is to obstruct an election that is going forward.

Ian Martin, SRSG, in an interview with Ujyalo radio network, 24 February 2008
UNMIN civil affairs and OHCHR-Nepal teams monitored the 16-day Madhesi protests, from 13 to 29 February 2008, and the police response. OHCHR raised concerns about actions taken by the police, underlining the excessive use of force by the police resulting in six civilians and a police officer being killed in confrontations between police and supporters of Madhesi political parties. OHCHR-Nepal found that lack of accountability for police actions, weak legislation giving the police wide powers to use lethal force and the perception that the police was not impartial combined to encourage violence and human rights violations.
The Seven-Party Alliance signed agreements on 28 February and 1 March, 2008 that responded to Madhesi and Janajati demands and created the conditions to go ahead with an inclusive election.

**Government signs eleventh-hour agreements with Madhesis and Janaitis**

The Madhesi demonstrations and blockades in the southern plains intensified in the latter half of February, resulting in nine fatalities and disruption of essential supplies. The government entered into negotiations with both Madhesi and Janajati groups in late February. On 28 February 2008 the government and the United Democratic Madhesi Front (UDMF) reached an eight-point agreement paving the way for the participation of the Madhesi parties in the April election. A similar agreement was signed on 1 March 2008 with the Federal Republican National Front, reflecting Janajati demands. The agreement with UDMF was generally welcomed by Madhesis across the Terai, but most armed groups that had been operating in the Terai rejected it and continued protests, including acts of violence, although with limited effect.
The challenge of impunity to human rights and the rule of law

Nepali human rights defenders and OHCHR-Nepal identified impunity for current crimes as well as past crimes and human rights violations as a major obstacle for the establishment of rule of law.

The National Human Rights Commission was given a new lease of life following the appointment of five commissioners in September 2007, after a vacuum of more than a year; and in February 2008 the Commission appointed a secretary for the first time in five years. With the Commission undergoing an important restructuring process, OHCHR-Nepal and UNDP planned a new technical cooperation project to provide specialist advice.

International experts provided assistance to the National Human Rights Commission to investigate the site where it was believed that the body of one of the persons who disappeared following detention by the Nepal Army in 2003 may have been cremated. OHCHR-Nepal’s report on disappearances by the then Royal Nepalese Army’s Bhairabnath Battalion, published in 2006, documented at least 49 cases of disappearance.
17 February 2008 marked the fourth death anniversary of Maina Sunuwar, a 15-year-old girl who was tortured and killed in the custody of the Nepal Army. OHCHR-Nepal, along with Nepali human rights defenders and representatives of the European Union, joined with Devi Sunuwar, Maina's mother, to call for justice. The Nepal Army has failed to cooperate with civilian authorities, who are seeking to prosecute the case.

The Ministry of Peace and Reconstruction continued to work towards the establishment of a Truth and Reconciliation Commission. In March 2008 a groundbreaking transitional justice report, *Nepali Voices*, was released by the Nepali NGO Advocacy Forum and the International Center for Transitional Justice, documenting victims' perceptions of truth, justice, reconciliation and reparations. Richard Bennett, Representative of OHCHR-Nepal, said in a press release, "full consultation are essential if the Truth and Reconciliation Commission is to succeed in bringing justice and closure to victims of the conflict and their families".
UN agencies supporting the peace process
Peace and development: Government-donor conference

On 21-22 February, the Government hosted a donor conference in Kathmandu, where it underlined the need for comprehensive donor support to the peace process. The four priority areas of the transitional United Nations Development Assistance Framework 2008-2010 (consolidating peace, improving basic services, providing better livelihood opportunities, and promoting and protecting human rights, gender and social inclusion) closely follow the government’s priorities as articulated in its three-year interim plan. The United Nations aims to work with the government on defining a transitional peace-and-development framework, with a view to a Nepal development forum later in 2008.

We are here to support what the people of Nepal called for in 2006 and what is enshrined in the Comprehensive Peace Agreement: a democratic transition to economic and social change in an inclusive Nepal.

