

Helpdesk Research Report: UN Peace Support Mission Transition - Nepal

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Query: What analysis exists of the transition from the UN Mission in Nepal (UNMIN) to a UN country office in 2011?

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1. Overview

While there have been several research studies that reflect on the achievements and challenges facing the UN Mission in Nepal (UNMIN), there has been very little analysis of the transition from UNMIN to a UN country office, which took place in January 2011. Much of the analysis of the transition detailed in this report relies on UN documents and is generally uncritical.

UNMIN was established in 2007 and has been notable for its limited mandate. Despite adopting a low-key and light touch approach, UNMIN is generally perceived as a success in the literature (CIC 2011, Suhrke 2011, Martin 2012). The available analysis of the transition to a country office highlights the following key points:

- **Politicised withdrawal:** UNMIN's presence was increasingly opposed by Nepalese political parties and by India. The prospects for peace remained dim as UNMIN withdrew.
- **No breakdown in peace process after departure:** Contrary to the expectations of most observers, the peace process was not damaged by the departure of UNMIN. On the contrary, UNMIN's departure was followed by an agreement on the future of the People's Liberation Army (PLA).

- **Lack of an exit strategy:** UNMIN was criticised for accepting responsibility to monitor the management of arms and armies without the ability to determine its exit strategy (Martin 2012).
- **Transfer of capacities:** The UN Country Team (UNCT) has taken over many of the responsibilities of UNMIN and the Office of the High Commissioner for Human Rights (OHCHR-Nepal), including monitoring human rights and continued political engagement.
- **Funding issues:** Funding will remain a key determinant of whether the UN is able to effectively support the peace process (UN 2011).
- **Flexibility and the need for continued adjustment:** The UN will need to ‘continuously adjust’ both organisationally and strategically in order to meet the continued challenges of Nepal’s ‘longer-than-expected post-conflict transition’ (UN 2011a, p.1).

2. Background

UNMIN was established in January 2007 with three main objectives:

- Monitoring the cantonment of the Maoist PLA and the Nepal Army and their arms.
- Observing and assisting in the technical aspects of constituent assembly elections of April 2008.
- Monitoring the ceasefire.

The mission was originally established as a ‘focused mission of limited duration’, and was notable for its limited mandate (CIC 2011, Suhrke 2011, Martin 2012). The mission’s initial duration was extended seven times at the request of the parties, for a total duration that was four times longer than the single year for which it was originally planned (CIC 2011). UNMIN’s limited mandate, which precluded both a ‘good offices’ role and a role supporting security sector reform, was largely a result of India’s objection to an overtly ‘political’ peace support mission (CIC 2011). An Office of the High Commissioner for Human Rights (OHCHR-Nepal) had been established earlier in 2005, which built support for a UN role from the Maoists and the parliamentary parties within Nepal (Martin 2010). The mission had a small staff, which was gradually reduced after the elections of 2008 from 883 in January 2008, to 202 in July 2009 (OIOS 2009).

UNMIN was widely seen as contributing positively to the constituent assembly election in April 2008 (CIC 2011, Martin 2012). The mission scaled back considerably after the election – all of its election staff left together with half of the arms monitors (Martin 2012). This created more of a mismatch between public expectations of its role and its actual responsibilities (CIC 2011). From this point on, UNMIN was focused on monitoring arms and armies and supporting the process of integration, which proved to be its biggest challenge (Martin 2012).

The mission ran into difficulties during the political crisis of 2009, when the Maoists withdrew from government. UNMIN attempted to remind the political parties of their commitments to the Comprehensive Peace Agreement (CPA) signed in 2006, which prompted criticism from India and some Nepali actors that the mission was overstepping its mandate, or sympathetic to the Maoists (CIC 2011).

UNMIN is widely seen as a success in the literature. It pioneered a low-key light touch approach to UN missions, with no armed peacekeepers (CIC 2011, Suhrke 2011) and made a 'significant contribution by monitoring the cantonment process, assisting with the elections, and being an active watchdog of implementation as stipulated in the 2006 peace agreement' (Suhrke 2011, p.37). The mission's presence helped to build confidence in the peace process (CIC 2011, Martin 2012). The mission has been seen as highlighting the importance of mandates – UNMIN began with a limited mandate and was not able to expand or revise this despite significant changes in the political environment (CIC 2011).

3. Transition to country office - Analysis

Politicised withdrawal

The withdrawal of UNMIN was agreed in September 2010 against the backdrop of a continued failure to agree the future of the two armies or to draft a new constitution. The Nepal army had become increasingly vocal in its opposition to both the peace process and the continued presence of UNMIN. Similarly India and several key figures in the mainstream parties had become more hostile to UNMIN during this period (CIC 2011). Many Nepalis saw the integration of the Maoist army as a threat to the state and opposed UNMIN on the basis of its support for integration, on the grounds that the parties had agreed to it in the CPA (CIC 2011). During its final four months, little progress was made in the peace process and the prospects for progress remained very uncertain.

