

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: NPL31734
Country: Nepal
Date: 14 May 2007

Keywords: Nepal – Chitwan – Maoist insurgency – Peace process – Rashtriya Prajatantra Party – Recruitment of children

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

- 1. Was Bharatput Chitwan an area affected by the Maoist insurgency, particularly in 2003 and 2004?**
- 2. Has the security situation improved since the peace agreement signed between the government and the Maoists in November 2006 and former Maoist rebels were included in the parliament?**
- 3. Please provide some background information about the Rashtriya Prajatantra Party - its policies, platform, structure, activities, key figures - particularly in the Bharatpur/Chitwan district.**
- 4. Please provide information on the recruitment of children.**

RESPONSE

- 1. Was Bharatput Chitwan an area affected by the Maoist insurgency, particularly in 2003 and 2004?**

The available sources indicate that the municipality of Bharatpur and the surrounding district of Chitwan have been affected by the Maoist insurgency. There have reports of violent incidents in Bharatpur itself, which is the main centre of Chitwan district, but it has reportedly not been as affected as some of the outlying villages of Chitwan.

A map of Nepal is attached for the Member's information which has Bharatpur marked ('Bharatpur, Nepal' 1999, *Microsoft Encarta* – Attachment 1).

A 2005 Research Response examined the presence of Maoist insurgents in Chitwan, but does not mention Maoists in Bharatpur. Question 1 contains references to several violent incidents in Chitwan in 2005. Question 4 looks specifically at Maoist targeting of local officials in Nepal, and includes a reference to the shooting of the Chairman of the Chitwan District

Monitoring Committee (RRT Country Research 2005, *Research Response NPL17502*, 2 September – Attachment 2).

A 2002 Research Response on Maoists in Bharatpur contains references to a number of violent incidents in Bharatpur involving Maoists in 2002, including the murder of an off-duty soldier; the torching of two school buses; the bombing of a factory; and other killings. It includes statistics from a Nepali NGO that state that 10 people were killed by Maoists in Chitwan in the period from 1996 to 2002. A 2002 fact-finding mission to Nepal, by the Documentation and Research Department of the Belgian Office of the Commissioner General for Refugees and Stateless Persons, examined the areas in Nepal which were most “stricken” by Maoist and security forces activities. Of the 75 districts in Nepal, four were considered to have a strong Maoist presence, according to this report, with another 11 also very much affected. Chitwan district, on the other hand, was considered comparatively quiet (RRT Country Research 2002, *Research Response NPL15664*, 24 December – Attachment 3).

A selection of reports from 2003 to 2005 which mention Bharatpur indicates the kinds of incidents that have taken place in the area.

A 2005 report by the Asian Centre for Human Rights lists a number of atrocities committed by Maoists, and mentions that in April 2005 “...four persons – two school girls on their way to their SLC examination centre and two security personnel – were reportedly injured when a bomb planted by suspected Maoists went off at Dharmachowk in Bharatpur Municipality in Chitwan” (‘Deal for International Inaction on Nepal in Geneva’ 2005, Asian Centre for Human Rights website, 7 April http://www.achrweb.org/briefingpapers/Nepal-BP-07-09_05_HTML.htm - Accessed 28 November 2006 – Attachment 4).

Another 2005 report discusses a robbery by Maoists in Bharatpur:

Gurung said that Prime Minister and the Minister for Defence Surya Bahadur Thapa has praised the bravery of the RNA personnel for foiling an attempt to loot a bank in Bharatpur, Chitwan Friday Seven Maoists were killed when they were fleeing after looting the bank. Those killed included two platoon commanders of the Maoist organised with aliases Aakash and Ashish, one vice platoon commander Keshab, two platoon members Sushil and Rakesh. One of them is yet to be identified.

Describing the incident, Gurung said the armed Maoists had entered the manager’s room and disconnected the telephone line. The cashier was asked to open the safe. Immediately upon getting the message about robbery, the security forces cordoned off the area.

The Maoists tried to escape by jumping out of the windows from the third floor of the building. Then they barged into a nearby house on the right side of the bank and opened fire. The operation was over in half-an-hour but it took the security forces about four hours to take the situation under control.

The looted money Rs. 9.6 million was handed over to the bank manager in presence of the chief district officer and the staff of the bank.

The security forces had recovered four pistols, cartridges, three pagars, bags, documents and pliers. Five motorcycles with number plates Ba 3 Pa 5988, Na 1 Pa 4107, Na 3 Pa 2556, Ba 6 Pa 1063 and Ba 5 Pa 5257 were also recovered at the place.

