

Nepal Communist Party (Maoist)
Office of the Dialogue Team

Letter number:

Date: Shrawan 7, 2060

(July 23, 2003)

The Negotiating Team

Old Regime (His Majesty's Government)

Through Facilitators Messrs Padma Ratna Tuladhar, Damannath Dhungana,
Shailendra Kumar Upadhyaya, and Karna Dhoj Adhikary

Subject: Preconditions for the third round for talks

Sir,

We received a letter dated Ashar 29, 2060 (July 13, 2003) from the old regime (His Majesty's Government) to "immediately start the third round of talks". Under instruction from the Nepal Communist Party (Maoist) Chairman and Supreme Commander of the People's Liberation Army Comrade Prachanda we made a serious review of the contents of the letter and, after a series of formal and informal talks, gave serious thoughts to all of these issues and decided to send a reply with a set of following preconditions for the third round of talks:

1. As a result of the strategic balance reached between old monarchical regime and new revolutionary people's power, following a fierce civil war in the country, a ceasefire was declared about six months ago on Magh 15, 2059 (January 29, 2003) between them. Following the declaration of the ceasefire, a twenty-two point code of conduct was prepared to manage it and two rounds of formal talks were held to seek a forward looking political solution through dialogues. The credibility of the faith of the old regime in talks has been completely lost on account of its action such as the Royal Nepalese Army's consistent violation of the norms of ceasefire and the code of conduct leading to the non-implementation of the decisions of the second round of talks particularly relating to confining of the activities of the Royal Nepalese Army to 5 kms of

its periphery, immediate release of central level leaders of CPM(Maoist) and making public of the whereabouts of those missing. As if it was not enough, the kidnappings of the Dialogue Liaison Office Secretary Mr. Bharat Dhungana and Dialogue Management Committee member Mr. Gyanendra Tripathi in Kathmandu and abduction of our leaders and workers in places like Dang and Khotang districts makes it clear that the old regime is bent on breaking the peace process and push the country into a cycle of civil war. Under such circumstances, if the decisions arrived at the second round of talks do not immediately get implemented, it will lead us to believe in no other options than to conclude that the old regime has unilaterally ended the ceasefire and the third round of talks is of no use at all.

2. Following the Jestha 19, 2058 (June 1, 2001) palace killings, it is well known to all that the newly declared King has been implicitly conducting the affairs of the state and explicitly since Ashwin 18, 2059 (October 4, 2002). In this context, the present Cabinet or His Majesty's Government and the negotiating team constituted by it have almost zero executive power. Ever since the declaration of ceasefire, from the important decisions of the second round of talks to all important matters of the day remain directed and controlled by the Royal Palace from behind the curtain. There is not an iota of doubt that the designation of powerless and helpless dialogue team remains the main stumbling block to the progress of the dialogue process. We are of the firm opinion that either the King should directly involve himself in the dialogue process to advance it meaningfully or he should fully authorize the government dialogue team to negotiate on all matters including the forward looking political solution and make public statement in no uncertain terms committing himself to any agreement arrived at between the two parties.

3. The crux of the ceasefire and the peace talks is that the fighting troops of both parties need to stay back at their respectively controlled territories prior to the ceasefire. It also means one's troops refraining from armed attacks on other side's controlled territory. It is also unconditional compliance by the armies, of the respective decisions of the political leaderships. In our context, it was spelt out as the fourth point in the code of conduct that both parties would not as indulge in provocative activities in sensitive territories. We also had an understanding of the ground reality that prior to the ceasefire, the district headquarters and the major urban areas were under the control of the Royal Nepalese Army of the old regime and the remainder rural areas under the control of the new regime's people's liberation army. But the Royal Nepalese Army of the old regime continued brazenly undermining at the very outset the living reality of two regimes and the armies in the country. It not only indulged in despicable acts of killing off more than a dozen people by mounting attacks on the declared territories of the new regime and the people's liberation army but also had the temerity to infiltrate indiscriminately in the name of so-called health camps. In addition, its political leadership did have the temerity to summarily ignore the agreed upon decisions as regards the five kms. provision emanating from the second round of peace talks. What is of grave concern from the perspectives of national independence and sovereignty is that during this period the Royal Nepalese Army has gone about introducing hundreds of American military experts and

