

# Political Reconstruction in Nepal: An Analysis of the Multilateral Initiative by the United Nations Mission in Nepal (UNMIN) and Bilateral Initiative by India

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### Abstract

The term 'peacebuilding' gained prominence in the 1990s. The concept of peacebuilding signifies to promote sustainable peace by addressing the root causes of the conflict. At present peacebuilding consists of a wide range of multidimensional activities which not only include keeping ex-combatants from going back to war but also bringing political, economic, judicial and social reconstruction in the post-conflict countries so as to avoid a relapse into conflict.

The focal point of this paper is the peacebuilding process with particular emphasis on political reconstruction in Nepal after the end of the civil war in 2006. The civil war which lasted for 10 years was plagued by armed conflict between government forces and Maoist insurgents. The Maoist demanded the abolition of the monarchy and the establishment of a people's republic and an elected Constituent Assembly to draft the constitution of Nepal. In 2006 with the signing of the peace agreement, a broad range of peacebuilding initiatives were put in place. Political reconstruction had taken an important place in the peacebuilding process in Nepal. Various international organisations especially the United Nations (UN) has played an important role in providing assistance in political reconstruction in Nepal. Furthermore, not only multilateral initiatives but also bilaterally countries like India have assisted in the peacebuilding process. The political reconstruction in Nepal has faced various advantages and disadvantages and the challenges are still insurmountable.

**Keywords:** Peacebuilding, Political Reconstruction, Nepal, UN, India.

### Introduction

With the end of the Cold War in the late 1980s, several changes emerged in maintaining international peace and security. Among the various changes that took place, there was the normative transformation towards the conception of durable peace (Bellamy et al 2010:93). These changes became necessary as the kind of conflicts undergone a change. The nature of war shifted from interstate conflicts to more intrastate wars. The response required for this kind of conflict differs dramatically from that of interstate conflicts. The intrastate conflict is more complex as it is not between two countries but within the state with multiple parties in the conflict where the state institutions have collapsed, breakdown of the economy and social system, lack of basic social security and complex humanitarian emergencies have occurred. Under such a situation, a new peace operation was evolved which is called multidimensional peacekeeping or peacebuilding. Thus, the term 'peacebuilding' gained prominence in the 1990s. The concept peacebuilding signifies to promote sustainable and durable peace by addressing the root causes of the conflict. At present peacebuilding consists of a wide range of multidimensional activities which not only include keeping ex-combatants from going back to war but also bringing political, economic, judicial and social reconstruction in the post-conflict countries emerging from civil wars so to avoid a relapse into conflict.

Accordingly, the most distinctive characteristic of peacebuilding operations is that it has a significant focus on internal conflict since the early 1990s. These internal conflicts or civil conflicts increased with the cold war coming to an end which led to the decline of interstate wars. The

civil conflict intensity was more extreme than the interstate conflicts as it had a spillover effect on neighbouring states and thus threatening international peace and security. This intensity of civil conflicts included the destabilising of neighbouring countries, refugee flows, cross-border fighting genocide and even the spread of infectious diseases like malaria and HIV/AIDS (Paris 2007:404). Thus, to foster stable and lasting peace in the aftermath of large scale conflict became an important objective of peacebuilding operations.

The increased intensity since the 1990s made peace-building and reconstruction of post-conflict and war-torn societies a central objective of today's international relations and assistance agendas (Brinkerhoff 2005:3). At present, most of the bilateral and multilateral initiatives are providing peacebuilding assistance to address post-conflict transitions and socioeconomic rehabilitation and political reconstruction (Brinkerhoff 2005:1).

Among the various peacebuilding assistance, post-conflict political reconstruction is the most common phenomenon as countries affected by lengthy civil wars are mostly affected by a collapse in the state institutions where for decades there has been no written constitution or free and fair elections and where people are denied with basic democratic rights. Political reconstruction in post-conflict societies is a long-term process and as such rebuilding governance in failed and conflict-affected states is complex and very challenging. There is a need for inclusivity where people can enjoy their basic democratic rights to restore peace in the conflict-affected country so that there is no relapse into conflict.

#### **Aim of the Study**

The aim of the study is to examine the external support to post-conflict society of Nepal in its political reconstruction. It analyses how various multilateral and bilateral initiatives were taken place in the peacebuilding process and highlights the various challenges that these initiatives went through while providing assistance to bring durable peace to post-conflict society of Nepal. It will particularly look at the multilateral initiative of the United Nations Mission in Nepal (UNMIN), which played an important role in providing peacebuilding operations in Nepal. In the case of bilateral initiatives, India as a great power of the South Asian region played a prominent role in its neighbouring country to provide sustainable peace in the region in general and Nepal in particular.

