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## Integration of Maoist Combatants in Nepal: The Challenges Ahead

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The integration and rehabilitation of former Maoist combatants remains one of the most critical issues in Nepal's peace process. Although there have been a series of agreements since 2006 to formalise the integration of Maoist combatants, the political parties have failed to agree on the number, modality, age and qualification of the combatants. This lack of consensus among key political parties has remained a stumbling block in the way of the peace process for over five years. An early resolution of the problems associated with integration therefore is critical to a stable Nepal.

### Background

On November 22, 2006, seven political parties signed the Comprehensive Peace Agreement (CPA) with the former rebel party to rehabilitate and integrate the People's Liberation Army (PLA) fighters into the national security agencies. The CPA also incorporated the Agreement on Monitoring of the Management of Arms and Armies (AMMAA), which details the integration and rehabilitation of Maoist ex-combatants. Following the agreement, the then Nepal government invited the United Nations to verify former fighters and for joint-monitoring and coordination. The United Nations Mission in Nepal (UNMIN) was set up as per Security Council resolution 1740 of January 23, 2007. UNMIN verified over 19,602 combatants who were confined within seven divisional cantonments and 21 temporary satellite camps. However, fewer than 4,000 weapons were impounded.

The CPN Maoist party, which emerged as the single largest political party after the Constituent Assembly (CA) elections of April 2008, could not, however, achieve the task of integration even when the party took over the reigns of power in August 2008. Successive governments too could not resolve the matter by fostering a consensus. Even after the November 1, 2011 peace deal, serious differences on the number of combatants and modality of integration prohibited any substantial progress. The new deal envisaged integration of 6,500 combatants as per the criterion set by the Nepal Army (NA).

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The deployment of the army in the Maoist cantonments in April this year put the peace process back on track. Of the 9,705 combatants who had opted for integration in the first phase of categorisation in November last year, 3,129 chose to integrate with the NA by April 19, 2012, the deadline set for the completion of the voluntary retirement process in all the cantonments. The Special Committee (SC) secretariat tally marked 6,576 combatants as having opted for voluntary retirement. They have since been released from the cantonments. Thus, the integration process, which was to be completed within six months of the signing of the CPA, now seems to be gaining momentum.

## PLA strength and composition

The formation of PLA was formally announced in September 2001 in Rolpa district, almost five years after the launch of the Maoist's "People's War".

There is no consensus on the strength of the PLA cadre. In 2005, the erstwhile Royal Nepalese Army had put the PLA's strength at 4,000 armed guerrillas, 5000 militia with guerrilla training and 20,000 armed militia. The Maoist claimed the number to be 10,000 armed guerrillas.<sup>1</sup> A widely believed figure in Nepal is 9,500 guerrillas and 25,000 militia. But there are others who cautiously suggest a figure of 5,000 to 8,000.

The PLA is led by its Supreme Commander Prachanda, who is also the party chairman. The "general staff" during the wartime comprised of the members of the party standing committee. The organisational hierarchy under the general headquarters was divided into division, brigade, battalion, company, platoon, squad and then militias, the poorly armed fighters who did not receive full guerrilla training. For certain areas such as Kathmandu, "special task forces" were established.

At the start of their military campaign, the Maoists remained handicapped by the lack of sufficient cadres and weapons. It is now understood that the real development of the "People's Army" took place after the start of the government's Operation Kilo Sierra II of May 1998-April 1999. After this, the Maoist guerrillas became increasingly well-organised and well-trained. An emboldened and armed PLA's November 2001 attack on the army barrack at Ghorahi, in Dang district, brought the armed conflict into the open. Thereafter, the PLA reorganised its combat capabilities on more professional lines. After the 2004 plenary, the PLA began operating under three divisions of three brigades each: the eastern division under Barshaman Pun (Ananta), the central division under Nanda Kishor Pun (Pasang) and the western division under Janardan Sharma (Prabhakar). In August 2004, Prachanda had also announced the formation of a 100,000-strong people's militia up to the company level, under the command of district and regional headquarters.

