

# NEPAL POLITICAL CRISIS

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The ongoing power struggle in Nepal is the natural flow of events unfolding the Nepalese politics for decades now. The political parties are deadlocked over the Maoists' demand to discuss the President's "unconstitutional move" in Parliament. Peace remains a mirage in the other wise cold Himalayan nation. Out of power after a brief stay after the polls, the Maoists have conducted several phases of agitations to recover power from the pro-India ruling dispensation that depends too much on military. The Maoists in November announced a month-long agitation program, including a three-day general strike from December 20 to 22, under their third phase of agitation to dislodge the coalition in a dispute over "civilian supremacy". The opposition Communist Party of Nepal-Maoist (CPN-M) in Nepal ended a three-day protest strike on 23 Dec to demand the formation of a national unity government by January 24. About 70 people were arrested and 100 injured in police action. The Maoist party is threatening indefinite strike action unless the government agrees.

Nepal's Maoists, a group that fought a decade-long insurgency that brought the nation to its knees before winning parliamentary elections in 2008. The CPN-M won last year's national elections and formed a coalition government. In May, however, Maoist leader Pushpa Kamal Dahal, better known as Prachanda, quit as prime minister in protest over then president Ram Baran Yadav's decision to overrule his sacking of army chief General Rookmangud Katawal. The CPN-M has boycotted parliament since May, effectively bringing parliamentary business to a halt. The Maoists on 22 November began the third phase of their agitation, leading to a three-day general strike from December 20, in a bid to dislodge the government even as it ended its blockade of the parliament to allow the passage of the crucial budget. However, the former rebels, after a key meeting of the Unified CPN (Maoist), decided to allow the parliament to function for three days so as to facilitate the passage of the 2009/10 budget.

Prachanda resigned in May, accusing President Ram Baran Yadav of "unconstitutionally" overruling his attempt to sack the head of the army. Prachanda repeated his accusation that India interferes in Nepal 's internal affairs. Prachanda's assertion assumes significance in the context that Nepal surrendered a vast stretch of its territory to the British, which now is with India . These include parts of Uttaranchal and Kangra in Himachal Pradesh as well as parts of Darjeeling . Earlier in the day on 22 Dec transportation services remained paralysed, shopping complexes and educational institutes remained closed as Maoist supporters marched in the capital shouting anti-government slogans. The party has also decided to launch a month-long awareness program beginning December 25 and then go for an indefinite nationwide strike to press for its demand. The bandh that concluded was marred by large scale violence and clashes in which at least one senior police official was critically wounded. The government has asked the Maoists for a dialogue. But if Prachanda's statements were any indication, the UCPN-M will not

be considering it. Prachanda was clear that the Maoist agitation was now "unstoppable". The only way the government can stop it is if the President rectifies his "mistake" in reinstating army chief R Katawal, who was dismissed by Prachanda when he was the PM in May.

Earlier, on 09 Nov thousands of supporters of the Communist Party of Nepal (Maoist), Nepal's former Maoist rebels, gathered on roads connecting Kathmandu with the rest of the Himalayan nation, to protest against the governing coalition. Nepalese Maoists on 16 Dec announced the seizure of the capital Kathmandu declaring it an autonomous region, after storming into heavily guarded Durbar Square, in a development that could trigger a new political confrontation. The chief Prachanda declared Kathmandu valley as the new autonomous state and lit a traditional lamp to declare Kathmandu as Newa Autonomous State by flying a banner that read ' Newa Autonomous State ' as hundreds of balloons were let off. Waving red flags, 5,000 militant cadres forced their way into the Durbar Square city centre where the Maoists, who have already announced formation of parallel governments in nine districts and paid little heed to warnings by the Nepali Congress, to desist from such tactics as it may lead to "biggest political and social confrontation". The Maoist supremo claimed that "regressive forces were hatching a conspiracy against the republican system and trying to reverse the change." Besides, Kathmandu , the other autonomous regions announced by the former rebels include Kochila, Limbuwan Sherpa, Kirat, Seti-Mahakali, Bhote Lama, Bheri-Karnali and Tharuwan. The party is planning to declare altogether 13 autonomous states in the country by December 18. Prachanda pro-claimed the move is not intended to disrupt the peace process or block the constitution making task adding it was to "make people aware about federalism and strengthen the republican system.