Three main research questions are highlighted that is how is peacebuilding process benefiting the people of Nepal affected by violence? How is the UNMIN through its multilateral initiative and India through its bilateral initiatives undertaking the political reconstruction in Nepal? What are the major challenges faced in the political reconstruction in Nepal and how attempts have been made to overcome those challenges? To address the issue qualitative technique as a research methodology is adopted as it is descriptive and analytical.

#### **Conflict in Nepal**

The Himalayan Kingdom of Nepal has a history of decade long civil war since 1996. Nepal experienced a democratic transition in the early 1990s. A massive democratic movement was launched in Nepal, referred to as the 'People's Movement' against the 'Panchayat system' which was under the direct rule of the monarchy. This movement was remarkable as the political parties came united (the Nepali Congress Party and the United Left Front: a coalition of 7 leftist parties) and also from the civil society and students' movement took part in this massive demonstration (Riveros 2004). Following this massive movement, the King relinquished and appointed Krishna Prasad Bhattarai as the interim prime minister. Finally, in May 1991 a historic election took place in the 'House of Representatives' and the Congress party leader, Girja Prasad Koirala was elected as the first Prime Minister of a democratically elected government. An interim constitution was formed which was regarded as a progressive instrument as it included provisions against discrimination and an expanded list of civil rights (Riveros 2004). However, the improvements that democracy brought about in Nepal were soon overshadowed by the reoccurrence of political instability. In the 10 years of democracy, no government was able to stay in power the entire five-year tenure. This period was marked with political factionalism which led to the extent of destabilising democratic institutions. These created the nascent democracy and institutions of Nepal paralysed to unable to address the diverging aspiration and expectations of the Nepali people, particularly the poor (Basnett 2009:18).

During the democratic transition, there was a parallel emergence of a Maoist insurgency that has been fighting the government for over seven years. The civil war which lasted for 10 years (1996-2006) was plagued by armed conflict between government forces and Maoist insurgents. In 1990, when the democratic government was formed, they proposed an interim constitution which was regarded as the most 'progressive' instrument which included strong provisions against discrimination and extended civil rights (Riveros 2004:4). However, there were contradictions within the constitution which led to political crises. The Communist Party of Nepal (Maoist) (CPN-M), which launched the 'People's War' criticised the 1990 constitution as a 'policy of compromise' (Riveros 2004:4). The Maoist was against the inclusion of palace nominees and there were no clearly defined limits to the power of the king (Riveros 2004:4). Their demands were refused by the prime minister that demanded the abolition of the monarchy and the establishment of a people's republic and an elected Constituent Assembly to draft the constitution of Nepal. The Maoist insurgency became more active as the successive governments were incapable of addressing the insurgency in Nepal. The governments were more concerned with their survivability rather than performing good governance in an already unstable political environment. The Nepali Congress Party (NC), who was responsible for

governing Nepal's democracy for over 10 years is often engaged in a power struggle within the party and overshadowed with corruption scandals (Riveros 2004). Moreover, the political parties did little to represent the aspiration of the populace particularly the rights of hill minorities, which was promised during the People's Movement in the 1990s (Basnett 2009:21).

To address the Maoist insurgency and address the roots of the political and socio-economic problems a series of peace negotiations were taken up. In 2001 and again in 2003 there have been two attempts for a peace negotiation, but both failed. Cease-fire was agreed by the Maoist till the end of the negotiations, but in both the negotiations they unilaterally withdrew. It became clear that their demand for a new constitution through constituent assembly was not considered by the government and cabinet for which they withdrew from the negotiations (Riveros 2004:9). Moreover, the Monarchy wanted that the peace negotiations included royal power and were also reluctant to agree to the constituent assembly as it could diminish the royal power or even abolish the monarchy in the future. It was observed that in the 2003 peace negotiation, the Maoist were more constructive than the government (Riveros 2004:9). The government mostly promised socio-economic reforms rather than addressing the political issues, particularly the constituent assembly, raised by the Maoist. However, the Maoist was focusing exclusively on the issue of the constituent assembly and was less concerned with the demands of the well being of the Nepalese people (Riveros 2004:12).

The failure of peace negotiations has made the peace process in Nepal very fragile. If peace negotiations continue in that manner, the Maoists will become more violent. Peace and conflict expert, Johan Galtung has said that if Nepal does not come into the negotiation table than it may end up in a Sri Lanka situation, a Guatemala Situation, or an Israel-Palestine situation (Riveros 2004:12).

