

Peace Process first or Prime Minister's Resignation?

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There was difference of opinion among the three parties, UCPN (M), Nepali Congress, and CPN (UML), regarding the extension of CA deadline. Congress and UML were in favour of extending the deadline, while UCPN (M) was not in favour of the extension by retaining the Madhav Kumar Nepal-led government. The difference remained until the last day of the Constituent Assembly on May 28, 2010. The parliamentary meeting was scheduled for 11 o'clock in the morning, which could not start because of the dispute among the parties. Mainly UCPN (M), UML, and Congress were the main culprits.

There were several informal meetings between leaders of the three parties in the CA building. There was confusion throughout the day as the senior leaders could not take a decision. The CA did not sit until the evening, which created confusion whether the deadline would be extended or not. Even the party leaders and CA members were not sure about the extension. There was no progress late into the night as the Congress and UML stated that prime minister's resignation should not be a pre-condition for extending the deadline, instead there should be a 'package agreement', and UCPN (M) stated that there would be no sense in extending the deadline if the prime minister is not going to resign. Amidst the confusion after the failure of many formal and informal meetings among the parties to come to a conclusion, UCPN (M), Congress, and UML reached a 3-point agreement at 11 o'clock at night.

The first article of the 3-point agreement states, 'We commit to move forward by forging consensus and cooperation to meaningfully conclude the peace process by immediately accomplishing the remaining works and fulfilling the historical responsibility of drafting the new constitution'. The second article states, 'Though there has been significant progress in constitution-drafting, however, it has not been completed; therefore, we agree to extend the CA deadline by one year'. The third article of the agreement, signed by UCPN (M) chairperson Pushpa Kamal Dahal, Nepali Congress president Sushil Koirala, and CPN (UML) chairperson Jhala Nath Khanal, states, 'To accomplish the above-mentioned responsibilities and tasks as soon as possible, we want make it clear that the prime minister of the present coalition government is committed to resign immediately to form a national consensus government, and move forward'.

Immediately after the agreement among the three parties, UCPN (M) leaders had said that immediate resignation implied with five to seven days. Congress expressed its understanding that meaningful conclusion of the peace process by completing the related remaining task meant a clear framework for integration and rehabilitation of Maoist combatants, dismantling the paramilitary structure of the YCL, return of seized land and property, and implementation of past agreements. UML also interpreted the agreement along the lines of Congress.

A practice of making agreements and interpreting them to suit their needs has become the mode. The same was true for the 3-point agreement also. The parties started to interpret the agreement differently after the second article was implemented. In the meeting of the Council of Ministers the next day, prime minister Madhav Kumar Nepal said, 'The agreement was to open the way for a national consensus government only after a clear framework of the peace process and draft of the constitution was ready'. However, UCPN (M) vice-chairperson Narayankaji Shrestha claimed that the agreement was for the prime minister to resign in two to five days and the issue of peace process was not related to the resignation of the prime minister.

Amidst the confusion surrounding the agreement, prime minister Madhav Kumar Nepal consulted the 10 coalition partners in the government and the 19 parties in the Constituent Assembly. In both the meeting, prime minister claimed that there was no secret agreement with UCPN (M) with regard to the 3-point agreement and there was an understanding to form a national government only after agreement is reached on the peace process. The coalition parties and other supporters also suggested to resign to pave the way for a national government only after an agreement on the peace process. There was a meeting of UCPN (M), Congress, and UML while the dispute was ongoing but without any agreement. Congress and UML stressed on the implementation of the first two articles of the agreement, and UCPN (M) insisted on the resignation of the prime minister.

The UCPN (M) standing committee accused Congress and UML of not following the 3-point agreement and creating an atmosphere of distrust with their activities. After the standing committee of May 17, 2010, spokesperson Dina Nath Sharma issued a statement to clarify the agreement, 'There was an internal agreement that the prime minister will resign within five days to ensure an atmosphere for consensus and other issues would be gradually resolved'.

