



Press Release

Representative of the Secretary-General Karin Landgren briefs Security Council

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In her final briefing to the UN Security Council as Representative of the Secretary-General in Nepal, Karin Landgren called on the parties to end the political deadlock and recommit themselves to the fundamentals of the Comprehensive Peace Agreement. She also urged the parties to expedite an agreement on the monitoring of arms and armies before UNMIN's mandate expires on 15 January.

"The remaining tasks of the peace process, and particularly the integration and rehabilitation of Maoist army personnel, require collective political will. No party on its own can identify and implement satisfactory solutions. But the failure of the peace process to advance has strengthened the hand of those on all sides who deride it as unproductive or far too slow," she said. "There is a real risk that the failure of the peace process will become a self-fulfilling prophecy."

"Nepal's peace process remains largely deadlocked following the resignation of Prime Minister Madhav Kumar Nepal in June 2010. There has been little progress on the most critical issues of forming a new government, integrating and rehabilitating the personnel of the Maoist army, and writing the new constitution," Landgren said.

Future monitoring of the arms and armies

"Despite many challenges, Nepal's arms monitoring regime has been strikingly successful. There have been violations, as reported to the Council, but these have been the exception. Based on a legal agreement and a light presence of UN Arms Monitors, the main ingredients have been the armies' self-discipline and the UN-chaired Joint Monitoring Coordination Committee, a reliable mechanism for building confidence, addressing violations, and resolving disputes," Landgren said.

"Since March, and as requested by the Council, UNMIN has consulted intensively with the parties on options for a transfer of monitoring responsibilities," she said. "At the same time, our strong advice to the parties was that rather than simply replicating a monitoring regime, they should move forward more swiftly on finding solutions for the 19,000 Maoist army personnel."

She said there had been some progress on the issue in the Secretariat of the Special Committee to supervise, integrate and rehabilitate Maoist army personnel. "But there is considerable confusion and disagreement on how, and by whom, monitoring will be conducted after UNMIN. Today, ten days before the closure of the mission, there is no consensus mechanism to which UNMIN can hand over its monitoring responsibilities. It is not clear what will happen after UNMIN withdraws" she said.

"The Agreement on the Monitoring of the Management of Arms and Armies (AMMAA) of 26 November 2006, witnessed by UNMIN, spells out the role of the UN Mission as the monitor of these arrangements, as does the Comprehensive Peace Agreement (CPA) of 21 November 2006. The departure of UNMIN, the designated monitor, seems set to create a legal void," she said. "All the agreements can be revised by the parties, for example, to provide for an alternative monitoring arrangement, but they have yet to do so."

Landgren expressed concern over the letter UNMIN received from the Prime Minister's office on 3 January. "I must state clearly that this letter presents positions that do not reflect consensus in the Special Committee and which appear to deviate significantly from the Interim Constitution," she said. "This proposal would effectively abrogate critical agreements, with potentially far-reaching consequences that should be well understood by the Council. Expunging these agreements would create grave uncertainties and can be expected to erode the confidence that has been built up around arms monitoring and through the important achievements of the process so far."

Regarding the request in the letter for logistical equipment and UNMIN documents, Landgren said, "UNMIN has underlined its readiness to provide all possible support to agreed follow-on arrangements."

"In numerous discussions with the Government about the disposal of monitoring-related UN assets, UNMIN has set out the relevant UN administrative procedures," she said. "It is not an option for us to hand over monitoring-related UN equipment to the Government without agreement between the Government and UCPN-M on the nature and form of future monitoring."

Landgren recalled that UNMIN has long pressed the parties not to delay in implementing the solutions proposed for the Maoist army and the Nepal Army. "The international community has long been ready to provide support to rehabilitation options. It is past time for addressing the largely unproductive lives led by young people in cantonments," she said. "The United Nations has also consistently pointed to the importance of establishing the right size for the Nepal Army and bringing it under democratic control, as foreseen in the Interim Constitution."

Landgren said that there has been some encouraging progress in reducing contentious issues in the new constitution. "While the High-Level Task Force that helped achieve this was dissolved in December, the 28 parties represented in the Constituent Assembly have decided to meet regularly under the leadership of the Speaker to address the remaining 83 contentious issues in the constitution-drafting process," she said. "Time is short for these tasks to be accomplished before the 28 May deadline for promulgation."

"This Council, and UNMIN, have urged the parties to find a consensual way forward through flexibility and compromise, while remaining true to their commitments to the fundamental principles and goals set out in the Comprehensive Peace Agreement, including multiparty democracy, human rights, the rule of law, and the fundamental transformation of the state to address the problems based on class, caste, region and sex," she said.

Landgren called on the parties to bring the peace process to a close satisfactorily, through the negotiated resolution of outstanding issues. "Setbacks and challenges are inevitable but it is in the interest of the country, the region and the international community as a whole that the peace process be maintained, respected, and steered to a proper close. UNMIN has continued to encourage dignified negotiated solutions, which require a moderation of positions on all sides. The parties can build on the dialogue that has been their longstanding strength; shun the demonising of one another; and sidestep the broad array of spoilers. At this moment, we encourage them to come to rapid agreement on the future of the monitoring of arms and armies," she said.

Landgren also highlighted the work of UNMIN during its tenure. "As UNMIN prepares to leave Nepal after four years, its work should be a source of pride to the United Nations," she said. "UNMIN brought expertise and impartiality to the support of the elections, to the monitoring of arms and armies and the convening of 134 sessions of the Joint Monitoring Coordination Committee, which has resolved many issues and prevented their politicisation; to the registration and verification of Maoist personnel in cantonments, and the negotiation of the discharge of the disqualified. UNMIN also maintained steadfast impartiality in investigating and assessing reported violations of the Arms Monitoring Agreement."

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