Ian Martin, SRSG, Speech at Donor Conference in Kathmandu, 21 February 2008
In 2006 UNDP developed the Participation in Peace Project using social mobilisation, communication and entertainment to empower people across Nepal. The project engaged a UNDP-supported network of 25,000 community organisations in partnership with the BBC World Service Trust, which has experience in over 40 countries around the world in utilising radio as a media for promoting democratic participation by grassroots communities. The BBC Trust partnered with Nepali stations, producers, journalists and actors. The first discussion programme, Saja Sawal, went on air on 14 November, 2007 from the home of Prime Minister GP Koirala, and the weekly drama programme, Katha Mitho Sarangiko, was launched on 1 February, 2008. Both programmes were also broadcast on national television networks.

By the end of 2007 UNMIN extended broadcast of its weekly radio programme, UNMIN-ko Boli, into five regional languages in addition to Nepali—Maithili, Bhojpuri, Awadi, Tharu and Tamang—targeting some of Nepal’s largest non-Nepali speaking communities as well as communities particularly affected by the conflict. The multi-lingual programme focused on all aspects of UN support to the peace process.
The World Food Programme’s food-for-work activities assisted in building critical infrastructure and community assets that facilitate reintegration in food insecure, conflict-affected communities.

UNMIN collaborated with UNFPA and Nepali theatre group Sarwanam to produce Naya Adhaya (A New Chapter), a street drama promoting women’s participation in the peace process. Naya Adhaya toured initially to 14 districts and was performed in over 30 locations in late 2007; the Danish government supported a second, post-election tour of the drama in 17 districts around the country in April and May 2008.
All set for election campaign

With the agreements between the government and the Madhesi and Janajati movements signed by 1 March 2008 protests and strikes were largely called off and attention focused on election preparations. But the situation remained tense in many parts of the country.

The Election Commission extended the period for registration to allow new Madhesi and other parties to register—over 2,000 new candidates took this opportunity.

A total of 4,208 candidates registered to contest the 240 Constituent Assembly seats under the first-past-the-post system; with 5,882 candidates registered on behalf of 55 political parties to contest the 335 seats allocated by the proportional representation system.
Seventeen out of the 75 districts of Nepal have no road access. The Election Commission used helicopters to fly in electoral materials to remote communities such as Mustang.
Chapter SEVEN
February - April 2008
March saw election campaigning in full swing, following the agreements with both Madhesi and Janajati groups.

Public enthusiasm for the election was high and although campaigning was peaceful in many constituencies, credible and persistent reports of obstruction of the activities of other political parties by Maoist cadres, including the Young Communist League (YCL), was received throughout the period, particularly from hill districts. In the run-up to the election the highest levels of violence were recorded in the central and eastern Terai, and in key contested hill districts in the Far West, Central and Eastern regions. Twenty-seven deaths were recorded as a result of election-related violence, and UNMIN recorded around 80 explosions of improvised explosive devices, mainly in the Terai, and nearly 30 abductions. Although all major political parties suffered casualties, CPN(Maoist) and YCL lost the greatest number of party workers. They were, however, also cited as alleged perpetrators in a high proportion of incidents. Other serious allegations included misuse of State power and resources, notably by the Nepali Congress, and the partisanship of the police and security forces.

In late March, leaders of the CPN(Maoist), Nepali Congress and CPN(UML) met with civil society leaders in Kathmandu to discuss how to bring a halt to the increasing election-related intimidation and violence between parties.
Throughout the electoral campaign period stakeholders requested the Mission’s presence on the ground to help with conflict situations. OHCHR in conjunction with UNMIN civil affairs officers conducted fact-finding missions in response to killings and other major incidents.

During the campaign there had been reports that some Maoist army personnel had left the cantonments to participate in activities related to the election. UNMIN arms monitors conducted head counts at the cantonments and UNMIN stressed to the leadership of the CPN(Maoist) and commanders of the Maoist army the importance of compliance with orders to remain in cantonments.

