



STATEMENT BY MR. NIRUPAM SEN, PERMANENT REPRESENTATIVE, ON THE
LETTER DATED 22ND NOVEMBER 2006 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL AT THE SECURITY
COUNCIL ON JULY 18, 2008

Mr. President,

At the outset, I thank you for scheduling this discussion on the UN Mission in Nepal, and for enabling our delegation to express its views on this matter.

The extent and depth of the India-Nepal bilateral relationship cannot be overemphasized. It is based on ties of history, culture, language, ethnicity, kinship and geography. We enjoy the closest political ties, with close relationships between our political parties, and equally close economic and commercial relations. India is also partnering Nepal's development, in sectors ranging from energy to agriculture.

Since our two countries share an open border, with open access to each other's markets and privileged access for the citizens of the other country, no country has more to gain from peace, stability and development in Nepal than India. It is for this reason that we have remained closely involved, not only in Nepal, but also in India and at all multilateral fora, through a decade of difficulties as an armed conflict raged, and subsequently as Nepalese leaders and people brought the conflict to a halt and began a peace process to bring closure to that conflict. Just as the conflict was indigenous, so too is the peace process. All credit should go to the people of Nepal and to the wise and statesmanlike efforts of Nepalese political parties and leaders for bringing about a peace process.

India has strongly supported the peace process in Nepal, the ownership of which is entirely indigenous. We have warmly welcomed every positive step taken by Nepalese stakeholders in a complex and sensitive process, without outside assistance or advice. Against all odds, and despite cynicism, the Nepalese people not only maintained the cohesion of the Seven Party Alliance, but also proceeded to implement their Comprehensive Peace Agreement. Despite delays, Nepalese authorities conducted an extremely successful Constituent Assembly election this April, which was truly a historic moment. Despite facing complex challenges in its peace process, Nepal and its leaders have indigenously addressed each of these. As

a close and friendly neighbour, India stands ready to assist in any manner that the leaders and people of Nepal may ask of us.

Mr President,

India has fully supported the UN's efforts to assist Nepal, at the request of the host Government. We have been in close contact with UNMIN at all levels, including in New Delhi. Our support was never limited to words: we also provided material support at the crucial phase when UNMIN was being established.

Taking into account the current situation on the ground, we fully support Nepal's request, made formally on July 8, to extend the mandate of UNMIN for a further six months. The letter makes it abundantly clear that some of the mandates relating to the Mission, as laid down in UNSCR 1740, have already been accomplished. The request for an extension of six months therefore pertains to the remainder of the original mandate: a clear statement with nothing implied and nothing to be interpreted or clarified. We also note that this request is on the basis of a consensus between key Nepalese political parties, including the CPN (Maoist), who have a plurality in the Constituent Assembly. This consensus is also reflected in the June 25 Seven Party Agreement, and is therefore fundamental to the continuation of political processes in Nepal.

I have carefully listened to the excellent statement of the PR of Nepal just now, and I noted that the idea of support for the peace process as whole does not find mention.

From that standpoint, it is difficult to accept parts of the Secretary-General's latest report. Bearing in mind that it is at Nepal's request for assistance on specific aspects of its peace process that UNMIN exists, it seems inappropriate for the UNSG to advise this Council to extend the mandate for one month unless Nepal's request is "clarified". In other words, unless Nepal's request is in line with what UNMIN wants it to say, the request is not good enough! This could imply that UNMIN would be asking the new government—whose constituents have expressed their views in the July 8 letter—to reinterpret the June 25 Agreement. In doing so, UNMIN could find itself in the unfortunate position of having its role become a matter of contention, rather than being seen as a positive contributor to the peace process. It may also be seen to imply that the report is suggesting that political formations that are to form the Government are liable to changing their minds. Not only does this run counter to the trend of Nepali political parties abiding by previous commitments, it is also an extraordinary claim to make, even by implication.

Furthermore, the report also suggests, in para 64, that UNMIN has "been made aware" of a broad consensus within Nepal that continuation of a UN political presence is important for the completion of the peace process. While we would welcome being made similarly aware, what should have weight is not a subjective impression that the UN may have gained through verbal interactions, but what the people's elected representatives convey in writing.

To our knowledge, UNMIN's support has not been sought in taking decisions on issues relating to the peace process. Indeed, the greatest strength of the peace

process is that it has consistently been nationally-owned, directed and implemented. The Nepalese request for UN support was with regard to the implementation of **aspects** of their peace process which required an internationally-accepted monitor. These included advising the national election commission in the conduct of elections and monitoring the management of arms and the forces of the two contending armies. And yet, in para 68, it is asserted that the "key requirement now is not the continuation of monitoring arrangements so much as the transition to a durable and permanent solution". While this may or may not be so, it certainly cannot be automatically assumed that the durability and permanence of arrangements to address the problem of two armed forces depends on the active involvement of the UN.

Mr President,

I am constrained to point out that we have noted a consistent effort to expand the definition of what Nepal seeks in terms of support to include a role in the Nepali peace process, irrespective of the desire of Nepalese interlocutors. To insist on a role that the host nation is reluctant to provide is to risk jeopardizing the work of UNMIN thus far. This should be avoided at all costs, as it is this that risks undermining the UN's investment in Nepal; not the other way around.

In this context, this Council must also seriously consider whether to permit a liberal interpretation of the principle of the sanctity of a State's requests for specific assistance. We often hear the counter-argument that it is for the Council to decide on what action is appropriate in each case, but not when parallels are drawn between Nepal and other issues on the Agenda of this Council. Let us not forget that Nepal approached the UN for assistance of its own free will; not because the situation in that country was a threat to international peace and security.

Mr. President,

We therefore urge the Council to accept the Nepalese request, as contained in its letter of July 8, 2008, in letter and spirit. To put it directly, the continuation of UNMIN on a smaller scale, to engage in the remainder of the mandate for a period of six months, is what Nepal has sought. It is precisely what they should get; no more, no less.

Thank you Mr. President.

[BACK TO TABLE OF CONTENTS](#)