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It is generally conceded that at the moment there are three main actors in Nepal and it is the conflict among the three groups that has produced instability and insecurity among the people and many think that the country is moving towards a "failed state" mode. While the situation should be cause for concern, it is not yet a failed state and there is still hope that Nepal could recover back to normalcy though it could be a long drawn process.

First is the monarchy, the security forces and the Kathmandu elite who generally favour the royalty and believe in an active role for the King to solve the current crisis in Nepal. Second are the political parties of all hues who by their mis-governance, infighting, corruption and ego clashes have reached a point when the common man or woman has contempt for them. Most of the leaders are stay put in the capital or in the district headquarters and have not moved out to visit their native places or their constituencies for fear of their lives. Third are the Maoists who since February 1996 by waging a people's war have considerably strengthened themselves, by exploiting the fractured polity and the social and economic factors prevailing both in the country side and remote places and above all in the over- confidence displayed by the government and the security forces in the first four years of insurgency.

Since all the three actors are antagonistic to each other, there is a kind of equilibrium, with each trying to out do the other. Factors that would affect this equilibrium would be A. if any two of the three join hands to find a solution to the current situation and B. if one of the three actors gets weakened. Right now what is happening is that the political parties are in disarray with no possibility of uniting for the sake of

democracy, leaving the field to the King and the army and the elite on one hand and the Maoists on the other. This needs to be corrected. The only solution would be for the political parties to give up their self-destructive course and the monarchy to give up its ambition of taking over and join hands together to uphold the 1990 constitution. This is doable only if both the actors in this drama give up their egos.

The Maoists:

The Maoists are all over the place, running a parallel government in many districts, collecting taxes, meting out punishments and settling disputes. It is no exaggeration that in many outlying areas (leaving the towns and the district headquarters) people generally go to the Maoist representatives and not the government representative or the police with their grievance for settlement and justice is done instantly and swiftly with no scope for appeal! This is also because of the fact that most of the VDCs are non functional and so are the police posts which have disappeared. The security forces do visit frequently but invariably the Maoists get forewarned and leave the scene only to come back as soon as the forces leave. Any informant or suspected informant is severely dealt with and punishment is harsh. Fear has gripped the villagers both from the security forces and the Maoists.

Most of the able-bodied youths have left the villages out of fear of either being harassed by the security forces or being recruited by the Maoists. Many from the western region have fled to India. Kathmandu's population has dramatically increased and has crossed three million. Land prices have gone up. New boarding schools are coming up in Kathmandu mainly to cater to the children of the rich and non resident Nepalese, and many schools have become non functional in the rural areas.

The Maoist leadership is under the impression that they are winning and the balance of power is in their favour. They continue to maintain that elections to a constituent assembly and mediation by United Nations or similar agency as preconditions to agree for a cease-fire and talks. It is also believed that the military wing of the Maoists is insisting that they should have one or more major attacks on government posts or security posts before agreeing to talk.

But a study of the Maoists' activities since February 1996 would indicate that they reached the peak sometime in end 2002 and from then there is a downward trend in the incidents both in terms of numbers and in casualties, civilian and the military. There will be many incidents in future also and this cannot be avoided as the security forces cannot be everywhere, but the initiative has been wrested from the Maoists.

Two recent incidents give an idea of the capability of the Maoists and their training. A video footage of the ambush at Krishna Bhir in Dhading on November 16 showed that the Maoists (with many female cadres) were moving aimlessly soon after the incident which they cannot afford to do. It showed a lack of professionalism. On the other hand, the ambush near Banke on November 18 indicated that the Maoists had prior information about the movement of the patrol of the security forces which perhaps was obtained by interception.

The Maoists are also seen to have moved onto softer targets like the bombing of an empty building right in the heart of Sundara in

Kathmandu on November 9. Kidnapping, extortion and destruction of infra structure may increase. Where the Maoists appear to have succeeded, is in causing panic and fear among the people. When a two-day hartal (strike) was declared by the Maoists in Dhading district soon after the ambush at Krishna Bhir there were long queues in petrol outlets in Kathmandu valley fearing a blockade. Surprisingly the government did nothing to assuage the fears of the public.

Security in the Indo Nepal border has also been tightened and the SSB on the Indian side are alert. Most of the top leaders have moved into their traditional stronghold in western Nepal.