However, in a leaked video of Shaktikhor cantonment in May 2009, Prachanda was seen admitting the real strength of the armed fighters to be between 7,000 and 8,000 and not 35,000 as reported by Maoists before the UNMIN started the verification process. The ethnic composition of PLA also remains disputed. The Maoist leadership claims that the majority of the guerrillas hailed from ethnic Magar caste of Nepal. However, a report on the gender and caste analysis released by UNMIN in August 2010 showed that the Magars comprised only 12.5 per cent of the total 19,602 combatants. While Brahmins stood first (16.78 per cent) in the PLA caste-wise composition, the Chhettris came second with 16.11 per cent. But in comparison to the overall Magar population in Nepal, which is 7.14 per cent, the 12.5 per cent Magar composition of PLA can be considered high.

The female fighters formed 19.6 per cent of the total PLA force. UNMIN verified 3,843 women combatants. There are only two women in the 43-member politburo of the United CPN.

## Different approaches to integration

Three clear but different schools of thought emerged in Nepal concerning the integration and rehabilitation issue after the CA polls. The first group denounced the integration process arguing that such a move would politicise security agencies, mainly the Nepal Army. This group has rejected bulk integration and claims that the Comprehensive Peace Agreement did not elucidate on integration. In support of their stand, they cite Article 4.4 of the CPA, which states “the Interim Council of Ministers shall form a special committee in order to inspect, integrate and rehabilitate the Maoists.” This version is advocated by a section of Nepali Congress and CPN-UML and also by an anti-integration group within the NA.

The second school believes in problem-solving approach and highlights the need to integrate some combatants and rehabilitate others; it also seeks flexibility in the recruitment norms of the NA.<sup>2</sup> The third group demands bulk integration of former combatants and rejects the NA's criteria for integration. The hardliner faction within the United CPN (Maoist) is the strongest proponent of this school of thought. This group, led by Mohan Baidya 'Kiran', has also dismissed the DDR (disarming, decommissioning and reintegration) model claiming that such a model will undermine the contribution of former rebel fighters.

There is also a group among the civil society members and the NA which believes that the integration process will not work in the context of Nepal as there are inherent flaws in the concept and its implementation. They cite the examples of Angola, Burundi, Eritrea, Liberia, Haiti, Aceh of Indonesia, Somalia, Congo and others where ideologically indoctrinated soldiers' integration invited politicisation and division in security agencies. Within this larger framework, the main political parties of Nepal are completely divided over the integration issue. They differ on all aspects of integration, including modality, number, criteria, entry, rank harmonisation and rehabilitation package.

**Table 1: Position of major parties on integration prior to Army take-over of cantonments**

Issues	UCPN (M)	Nepali Congress	CPN-UML	Madhesi alliance	Nepal Army
Modality	Open to-separate force, integrating into existing forces or mixed force	Integration only in existing forces	Integration into existing forces or form mixed force	Into existing forces	Separate directorate under Nepal Army by drawing from all security agencies and Maoists
Number	10,000	4,000	5,000-7,000	4,000- 6,000	Will go by political settlement
Criteria	Disregard NA criteria	NA criteria applicable	Flexible in age, education, marital status, etc	Flexible in age, education, marital status, etc	NA criteria applicable
Entry	Group (hardliner position)	Individual	Individual	Individual	Individual
Rank harmonisation	As per PLA ranks up to Lieutenant General in NA	Follow existing NA criteria	Flexible	Follow existing NA criteria	Follow existing NA criteria
Rehabilitation and voluntary retirement package	Nrs 1,000,000	NRs 300,000	NRs 500,000	—	—

There is no political consensus on the subject either. While the moderate faction of Maoist party is open to individual integration and forming of a separate directorate under NA, the hardliner faction does not want to settle for anything less than bulk entry. Likewise, the Jhalanath Khanal faction of UML is perceived to be leaning towards the Maoist position on the issue of integration, whereas the KP Oli faction remains rigid. Even in the Nepali Congress, dissenting voices have emerged. Nevertheless, an attempt has been made in this paper (in Table 1) to point out the dominant positions of major parties on the issue of integration and rehabilitation before the Army deployment in April 2012.