The decade long civil war and internal frustration have marked insecurity to the daily lives of the majority of the Nepalese people (Riveros 2004). These became a concern for international and external actors and they played an important role in shaping Nepal's peacebuilding process. External actors played a complex and strategic role in the post-conflict peace process of Nepal. They have provided assistance in the peacebuilding process but also have at times created tensions in the process.

#### **Multilateral initiative of the United Nations Mission in Nepal**

Secretary-General Boutros Boutros-Ghali's 1992 policy statement, *An Agenda for Peace*, has defined post-conflict peacebuilding as missions aiming 'to strengthen and solidify peace' in the aftermath of 'civil strife'. Boutros-Ghali has included complex multifunctional operations to UN peacebuilding such as disarming the former warring parties and the destruction of weapons, rehabilitating refugees, human rights monitoring, monitoring of elections, build sustainable institutions of governance, and promoting political participation.

Among the many multifunctional operations of the UN peacebuilding, the promotion of democracy has played an important factor in the post-conflict peacebuilding. In recent years, the concept and policy of post-war political reconstruction have become broader and more intrusive. The international community is more determined to reconstruct the core institutions of the state. Marina Ottaway calls this the 'democratic reconstruction model' involving constitution-making, election within two years of the end of hostilities, funding for civil society and extensive state-building (Charles T. Call and Susan F. Cook, 2005). Many have found the post-conflict democratising problematic due to its Western line of thought. It is criticised that the United States has used democracy to intervene in the affairs of other nations. But if we look back to the various intra-state conflicts and civil wars, the root cause was a failed state which was mostly authoritarian in structure with no voice of the civil society. Thus, it is difficult to avoid democracy as a pre-eminently acceptable form of government. Amartya Sen( 1999) argued that " a country does not have to be deemed fit for democracy, rather it has to become fit through democracy". This is what he says democracy as a universal value which has gained momentum in the twentieth century.

UN does not advocate for a specific model of government but promotes democratic governance as a set of values and principles that should be followed for greater participation, equality, security, and human development. Through democratic governance, people's human rights and fundamental freedoms are respected, promoted and fulfilled which will enable them to live with dignity. Based on fair rule of law people should have a say in the decision-making process and the decision-makers should be accountable to the people. Both men and women should play an equal role in the public and private sphere of life and decision-making. No discrimination should be made on the basis of race, ethnicity, class, gender or any other attribute. Democratic governance also provides for economic and social security to the people's needs and aspirations. Therefore, in essence, democracy is a universal value that should be promoted and achieved and the UN through its Charter and provisions tries to advocate it.

Most of the Peace Operations in the post-Cold War are mandated with multidimensional tasks and therefore they are complex in nature. Along with monitoring a cease-fire and supervising the withdrawal of combatants, peacekeepers in multidimensional operations required to carry out tasks such as demobilizing and disarming armed forces; design and supervise constitutional, judicial and political reforms; organise and monitor elections, train local police and monitor human rights problem (Oudraat, 1996: 506-507). Political reconstruction in post-conflict countries that have gained momentum in the post-Cold War establishing universal consensus and standards of democracy began with UN operations in Namibia in 1989 and continuing with Cambodia 1993 in a comprehensive manner.

In Nepal, the previous peace negotiations were not a comprehensive peace process but rather a

lack for serious preparation of talks accompanied by a temporary cease-fire (Riveros 2004:12-13). The political parties who were constituted as a necessary component of the peace process were not present in the 2003 peace negotiation (Riveros 2004:12-13). There was no monitoring committee to supervise the cease-fire of the warring parties. This created concern in the UN and the Secretary-General Kofi Annan offered to help to mediate to end the conflict in Nepal. However, the UN providing assistance had sparked a lot of debate in Nepal. Most of the political parties of the dissolved parliament, excluding and the Maoists have been very favourable for the UN's mediation in the peace process as it would play a positive role to bring conflicting parties together for peace talks. However, the government and the principal mainstream party, the Nepali Congress, did not support it as it was capable enough to solve its internal problems. Since the Maoist insurgency was not recognised as an international security threat, the problem remained an internal matter of Nepal (Nepali Times 2004). There was also the interest of regional and world powers, especially India who opposed UN involvement as it regarded the rebel as a terrorist and bringing them to the negotiation table would legitimise the group.