Chief of the Army Staff General Pyar Jung Thapa also praised the bravery of the army men. Seven personnel involved in the action were promoted to their upper ranks for their courageous actions. ‘RNA reiterates those killed in Nuwakot were Maoists’ (‘RNA reiterates those killed in Nuwakot were Maoists’ 2004, *Rising Nepal* website, 24 January <http://www.gorkhapatra.org.np/pageloader.php?file=2004/01/25/topstories/main4> – Accessed 11 August 2005 – Attachment 5).

A 2005 report by the Asia Centre for Human Rights states that in June 2005 “ Maoists abducted Kiranbilas Panta, a civilian at Bharatpur municipality-14 of Chitwan district, and killed him” (Asia Centre for Human Rights 2006, Nepal: One Year of Royal Anarchy, 30 January, p.31 – Attachment 6).

A December 2004 report states that Maoists bombed the house of a former communist in Bharatpur (‘Nepal army kills six Maoists; two houses bombed in Katmandu’ 2004, *Agence France Presse*, 12 December – Attachment 7).

An August 2004 report describes a bomb blast in Bharatpur which targeted a police vehicle and killed a nearby teenager (‘Teenager killed, six people injured in Nepal blast’ 2004, *Agence France Presse*, 16 August – Attachment 8).

A November 2003 report states that two Maoists were killed by police in Bharatpur (‘Nepal security forces report on latest Maoist violence’ 2003, *BBC Monitoring South Asia*, 13 November – Attachment 9).

A September 2003 describes the killing of three police in a raid on a police station 20 km from Bharatpur (‘Nepal Maoists kill three police in raid on station’ 2003, *BBC Monitoring South Asia*, 10 September – Attachment 10).

A January 2005 report states that government offices had been moved to Bharatpur as it was relatively safe, but would be relocated again as the journey to Bharatpur was too dangerous from some people (Adhikari, Chandra Shekhar 2005, ‘Chitwan hit by translocation of govt offices’, *The Rising Nepal*, 5 January <http://www.gorkhapatra.org.np/pageloader.php?file=2005/01/06//topstories/main8> - Accessed 1 September 2005 – Attachment 11).

2. Has the security situation improved since the peace agreement signed between the government and the Maoists in November 2006 and former Maoist rebels were included in the parliament?

Recent material suggests that so far, the peace agreement between the Maoists and the state authorities in Nepal is holding, although there have been some violent clashes in recent months with small groups who feel left out of the movement towards constitutional change, and there are still some news reports of Maoist clashes in remote districts. Some commentators also suggest that when the planned elections take place later in 2007, there is the potential for disagreement over the form of the new political system.

An April 2007 report by Jane’s Intelligence Review provides a recent update of the security situation in Nepal. On 1 April, according to the terms of the peace agreement reached in November 2006, six former insurgents from the Communist Party of Nepal-Maoist (CPN-M) were sworn into the interim government, and have been given a number of powerful positions, some of them in the cabinet. Their inclusion in the government was delayed because of disagreements over cabinet posts, as was the drafting of an interim constitution, and there is a strong possibility that there will be delays in holding elections. There have been a number of outbreaks of ethnic violence involving minority groups such as the Janajatis and the Madhesi, but so far Maoists themselves have generally respected the peace agreement:

Nonetheless, despite the increasing violence, the Maoists have repeatedly said that they will not be derailed from their peaceful oath. Although the CPN-M apparently perceived the recent deaths of its followers at Gaur as a deliberate provocation [by a radical Madhesi group] intended to drive them 'back to the jungle', similar to the Doramba killings in 2003, there is evidence that the CPN-M is keen to transform itself into a legitimate political organisation, and is therefore likely to refrain from violence. To this end, Maoist leaders have pledged to respect the freedom of the press and competition between parties. They have also announced the dissolution of their parallel people's governments and people's courts, although these have yet to be completely disbanded. Moreover, the Maoists have thought carefully about their choice of parliamentarians, selecting many who are leftist, but are not formal members of the party. Forty per cent of their 73 nominated members of parliament are women, and 74 per cent represent dalits, Madhesis, or Janajatis. This contrasts markedly with the far less representative composition of the other political parties. This may indicate that the CPN-M views parliament as purely symbolic, given that real power remains within the party structure, the upper echelons of which are dominated by high-caste men, as in the other parties.

In addition, the Young Communist League (YCL), an organisation that seems to include many former Maoist militia members, has been attempting in late 2006 and early 2007 to secure public backing by cleaning the streets, planting trees, enforcing order at the airport in Kathmandu and carrying out other civic works.