## Nepal Army's proposal

In the initial stages, the Nepal Army had vehemently opposed the integration of Maoist soldiers. The then Army Chief, General Rookmandug Katawal, had publicly made his opposition to such a proposal clear. However, in May 2011, the NA submitted a proposal for the integration of the combatants. The proposal was in principal accepted by all major political parties, except the hardliners in the United CPN (Maoist) party.

The change in the army's position was due to two reasons. First, with a *janajati* (ethnic), General Chattraman Singh Gurung, taking over as Chief, the Army adopted a more flexible approach to the integration process. Second, when Prachanda's government stepped down over the issue of sacking of Katawal, a democratic coalition government took over power in Kathmandu. The new Prime Minister, Madhav Kumar Nepal from CPN-UML, and his cabinet took the line of "no compromise" on the integrity and professionalism of the NA. This eased worries in the army and persuaded the leadership to play a constructive role in the peace process.

### The NA proposal called for:

- Creation of a Development and Security Directorate under the NA to be led by an army general by bringing together forces from all three security agencies—Nepal Police, Armed Police Force and Nepal Army—and those Maoists who fulfil the army's standard criteria.
- The major task to be entrusted to such a Directorate would be construction of national development projects and forest security (except national parks and wildlife reserves).
- The ratio of the Directorate should be 35 per cent each from NA and qualified Maoist combatants, and 15 per cent each from Nepal Police and the Armed Police Force.

Besides the three key provisions, the proposal stated that flexibility would be shown till certain ranks but it was silent on the number of combatants to be integrated. It also put a clause stating that combatants would not possess arms. This proposal served as a basis for taking the integration process forward by the Army Integration Special Committee chaired by the PM. But in the absence of a political consensus, the integration process remained stalled.

## Departure of UNMIN

The United Nations Mission in Nepal was an integral component of the peace process for four years. It monitored the arms and army of the PLA and a limited number of personnel and arms of the NA; it chaired the Joint Monitoring Coordination Committee that acts as a mechanism to resolve disputes between the national army and PLA; and has been a symbolic deterrent against the resumption of violence. But despite

Maoist pressure, the then Madhav Nepal Government did not request the UN Security Council for further extension for the term of UNMIN.

With the UNMIN exiting Nepal in January 2011, once again serious doubts began to surface over the issue of monitoring of arms and armies of Unified CPN (M) and NA. UNMIN head Karin Landgren had cautioned that the “growing differences within the major political parties” will result in “less progress on the most critical issues of integrating and rehabilitating the personnel of the Maoist army, and writing the new Constitution.”<sup>3</sup>

## Breakthrough agreement

On November 1, 2011, the three largest political parties—Maoists, Nepali Congress and CPN-UML—along with the Madhesi front signed a seven-point agreement to integrate 6,500 combatants into security agencies in order to conclude the integration process. The most striking feature of the agreement was that the stakeholders agreed for formation of a special directorate under the Army consisting of 35 per cent PLA personnel and 65 per cent of personnel from the security forces who would take care of infrastructure development, rescue relief operations, forest and industrial security management, etc. It stated there would be relaxation in age and educational qualifications of the combatants. Rank determination would be on the existing standards of the Army and would be decided by the Special Committee on integration. There would be handsome packages for those wishing to be rehabilitated—compensation ranging from Nepali Rs 500,000 to 700,000 for rehabilitation and between Rs 500,000 and 800,000 for those who volunteer to retire.

Importantly, the agreement stated that the process of return of public properties seized during the conflict would begin by November 23, 2011 with due compensation paid to the owners.

The Maoists showed much flexibility during the negotiations both in terms of rank harmonisation and in modalities of integration. But they did not get what they wanted in terms of desired numbers and they failed to secure a handsome package for both retirees and those opting for rehabilitation.