The United Nations (UN) which represents the international community has played an important role in establishing peace and assisting in the post-conflict development of Nepal. The UN established a special political mission in Nepal under the Security Council Resolution 1740 to support the peace process in Nepal (United Nations 2008:1). The United Nations Mission in Nepal (UNMIN) was established particularly to assist in the conduct of the Constituent Assembly election in a free and fair manner. The Seven-Party Alliance Government and the Communist Party of Nepal asked the Secretary-General for UN assistance in creating an atmosphere for free and fair election of the Constituent Assembly and the peace process in Nepal. The parties on 21<sup>st</sup> November 2006, signed the Comprehensive Peace Agreement (CPA) and UNMIN began its operation in the country in January 2007. Mr. Ian Martin was the Special Representative of the Secretary-General of Nepal and the mission's headquarters was in Kathmandu. Before the establishment of UNMIN, the Secretary-General of the UN was closely engaged through the UN Department of Political Affairs to encourage a peaceful resolution of the conflict in Nepal (United Nations 2008:1).

The holding of the Constituent Assembly election was required to determine a new constitution and restructure the post-conflict state and also bring democratic rights to the Nepali people who were under a monarchy for decades. The Secretary-General appointed an independent team of election monitors to report him reviews of all technical aspects of the electoral process and the conduct of the election (United Nations 2008:2). UNMIN's Electoral Assistance Office supports Nepal's Election Commission at all levels: national, regional and district. The Mission has provided advice throughout the different stages of the electoral process, on issues

including voter registration, training of electoral staff, information technology, policy development, donor coordination, logistics, and voter education (RAOnline Nepal). Although, the election for the Constituent assembly which was planned for June 2007 had to be postponed twice. Finally, the election of the 2008 Constituent Assembly was held which was regarded as free and fair.

Nepal's decade long civil conflict which ended in 2006 with a CPA has led to peacebuilding achievements in a number of areas such as Maoist integration into mainstream politics, the establishment of an interim constitution and the election of the 2008 Constituent Assembly and integration of Maoist soldiers into the national army (Castillejo 2013:1). The UN positively promotes that the peacebuilding efforts have achieved the re-integration of former combatants as well as peaceful democratic elections even though some claim that the success has been slow but steady (Lundqvist: 2014:6-7). Many scholars have said that the UN peacebuilding operation in Nepal was characterised as a "light footprint" approach as local ownership of the peace process was strongly enforced for the successful implementation of the peace process (Lundqvist 2014:27-28).

However, apart from the success stories, there were certain challenges in the peace process. The deadline for the creation of a new constitution was missed and the dissolution of the Constituent Assembly. The UN's successes were mostly focused on the technical achievement mainly the demobilisation of combatants and the carrying out of free and fair elections. The success of the peacebuilding process of the UN has become a matter of only completing the required mandate and after that peace process is regarded as complete. This has resulted in ignoring the root causes of the conflict. Nepal with a decade long conflict required a medium or long term process of addressing the structural causes (Lundqvist 2014:29-31). UN, on the other hand, has largely left the root causes of conflict unaddressed in the first wave of peacebuilding which had to be addressed later on in the medium or long term process. Thus, the UN's peacebuilding process in Nepal was basically focused on short term mandate related processes. Even though UN peace operations have become large and multidimensional, UN assistance to post-conflict Nepal was authorised as a "focused mission of limited duration" (Suhrke 2011). The decade long conflict in Nepal was not a case for a light mission as it has left deep social and political turmoil which would be difficult for social transition (Suhrke 2011).

Moreover, the UN's peacebuilding process is associated with a top-down and technocratic approach which have been criticised for not addressing local ownership and everyday needs and experiences of the populations of post-conflict societies (Lundqvist 2014:5). Although, UNMIN welcomed national ownership of Nepal's peace process, its ability to support was challenged by the Mission's limited mandate, small compared to most UN peace operations, and the high expectations from the Nepali population by its presence. Moreover,

UNMIN was criticised by several sections that it has been favouring particular political parties and elites. Thus, there was a concern that UNMIN needed to work more closely with the Nepali people and civil society and not only politicians for a durable peace (Dr. Saurabh 2010).

The UNMIN offices in Nepal finally closed down in 2011 due to the UN Security Council decision. The Security Council's decision to end UNMIN's mandate was due to an agreement between the government and the Maoists in which they assured to complete the remaining tasks of the peace process. However, the progress of the peace process was not sufficiently done (UN Secretary-General, 2011). The UN remained engaged in Nepal's peace process through the United Nations Country Team, especially the United Nations Development Programme (UNDP). UNDP is contributing to the continuing struggle to achieve a democratic and inclusive constitution that is acceptable to all sections of the society (Lundqvist 2014:30).

