

Kofi Annan is Available to Help Search for a Solution to the Ongoing Conflict

By BIPIN ADHIKARI

On 18 March, the Communist Party of Nepal (Maoist) announced a clear cut call to the United Nations to help mediate peace between them and His Majesty's Government. They did not explain the modus operandi regarding how UN should be doing it. But there are understandable factors behind the Maoist call, the most important of which is to get recognized their so called "people's war" as the war for democracy, human rights and popular sovereignty.

Any involvement of UN means a space for a third party who can offer independent opinion to the parties to the conflict on the peace negotiations. While this can help the Maoist outfit salvage itself from the debris of butchery, violence and destruction, the Government side will be under increasing pressure to enforce international human rights norms in its fight against insurgents, and will be asked to democratize the polity, create an environment for inclusion of the parliamentary parties, who have been pushed to the margin of power, and keep the king under bounds, if not abolition of monarchy.

Without referring to the call of the Maoists, after four days, the U.N. Secretary-General again appealed to the Government and the rebel Maoists to stop fighting and talk. In a statement issued by his spokesman, Fred Eckhard, Kofi Annan said he was disturbed by the recent escalation of fighting in Nepal, where the continued instability and conflict was having an increasingly devastating impact on the lives of ordinary people. "Civilian casualties and serious human rights violations are a routine occurrence, and the country's economic and social development is being seriously hampered," Eckhard said. "The Secretary-General does not believe there is a military solution to the conflict," the spokesman said. The Secretary-General appealed to the "Government of Nepal and the Communist Party of Nepal (Maoist) to take immediate steps to end the fighting and resume the peace process with the participation of all political and civil forces in the country." The Secretary-General is available to help search for a solution in any manner the parties consider useful, Eckhard said. Maoists and the political parties have welcomed the statement of the UN Secretary General, but the Government side does not see any relevance of either the peace process, or of the UN mediation.

The UN involvement in peace process is not new to the world. There is hardly any country in the world, which is facing conflict of this scale, and the UN has no opinion on it. Every conflict of this scale has international dimensions, and involvement of forces outside of the country is a palpable truth. The involvement of UN can help truth come out, and also guard the process ensuring an all-accepted democratic solution. This is something which both India and the establishment in Nepal hate to hear. While the establishment does not want a force as big as UN to give independent opinion over the issues before hand, India presumably craves to have this mediating role for itself so that it can pursue an agenda of its own through something

like another 1950 treaty and the Delhi Agreement. The educated Nepalese mass knows very well how India reached to the conclusion that the democracy in Nepal cannot serve Indian interests here. An illegitimate establishment with more arms, ammunitions and fighters could do the job better. Recent events in Nepal prove it.

Thus the net effect of the call of the Maoists for UN mediation is the arrest of the top Nepali Maoist rebel in India. By arresting Mohan Baidya, who is said to be third among the rebels' top three leaders, India has clearly demonstrated its ill intention that while it is prepared to allow the rebels to do anything, including the bloody war to replace the country's monarchy, it will not allow them to call the United Nations, and expose interests associated with Maoist movement. It

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will also not allow the Maoists to reach to a position of power in Nepal setting a bad example for the revolutionary groups working in its territory. Nobody should forget, how two more rebel leaders, Matrika Prasad Yadav, a Maoist politburo member, and Suresh Ale Magar, a regional leader, were arrested by India in Indian territory, and handed over to Nepal in February, because the Maoists did the mistake of declaring Yadav the chief of Government of the so called Madhesh

autonomous region. India does not want autonomous governments in Nepal, which may arouse the sentiments of many similar groups in India.

Another Maoist leader CP Gajurel was arrested because he was suspected to have planned a direct dealing with the King while he was in London. This continues to give more fuel to the critics who charge India for many ills that Nepal has been made to suffer. More so in the recent years.

Unlike the propaganda created and nourished by Foreign Minister Bhekh Bahadur Thapa and other members of the present Government, and the Indian press, the United Nations has responsibility for the general enforcement of human rights law. The UN is bound to promote and encourage respect for human rights under Articles 1(3) and 55 of its Charter, and member states are required to take relevant action in this regard. It is not only through the UN Commission on Human Rights and the Human Rights Committee under International Covenant on Civil and Political Rights (ICCPR). The role of the UN Commission on Human Rights in undertaking investigations into the human rights situation in selected states, particularly through the appointment of special rapporteurs is a process which has been applied to states undergoing internal armed conflict.

In conflict situations, the UN has been accepted in a variety of ways. The methodologies for it can be sorted out through mutual agreement. The Indian authorities watching the developments in Nepal should look beyond, and not confuse Nepal with Kashmir, coming on the way to peaceful resolution of Nepal's conflict. ■

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