As per the new deal, the regrouping of Maoist combatants began in November and was concluded in December 2011. At the end of the regrouping process—in which the combatants were asked to choose integration, voluntary retirement or rehabilitation—more than 9,000 opted for integration, just over 7,000 for retirement and a mere six for rehabilitation. About 2,600 of the PLA's 19,602 verified combatants did not appear for the process. The seven-point deal invited immediate opposition from the hardliner faction in the UCPN (Maoist). The widespread jubilation and sense of relief over the agreement, within and outside Nepal, proved to be premature. The implementation of the agreement, which India, among other countries, was persuading the Baburam Bhattarai government to conclude at the earliest, remained stalled.

## Challenges Ahead

Further delays in the implementation of the agreement are likely to unsettle the entire political process in Nepal. What makes the task even more urgent is the growing number of challenges facing the Bhattarai government.

**Changing mood in cantonments:** Majority of the combatants during the regrouping process demonstrated disappointment at the senior leadership for failing to address their concerns and “respect the PLA contributions”. They blamed their leaders for giving in to the Nepali Congress demand that their rank and educational qualification as per the 2007 verification by UNMIN would be the basis for determining their entry into NA. They wanted their present status to be counted. Nepali Congress has argued that since much flexibility has been shown in NA's standard norms for recruitment, no further bargaining can be accepted. The dissatisfaction with the senior leadership is rampant among the former militants, who term the seven-point agreement as a “humiliation”.

**Corruption charges:** As soon as the regrouping process began, PLA commanders accused the Maoist leadership of corruption and embezzlement of cantonment funds. A group of commanders, owing allegiance to the hardliners in the party, has submitted a ten-point demand charter to Chairman Prachanda seeking strong disciplinary action against the guilty in this regard. Eighteen commanders, led by division vice-commanders from all PLA divisions, came to Kathmandu recently and submitted their demands to Prachanda. They have sought clarifications on ration money for PLA security guards and an account of the money which PLA cadres pay on monthly basis, among other things.

The PLA soldiers submit NRs 1,000 each to division commanders on a monthly basis as “deposit money.” Although the party's Military Bureau Chief, Barshaman Pun, has refuted charges of financial irregularities, this issue is yet to be resolved.

**Violent clashes:** There have been reports of violent clashes in the cantonments after the November pact. In April 2012, there was a complete breakdown of the PLA command structure. The decision to hand over the cantonments to the army was taken after a divisional commander and two vice-commanders at the Chulachuli cantonments in Ilam fled fearing for their lives at the hands of the combatants on April 9. Combatants had also chanted slogans against the commanders.

Similar explosive situations arose in Sindhuli, Shaktikhor, Surkhet and Nawalparasi cantonments on April 7 when the survey teams from the SC secretariat reached to initiate the voluntary retirement process. In Nawalparasi, irate combatants burnt two vehicles of Division vice-commander Bal Bahadur Nath and Brigade Commander Narendra Pandey on April 10 following the Special Committee's decision. They also vandalised the living quarters of another commander. Similarly, combatants in Sindhuli reportedly held some commanders hostage for a couple of days; the situation in Shaktikhor and Surkhet was also volatile. The combatants had beaten up four commanders in Surkhet demanding financial transparency in the cantonments.

The worsening security situation compelled the Maoist leadership to invite the security agencies to take over the cantonments. Given the high level of dissatisfaction among the PLA soldiers over several issues, the likelihood of such clashes in future remains high.

**Voluntary retirement:** Another contentious issue is the process of voluntary retirement. Although the commanders have demanded that those opting for voluntary retirement be immediately sent home with the promised money, the process has been slow. The division commanders, all of whom are from the party establishment, are against immediately sending home those opting for voluntary retirement, arguing that a

“piecemeal approach” to integration will seriously weaken the party's bargaining position. Most commanders and personnel from the hardline faction have chosen voluntary retirement, as they are opposed to the way the integration process is being carried out.