Nepal's peace is based on the Comprehensive Peace Agreement (CPA), which underlines the need for "power sharing and consensus". The inclusion of Nepal's Maoists in government is central to a stable and secure Nepal. It is widely accepted that instability in Nepal increases insecurity on India's borders. There is no solution to the stalemate in Nepal without the Maoists. India should to end its divisive role, support the CPA, including by providing support for the foundation of that agreement: "power sharing and consensus"; and support the formation of a national unity government including the Maoists. After play8ng a possible positive game for a compromise formula, India plays now a destructive role to control Nepalese politics and government through military apparatus. Indian military is highly Hindutva based and it wants to resurrect the Hindutva moorings in Nepalese life and politics. New Delhi might not hesitate to resurrect the monarchy if it fails to gets what it wants in Nepal. India considers all Himalayan kingdoms Bhutan, Sikkim and Nepal satellite states of India. Sikkim has already been added to Indian Union.

The Maoists who were thrown out of power more than seven months ago have already paralyzed working of country's parliament and launched agitation nationwide. A new controversy about the troubled plans to merge the Maoists' guerrilla fighters, the People's Liberation Army (PLA), with the national army, erupted on 21 Dec after Nepal's media said the Indian Army chief was opposed to the integration. Indian army Gen Kapoor was quoted by the Kathmandu Post daily as saying the Maoists wanted to politicize the Nepal army by inducting their fighters into it. Meanwhile, the new chief of Nepal's army, Gen Chhatraman Singh Gurung, had returned to Kathmandu with Indian instructions after a nine-day visit to India at the invitation of Indian General. Baburam Bhattarai, a Maoist leader who was finance minister in the government for

nine months headed by Prachanda, has warned it could start another conflict that would turn the country "into another Afghanistan".

The Maoists kick started a fresh agitation to dislodge the 22-party coalition. In the most hard-hitting language ever used by him, Nepal-Maoists (UCPN-M) chairman Prachanda on 22 Dec said India's behaviour towards Nepal was like that of an "imperial master". Addressing a rally of supporters at the end of a three-day general strike called by the party, Prachanda said as a legitimate political force in the country, it was his duty to seek abrogation of not only the 1950 Indo-Nepal treaty for peace and friendship, but all other "inequal" treaties, including the Treaty of Sugauli. "Ever since East India Company and Nepal signed the 1816 Treaty of Sugauli, Nepal literally became a semi-colony of the British and now India. We need to annul the colonial status of Nepal," Prachanda said, adding that India "must also withdraw its Army from Kalapani — a tri-junction of Nepal, India and Tibet — as the place belongs to Nepal and India is illegally occupying it". Prachanda also objected to Indian Army chief Gen Kapoor's comment opposing en masse integration of "politically indoctrinated" former guerrillas into the Nepal Army. "Who gave him (Gen Kapoor) the right to speak against the Comprehensive Peace Agreement?" Prachanda asked, "What can be more shameful and more insulting to the Nepali people?" Maoist leader Baburam Bhattarai, Deputy Maoist chief and former finance minister accused the Indian Army of interfering in Nepal's internal matters, further deepening the rift between New Delhi and Nepal's biggest party.

The Maoists want a debate on presidential powers in parliament, but the government has refused the demand. The Maoists emerged as the largest party in Nepal's first democratic election last year. They say President Ram Baran Yadav acted unconstitutionally by overruling their decision to sack the army chief earlier this year. The president's decision led to the collapse of the Maoist-led government in May. Thousands of Maoists held similar rallies against the president in September. The coalition government has asked the Maoists to call off their protests. It has refused to discuss their demands, bluntly saying the issue has already been resolved. During his treatment in Singapore, Koirala had met Prachanda in an effort to end the deepening political crisis in the country. Koirala said they discussed the passage of the budget in parliament and formation of the high-level mechanism to end the current political deadlock with the Maoists. Dismissing speculations that his meeting with Maoist chief Prachanda was aimed at bringing about a change in the leadership of the government, Nepali Congress president and former Prime Minister G P Koirala on 22 November ruled out any change in the Madhav Kumar Nepal-led government. Koirala underlined his party's support for continuity of the coalition until a new constitution is framed.