Some analysts would like compare the position of the Maoists with that of the LTTE in Sri Lanka. This is not correct. The Maoists still do not have a secure base area like the LTTE and are not in a position to wage a conventional battle with the security forces.

The Security forces on the other hand make it a point not to allow the Maoists a base in western Nepal where they are strong and disturb the cells and units located in the valley and its surrounding districts of Kathmandu regularly.

The King:

The King is in a position similar to what his grand father Tribhuvan experienced soon after his return after the tripartite agreement between the King, the political parties and the Rana oligarchy in 1950. The problem for the present King is his credibility. No one believes him when he swears by the 1990 constitution and his determination to strengthen multi party democracy and constitutional monarchy. His actions since the sacking of Deuba government for incompetence on October 4, 2002, his choice of Prime ministers one after the other, reluctantly giving executive powers to the last prime minister Deuba and the behaviour of some ministers supposedly included on his recommendation give the impression that the King has not given up his ambitions to revert the country back to the Panchayat days.

Going by King Tribhuvan's experience, besides handing over power to an able and decisive political leader who could be seen and known to be independent of the monarchy, the present King could be thinking of two other options- one, rule with an advisory council in place or take over direct administration for a limited period, set right the law and order problem and then go for the democratic process. The latter two have serious drawbacks and will not work in the current political and international environment and the likely result could be the end of monarchy itself.

Nepal needs monarchy which is the only unifying factor in the country that is multi ethnic, multi lingual with a majority of dissatisfied people belonging to non Chetri and non Brahmin communities like the Magars & Gurungs (Janajathi) and the scheduled castes and scheduled tribes. But the institution cannot survive if those representing the system do not understand their own limitations as Nepal has come a long way from the days of Prithvi Narayan Shah.

The Political Parties:

The saddest part of the whole situation in Nepal is that the political parties are disunited and they do not seem to realise that by their actions they are undermining democracy for which they fought and suffered so much before the 1990 revolution. The present prime minister Sher Bahadur Deuba lost his youth in jail for nearly nine years and so were many others. The leading cadres of all the democratic groups seem to have forgotten their sacrifices and are more eager to seek offices under any circumstances and most of them if not all are corrupt.

The common man or woman in the streets has contempt for them. The leaders are unable to stir out of the valley or from district headquarters and the most they do is to regularly issue statements. Most of the cadres in the country side have no choice but to go along with the Maoists and many have been killed for not conforming to the dictates of the Maoists.

Every party is split and there are serious differences within all parties. Of the three major parties, the Nepali Congress is split vertically and the two sides do not seem to be getting closer. The UML (United Marxist Leninist) has too many leaders at the top each talking differently on every issue.

The RPP is also getting split with Surya Bahadur Thapa getting ready to start a new party due to his differences with the Pasupathi Samsher Rana and Lokendra Bahadur Chand.

The Nepal Sadhbhavana Party is split with one party in the government and the other faction joining the opposition coalition led by Nepali Congress of G.P.Koirala.

One senior political leader G.P.Koirala who has the stature, following and the ability to take strong and decisive steps has unfortunately driven himself to a corner. His one line remedy for all the evils Nepal is facing today is to restore the parliament that was dissolved by the King in late 2002. Once the parliament is restored, he has said that he would not disturb the present Prime Minister Sher Bhadur Deuba and the two factions of the Nepali Congress would automatically merge. But Deuba does not trust him. After all GP ditched Madhav Nepal of UML of prime ministership after openly agreeing to nominate him!

The Way Out:

The plan of the Maoists should be very clear to all. If election to the constituent assembly is accepted, there will have to be an interim administration and the Maoists will demand a dominant role. This they had already expressed forcefully. Then would come the demand for the merger of their "People's liberation Army" with that of the security forces, then the "peoples' demand" for the abolition of monarchy to the final stage where they could capture power in a weakened polity. If a 'benefit analysis' is made, it should be obvious as to who would gain most!

If the Maoists' demands are not met, there are only two options left. Either restore the parliament or conduct the elections. Both have serious drawbacks but some move has to be made to get out of the constitutional limbo, the country is now in. The country cannot go on indefinitely hoping that the security forces in course of time will be able to get the better of the Maoists and establish peace and security in the country side. There could be no military solution and for a holistic approach, a stable political environment is necessary.