#### **India and its role in the Political Reconstruction of Nepal**

India and Nepal have been traditional allies in the field of political, security, economic and cultural ties. India and Nepal share borders that are opened for economic opportunities for Nepal. They have close relations in the matter of foreign and security policies and India has an influential role over these policies of Nepal. However, the overthrow of Nepal's monarchy has threatened the Indian dominance. After the peace negotiation of 2006, Maoists have been integrated into political and security institutions that were previously dominated by traditional political elites close to India (Castillejo 2013:3). Since 2005 there was a change in the perception of the Maoist towards India which led to a rapprochement between the Maoist and India. India since then played a more positive role in the initiation of the peace process post-2006 period. With the formation of the Prachanda government of the Communist Party of Nepal (CPN) (M), there have been friendly relations with both the neighbours (Upreti 2009:25). However, there was speculation that the Maoist government had a tilt towards China due to its ideological parity with China.

India consistently supported the peace process in Nepal by supporting the establishment of the UNMIN in 2007. India provided more than 80 vehicles and 50 wireless sets to UNMIN to help in its activities (Dr. Saurabh 2010). It had also supported democratic promotion in Nepal by contributing training of the Nepalese election observers and also provided electronic voting machines to the government of Nepal for the Constituent Assembly elections. However, there has been a lot of criticism that due to the loss of dominance over Nepal, India is obstructing the peacebuilding process by trying to control every part of Nepali politics (Castillejo 2013:4). India was criticised for attempting to block the implementation of the key aspects of the Comprehensive Peace Agreement (CPA) such as the integration of Maoist into the national army and unsupportive of the international actors' leniency towards the Maoist

including not supporting the UNMIN mandate to be renewed in 2011 (Castillejo 2013:4). The Maoist held a strong anti-Indian agenda and perceived India as an expansionist power during the course of its insurgency. India supported the Nepali national army to fight against the Maoist insurgency.

Nepal's constitution-making was particularly complex and contentious. The interim constitution of 2007 replaced the previous 1990s constitution. A Constituent Assembly (CA) was elected as per this interim constitution and accordingly the CA had to draft the new constitution by May 2010. However, the first CA was unable to come to agreement and failed, which was accompanied by large protest by ethnic, caste and regional identity-based groups who were frustrated by the lack progress on their agenda (Castillejo 2017:4). A new CA was elected in 2013, where the groups demanding for identity-based federalism was represented in the CA with very few strength. Therefore, their voices became few. After many failures to draft a constitution, the Nepal Constituent Assembly adopted its first democratic Constitution on September 20, 2015, however without the inclusion of identity-based federalism.

Nepal's post-conflict constitution-making process (2006-2015), interested many actors, both international and regional. The constitution-making process saw the involvement of India with respect to democracy promotion. Although India has generally been described as a reluctant promoter of democracy due to its non-interference principle, some scholars have noted that India was heavily involved in Nepal's democratisation and the peace process that took place between 2005 and 2008, such as providing logistic support and training to electoral observers for the 2008 election in Nepal (Destradi 2012). However, during most of the constitution-making process, India remained passive and only started to actively engage just before the adoption of the new constitution and during the implementation phase since September 2015.

The promulgation of Nepal's new constitution was not positively welcomed by India. There has been a disturbing situation in the Tarai region that borders India. Due to prevailing unrest, the economic conditions in the border are alarming resulting in the disruption of essential supplies from India to Nepal. This has created a sudden low in the bilateral relationship. According to India, the reason for upset was that the constitution as promulgated is not inclusive. In his address to the Constituent Assembly in August 2014, Modi had hoped that Nepal's new constitution would represent the different communities, regions, and opinions of Nepal. He tried his best to uplift Indo-Nepal relations by providing assistance in different areas. However, the Nepali leaders have been unresponsive to Indian concerns regarding the constitutional process. The aspirations and sensitivities of the Madhesis, the janjatis, dalits, and women have been ignored. This was against the spirit of the Jan Andolan II that created a vision of new Nepal to accommodate all communities. In the new constitution, the major political parties belonging to the dominant hill social groups have ignored the

wishes of the marginalised groups which have created troubled situations in Nepal. The government has been using force to suppress the agitation of marginalised groups which have resulted in the loss of more than 40 lives, with many injured. This violence mostly in the Terai region had spillover effects in the border region of India which created great concern for India.