UNMIN’s leadership and different components mobilised in the weeks before the election to travel throughout the districts assisting to create a free and fair atmosphere for the election. In the continued absence of a national monitoring body, or local peace bodies, UNMIN’s civil affairs teams intensified their own monitoring of violence and Comprehensive Peace Agreement violations. Teams focused on the general deterioration in public security and rule of law, particularly in some Terai districts, and increased threats by CPN(Maoist)-affiliated groups and individuals. Civil affairs officers worked closely with OHCHR human rights officers.

UNMIN disseminated three reports on the conditions for the election in March and early April, based on the work of its civil affairs and arms monitors and in conjunction with OHCHR.
UNMIN organised a series of meetings with women political leaders, government officials, parliamentarians and civil society groups from the districts in all five regions, with a particular focus on the Terai. UNMIN’s social affairs team undertook field missions to 39 of the 75 districts prior to the election, holding meetings with community members from traditionally marginalised groups and organisations representing various communities to encourage their active participation in the election.

UNMIN child protection officers monitored the participation of minors in political activities, including their presence at rallies of political parties in every region. Children aged 12 and 14 were drawn into sometimes violent demonstrations by their inclusion in the security wings of political parties. UNICEF worked to persuade political parties to include commitments for children in their manifestos and to agree not to engage children in political events; this was underlined by a public service campaign conducted by Government broadcasts countrywide on television and radio.
UNMIN’s arms monitors intensified cantonment monitoring and conducted headcounts at all the cantonments before the election on 10 April 2008. SRSG Ian Martin visited all regions in the ten days before the election, including visits to Maoist army cantonments and a series of regional press conferences. He urged that the leave for both the armies not be permitted during for the election period.
Electoral preparations

The Election Commission intensified its preparations in the run-up to 10 April 2008. Throughout March the Commission held briefings and workshops with representatives of registered parties to ensure their understanding of the electoral system, and to appeal to all parties to abide by the Electoral Code of Conduct. In mid-March, the Commissioners appealed to the Prime Minister to take action to improve the security situation in the districts, and on 31 March Chief Election Commissioner Bhoj Raj Pokharel summoned the leaders of the three major political parties—CPN(Maoist), Nepali Congress and CPN(UML)—to discuss the deteriorating security situation and continued violations of the election Code of Conduct by party members and supporters.

The delivery of election materials to all constituencies, and the printing and delivery of ballots, was a major logistical challenge.

UNMIN’s Electoral Assistance Office again increased its staff to meet the requirements of the Election Commission. Ten advisers assisted the Election Commission at its headquarters to help ensure that electoral operations were on track and in line with best international practice. Ten regional electoral advisers assisted both the region and district headquarters. Seventy international UN Volunteers were recruited as district electoral advisers and worked together with national UNVs acting as language assistants.

The Electoral Expert Monitoring Team made its fourth visit to the country from 3 to 17 March to assess progress of election preparations.
A tense countdown to election day

International and national election observer groups mobilised throughout March to ensure that this election was the most observed in Nepal’s history. Major international observer groups included the European Union, the Asian Network for Free Elections and the Carter Center.

Most long-term observers were in place by early March, and numbers swelled and spread to the districts in the week before the election. In April, former US President Jimmy Carter made his third trip to Nepal in relation to the peace process.

But the situation in many districts remained tense. Two days before the election, on 8 April 2008, seven Maoist cadres were shot and killed by police in Dang district. SRSG Ian Martin called on all parties to exercise restraint and avoid provocations, and OHCHR-Nepal opened an investigation into the killings.

Political parties and candidates held their final rallies across Nepal on 7 April prior to the midnight start of the two-day “silence period” before the polls. The Election Commission completed its final preparations, transporting election materials from district electoral offices to polling stations.

More than 60,000 national and nearly 800 international observers were deployed across the country by end-March/early-April. UNDP assisted the Election Commission in the coordination of international and domestic observers through the Election Observation Resource Centre.
Over 9,000 voter education volunteers were mobilised and trained by the Election Commission. UNMIN continued to assist the Election Commission in redesigning the messages and the materials in the light of the changes to the Election Act.