Legal authorities believe that the parliament could be restored not by recourse to Article 127 of the 1990 Constitution to which many political parties are opposed, but by invoking the "doctrine of necessity" as the late Zia ul Haq legitimised himself in Pakistan. The fear is that if the doctrine of necessity is invoked to reinstate the parliament and make it a precedent, the same doctrine could be invoked to do many other unconstitutional things that include snuffing out democracy itself.

Having restored the Parliament the political leaders do not seem to have a plan for the next steps to restore law and order. The main problem would continue to be "how to bring the Maoists to the table for a dialogue." Of the forty demands made by the Maoists before starting the peoples' war in 1996, many of them are genuine grievances of the people and would need immediate attention. All that would happen is that the political leaders would revert to their old habits and not address the problems that created the insurgency!

The second option is to go for elections for whatever it is worth. In the present security scenario, elections will have to be done in stages with not more than five districts at a time. For 75 districts it would take 15 stages spread over many months and even then there is no guarantee that full security could be given to the candidates or to the polling booths. There will be many killings of candidates, political cadres of parties participating in the elections and supporters.

Many point out that if India could conduct elections in Kashmir with twenty percent polling, it can be done in Nepal also and that sixty percent of polling is assured. The government is perhaps taking in to account that most of the people in the Terai, Kathmandu and other big towns would come forward to vote. But the Maoists are in a position to disturb the elections even in the valley.

It is a difficult decision to make but there has to be a move forward either way and it is better than what we see today with an indecisive government, with ministers and political leaders pulling in different directions, with the threat of the King taking over or of Maoists over running Kathmandu eventually. **Making no move is not a viable approach at all and the government will have to act and act fast.**

A list of incidents relating to Maoist insurgency since the last list is given as an appendix.

Appendix

Incidents

October 2004

12. Three Maoists were killed in a security action at Sukkhad area of Kailali district
14. Five Maoist militants were gunned down in Chitrehanjyang, a bordering area between Syangja and Tanahun districts.
15. Five militants were killed at Mulkharka of Okhaldhunga district in an encounter with security forces.
Maoist militants torched two passenger buses in Malka of Kailali district.
16. Nine Maoist militants were killed in clashes with security personnel in western region of the country.

In Siraha, three Maoist militants were killed at Mainawati Khola. The incident occurred when six arrested militants were being transferred to an army post.

17. Two militants were killed in security action at Peterhwa VDC of Dhanusha district.

Maoist militants attacked a rally organised by pro-left Jana Morcha Nepal in western district of Baglung (People's Front Nepal-PFN) and abducted 52 PFN activists.

18. Maoists killed two youths at Okhre, Dhankuta district. The militants accused them of spying.
21. Maoists exploded a bomb at Chun Danda of Liku VDC in Dolpa district. Nobody was injured in the incident.

29. The Maoists abducted 12 youths from Hapure, Dang district, after a mass meeting in the area.

In Saptari, a group of armed Maoists abducted two civilians, one from Pipra area and another from Baitawa VDC.

30. A local Maoist commander was killed in an offensive of the security forces at a Dadeldhura village, far-western Nepal.

31. The Maoist militants shot dead a civilian named Chhotlal Prasad Yadav in Parsa district. The militants abducted Yadav, a resident of Chhat Pipara VDC-1, accusing him of being involved in different incidents of robbery and kidnapping in Bara and Parsa districts and spying against the party.

At least three Maoist militants were killed in separate encounters with the security forces in Dailekh and Taplejung district.

Maoists attacked Mugu district headquarters. They reportedly detonated bombs and set over a dozen government offices and private houses on fire in the district headquarters and they also damaged the District Education Office.

November 2004

3. At least three security personnel were injured during a clash with Maoist militants in the western district of Palpa.

Five civilians were injured when the Maoist detonated a powerful bomb in front of a hotel at Gothalopani Bazaar in the district headquarters of Baitadi.

4. Two security men were injured when a patrolling team fell prey to Maoist laid ambush at Maidika Danda of Palung Mainali VDC-5 along Palpa-Tansen road.