However, questions remain over whether the Maoists are genuinely committed to joining the political mainstream and renouncing their former sources of power. **There have been reports in the Nepalese press that Maoist cadres are continuing to demand 'voluntary donations' in the capital, extorting money from businessmen and kidnapping their children.** In addition, Nepalese newspapers have claimed that the YCL has threatened their editors who publish critical articles (Gellner, David 2007, 'Vying for position – Nepal's former rebels struggle to enter the fold', *Janes Intelligence Review*, 23 April – Attachment 12).

The report goes on to indicate those issues that may be of concern in the coming months:

- Under the terms of the peace agreement, the Maoist militia called the People's Liberation Army (PLA) was placed in camps and its weapons locked up under UN supervision. However there is some doubt as to whether all the PLA members are in the camps, and whether all their weapons have been handed in.
- When elections are eventually held, there is the risk that the Maoists may win only a small number of votes "which might tempt them to return to the jungle to push for power militarily".
- If the Maoists win a plurality of votes they may interpret this as "a mandate to seize control of government" in which case "the Nepalese Army, logistically and perhaps materially supported by India, could intervene..."
- The election polls are likely to be delayed. There are still many people displaced from their homes and "intimidation appears to be on the rise in a general atmosphere of lawlessness". October or November seems a realist estimate of when they may be held (Gellner, David 2007, 'Vying for position – Nepal's former rebels struggle to enter the fold', *Janes Intelligence Review*, 23 April – Attachment 12).

A March 2007 *Stratfor* report notes the "apparent lack of progress in disarming the Maoist rebels". The UN mission which is overseeing the disarmament process "cites the discrepancy between the 35,000 combatants who have registered themselves and the 3,000 to 4,000 weapons that have been surrendered so far". The report also discusses the possibility that the

country may move from being a monarchy to a republic, and the instability that might ensue as the various groups push for power ('Nepal: A prime minister's move against the monarchy' 2007, *Stratfor*, 13 March – Attachment 13).

A January 2007 RRT Research Response examines the current situation in Nepal. Question 1 states that although there had been reports of ongoing violations of some aspects of the ceasefire arrangements the ceasefire had continued to hold. The stabilisation brought about by the initial agreement of 26 May 2006 was thought to have been reinforced by the terms of the 8 November 2006 peace accord and also by the related 22 November 2006 comprehensive peace agreement (CPA) and the 28 November 2006 agreement on monitoring of management of arms and armies. But Nepal commentators tended to stress that the situation remains unstable. Question 2 looks at the proposal for an interim government and Question 3 at the expanded presence of Maoists in Kathmandu (RRT Country Research 2007, *Research Response NPL31000*, 15 January – Attachment 14).

A February 2007 report by the International Crisis Group provides a detailed analysis of the process of forming a new constitution. The Executive Summary states:

With the formation of an interim legislature incorporating mainstream parties and Maoists, Nepal's peace process hinges on writing a constitution that permanently ends the conflict, addresses the widespread grievances that fuelled it and guards against the eruption of new violence. Most political actors have accepted the Maoist demand for a constituent assembly (CA) tasked with framing a new dispensation, although royalists are worried over the future of the monarchy, which has in effect been suspended. The major challenge is to maintain leadership-level consensus while building a broad-based and inclusive process that limits room for spoilers and ensures long-term popular legitimacy. Recent unrest in the Tarai plains illustrates the dangers of ignoring popular discontent. Key political actors need to prepare more seriously for the CA. Led by the newly established United Nations mission in Nepal (UNMIN), the international community should pressure all sides to abide by their stated commitments and global norms and provide technical assistance to the electoral process.

The interim constitution promulgated on 15 January 2007 established a framework for constitutional change and enshrined the guiding principles agreed in earlier negotiations. The new constitution's drafting process has to address the twin objectives of peacebuilding and longer-term political reform. It offers an opportunity to cement the Maoists' integration into mainstream democratic politics, to determine the monarchy's fate and to tackle long-standing ethnic, regional and caste fissures. But successful constitutional processes require a delicate balance of elite accommodations and broad public participation. If the joint mainstream party/Maoist leadership fails to balance these sometimes competing demands, or the process stalls, violent conflict may emerge once more.

There is also a tension over timescales – a speedy process would maintain momentum but could cut too many corners. The elections and assembly will not be perfect but they have to be good enough: the polls must be plausible, and the assembly must be seen to work adequately. The initial arbiters of the election's fairness will be a small number of critical domestic and international constituencies, primarily the major party leaderships and India. If their judgement is out of step with the national mood – as it often has been in the past – it will produce new problems.