UNMIN assisted the Election Commission in the design of transportation and aviation plans for the delivery of ballots by air to the farthest locations in the country. Seventeen districts in Nepal are not accessible by road, and involved helicopter drops and long treks.
Public enthusiasm for the election was high, despite security concerns, and election rallies took place across the countryside.

Nepal’s political leaders have worked hard to reach this point, and have successfully managed many difficulties in the peace process. They now have a critical responsibility to ensure that voters can freely exercise their democratic right in a secret ballot, without fear of violence, intimidation or manipulation. So much hinges on the success of the election and the acceptance by all of the will of the people.

Extract from message by Secretary-General Ban Ki-moon, televised and radio broadcast to the people of Nepal, 8 and 9 April 2008
Election day saw large voter turnout in communities across the country. Observers remarked on the especially high turnout of women voters, seen here in Dolakha.
An historic election, 10 April 2008

The historic Constituent Assembly election was held on 10 April 2008 in a generally orderly and peaceful atmosphere. Twice-postponed, the election was the centrepiece of the political transition charted in the 12-point understanding of 22 November 2005 between the then Seven-Party Alliance and the CPN(Maoist) and in the Comprehensive Peace Agreement of 21 November 2006.

A total of 4,021 candidates from 54 political parties contested the 240 seats allocated by the first-past-the-post race, while 6,000 candidates contested the 335 seats allocated by the proportional race.

Over 63 per cent of Nepal’s 17.6 million eligible voters, representing an increase of 15 per cent from 2006, participated in the polls, with a high turnout of women and young people. The Election Commission conducted re-polling at 106 out of the total of 20,882 polling centres.

While polling day was widely recognized to have been generally calm, four deaths were recorded, as well as some other incidents of violence. The immediate post-election environment, including repeated polls, was also largely peaceful, although violent acts by YCL or other Maoist cadres continued to be reported.

In public statements major international observer groups, including the European Union, the Asian Network for Free Elections, the Carter Center and others, and major national observer groups concurred that the election was conducted in a relatively peaceful manner and that the administration of the polls had been well executed.

The successful holding of the election was a significant achievement for the peace process and a tribute to the courage and will of the people of Nepal. It demonstrated the commitment of political leaders and the professionalism and integrity of the Election Commission.

“I have always been convinced that the people of Nepal wanted this election. They had been promised it and they, after it had twice been postponed, very much wanted it to take place...The main feature of the day has been tremendous enthusiasm on the part of voters for this truly historic election...I have seen and experienced a mood that in some ways reminded me of the days of the Jana Andolan, of people determined to be the ones who determine the future of their country.”

Ian Martin, SRSG, speaking with media in Kathmandu, 11 April 2008
Large crowds of voters, seen here in Patan Durbar Square, queued early in the morning at polling stations across the country.
Personnel of the Maoist army and the Nepal Army who were registered to vote in the proportional representation segment of the election cast their ballots at polling centres outside their cantonments and barracks in accordance with the procedures established by the Election Commission. UNMIN arms monitors were present at all 28 Maoist army cantonment sites and visited Nepal Army barracks throughout the day.
On election day, in addition to the technical assistance provided to the Election Commission in all 75 districts, UNMIN civil affairs teams and OHCHR human rights officers operated in mobile teams across 45 districts; Joint Monitoring Teams visited communities nearby cantonment sites. Over 63 per cent of Nepal’s 17.6 million eligible voters participated in the polls, with women and youth turning out in high numbers.

International media focused attention on Nepal in the days leading up to the election. Here SRSG Ian Martin is seen being interviewed by Al Jazeera (English) on 10 April 2008 on a rooftop in the historic Patan Durbar Square. In the pre-electoral period UNMIN conducted 12 press conferences, issued 18 press releases, and gave numerous television, radio and press interviews.
The Secretary-General congratulates the people of Nepal on today’s Constituent Assembly election which took place in a generally orderly and peaceful atmosphere. He commends the Nepalese for their enthusiastic participation in this historic event and appeals to all parties to remain calm while awaiting the results.

