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**Security Council  
SC/8942**

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Security Council  
5622<sup>nd</sup> Meeting (PM)

**Security Council establishes United Nations political mission in nepal,  
Unanimously adopting resolution 1740 (2007)**

Recognizing the strong desire of the people of Nepal for peace and the restoration of democracy and noting the request of the Nepalese Government and the Communist Party of Nepal (Maoist) for United Nations assistance in implementing the 2006 Comprehensive Peace Agreement, the Security Council today established a United Nations Political Mission in Nepal (UNMIN) for one year, with a mandate to monitor the ceasefire and assist in the election of a Constituent Assembly.

Through the unanimous adoption of resolution 1740 (2007), the Council also tasked the new Mission with monitoring the management of arms and armed personnel of both sides through a Joint Monitoring Coordinating Committee.

The new Political Mission would provide technical support for the planning, preparation and conduct of the election and provide a small team of electoral monitors to review all technical aspects of the electoral process and report on the conduct of the election.

The Council also expressed its intention to terminate or further extend UNMIN's mandate upon the request of the Nepalese Government, taking into consideration the Secretary-General's expectation that the Mission would be a focused mission of limited duration.

In a related provision, the Council requested the parties in Nepal to take the necessary steps to promote the safety, security and freedom of UNMIN and associated personnel in executing the tasks defined in the mandate.

The meeting began at 12:16 p.m. and adjourned at 12:20 p.m.

**Resolution**

The complete text of resolution 1740 (2007) reads as follows:

*“The Security Council,*

*“Welcoming the signing on 21 November by the Government of Nepal and the Communist Party of Nepal (Maoist) of a Comprehensive Peace Agreement, and the stated commitment of both parties to*

transforming the existing ceasefire into a permanent and sustainable peace and commending the steps taken to date to implement the Agreement,

*“Taking note* of the request of the parties for United Nations assistance in implementing key aspects of the Agreement, in particular monitoring of arrangements relating to the management of arms and armed personnel of both sides and election monitoring,

*“Recalling* the letter of the Secretary-General of 22 November 2006 (S/2006/920) and the statement of its President of 1 December (S/PRST/2006/49), and welcoming progress made in dispatching an advance deployment of monitors and electoral personnel to Nepal,

*“Recognizing* the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement, and encouraging the parties to maintain that momentum,

*“Recognizing* the need to pay special attention to the needs of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement,

*“Welcoming* the Secretary-General’s report of 9 January 2007 (S/2007/7) and having considered its recommendations, which are based on the request of the signatories of the Comprehensive Peace Agreement and the findings of the technical assessment mission,

*“Expressing* its readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement,

*“Reaffirming* the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement,

*“Expressing appreciation* for the efforts of the Secretary-General and his Personal Representative, the United Nations Country Team including the Office of the High Commissioner for Human Rights and other United Nations representatives in Nepal,

*“1. Decides* to establish a United Nations political mission in Nepal (UNMIN) under the leadership of a Special Representative of the Secretary-General and with the following mandate based on the recommendations of the Secretary-General in his report:

(a) To monitor the management of arms and armed personnel of both sides, in line with the provisions of the Comprehensive Peace Agreement;

(b) To assist the parties through a Joint Monitoring Coordinating Committee in implementing their agreement on the management of arms and armed personnel of both sides, as provided for in that agreement;

(c) To assist in the monitoring of the ceasefire arrangements;

(d) To provide technical support for the planning, preparation and conduct of the election of a Constituent Assembly in a free and fair atmosphere, in consultation with the parties;

(e) To provide a small team of electoral monitors to review all technical aspects of the electoral process, and report on the conduct of the election;

“2. *Decides* that the mandate of UNMIN, in view of the particular circumstances, will be for a period of 12 months from the date of this resolution, and expresses its intention to terminate or further extend that mandate upon request of the Government of Nepal, taking into consideration the Secretary-General’s expectation that UNMIN will be a focussed mission of limited duration;

“3. *Welcomes* the Secretary-General’s proposal that his Special Representative will coordinate the United Nations effort in Nepal in support of the peace process, in close consultation with the relevant parties in Nepal and in close cooperation with other international actors;

“4. *Requests* the Secretary-General to keep the Council regularly informed of progress in implementing this resolution;

“5. *Requests* the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of UNMIN and associated personnel in executing the tasks defined in the mandate;

“6. *Decides* to remain seized of the matter.”

### Background

Meeting to consider the situation in Nepal this afternoon, the Security Council had before it the report of the Secretary-General (document S/2007/7) pursuant to its presidential statement of 1 December 2006 (document S/PRST/2006/49). In the statement, the Council had welcomed the signing on 21 November 2006 of a Comprehensive Peace Agreement in Nepal and had expressed support for the dispatch of a technical assessment mission to Nepal, with a view to a proposal by the Secretary-General of a fully developed concept of operations, including a United Nations political mission to deliver the assistance requested by the Nepalese parties to the peace process, and the dispatch of essential personnel of up to 35 monitors and 25 electoral personnel. The Council had also expressed its readiness to consider his formal proposals as soon as the technical assessment mission was complete. The present report contains such proposals, including the outline for the mandate and focus of a United Nations mission of limited duration.