The constitutional process has to build a complex equilibrium among elites. It must provide political space for the Maoists while limiting their options to use violence or coercion against political opponents. The consolidation of a competitive multiparty system naturally bolsters the mainstream political parties but in the short term will heighten their differences with each

other and may encourage a return to the less than edifying tactics of earlier parliamentary politics. Managing the transition in the palace's role may also present difficulties: political leaders have skillfully stripped royal powers comprehensively but gradually, with no single step sufficient to prompt a backlash. But a decisive alteration of traditional power structures will still encounter resistance from conservative institutions – not just the palace but also elements of the army, judiciary and bureaucracy.

So far the process has concentrated on building elite consensus at the expense of intense political debate or extensive public consultation. A handful of SPA and Maoist leaders have controlled closed-door negotiations; limited parliamentary scrutiny has not even extended to recognising the concept of an opposition. The interim constitution has granted the prime minister and cabinet sweeping authority, subject to minimal checks and balances; the compromised independence of institutions such as the judiciary has weakened the principle of separation of powers. The inclusion of provisions such as the unrestricted authority to grant pardons suggests that interim arrangements may enable the political elite to sweep past misdeeds under the carpet.

Warnings of a “new dictatorship” are exaggerated but the peace process has so far delivered an oligarchy of party leaders rather than a popular democracy. Party leaders have shown little appetite for pluralism: the interim legislature will have no official opposition, royalist parties may be excluded from the CA, new parties will find it very hard to register for elections, and in any case, “consensus” decisions will leave most power in the hands of party leaders. Ad-hoc prenegotiation of important issues threatens to undermine the constitutional process. For example, the SPA-Maoist response to Tarai discontent was to push forward proposals for federalism, thus preempting any meaningful discussion of one of the CA's central concerns.

The demise of the 1990 Constitution illustrates that no new constitutional order will gain legitimacy unless it visibly incorporates public input. Diverse education efforts, including both local initiatives and internationally-funded projects, have already begun; expectations of significant changes have been aroused. However, there are no institutional structures to channel, process and consider the results of consultation. The Interim Constitution Drafting Commission invited public input but lacked a clear mandate or adequate mechanisms to deal with submissions. The result was public frustration and dissatisfaction with the end product. The CA process will need to do better if it is to deliver greater legitimacy.

Mainstream parties have devoted scant consideration to the difficult questions of procedure involved in constitutional reform. Few have embarked on internal changes to tackle their own problems of corruption, patronage and exclusion that fuelled support for the Maoists. Strengthening parties' internal democracy and accountability would directly benefit the constitution-making process.

The Maoists first agreed to join multiparty politics in November 2005. They need to use the transitional period and the CA elections, scheduled for June 2007, to justify this strategy to their cadres. This could encourage them to democratise and make the most of open political campaigning on their populist agenda but it will also tempt them to retain their tried and tested tactics of intimidation and coercion. To date, the picture is mixed: while they have not given up all illegitimate means, they are working to present a moderate, compromising image.

It is to the credit of Nepal's government and the Maoists that the peace process has largely been internally driven rather than internationally imposed and that the key political players have shown a willingness to recognise and learn from past errors. The international community, nevertheless, has an important, if ancillary, role in supporting the constitution-making process. In addition to funding grassroots education, donors should build on the country's considerable intellectual capital, for example by funding publications, radio shows and news articles by local scholars, lawyers and activists. Aid that promotes transplanted

models or that pursues donors' narrowly conceived political goals, however, would likely be counterproductive (International Crisis Group 2007, *Nepal's Constitutional Process*, 26 February, Asia Report N°128, pp.i-ii – Attachment 15).

A March 2007 *Operational Guidance Note* on Nepal by the UK Home Office states that after the transition of power in April 2006, government abuse of human rights “decreased substantially” but “Maoist abuses, such as abduction, extortion, and violence, continued relatively unabated”. Of recent developments, it states:

2.7 Nepal's parliament altered the constitution in March 2007 to change the country from a unitary state into a federal one. The move came as a response to protests from the Madheshi people in the Terai, Southern Nepal who claim they are underrepresented and discriminated against by the hill-based elite. Between January 2007 and March 2007, the recently formed Madheshi People's Rights Forum held a number of strikes and protests which led to violent clashes between the protesters and the police, and more than 25 deaths. The constitutional agreement will also increase the number of constituencies in the southern plains so that the region, with half the country's population, will have half its parliamentary seats (UK Home Office 2007, *Operational Guidance Note: Nepal*, 23 March, p.3 http://www.ecoi.net/file_upload/432_1175069868_nepalogn.pdf – Accessed 5 April – Attachment 16).