No breakdown in peace process after departure

UNMIN left in January 2011 (CIC 2011). On the eve of UNMIN's departure, the parties agreed to entrust arms monitoring responsibilities to the Special Committee, a national body consisting of representatives from the Nepal Army, the Armed Police Force, The Nepal Police and commanders of the PLA (CIC 2011, People's Review 2011). The Special Committee was described by the International Crisis Group as 'shambolic' and 'having more notional than actual value', with very limited capacity (ICG 2011, p.3). Despite these issues, the departure of UNMIN did not lead to a breakdown in the peace process. On the contrary, it was shortly followed by an agreement to hand over the PLA to the government and a political deal between the Unified Marxist-Leninist Party (UML) and the Unified Communist Party of Nepal (Maoist), which allowed Maoist chairman Prachanda to support the UML chairman Jhala Nath Khanal (ICG 2011). Later in 2011 a deal was struck regarding the future of the PLA fighters in cantonments (ICG 2011a). Significant progress has also been made on drafting the constitution, with the number of disputed issues in constitution down from 83 to 20 (SATP 2012).

Lack of an Exit Strategy

UNMIN was criticised for accepting responsibility to monitor the management of arms and armies without the ability to determine its exit strategy (Martin 2012). Martin (2012) notes, however, that insisting on a stronger role would have been unrealistic, since it would have been opposed by India and the members of the Security Council. The notion that the peace process was nationally owned by the Nepalese was established early and became a centrepiece in the political culture that surrounded the talks (Suhrke 2011).

Transfer of capacities

The UN has continued engagement through the UN Country Team (UNCT), which was strengthened by two former UNMIN officials and the ongoing assistance of the Department of Political Affairs (CIC 2011). As well as continuing to implement development and humanitarian activities, various UN agencies have continued to support the peace process by monitoring human rights and continued political engagement. A one year extension to the OHCHR's mission in Nepal was granted in June 2010, and the office ceased all substantive work in December 2011. Throughout 2011, the OHCHR continued to report to the UN Human Rights Council on the human rights situation in Nepal. The UN monitoring and reporting mechanism on UN Security Council Resolution (UNSCR) 1612 has also been responsible for monitoring the Nepal national action plan on the release and reintegration of discharged verified minors (UN 2011).

The UN's political engagement with Nepal continued beyond the withdrawal of UNMIN in January 2011 through the Department of Political Affairs and its Political Office on the ground in Nepal. The Political Office, attached to the Office of the Resident and Humanitarian Coordinator (RC/HC), 'enables senior UN officials to maintain channels of communication with Nepali stakeholders throughout the continuing transition period, and provide any assistance as may be requested by stakeholders' (UN 2011, p.4). The UN also continues to lead a range of other forms of support for Nepal's broader peacebuilding process including support for mine clearance efforts, the drafting of legislation for key transitional justice and rule of law issues, providing expert analysis and advice to the constitution drafting process, and developing the human rights handbook for the Armed Police Force (UN 2011). UNMIN handed over responsibility to UNDP for convening the working group of international actors to support the rehabilitation and integration process of cantoned Maoist army (UN 2011). To improve the coherence of its operations, the UNCT has developed a 'UN Peace Building Strategy for Nepal', which outlines the scope of ongoing and potential UN action in support of critical peacebuilding benchmarks in Nepal (UN 2011a).

Funding issues

A recent UN report highlights the fact that the UN is constrained in Nepal by limited available resources for peacebuilding activities. UN actors are engaged or are considering 114 specific areas of support. A key factor in determining whether they will be able to support peace in all of these areas is the 'effective and predictable mobilization of necessary resources' (UN 2011, p. 13).

Flexibility and need for continued adjustment

The UN Resident Coordinator's Annual Report for 2011 emphasised the need to 'continuously adjust to both the challenges from a longer-than-expected post-conflict transition as well as to the opportunities emerging from important steps forward in Nepal's peace process' (UN 2011a, p.1). The report stresses the need for UNCT to 'continue to adjust operationally and programmatically to the departure of UNMIN' internally, and also to prepare for the departure of OHCHR (UN 2011a, p.2).

6. References

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7. Additional Information

Experts Consulted:

Prof. Paul Jackson, University of Birmingham

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Prof. Keith Krause, Graduate Institute, Geneva
Geja Sharma Wagle, Nepal Institute for Poverty Studies

Key websites:

[International Crisis Group - Nepal](#)

[South Asia Terrorism Portal](#)

[Centre on International Cooperation](#)

[UN Nepal](#)

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