There has been criticism that India gave one-sided support for Nepal's Madhesi population and a lack of concern for other communities. The Madhes based parties have been demanding plains-only provinces which are practically not possible due to the plains multiplicity of identities that includes the Muslims, the Tharus and the Dalits and also a large number of hill people (Dixit 2015). Indian strategic analyst like S.D. Muni has argued that instead of appreciating India's concern for an inclusive constitution of Nepal, it was blamed for inciting violence in the Terai region and interfering in Nepal's internal affairs. However, S.D. Muni has said that India made a problem by dealing with Nepal's new constitution in a careless and nondiplomatic manner. He says that India should have been more cautious in its reactions and rather welcomed Nepal's first republican and democratic constitution (Muni 2015). The problem arose when some Hindutva groups from the political sections of the ruling party were trying to make Nepal a Hindu state and support for the reinstatement of the Nepali monarchy. The new constitution has polarised Nepal and Nepal and India taking sides has not been effective diplomacy (Muni 2015).

There has been criticism that India being a democratic state, has tried to impose its views on its smaller neighbour. India's advocacy of self-determination was questioned when it came to its hegemonic role in South Asia, especially in Nepal's constitution-making. Kanak Mani Dixit, a writer, and journalist based in Kathmandu have said that even though there is a contradiction in the constitution, there are progressive elements such as institutionalising republic and secularism, to providing social and economic rights and also including the needs of marginalised communities. He also argued that India has failed to consider the representative and inclusive nature of Nepal's Constitution (Dixit 2015).

Following the drafting of the Constitution, India in a covert manner threatened economic blockade. The restrictions on movements of goods from India into Nepal started on the day of promulgation of new constitution. The Indian embargo made China ready to come to Nepal's rescue for its own national interest by offering the Nepali leaders with long-term partnership plans with China. This Nepal-China proximity was worrying for India that made it realise that the embargo was counterproductive (Baral 2016). Therefore, in February 2016, India lifted the embargo and supported the amendment of the constitution to accommodate some demands of the agitating Madhesi parties.

India's assistance in the peacebuilding process of Nepal faced challenges and criticism that created tensions in bilateral relations. The continued tension in the Terai region created spillover effects in the border areas of India which was a concern for the country. As a great power in South Asia, India is sometimes regarded as a hegemon to the rest of the South Asian countries. To reinstall peace in a post-conflict Nepal has been a very sensitive issue for India.

#### **Conclusion**

In the Post Cold war, the intrastate wars became a more active creating concern for international peace and security. This complexity of intrastate conflict has led to the evolution of multidimensional peace operations that included peacebuilding to promote sustainable peace and address the root causes of the conflict. Most of the countries affected by civil war have collapsed state institutions that require political reconstruction. Political reconstruction in post-conflict societies is a long term process and thus challenging.

The political reconstruction in Nepal after a decade long civil war is a case of importance where various multilateral and bilateral initiatives in the peacebuilding process took place. In the early 1990s, Nepal experienced a democratic transition. However, this transition was paralysed due to political instability. To bring durable peace, the UN was requested by the host state to play a mediation role for a successful peace negotiation. The historic CPA between the government and the Maoist in 2006 led to UNMIN. UN representing the international community is a pioneer of international peace and security. Its particular assistance in the conduct of the Constituent Assembly election in a free and fair manner is worth mentioning. However, it was argued that the UNMIN was mostly focused on the technical achievements of its narrow mandate and this created a fragile peace process in Nepal. UNMIN closure of its mission in 2011 amidst political turmoil has left a vacuum in Nepal. Post-UNMIN, the 2008 CA was dissolved due to lack of reaching a consensus for a new constitution. This paralysed peace process has created a situation of relapse into conflict.

On the other hand, the bilateral peacebuilding assistance provided by India is overwhelmed with various challenges and criticism. India's one-sided support for the Madhesi and Terai region has created bilateral tensions. India's support for an inclusive democratic constitution for Nepal was ignored by the ruling parties. The new constitution has polarised Nepal along ethnic and regional lines and this has created instability in Nepal which is not in India's long term interest. These can already be seen in the Terai region where tensions have gained momentum creating spillover effects in the border regions of India.

Nevertheless, the peacebuilding process in Nepal though faced with complexity and neighbouring countries involvement in its internal affairs; it was able to reinstate democratic transition through its new Constitution that was regarded to be secular, inclusive and federal. The CA adopted amendments of the

constitution to accommodate some demands of the agitating Madheshi parties and other marginalised groups.

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