A February 2007 update on trends in conflicts and cooperation in Nepal by Swiss Peace states:

The turbulent months of January and February saw major political breakthroughs in the peace process between the Seven Party Alliance (SPA) and the CPN (Maoist), and a violent popular uprising by the *Madhesis*, a socio-cultural group residing in the southern plains of the Terai.

The implementation of the November 2006 Comprehensive Peace Agreement (CPA) has made steady progress, reflecting the continued commitment of the ruling SPA and the CPN(M) to the peace process. On 15 January, an interim constitution was promulgated, which conferred vast executive powers from the King to the Prime Minister. On the same day, the existing parliament was dissolved and a 330-seat interim legislature – with historic participation of the CPN(M) and socially marginalised groups – was formed. Constituent Assembly (CA) elections were scheduled for June 2006 (sic), and voter registration and citizenship certificate distribution started. On 18 January, CPN(M) chief Prachandra announced the disbandment of the controversial CPN(M) parallel government and its courts. Moreover, the SPA and the CPN(M) agreed that the interim government would be formed after the completion of the cantonment of the Maoist People's Liberation Army (PLA) in designated camps (Swiss Peace 2007, *Fast Update: Nepal: Trends in Conflict and Cooperation*, January [http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/F08F2705CCCDCCDDC125729E005259E1-Full_Report.pdf/\\$File/Full_Report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/F08F2705CCCDCCDDC125729E005259E1-Full_Report.pdf/$File/Full_Report.pdf) – Accessed 5 April 2007 – Attachment 17).

On the general security situation, the same report contains material on the recent protests by the Madhesis, an ethnic group living in the south, and their representatives, the Madheshi People's Rights Forum (MPRF), which brought them into conflict with both Maoists and state security forces. The report states that it has the potential to trigger further violence. The report goes on:

On 17 January, the UN started the process of registration of soldiers of the Maoist's People's Liberation Army (PLA) and storage of their weapons in seven cantonment sites and 21

satellite camps. This process was successfully completed on 19 February, although the number of stored weapons was surprisingly low. This raised suspicion that the CPN(M) were hiding weapons. The government reacted promptly to frustrated PLA soldiers walking out of their poorly equipped camps on 21 February, promising additional financial assistance to improve their living conditions in the camps.

Even though state police posts abandoned during the years of conflict have been re-established with CPN(M) approval in January and February, these posts are too poorly equipped to provide real security to remote areas previously "secured" by the CPN(M). The Nepalese Army has (NA) has generally maintained a low profile and has started its own arms management after the completion of arms management of the PLA.

The confinement of PLA soldiers to cantonment sites has not only weakened the grip of the CPN(M) on its former strong-hold areas, but has also added to a latent security vacuum, which invited disenchanted groups like the MPRF to fill the void (Swiss Peace 2007, *Fast Update: Nepal: Trends in Conflict and Cooperation*, January [http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/F08F2705CCCDCDDC125729E005259E1-Full_Report.pdf/\\$File/Full_Report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/F08F2705CCCDCDDC125729E005259E1-Full_Report.pdf/$File/Full_Report.pdf) – Accessed 5 April 2007 – Attachment 17).

An April 2007 *BBC News* report states that Nepal is entering a new chapter in its history, but that it is still unclear what form the new system will take, and there is the potential for further disunity when the time approaches for the new elections:

The Maoists' joining of the multi-party government in Nepal is a landmark event in the country's decades-long struggle for stable and sustainable democracy. Prime Minister Girija Prasad Koirala told the parliament a new chapter had begun in the history of Nepal. He cannot have said a truer word, but every new political chapter in Nepal in the past has been fraught with problems and the new chapter that began on Sunday is unlikely to be different.

The Maoists' 10-year journey from the jungle to the government was partly a result of compulsion and partly political wisdom.

After 10 years of fighting, the loss of 13,000 lives and massive damage to the country's infrastructure and economy, they were still unable to capture even a district headquarters, let alone the power in the centre.

They had also faced severe domestic and international pressure to give up arms and were labelled as terrorists rather than a political party by many, including the United States.

At the same time the then rebels had begun to acknowledge that political settlement was the only option for them.

United against the King

Their primary demands were: an all-party conference, formation of the interim government and holding of a Constituent Assembly election to draft the new constitution.

There had been no agreement on those issues until King Gyanendra snatched power from the political parties in 2005.

