

## CPA TALK 16

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After those first meetings in 2004 with all the political leadership, the Peace Secretariat and Government, Nepal emerged from its devastating civil war and began confronting the difficult task of achieving peace, justice, and reconciliation amidst a troubled environment. Although a negotiated solution had seemed elusive at first, the tireless efforts of all actors involved led to the gradual consolidation of the country's peace process, and paved the way for securing the peace and eventually the adoption of the new constitution.

The CPA, together with the final joint ceasefire agreement, the momentous people's movement of 2006, and historic elections of April 2008 were the key turning points in Nepal's transition to from a monarchy to a democratic republic. It was only on the night of May 28th, 2008 when the 601-member Constituent Assembly and Parliament convened and many voices were heard.

The CPA was shaped and crafted through an intense negotiations process of almost 20 drafts and agreed by the inclusive all-party Peace Committee in the Peace Secretariat. The Committee's draft was presented to the negotiators and top leadership that finalized the agreement. In the years to come, the CPA remained the essential first agreed national contract between all parties, a reference document and vision to which the parties returned to and through which they held each other accountable.

But the key turning point in the peace process was the Jana Andolan II (Peaceful People's Movement) in 2006. After a series of failed ceasefire attempts and severe oppressive actions by the King's government, the political parties, Maoists and civil society mobilized more than 8 million Nepalese and brought the country to a standstill.

Many international brokers – particularly India – tried to negotiate a compromise, but the movement's leaders refused.

The final ceasefire agreement and CPA had several shortcomings that caused significant problems in the implementation phases. Some of them are— although the CPA refers to the Truth and Reconciliation process, no framework was provided for amnesty conditions and provisions. Both sides had very different interpretations of the provisions in the agreement. This caused significant delays in the finalization of the Truth Commission instruments. Similarly, the vagueness in the CPA on the integration of Maoist cadres into security forces caused significant challenges in the implementation phases. In subsequent negotiations the leaders used many of the proposals that resulted from the confidential talks between the Maoist leadership and Army generals. But, unfortunately the leadership did not include enough details from these proposals to sufficiently guide implementation. Much suffering and disappointed resulted from these omissions. Likewise, the overall process roadmap that was developed in 2005/6 started with the ceasefire and ended with the Constituent Assembly (CA). More details could have been included in the CPA about the implementation phases after the CA among others.

*[For further information regarding the book, contact Nepal Transition to Peace Institute \(NTTP-I\) or send an email to contact@nttpinstitute.org.np.](http://nttpinstitute.org.np)*