There were attempts to interpret and clarify the agreement to suit the needs both within and outside the parties. UML standing committee stressed on implementing issues related to the peace process before the resignation of the prime minister. The next meeting of UCPN (M), Congress, and UML could not make any headway. UCPN (M) objected to the statements of Congress, UML, and the prime minister. It expressed its dissatisfaction at the consultation with smaller parties and for creating adverse atmosphere against the spirit and essence of the agreement. 'The agreement was for the prime minister to resign first, then to move forward on the peace and constitution-drafting process seeking consensus', stated UCPN (M). In the meantime, parties in the government and outside tried to make their presence felt. The meeting on May 31, 2010, of Madhesi Janadhikar Forum, Tarai Madhes Loktantrik Party, Pariwar Dal, CPN (ML), Rastriya Prajatantra Part, Rastriya Janashakti Party, Chure Bhawar Ekata Party, CPN (Unified), Samajbadi Prajatantrik Janata Party, Dalit Janajati Party, and independent CA member Baban Singh decided to suggest seeking a consensus on the peace process first and only then the resignation of the prime minister.

The UML standing committee came up with a middle-way approach. The meeting on June 1, 2010, tried to clarify that the understanding was to take the peace process and formation of new government in parallel.

After the government, Congress, and UML interpreted the agreement to suit their needs in their consultations with the smaller parties, UCPN (M) also tried to create the atmosphere in their favour by winning over the smaller parties. It asked CPN (Unified), Nepal Sadbhawana, Janata Dal and other parties to turn up the heat on the prime minister to resign. UCPN (M), Congress, UML held a joint meeting to come up with a common interpretation of the agreement, without any result.

UCPN (M) was outraged after the prime minister did not resign even after one week of the agreement. It decided to launch protests after it appeared that the resignation of the prime minister would not be forthcoming and the possibility of a new government grew thin. Its standing committee meeting on June 2, 2010, concluded that there had been regression against the spirit and essence of the agreement and political dishonesty and warned of protests against the government. On the one hand, Congress and UML were aggressive against UCPN (M), and on the other hand, other parties accused it of trying to abandon the peace process by unnecessarily raising the issue of the prime minister's resignation. And UCPN (M) warning of protests further angered the parties. Congress and UML held a meeting to discuss the decision of UCPN (M) and concluded that announcement of protests while attempts were made for consensus was dishonesty on the part of UCPN (M). After the meeting, Congress leader Arjun Narsingh KC said, 'UCPN (M) is trying to back away from the peace process. To form a national government after agreement on the peace process is our bottom-line'.

After there was no agreement on the interpretation and implementation of the agreement, Congress and UML started to seek a package agreement. In the meeting on June 8, 2010, they proposed to take the peace process, constitution-drafting, and government formation simultaneously and integration of Maoist combatants in four months. UCPN (M) did not accept the proposal. UCPN (M) leader Deb Gurung said, 'We do not agree to the proposal prepared by Congress and UML'.

There was a big difference regarding whether the first or the third article of the agreement when the second article had already been implemented. This created another obstacle on the confused political scene. The political parties did not show any flexibility despite growing political apathy. Congress president Sushil Koirala made it clear, 'We do not accept that the resignation should come first. Immediately after the first article is implemented, the resignation will be forthcoming'.

The issue became more complex as the three parties interpreted the agreement in their own ways. Despite their own interpretations and positions, parties showed interest in who would lead the next government. In the Congress parliamentary party meeting two days after the agreement, there was vocal calls for Congress leading the next government. The CA members stated that they raised the issue of Congress leading the next government because UCPN (M) and UML leadership cannot lead in the peace process and constitution-drafting.

Though the government led by a senior UML leader was going to fall, its leaders were eager for the prime minister's post. After the meeting with Congress on June 8, 2010, UML chairperson Jhala Nath Khanal said they were open to leadership. He said, 'After consensus is reached on the peace process, there will be immediate resignation of the prime minister and formation of consensus

government'. The meeting UCPN (M) officials on June 10, 2010, decided that the national government would be led by its chairperson Pushpa Kamal Dahal, which angered Congress and UML. They said, 'The UCPN (M) decision has constricted the agreement and created obstacles for consensus'.

While there was dispute about implementing the agreement, the work of drafting the constitution came to standstill. Prime minister Nepal, UCPN (M), Congress, and UML were more focused on making the agreement favourable towards themselves instead of on drafting the constitution. While the dispute was rising, Madhav Kumar Nepal resigned on June 30, 2010. There had been no work on the peace process as UML and Congress wanted nor was there a consensus among the parties as the prime minister wished. These developments show that the parties do not keep in mind the long-term considerations and consequences and spend time on resolving issues arising out of their tendency to focus on intangible issues. The tendency of leaders to reach agreements which they can interpret to suit their needs and leading to problems in implementation has created further complexities.