The King's action helped unite the Maoists and the parties, who in principle agreed to the Maoists' demands. The two sides then signed a peace deal.

That unity culminated in a nationwide demonstration last April, when the King was forced to hand back power to political parties.

The Maoists then agreed to lock up arms under UN supervision and analysts believe it is very unlikely that those arms would be raised again.

The current formation of the interim government is the penultimate step of the peace deal which will end with the Constituent Assembly election due on June 20 to draft a new constitution.

It is the proposed election that has been the trickiest bit in the whole peace process.

Troubled election

The first question is, whether the election will be held in time or not. Only two-and-a-half months are left to prepare. And almost all deadlines agreed by the political parties so far have been missed.

There are also sceptics who believe the election may not happen at all due to the politically sensitive issues involved.

On top of such issues is the country's 240-year-old institution of monarchy.

The Maoists believe people will vote for a republican Nepal in the election.

The country's second largest party, the Nepal Communist Party (United Marxist Leninist), has already decided to fight the election on the republican platform.

Other smaller communist parties will follow the same path.

The Maoists' joining of the multi-party government in Nepal is a landmark event in the country's decades-long struggle for stable and sustainable democracy (Mishra, Rabindra 2007, 'Nepal's attention turns to the King', *BBC News*, 1 April

http://news.bbc.co.uk/2/hi/south_asia/6515533.stm – Accessed 5 April 2007 – Attachment 18).

3. Please provide some background information about the Rashtriya Prajatantra Party – its policies, platform, structure, activities, key figures – particularly in the Bharatpur/Chitwan district.

The entry on the Rashtriya Prajatantra Party from the *Political Handbook of the World 2007* provides a useful summary of the party's history and background, and is reproduced below:

National Democratic Party (Rashtriya Prajatantra Party – RPP). A monarchist party comprised largely of former *panchayat* members and supporters, the RPP was formed in 1992 by merger of two groups (both calling themselves the National Democratic Party), one led by S.B. Thapa and the other led by L.B. Chand. The unified RPP fared much better than expected in the November 1994 balloting, upping its legislative representation from 4 to 20. It entered the government as a member of the NC-led coalition in September 1995, but factionalism within the RPP contributed to the government's instability. The demise of the coalition in March 1997 led to Chand's designation as prime minister in a CPL(UML)-RPP-NSP (and subsequently NC) government under Thapa.

In January 1998 the RPP expelled former prime minister Chand and nine supporters for threatening to back a no-confidence vote against Prime Minister Thapa, who had asked the king to dissolve the House of Representatives. The rebel group quickly formed a "New RPP", commonly called the RPP (Chand), which was formally recognized as a party on January 16.

The RPP won 11 percent of the vote and 11 seats in the May 1999 balloting, while the RPP (Chand) claimed a meager 3 percent and no seats. Although talks on reunification between the Thapa and Chand groups had taken place even before the elections, a merger was not announced until January 2000. A minority of RPP (Chand) members strongly objected and went on to form the RPP (*Rastrabadi*) following the deregistration of the RPP (Chand).

After the dismissal of the Deuba government in October 2002, the king reappointed former prime minister Chand to that office, but Chand resigned in late May 2003 and was in turn replaced by former prime minister Thapa. The change further widened the rift between the Chand and Thapa factions in the party, and in December 2003 the RPP called for Thapa's resignation for undermining multiparty democracy. Thapa ultimately resigned in May, although the four-party cabinet announced by the reinstated Deuba in July included several RPP members.

By late 2004 the rupture within the RPP appeared complete. Although Chand and the party's president, P.S. Rana, were continuing their efforts to hold the party together, Thapa had stated his intention to form a new party, which was launched in March 2005 as the Rashtriya Janshakti Party (RJP)...The departure of Thapa supporters did not, however, end factionalism within the RPP. In September the RPP announced that it would support the prodemocracy "agitation" led by the SPA, but in December half a dozen RPP members were in the reshuffled cabinet announced by the king. Furthermore, the party split over whether or not to support the local elections called for February 2006.

In January 2006 the party president, P.S. Rana, ousted ten members of the party's Central Committee, including six cabinet ministers. A day later, the dissident faction led by Radindra Natha SHARMA and Minister for Home Affairs Kamal THAPA convened a special party convention, at which the participants voted to replace Rana with Thapa. The split persisted thereafter, and by March Rana was supporting the prodemocracy demands for an all-party government. Meanwhile the RPP reportedly won the largest number of local council seats at the February 8 elections.