Secretary-General Ban Ki-moon,
in a statement issued by his Spokesperson after the close of polls
IN MEMORIAM

A tragic loss
An UNMIN helicopter flying from the cantonment site in Sindhuli, in the east of Nepal, to Kathmandu on Monday 3 March, crashed near the village of Bethan in Ramechhap district. All ten people on board were killed: seven UNMIN personnel, and three crew members. On 8 March the helicopter engineer died.

On 19 March, UNMIN held a memorial service in Kathmandu to remember our fallen colleagues:
Top row, left to right, Lieutenant Colonel Bhim Bahadur Gurung, Rabindra Khaniya and Rajesh Maharjan of Nepal; Lieutenant Colonel Sondang Irawan (Indonesia), Major Famara Jammeh (Gambia), and bottom row, left to right, Colonel Hyung Jin Park (Republic of Korea) Major Mats Norhult (Sweden); and crew members Dmitry Malysh (Belarus), Sergey Oreshenko (Russia) and Nikolay Yamshchikov (Russia), and helicopter engineer Evgeny Alexandrov (Russia).
The Constituent Assembly election was the centrepiece of Nepal’s peace process. Promised as long ago as 1950, the formation of a democratically elected Assembly offers Nepal the forum to develop a new constitution that will underpin the nation’s commitment to building an inclusive democratic society in which the human rights of all people are respected.

The great enthusiasm I saw on election day in some ways reminded me of the days of the Jana Andolan, the people’s movement of April 2006, which remains the inspiration for Nepal’s ongoing peace process. Just as the dramatic days of the Jana Andolan demonstrated that the people of Nepal were prepared to take the destiny of their country into their own hands and to demand an end to war and the restoration of democracy, election day surprised many with the large, peaceful turnout in what became another national celebration.

But none of these successes could be taken for granted, and none came easily.

When I arrived in Nepal in May 2005, as the Representative of the United Nations High Commissioner for Human Rights, no-one could have predicted the dramatic changes in early 2006 which saw an end to the decade-long conflict. In 2005 Nepal was in the grip of a worsening conflict, Parliament had been suspended since 2002 and there had been no elected local government in place since then. There was a crackdown on democratic rights, with summary arrests of political and civil society activists and media personnel and widespread bans on even peaceful protest. When fighting resumed in January 2006, after a period of unilateral ceasefire, the future looked grim.

In late 2005 political leaders began a process of dialogue that remains at the heart of the peace process. The 12-point understanding of November 2005, which formed the basis for the Comprehensive Peace Agreement following the Jana Andolan, was the result of a willingness of parties to bridge significant differences through compromise. This was an agreement initiated and formed by Nepali political leaders, just as the entire peace process has been Nepali-led. The international community, including the United Nations, has assisted this process but always within the framework of supporting the needs identified by the Nepali parties themselves.

The United Nations has a special relationship with Nepal, which joined the Organisation in 1955, shortly after its formation. I have experienced this sense of ownership of the United Nations among Nepalis from all walks of life on a daily basis: in their generous welcome into communities, in their willingness to work together with the UN, and in their high expectations of what the UN can deliver. This sense of partnership has added to the sense of responsibility felt by all UNMIN staff as we fulfil our duties.
As historic as the achievements of the election and the formation of the Constituent Assembly are, they do not represent the end of the peace process. This book documents some of the tragic cost of the conflict—costs borne too often by ordinary people caught in the middle of the conflict.

In many ways the real work begins now. The Nepali people must be able to feel secure that such violence and conflict will not recur. This means maintaining a focus on national priorities beyond partisan interests, on delivering on the wide range of commitments already made: compensation for victims of the conflict, investigation of disappearances, return of property and of displaced persons to their homes—all of which remain a source of deep grievances. An end to impunity for grave human rights violations, and with this full commitment to the rule of law. And, a fundamental step in securing peace, implementation of the commitments related to the former combatants: to rehabilitate and integrate Maoist army personnel and democratise the Nepal Army.

The spirit of dialogue and compromise, and an approach of consensus on the toughest issues related to completing the peace process, will be essential to the ultimate success of Nepal’s peace process.

