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NEPAL No agreement on new constitution as peace process deadline approaches

Nepal's Constituent Assembly (CA) has not yet finalized a new constitution, as required under the terms of the peace process that ended the country's ten-year civil war. The deadline for the agreement of a new constitution is May 28.

Without an extension of the CA or a new constitution, the country will have no legal framework or government after May 28. However, more than one party has said that it will veto the extension of this constitutional deadline.

The President of Nepal, Ram Baran Yadav, has warned that the present political instability has put democracy in Nepal "in serious danger", since no national consensus has been forged to safeguard the key principles of democracy.

With regard to the possible extension of the CA, Nepal's National Human Rights Commissioner, Dr. KB Rokaya, warned, "Even if the term is extended, there may be no progress, but there is now no option left than to extend the tenure of the CA, because there are so many risks in not extending the tenure." He expressed concern that such an extension could be no more successful than the previous one, in May 2010, given that a year has passed without final agreement on the new Constitution since that time.

Many sections of the Comprehensive Peace Agreement are yet to be agreed in detail and implemented. In particular there is as yet no accord on the controversial issue of the integration of up to 8,000 Maoist soldiers into a new national army, which is an essential component for the completion of the peace process.

Christian Solidarity Worldwide's Advocacy Director, Andrew Johnston, said, "Without agreement on integration of the separate armed forces, there is the danger of renewed hostilities last seen in the civil war, which ended in a peace agreement in 2006. Realistically, there is little hope of a new constitution being finalised without a solution to this problem. CSW continues to have serious concerns not only with the completion of the peace process but also with regard to the current proposals for the new Constitution of Nepal. These include potentially harmful restrictions on religious liberty in the form of anti-conversion elements similar to legislation in effect in five Indian states. Such provisions would restrict the right to freedom of religion or belief beyond any limitations permissible under international treaties signed by Nepal."

Notes to editors

1. For a comprehensive assessment of religious freedom concerns in Nepal, please refer to CSW's briefing, '**Nepal: Religious freedom in the new constitution**'.