Leaders: Pashupati Shumsher RANA (President), Lokendra Bahadur CHAND (Party Leader), Padma Sundar LAWATI (Vice President), Khem Raj PANDIT (Co-General Secretary) (Banks, A, Muller, T et al 2007, *Political Handbook of the World 2007*, CSA Publications, p.874 – Attachment 19).

A February 2006 report from Nepal News quotes information from the Nepali Election Commission that indicates that in local elections two members of the RPP were elected as the Mayor and Deputy Mayor of Bharatpur. Their names were Ganesh Bahadur Thapa and Mohan Bahadur Subedi ('RPP(Thapa) bags most of the seats in the municipal polls' 2006, Nepalnews.com.website, 9 February <http://www.nepalnews.com/archive/2006/feb/feb09/news08.php> - Accessed 11 May 2007 – Attachment 20).

The RPP website at <http://www.rppnepal.com/> contains some information about the personnel, structure and platform of the party. Unfortunately the link to "district committee" does not work, so it is not possible to view the names of all local officials in Chitwan. However, the RPP's constitution provides information on the organisation of the party at district level which may be of use. Please see the attached constitution itself for further details of the structure and number of members at each level, and information on :

Organizational Level :

Based on the village committees, parliamentary constituency regions and administrative divisions, the party organizational structure will be as follows;

- a. Ward level
 - b. Village or Municipality level
 - c. Regional level
 - d. District level
 - e. Central level
- Ward Level :-
- i. Ward Council
 - ii. Ward executive committee
- Village or Municipality level :-
- i. Village Council
 - ii. Village executive committee
 - iii. Municipality Council
 - iv. Municipality Executive Committee

Regional Level :-

- i. Regional Council
- ii. Regional executive committee

District Level :-

- i. District Council
- ii. District executive committee

Central Level :-

- i. Central Convention
- ii. Central Council
- iii. Central Executive Committee
- iv. Other Committees ('Constitution of Rastriya Prajatantra Party' 2004, Rashtriya Prajatantra Party website <http://www.rppnepal.com/channels/constitution.htm> - Accessed 11 May 2007 – Attachment 21).

Another document on the website provides the names of Central Committee members as they were in January 2006:

Central Committee

1. Hon'ble Mr. Pashupati Shumshere JB Rana - President
2. Rt. Hon'ble Mr. Lokendra Bahadur Chand – Ex-Prime Minister
3. Mr. Bishow Bandhu Thapa – Senior leader
4. Mr. Jog Mehar Shrestha - Senior leader
5. Mr. Balaram Ghartimagar - Senior leader
6. Mr. Deepak Bohara – Secretary General
7. Mr. Khem Raj Pandit – Assistant Secretary General
8. Mr. Dhruva Bahadur Pradhan – Assistant Secretary General
9. Mr. Parshu Ram Khapung – Spoke Person
10. Mrs. Pratibha Rana
11. Mr. Surya Bahadur K.C.
12. Mr. Narendra Kumar Chaudhary
13. Mr. Jayant Chand
14. Mr. Krishna Charan Shrestha
15. Mr. Ajay Pratap Shah
16. Mr. Bisheshwor Prashad Marveta
17. Mr. Thakur Prasad Sharma
18. Mr. Shanti Shumsher JB Rana
19. Mr. Giri Bahadur K.C.
20. Mr. Ram Chandra Raya
21. Mr. Mohan Raj Malla
22. Mr. Chhetra Bahadur Gurung
23. Mr. Dilip Rai
24. Mr. Akwal Ahmed Shah
25. Mr. Bholi Man Singh Thapa
26. Mr. Dambar Bahadur Basnet
27. Mr. Krishna Pratap Malla
28. Mr. Govinda Bikram Shah
29. Mr. Kedar Rai
30. Mr. Babu Ram Poudyel
31. Mr. Shiva Hari Poudyel – Office Secretary 'Central Committee' 2006, Rashtriya Prajatantra Party website, 9 January http://www.rppnepal.com/orgnization/central_committee/index.htm - Accessed 11 May 2007 – Attachment 22).

The February 2007 ICG report mentions the current position of the RPP:

Non-SPA parties. The traditionally pro-palace Rashtriya Prajatantra Party (RPP) and Rashtriya Janashakti Party (RJP) are not part of the SPA [Seven Party Alliance] and have had only a marginal role in post-April 2006 events, despite being represented in parliament and seeking to operate as a constructive opposition. While they voted with the SPA to approve the interim constitution, both parties are pushing for amendments; the RPP has hinted that it will take a less palace friendly line but has yet to clarify new policies...Neither party opposed the interim legislature's condemnation of the king's 19 February 2007 Democracy Day address that sought to justify the royal coup...