Fashioning a constitution which addresses many of the root causes of the problems and grievances of the marginalised groups in a way that will lead to a democratic federal republic will require hard work and compromise. The people of Nepal have been extremely patient for the last two years of the transition. Although they have been overwhelmingly grateful to see the end of the armed conflict, they have not seen any peace dividend, any economic progress, in this period. People cannot be expected to wait two years during the constitution-making process before the benefits of peace are felt at the local level in their ordinary lives. These are big challenges for the new government and the Constituent Assembly.

At the time of writing, the mandate of UNMIN has been extended for a further six months, predominantly to continue its arms monitoring role to help provide the conditions for the parties to the peace process to establish a permanent solution to the future of the two armies. UN agencies will remain well beyond the life of UNMIN, to help the process of building peace and development. As Secretary-General Ban Ki-moon has constantly said, the United Nations will remain by the side of the people and leaders of Nepal in the historic tasks of political and social transformation on which they have embarked.

Ian Martin, Special Representative of the Secretary-General in Nepal
## PHOTOGRAPHERS

<table>
<thead>
<tr>
<th>Name</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agnieszka Mikulska</td>
<td>98, 101</td>
</tr>
<tr>
<td>BBC Trust</td>
<td>89b</td>
</tr>
<tr>
<td>Election Commission</td>
<td>93</td>
</tr>
<tr>
<td>Greg Grimsich</td>
<td>57</td>
</tr>
<tr>
<td>ICRC</td>
<td>13b</td>
</tr>
<tr>
<td>Kieran Dwyer</td>
<td>23</td>
</tr>
<tr>
<td>Kumar Shrestha</td>
<td>77a</td>
</tr>
<tr>
<td>Ky Chung</td>
<td>100b, 108b, 110a</td>
</tr>
<tr>
<td>Manoj Sah</td>
<td>109a</td>
</tr>
<tr>
<td>Mine Action Unit</td>
<td>37a, 37b, 48, 63a</td>
</tr>
<tr>
<td>Mukunda Bogati</td>
<td>8, 9a, 74a, 79, 89a</td>
</tr>
<tr>
<td>Nayantara Kakshapati</td>
<td>103, 106b, 108a</td>
</tr>
<tr>
<td>NHRC</td>
<td>17a</td>
</tr>
<tr>
<td>OHCHR</td>
<td>22a, 61, 87a</td>
</tr>
<tr>
<td>Pratap Bista</td>
<td>24</td>
</tr>
<tr>
<td>Renu Chhetri</td>
<td>41, 102</td>
</tr>
<tr>
<td>Renu Shrestha</td>
<td>13a</td>
</tr>
<tr>
<td>Robel Mokonen</td>
<td>34b, 36a, 38, 45, 46, 47a, 47b, 54b, 62, 64, 65b, 66b, 72b, 73, 74b, 75, 76, 83, 87b, 107a,</td>
</tr>
<tr>
<td>Sagar Shrestha</td>
<td>7, 9b, 11, 14, 15, 17b, 18, 21, 22b, 25, 26, 27, 29, 32, 34a, 42, 50, 53 54a, 60a, 60b, 66, 77b, 85a, 85b, 86, 90b, 91, 96a, 97b, 106a, 110b, 111a, 111b</td>
</tr>
<tr>
<td>Sanu Bajracharya</td>
<td>97a</td>
</tr>
<tr>
<td>Stephen Malloch</td>
<td>63b, 65a, 72a, 78, 96b, 97a, 100a, 105, 107b</td>
</tr>
<tr>
<td>Late Subodh Singh</td>
<td>52a, 52b, 54a, 81, 84</td>
</tr>
<tr>
<td>Tilak Pokhrel</td>
<td>36b, 39, 69, 99</td>
</tr>
<tr>
<td>UN Photo</td>
<td>19, 109b</td>
</tr>
<tr>
<td>UNICEF</td>
<td>12a, 12b</td>
</tr>
<tr>
<td>WFP</td>
<td>90a,</td>
</tr>
</tbody>
</table>