Those seeking voluntary retirement may choose to regroup under the initiative of hardline leaders. This will prove to be a major hurdle for the present and future governments.

**Army defectors:** The commanders have demanded that those who defected from the NA during the war days should get a chance to rejoin the national army. This claim has been flatly rejected by the NA, which has instead vowed to court martial the defectors. As per Nepal's Military Act 2006, deserters face life imprisonment with property confiscation.

It is unknown how many army personnel defected to the Maoist army during the “People's War,” but an informal estimate has put the number at 117.<sup>4</sup> NA has officially said that some 500 army personnel deserted the institution each year during the war.

**Women fighters and fighters with disability:** Among the 4,000 women fighters, many are married now and at least half of them have children. They will not be eligible for integration. Setting the right future course for these women will be a major challenge.

In addition, about 10-15 per cent of PLA combatants have disabilities of some form or the other. They have warned of agitation if their needs are not adequately addressed during the integration and rehabilitation process.

**Issue of Madhesi integration:** Soon after the regrouping process of Maoist combatants began, the government was faced with the demand of the Madhesi parties to integrate Madhesi youth into the national army. The present government has endorsed a policy paper to make the national army more inclusive by recruiting 3,000 Madhesi youths, including women and those from the indigenous, Dalit, Muslim and backward communities from across the Terai region.

The ruling partners—UCPN (Maoist) and United Democratic Madhesi Front (UDMF)—had agreed in principle to begin the process of recruiting Madhesi in the NA as per the four-point agreement signed between the Maoists and the Madhesi alliance on August 29, 2011. Currently, 3,000 positions are vacant in the 95,753-strong NA. The Maoist leadership has been under intense pressure from the Madhesi alliance to begin the process of recruiting Madhesi in the NA since the last few months. Prime Minister Bhattarai has, however, not been able to foster consensus on this issue. Meanwhile, the leaders of opposition parties have criticised the cabinet decision and have claimed that any bulk integration will undermine the stability of the State security organ.

**Division within Maoist party:** The main challenge for the completion of integration will emerge from the UCPN (Maoist) itself as the party is divided amongst three distinct groups led by party Chairman Prachanda, vice-chairman and PM Baburam Bhattarai and senior vice-chairman Mohan Baidya Kiran. The hardliner faction of the party led by Kiran has strongly criticised the government decision to mobilise the army in the

cantonments and blamed Prachanda for “betraying” the people. The Kiran faction is also believed to have persuaded many combatants to opt out of “humiliating” integration and choose voluntary retirement instead.

This faction will cause trouble in coming days. The Kiran-led faction, with the support of some other Left and ethnic groups, has already announced a series of protest programmes against the government. Reconciliation amongst the Maoists will not be an easy task. Chairman Prachanda has no doubt taken a risk by sticking to the line of peace and upholding the Constitution at the cost of a probable split in the party. A major challenge for him is to keep the delicate balance between the moderates and the hardliners in his party.

## Conclusion

Besides the issue of numbers and the modality of integration, the NA and PLA combatants continue to remain at odds over the very process of integration. While the Army is saying that the combatants should meet its physical criteria, pass its selection process and attend training specified for each rank, before serving in the New Directorate, the PLA disagrees.

Fortunately, for now, a beginning has been made in the right direction. The November 2011 agreement and the Bhattarai government's decision to send the army to bring the 'Maoist' cantonments under its command are positive developments. There is an urgent need to resolve the pending issues. The political leadership of Nepal must show both restraint and sagacity in restoring people's faith. The model of a new directorate still holds good even as the number of those opting for integration has come down drastically to about 3000. Since time is of essence, majority of the political leaders, as well as the army generals, support the model. The government should let the Nepal Army act.<sup>5</sup> The formula for integration is quite clear—further calculations could now be carried out on the basis of the remaining number of Maoist combatants.

### ABOUT THE AUTHOR

Akanshya Shah is an Associate Fellow at Observer Research Foundation, New Delhi.

### Endnotes

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