The parties' concentration on selected substantive matters has overshadowed consideration of the procedural choices involved in constitution making...This may explain some of the weaknesses and inconsistencies of the interim constitution but is not a crippling problem: the interim constitution's enactment, with the formation and operation of interim institutions, will likely stimulate crisper views on process (International Crisis Group 2007, *Nepal's Constitutional Process*, 26 February, Asia Report N°128, p.1 – Attachment 15).

According to a report published in the Nepalese newspaper *Annapurna Post* in September 2006, an opinion poll coordinated by the American National Democratic Institute showed that “49 per cent of the people are for a republic while 48 per cent are for monarchy with democracy”. The poll also indicated the recent breakdown of support for various political parties:

The opinion poll also shows that in the constituent assembly polls, Nepali Congress and Communist Party of Nepal (Unified Marxist-Leninist) will each poll 25 per cent of the vote, Maoists 15 per cent, **Rashtriya Prajatantra Party five per cent**, and Nepali Congress (Democratic) two per cent, while 18 per cent of voters remain undecided (‘Forty-nine per cent of opinion poll participants for republic in Nepal’ 2006, *Annapurna Post*, 22 September – Attachment 23).

A December 2006 digest of Nepali news reports mentions briefly that “Rashtriya Prajatantra Party Nepal has decided to launch a nationwide campaign for the protection of the monarchy” (‘Nepal press section list 3 Dec 06’ 2006, *BBC Monitoring South Asia*, 3 December – Attachment 24).

Past reports indicate that RPP supporters have been among the targets of political violence by Maoists.

A 2006 report by the Asia Centre for Human Rights on Internally Displaced Persons (IDPs) in Nepal states:

The IDPs have fled their villages for a variety of reasons. A majority among the IDPs are cadres of mainstream political parties such as United Marxist-Leninists (UML), Nepali Congress (NC) and Rashtriya Prajatantra Party (RPP) whose political ideology and opinion are different from that of the Maoists. A large number of civilians have been displaced due to fear of being forcibly recruited into the CPN-Maoists under their ‘one person from each household’ policy, torture, abduction, killings, destruction of homes and properties, threats, confiscation of land, extortion and looting by the Maoists, and torture, arbitrary arrests and killing by the security forces. Thousands have also been displaced due to economic hardships, including food scarcity and unemployment (Asia Centre for Human Rights 2006, *Nepal: One Year of Royal Anarchy*, 30 January, p.76 – Attachment 6).

A 2004 news report from the RPP website states:

Unidentified gunmen shot and killed Rastriya Prajatantra Party (RPP) lawmaker and former minister Krishna Charan Shrestha in Siraha Saturday morning.

Three assailants, who came on two motorbikes, opened fire at Shrestha from an automatic rifle at around 8 a.m. when he was out for morning walk, reports said ('Unidentified gunmen shoot dead MP Shrestha' 2004, National Democratic Party Nepal website, sourced from nepalnews.com http://www.rppnepal.com/news/krishna_charan_shrestha.htm - Accessed 11 May 2007 – Attachment 25).

Question 3 of a 2004 RRT Research Response contains reports of attacks on RPP members and members of the Nepali Congress Party in the late 1990s (RRT Country Research 2007, *Research Response NPL16346*, 8 January – Attachment 26).

4. Please provide information on the recruitment of children.

Sources indicate that family members of prominent political figures have sometimes been targeted by the Maoist insurgents, and also that there have been abductions of children for recruitment and extortion

As already noted in Question 2, an April 2007 report from *Janes Intelligence Review* notes that “there have been reports in the Nepalese press that Maoist cadres are continuing to demand ‘voluntary donations’ in the capital, extorting money from businessmen and **kidnapping their children**” (Gellner, David 2007, ‘Vying for position – Nepal’s former rebels struggle to enter the fold’, *Janes Intelligence Review*, 23 April – Attachment 12).

On 10 September 2005, *The Press Trust of India* news agency reported that: “Maoist rebels have abducted more than 100 students from various schools of Myagdi district in western Nepal, police said Saturday. ... The rebels did not give any reason for abducting the students, local teachers said. The incident comes a week after the Maoists declared a three-month unilateral ceasefire” (‘Maoists kidnap over 100 school students in Nepal’ 2005, *Press Trust of India*, 10 September – Attachment 27).

Question 5 of this RRT Research Response examines the targeting of family members and associates of politicians (RRT Research Response 2004, *Research Response NPL16612*, 7 May – Attachment 28).

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