At least six Maoist militants were killed in separate clashes with the security forces in Rolpa, Kalikot and Gorkha districts.

5. Maoist militants set fire on a Mid-Marsyangdi vehicle in the western district of Lamjung. Three armed militants sprayed diesel on the vehicle at Khahare khola in Udipur VDC when it was parked there for cleaning. They also exploded four bombs within the bus and damaged two other vehicles belonging to the project.

6. A 12-year-old boy was killed in Kalideu of Rukum district, when a Maoist-planted bomb exploded in the premises of Laxmi Lower secondary School.

Two suspected Maoist militants were killed in latest security action in Bardiya district.

At least two Maoists were killed in an encounter with security forces in Palpa district.

Armed Maoists abducted two persons in Rautahat district. Pradeep Shah, former chairman of Piprapokharia VDC and his brother, Pratap, were abducted from their home. The militants accused them of spying.

7. At least five Maoists were killed in separate security actions in Gorkha and Doti districts.

Three Maoists including an area commander were killed in a 'retaliatory action' of security forces at Rupasdanda section of the Dadeldhura-Dhangadi highway.

8. Maoist militants abducted ten minors from Bindhyabasini VDC of the mid western district of Dailekh recently.

9. Suspected Maoists detonated a powerful bomb within the premises of the state-owned newly constructed Karmachari Sanchay Kosh (Employees' Provident Fund) building at Sundhara in the capital, leaving 38 people injured.

Suspected Maoists exploded a bomb at the Internal Revenue Office in Bhaktapur, injuring two people, one serious.

CPN-UML district committee member and area incharge Bhojraj Bhattarai was shot dead by the Maoists nearby his house at Tapumath Lakuribot.

10. The Maoist gunmen indiscriminately opened fire on a group of four local youths at Ward No. 8 of Birendranagar Municipality, killing three on the spot. It is yet not known why the ultras killed them. Fourth person was seriously injured in the incident.

In Khalanga of Jumla district, an eight-year-old child was killed when a bomb laid by the Maoists went off at the premises of a bordering school.

13. Maoist militants shot dead a police constable in Dang.

Maoist militants fired indiscriminately and shot five youths at Malakheti VDC in far-western district of Kailali.

The militants killed Lacchu Sah Sonar, a resident of Gaira Phetpur VDC in southern district of Mahottari, accusing him of being involved in a number of robbery and murder cases in the district.

14. Maoists militants exploded improvised bombs at the district office of the state-owned Nepal Food Corporation at Dhading besi in Dhading district, adjoining Kathmandu.

Maoists militants caused explosions at the building under-construction of Prithvi Narayan municipality in western district of Gorkha. Nobody was injured in the explosions.

15. Maoists killed police constable Gajendra Bahadur Sahi at Musariya along East-West Highway after taking him out of a passenger's bus heading for Dhangadi from Sukhad.

16. At least six security personnel were killed when a fresh clash between security forces and Maoists erupted in Kailali district. Two Maoist militants were also killed in the incident.

A policeman and a civilian were killed when Maoist gunmen stormed a police post at Mahendranagar of Dhanusha district.

Maoists abducted at least 53 people of Bajhang district who were heading towards India to resume their work.

17. At least eight security personnel including an inspector of the Armed Police Force were killed in a clash with the Maoists at Khairi Khola area of Banke district.

18. At least four Maoists were killed in fresh encounters with the security forces in different parts of the country.

A Maoist militia commander named Raj Kumar was killed at Balapakhar area of Dhanusha district during a search operation.

19. At least two Maoists were killed in security actions during a search operation in Kailali district.

Maoists killed assistant exam controller Indra Bahadur Acharya, 52, nearby his residence at Baidam in Pokhara.

20. At least two soldiers were killed and another wounded in a Maoist planted landmine explosion in Surkhet.

Maoists shot dead a soldier at Ratnanagar in Chitwan district.

Suspected Maoist detonated a bomb at Triyuga Printing Press situated at Baidhakhana Road, Anamnagar in Kathmandu.

Maoist militants brutally killed three people including an eight-year old child in Dailekh district.

The militants abducted six people including 14-year old child from various VDCs in the district.

