

# Tethering in the twilight of war and peace



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## PANORAMA

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**N**EPAL today stands at a critical juncture of its history. April revolution has ended the days of absolute monarchy ushering the hope for a restructured Nepali state embracing the ideals of democracy, pluralism and secularism. The Nepalese have given their verdict in this regard. Now it is up to the ingenuity of Nepalese leadership to translate that dream into reality. However, it is not always easy to put the theory into practice. And, as such, Nepal, perhaps, since the momentous accomplishments on April 06, has entered into the most difficult phase of the struggle towards its cherished goal. In this endeavour, the task of accommodating Maoists' demand and thereby integrating them into mainstream politics seem to be the most daunting task facing Nepali leadership. The future is shrouded in uncertainty and rebels, who have emerged to be the most crucial factor in Nepal politics, seem to hold the key to whether the country would tread the path of war or peace. What, then, are the chances of their integration and what are the impediments?

A number of positive development are noteworthy in this regard: a) a three-month ceasefire from both sides has given way to peace talks (this is the third attempt since the rebellion broke out in 1996); b) Maoists' willingness to accept the principle of multiparty democracy and accept the verdict of Nepal's ethnic minorities and erodes gender barriers.

From the list above it is easy to gauge that SPA would need to muster all its skills and ingenuity to reach common ground. However, holding elections to CA is now most crucial. Once the CA is formed other issues like federalism etc. can be debated and incorporated. But how the elections to CA can be held without disarming is the biggest headache for Nepal. Elections without disarming the rebels in several countries with insurgency has had mixed results. Maoists

want SPA to trust them but this is a commodity that is missing between the two.

A process needs to be evolved so that neither side feels threatened by potential tampering with the election results. In order to do so the SPA must start working to create a level playing field in which the elections to CA can be conducted smoothly. They must realise that Maoists' proposal to conditionally sequester their troops under UN supervision until elections and their eventual integration into a new national army is the only viable option to end the insurgency peacefully. None is possible without international oversight. Maoists' inclination towards UN is something that needs to be considered seriously.

The situation is, no doubt, complex. That complexity is compounded by Nepal's proximity with its powerful neighbour India and its strategic interest in the area. For decades, especially since 1950s India's Nepal policy, as formulated by Nehru, has influenced Katmandu's internal politics. Now, as in the past, it would be very much affected by India's role. New Delhi's policy towards Nepal during April revolution has been confusing with New Delhi initially siding with the Palace but eventually casting its weight with the people's aspirations. People's aspirations in Nepal are to have a genuine democratic regime supported by all segments of the society including the Maoists. Surely the end of insurgency in Nepal paving way for a people's government cannot be against the interests of India. Presently, events indicate that New Delhi played commendable role in bridging the gap between SPA

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and the Maoists. In the same vein it is expected that India's attitude, especially towards involvement of UN in the disarmament process, would be positive, and thereby, help Katmandu in treading its difficult path in bringing the rebels within the mainstream politics. Something that very much coincides with India's interest. Any destabilisation is not good for either country.

One may conclude by noting that the situation in Nepal, at present, is very fluid. True, peace has been restored but it is easily discerned that it is a fragile peace. The contenders of power and yesterday's adversaries are eyeing each other with unease and mistrust. The Maoists feel sidelined and swerve between rhetoric and conciliatory gestures whereas the SPA seem unsure and demonstrate extremely cautious approach. The bottom line is that SPA cannot afford to falter in charting a course for a peaceful Nepal. All the parties concerned -- SPA, Maoists, civil society, and international community -- need to begin the process to end the insurgency bringing the Maoists into the mainstream politics. Any deviation from that course would plunge the country into another spade of violence -- something the country and, as a matter of fact, South Asia can ill afford.

The electoral and legal experts slashed the EC's decision for using the information of the controversial draft voter list declared illegal by the SC in updating it, describing it as the contempt of court and illegal. In the face of harsh criticism, the EC cancelled its decision on June 14 to use the controversial draft voter list but stuck to the other decision of not to visit door-to-door for the task.

In fact, the CEC is playing ducks and drakes with preparation of voter list defying the order of highest judiciary. The SC on May 23 rejected the appeal of the EC filed against the HC directives to prepare voter list based on existing one. But the CEC twiddled with such a critical issue and waited for long 20 days on deciding his next course of action. Now he is heading to disgrace himself once again deciding to revise the existing voter list without going from door-to-door.

We really wonder what a magic the CEC possesses for revising existing voter list without sending the enumerators to visit door-to-door for excluding the names of dead or those otherwise becoming ineligible for voting right and also for including those who have become eligible to vote which was declared illegal by the Supreme Court (SC).

The EC has asked people to come to the election offices in their localities to include their names in the voter list. The acting secretary of EC informed the media that following the SC verdict, the EC would prepare a 'supplementary' voter list by including, excluding and revising the existing voter list of 2000 according to Article 10 of the Voter's Roll Ordinance 1982 and Article 20 of the Voter's List Rules 1982. The process will start from July 1 and be completed by July 31.

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The crucial factor in conducting a credible election is the credibility of the CEC. But the CEC's credibility has already been undermined in a series of events. Justice M.A. Aziz, immediately after his taking over as the

CEC took a controversial initiative to hold a series of dialogues with the voter list with as many as 99 political parties and alliance without the main opposition Awami League. But the initiative of the CEC produced no result leaving serious disagreement between the EC and the political parties over the voter list.

His moral support to an outrageous partisan move appointing 150 CJD activists and relatives of the BNP leaders as Upazila Election Officers, has gone a step further to diminish his public confidence. The CEC is oath bound to be neutral for holding free and fair election and the EC is one such institution that has the onerous responsibility of conducting a credible election. But politicisation of the EC has created suspicion and misgiving in the public minds about its ability to hold free and fair national elections.

A free and fair election is what millions in Bangladesh are now craving for with the next general election only six months away as a general election has a greater significance in our parliamentary form of democracy. Unfortunately, the rigging of election in Bangladesh was so often in the recent past and is still pervasive. It is only the indomitable spirit of the people that has prevented the avalanche of rigged elections from engulfing the democracy.

But the controversial role of the CEC and the obvious absence of openness in the workings of the EC have raised some grave questions in the public mind about its sincerity. The CEC holding the constitutional responsibility, has also been failed in demonstrating enough guts and respect to democratic norms for holding a free and fair election.

Mahathir Mohammad of Malaysia and Suleyman Demirel of Turkey. From my personal experience I can state that the OIC has been unable to set a credible goal for the member states. The main problem is that the OIC is composed of Asian, African and Arab groups and now enriched by the states of the former Soviet Union. Because of this fact the OIC has turned from a trilingual (Arabic, English and French), in to a quadrilingual group with the addition of Russia. The three groups, according to my experience, hardly ever pull together and are dominated by the Arab presence, because of its economic clout.

It would be unwise to expect

important results from the Baku Foreign Ministers Conference. Since they are meeting to, in a sense, prepare the Summit this winter, the meeting is unlikely to take any important decision. As usual there will be speeches galore on every topic under the sun and really minimum achievement to its credit.

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