India policy is fuelling tensions in neighborhoods. Right from the last days of British rule when the foreign occupiers were still around India. India policy is fuelling tensions in neighborhoods. Right from the last days of British rule when the foreign occupiers were still around India adopted the colonial and imperialist policies. India continues to provide unconditional support to the highly politicized Nepal Army, stoking division. Indian claims of non-interference in Nepal lack credibility. As tensions rose, the Maoists postponed protests. Urgent talks were held, yet by 6th December 2009 both sides resumed angry rhetoric. On 7th December 2009 amidst rising Maoist-government tension, following the deaths in Kailali, India provocatively chose to announce the resumption of supply of 'non-lethal' weapons to the NA. On the same day, the

Government announced that the NA's Chief of the Army Staff (CoAS) General Chhatraman Singh Gurung would visit India and will be conferred with the honorary rank of "General of Indian Army" by President Pratibha Patil at an investiture ceremony at Rashtrapati Bhawan on 14th December 2009. India's role in ousting the Maoist coalition is well documented. Since the elections India's Ambassador to Nepal has made repeated divisive statements including providing vocal public support to the NA and its supporters. The Indian government needs to explain to the Indian public why its policy positions in Nepal are in direct contravention of a peace treaty largely brokered by India.

India is as usual has beefed security around Nepal. Indian support, particularly from the Indian Army, has encouraged the Nepal Army (NA) to resist all attempts to reform it into a modern professional force under political control. It has enabled the NA and its supporters to vehemently oppose integration of the PLA and democratization of the Army. With relations between parties already at their nadir, the Indian position is only contributing to adding fuel to the fire. As a nation that has the greatest stake in a stable Nepal, Delhi should instead be following a policy of conciliation — not confrontation — between parties. Under a possible conflict, given Nepal's proximity to Tibet, and India as well as China's expanding presence in Nepal, China could be embroiled. The Maoists when came to power appeared to prefer improving relations with China at the expense of those with India. For example, Prachanda broke tradition and made China, not India, his first port of call after becoming prime minister. He paid his second visit to China last month, President Hu Jintao made a rare gesture of meeting Prachanda, annoying India.

Traditionally, the Indian Army and the Nepal Army have always been close with the former being the biggest arms provider to Nepal. It is also felt that the new government that succeeded deposed king Gyanendra's army-backed regime did not take action against the army officers who supported the ex-king's bloodless coup or were charged with human rights violations during the Maoist insurgency due to pressure by the Indian Army. In 2006, Nepal's major parties agreed to induct the PLA into the army in a bid to end the 10-year civil war that had killed over 16,000 people. But now, even three years after the peace deal, the integration is yet to begin, apparently due to the parties developing cold feet. The Maoists remain dogged about the integration agreement, saying the ruling parties have to keep their pledge.

With 40% of the seats in the assembly, Maoists' numerical strength in parliament remains high, giving them significant sway as Nepal that had been for 240 years a monarchy until May 2008. On their strength, Prachanda was invited to head a Maoist-led government in August 2008. As the current premier lacks political legitimacy, he also has no moral authority to lead a coalition of non-Maoist parties. Some of the leaders of the premier's coalition have admitted that the alliance has been forged solely to prevent the Maoists from coming back to power. The Maoists present a formidable challenge to Madhav Kumar Nepal, who became Nepal's prime minister almost immediately after Prachanda's resignation. Technically, the premier is supported by 22 of the 24 political parties in the 601-member constituent assembly (legislature), but premier's position is vulnerable.

The Maoists have not been allowed to be transformed into a mainstream democratic party and excluding the Maoists – with at least 40% of the electorate supporting them- cannot be explained in any simple thesis. Many Human Rights agencies like the ACHR has expressed concern

elsewhere over the NA's influence over Nepal's ruling coalition. Maoist protests have resumed over the failure of the government to fulfill a promise to address civilian supremacy and the constitutional position of the President.

### Post-Script

Within 24 hours of Prachanda throwing a challenge to the Indian government, the former guerrilla party today backtracked on the dare, saying it was simply a jibe at the parties. Prachanda had said he would hold negotiations directly with "master" New Delhi instead of Nepal's ruling parties, who were its "servants". Maoists said the former prime minister merely intended to taunt Nepal's ruling parties since they were "as unresponsive as wooden puppets". The Maoists announced they would start a fresh campaign against the current coalition government from Dec 25, which would include exposing the agents of foreign forces. A government of national unity remains desirable for timely promulgation of the country's new constitution. Recent trends indicate Madhav, who has gone on a visit to China, might let the Maoists to come back to power.

Prachanda, however, stressed Nepal's ruling parties were "robots" "remote-controlled" by India. Prachanda had also laid down a five-point agenda for holding negotiations with the Indian government, saying the 1950 Indo-Nepal Peace and Friendship Treaty and all other "unequal" pacts between the two countries would have to be scrapped and all clandestine agreements to be made public. The former revolutionary also asked for an end to all border problems between the two neighbors and called for the withdrawal of Indian troops from Kalapani, a disputed part of Nepal's territory on the borders of India, Nepal and China.