Providing background on the situation, the report explains that, 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. The estimates of those who disappeared during the decade of armed conflict that followed broadly range from 1,000 to 5,000 people. Tens of thousands were displaced as a result of war, and sexual violence was common. The conflict was also characterized by consistent patterns of impunity for serious human rights abuses. Numerous minors, including girls, were involved in the conflict as Maoist army combatants, while the armies of both sides utilized minors as messengers, sentinels, informers, cooks and in other support functions, including paramilitary activities. The conflict also increased women’s visibility. Many women and girls joined the Maoist army, making up an estimated 40 per cent of combatants.

Nepal faced a deepening crisis of governance after the collapse of the first ceasefire and peace talks between the Government and the Communist Party of Nepal (Maoist) in 2001 and the suspension of Parliament in 2002, the report says. 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 Communist Party of Nepal (Maoist) collapsed in August 2003 in an atmosphere of mutual mistrust. The casualty rates from the war rapidly soared. 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. At the same time, 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 November 2005, the Seven-Party Alliance of parliamentary parties and the Communist Party of Nepal (Maoist) signed a 12-point understanding vowing to "establish absolute democracy by ending autocratic monarchy", the report further states. The groundbreaking understanding, coupled with the Nepalese people's strong desire for peace and restoration of democracy, helped establish the foundation for the emergence of broad-based people's movement. In April 2006, mass demonstrations across the country, with strong participation by women and marginalized groups, brought an end to the King's direct rule, led to the restoration of Parliament and a mutual ceasefire, and opened the way for further negotiations between the Alliance and the Communist Party of Nepal (Maoist). 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 130,000 lives. All parties have 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, marginalized groups, including women, have expressed concerns that the planned mixed electoral system will not ensure their adequate representation.

The report recalls that, in a letter dated 22 November to the Security Council President (document S/2006/920), the former Secretary-General sought the Council's agreement to the dispatch of an assessment mission and the deployment of an advance group of up to 35 monitors and 25 electoral personnel to Nepal. He also informed the Council that once consultations with the parties had progressed sufficiently and the logistical support and security requirements for a fully fledged mission had been assessed, he would propose to the Council a concept of operations for carrying out the required tasks. The Council, in its presidential statement of 1 December 2006, welcomed this proposed course. On 28 November, following negotiations, the parties reached agreement on modalities for the monitoring of arms and armies, which extensively detailed the arrangements for United Nations monitoring. The Secretary-General's Personal Representative signed the agreement as a witness on 8 December 2006.

While Nepal has made remarkable progress towards peace, the magnitude of the tasks ahead and the potential threats to the peace process must not be underestimated, the report notes further. During the conflict, normal government functions ceased across wide swathes of Nepal. If the Government fails to restore local government, there will be a clear lack of equal democratic space for all political forces in advance of the election. Rising crime rates linked to the prevailing security vacuum are also a serious concern, and if Nepal fails to facilitate the integration of Communist Party of Nepal (Maoist) combatants

and others operating in paramilitary structures, many of whom are young people and children, unrest could mar the election and post-election climate.

The report finds that all parties have committed themselves to moving forward rapidly with the Constituent Assembly election, and the operational challenges in adhering to this timetable are considerable. Given the lack of Government presence in the countryside, conducting a credible election by mid-June of this year will challenge the capacity of all involved. Similarly, a failure to provide basic public services to conflict-affected communities could result in “dangerously unfulfilled expectations”.

The debate over the country’s future could also swiftly exacerbate ethnic, regional, linguistic and other tensions. “If Nepal fails to meaningfully include traditionally marginalized groups in the peace process and in the election, and in the deliberations of the Constituent Assembly, the country will lose a crucial opportunity to harness the strength and vision of its own people and leave some of the key underlying causes of the conflict unaddressed.” In addition, the exclusion of women from participation in public life and from the peace process so far has been “almost total”.

The report details a proposed United Nations mission in Nepal as having the following tasks, among others: supporting the peace process; monitoring the management of arms and armies of the Communist Party of Nepal (Maoist); assisting in the monitoring of the ceasefire arrangements; providing electoral support for a Constituent Assembly; and paying special attention to the needs of marginalized groups. The Secretary-General recommends that the mission be established for 12 months, until after the implementation of the results of the 2007 Constituent Assembly election, during which regular progress reports would be submitted to the Council. The United Nations mission in Nepal is expected to be a focused mission of limited duration. Despite that, the mission will coordinate closely with the United Nations development and humanitarian agencies, funds and programmes in Nepal. Consistent with the principle of an integrated approach, it will establish a coordination unit, whose main function will be to ensure strategic coherence and operational cooperation within the United Nations family and donors in Nepal.

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