At least three Maoist militants were killed while trying to detonate a bomb at Sisuwa Chowk of Lekhnath Municipality-8, in the Pokhara valley

At least 10 security personnel and over 16 Maoist rebels were killed in a clash at Pandaun area of Kailali

22. An Armed Police Force inspector was killed in a Maoist laid ambush at the jungles of Kakani in Nuwakot district Two other APF personal were injured in the incident.

27. At least three children were severely injured while playing with a socket bomb reportedly left behind by the Maoists at Hajaria in Sarlahi.

A policeman and two Maoists were killed in separate clashes in Bardiya and Tehrathum districts.

Two women militants were killed in a security action at Paothi area of Tehrathum district. Security authorities claimed that some Maoist documents and logistics were recovered form the incident site.

Maoists killed three civilians in Sindhuli and Dailekh. In Sindhuli, militants killed Krishna Basnet of Nipane VDC charging him of spying against them.

28. Maoists abducted over 1,500 civilians in 8 different VDCs of the far western district of Bajura. Maoists ordered the villagers to compulsorily provide them (Maoists) at least a member from each family as their fulltime worker, which has led villagers to exodus.

29. At least five Maoist militants were killed in an encounter with security forces in the far western Kailali district.

On the eve of the second International Buddhist Conference in south-western district of Rupandehi, Maoist militants caused a series of bomb explosions, but there are no reports of casualties.

Six Maoists, including two women, were killed in clashes with the security forces in Kalikot and Banke districts.

Kamal Chaudhari, Maoist chief of Banke district was killed in security action. No casualties on the security side were reported.

30. In Dailekh, Maoists killed Lal Bahadur khadka and Mahendra Subedi. Subedi and Khada were abducted on November 19 on charges of making plans to resist Maoists atrocities in the area.

A civilian was killed when a group of Maoists randomly opened fire at the security personnel guarding the District Administration Office (DAO) of Sindhupalchowk in Chautara. Three other local residents and two policemen were injured in the incident.

Dec 2004

1. Three civilians killed Indra Bahadur Karki alias Debre, Maoist area commander of Nepaldanda of Bhojpur district in east Nepal

2. Suspected Maoists exploded a powerful bomb at the house of Nepali Congress (NC) leader Sujata Koirala at Mandikhatar of Kathamndu. Nobody was injured in the incident.

Suspected Maoists exploded a powerful bomb at the premises of the office of the election commission at Sichahiti of Lalitpur district. Main gate of the office building has been destroyed by the blast. No casualties or injuries have been reported.

At least five militants were killed during clashes with security forces in western district of Syangja. The clash had taken place when the militants were laying landmines targeting the security personnel.

3. Maoists militants abducted judge Tanka Bahadur Muktan from his hometown at Jirmale Village Development Committee in Ilam district

Suspected Maoists abducted Dr. Chet Bahadur Kunwar, principal private secretary to late King Birendra, from Madauliya of Rupendehi district.

4. At least six security personnel were killed and two others injured in skirmishes with Maoist militants in Kapilvastu.

The Maoist militants abducted over 150 dalits from ten VDCs of Chauki area in Doti district

5. At least one army man was killed in a gun battle with the Maoists at Chainabar area along the Mahendra Highway in Bardiya district. One security person was injured in the incident.

At least two passengers were killed and over a dozen injured in an indiscriminate firing by a group of Maoists at a bus in Sainawar of

the western district of Bardia along the east-west Mahendra Highway.

7. At least four civilians and six militants were killed in a clash between security forces and Maoists in Bangeshal, a bordering area between Pyuthan and Arghakhanchi district

At least one civilian has been killed and over a dozen more injured when a group of armed Maoist militants hurled socket bombs at a peaceful 'resistance' rally organised by local people in the mid-western district of Dailekh.

8. A Maoist captive was killed when Maoist prisoners clashed in the Kanchanpur district prison. Eight other prisoners and nine policemen were injured in the incident.

9. Suspected Maoists exploded a 'pressure cooker' bomb at the office of the Agriculture Inputs Company and National Seed Centre at Kuleshwor, Kathmandu.

Suspected Maoist militants shot at police constable Tek Bahadur KC and Jawan Bishnu Chaudhari, who were on duty at a temporary police post near the famous Bindhyabasini temple in Pokhara. The condition of Chaudhari, is reported to be critical.

Countries:

Nepal ^[1]

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