The standoff has put new stresses on Nepal's reconciliation efforts amid fears that the stalled peace process may be derailed if the Maoists-led agitation is not ended soon. Maoists on the other hand have warned they would restart their insurgency if Nepal's new constitution, currently being written, is not as progressive as they would like. The Maoists have given a deadline of November 20 for their demands, or they will start a third round of mass protests. They claim to be campaigning for civilian supremacy over the army, so the latter cannot undermine the ongoing democratic process. The next phase of Maoist agitation would assume a more "aggressive" form unless their demands to limit presidential powers were met. The group possesses the capacity for muscle-flexing should it find it necessary. Aside from some 20,000 combatants now sheltered in UN-supervised cantonments, the Maoists have a youth wing that can handle challenges at local levels. The constitution-writing process towards becoming a republic must be completed by May 2010 the UN Mission in Nepal (UNMIN), whose current mandate runs out at the end of January, is there to facilitate the process.

India is known for its subversive strategies in South Asia and is keen to bring Nepal under its military control, but all parties are happy about this. In a move that may further strengthen New Delhi's strategic reach in the region, India and Nepal are closing in to arrive at a formal defence cooperation framework between the two countries. New Delhi tends to ensure "controlled instability" and chaos is something that Indian rulers always want to find in Nepal. On the other hand, China's buzzword for Nepal has always been "stability", that provides a secure atmosphere for investment and development. The non-Maoist Nepali political class has conveyed the

impression to Delhi that the Maoists intend to capture the Nepali state and establish a form of totalitarian rule. The planned visit to Kathmandu of Indian Foreign Minister S M Krishna from 15Jan 2010 is also now in jeopardy.

Growing fragility of Nepal 's peace process is a cause for concern. More than three years after Maoist rebels negotiated a ceasefire with Nepal 's other political parties, the country's peace process is looking increasingly unstable. The CPN-M is using the latest round of protests to demonstrate its usefulness to the ruling class in containing growing social discontent. The Maoists continue to insist that the president's decision was unconstitutional and demand its overturning. As a result of mutual political tensions and outside interferences, Nepal's peace process is in danger of failing, an overwhelming majority of Nepal's long-suffering people wanted the peace process to succeed..

Three years after the end of the civil war in Nepal, a United Nations monitored action plan was signed in Kathmandu on Dec. 16 to release nearly 3,000 minor Maoist soldiers who have been languishing in barracks. After their discharge from the barracks, where they are staying since 2006, the minors will be provided education, health, business and vocational training by UN bodies to lead a normal life away from violence. As the strikes hit the \$180 million-a-year U.N. operation in Nepal , Piper said it was the most vulnerable people who were being hurt the most. Trucks carrying food to some of the poorest populations have been held up for five to 10 days at a time. A leprosy programme by the World Health Organisation and an emergency seed distribution by the Food and Agriculture Organisation were both delayed. And human rights monitors can't get to where they need to go to do their work. The indirect impact on vulnerable populations was equally worrying as education and other areas are hit.

Nepal has been reeling from a 10-year civil conflict that ended in 2006. In recent years, the impoverished Himalayan nation has seen a sharp rise in the number of strikes where everything including transport, government offices, private businesses, schools, hospitals and markets are completely shut down. The economy is slowing from 5.3 percent growth in 2008 to an estimated 3.8 percent this year. The latest quarterly central bank report revealed falling exports and a record balance of payments deficit. Nepal is one of the 20 poorest countries in the world. A recent Asian Development Bank report found that 55 percent of the population live below the poverty line of less than \$US1.25 per day. But the ruling coalition is stubborn and refuses to budge on the strength of Indian support, leaving no scope for compromises. However, the Nepalese people are keen the ruling parties make compromises with Maoists and let the nation lead a normal, prosperous life.

There is some justification for the struggle of Nepali Maoists for return to power after leaving it in May on a principled stand. It looks like an anomaly that the Maoists, who shed violence in favour of political diplomacy and eventually removed the monarchy to pave way for democratic polls and a draft constitution, could find themselves on the streets in struggles, all over again, for power to rule the former Himalayan kingdom. The irony is Maoists fought for "freedom" from age old monarchy, but someone else has replaced the monarch now and is ruling Nepal. Maoists' pain is comprehensible and hence the power struggle is likely to continue until the issue is resolved in their favour. Unless India reverses its current policy of putting all its eggs on the Nepal Army and its cohorts, the escalating violence and the resulting anarchy in Nepal may even

halt peace process and Nepal's return to normalcy.

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