advisors in the country transforming the "Royal Nepalese Army" into "Royal American Army". It has also hinted out that it is seriously conspiring to foist a foreign puppet military regime in the country by derailing the on-going peace talks. In such a situation, to build conducive atmospherics for the next phases of peace talks, the Royal Nepalese Army should express public commitment to comply unconditionally and fully with all decisions stemming from all the previous peace talks. It should also immediately put to an end all the activities against the peace talks and immediately start expelling foreign military advisors and experts from the country.

4. The objective necessity and the desire of the country and the people today is not simply talks for talks. It is rather talks for the "forward looking political exit". In view of this, we had presented our proposal in writing during the first phase of the peace talks held on Baisakh 14, 2060 (April 27, 2003) as regards the bottomline and the basic mechanism for the forward looking political exit conforming to the prevailing political balance of power in the country. It has been made patently clear at this point in time in diverse ways that the capitalist multiparty democracy which seeks to vest full sovereign power on the people is superior to the prevailing non-functional monarchical parliamentary system. It is manifestly clear that this new type of democratic system institutionalised through the round table conference, interim government and the constituent assembly enjoys people's wider support cutting across all the oppressed groups, castes, regions, sex, etc. But even after almost three months, the old regime has neither thought it worthwhile to express its opinion to the earlier proposal nor has it shown its guts to present its own separate political agenda. The fact remains that the authorities who find themselves in the seat of the changing puppet government formed at the whims of the newly declared King and at the behest of the foreign elements have time and often expressed, sometimes in muted language that the purpose of the present peace talks is to hold the parliamentary elections under the old regime and thereby addressing the so-called Maoist problem. The present issues of nationality, people's republic and the livelihood emanate from the age-old structural crisis of political, economic, social and cultural sectors together with the problems stemming from the class, caste, region and sex fronts. And that the forward looking political change and the progressive new constitution are the minimum pre-requisites for its solution. This, however, is not reflected anywhere in their utterances and deeds. At this stage, in order to avert a situation that the next peace talks would simply be a time buying tactic to prepare for a war, it is absolutely imperative that the old regime should practically prove that it should clearly spell out its political position prior to the next round of talks.

5. Old reactionary regime's Royal Nepalese Army and the new revolutionary regime's people's liberation army are strategically interlocked in conflict with each other but politically, it is a stark reality that three types of forces, regressive-absolute monarchical forces, status quoist parliamentary forces and the progressive revolutionary people's power have been competing with one another. But from both scientific and practical perspectives, this trilateral conflictual situation would not last indefinitely. One possibility is that the basic sticking points and the forward looking political exit acceptable to all the three contending parties emerging from the peace talks would give an instant solution. The other possibility is that the status quoist power would finally be

divided in between progressive and regressive forces or it will be compelled to be polarised at the progressive or the regressive end. In spite of sweeping desires of countless activists and supporters, the dithering of the parliamentary force to forge ahead progressively through the constituent assembly and its meek exercises to remain status quoist have contributed a lot in stalling the current peace efforts. It is now patently clear and out in the open that such status quoist threat of the leadership of the parliamentary forces has simply provided a lame excuse for the absolute monarchists of the old regime to disrupt the peace negotiation. It is in this context that we want to make it clear that the revolutionary people's power has grown stronger in its present form by withstanding the joint attacks of the monarchical and parliamentary forces in the past, and the new round of peace talks is a realistic possibility provided both parties settle their respective scores pretty earliest.

6. Truth is always firm and concrete. So the old regime prattling on about the abstract talks has no meaning and importance. We still favor to work out a forward looking political exit through talks. We are especially sensitive not to let the country into the vortex of the civil war and foreign forces' boots fall on Nepalese hearts. But if 'Royal Nepal Army' gets converted into 'Royal American Army, we express our resolute determination to defeat this design by becoming the 21st century liberation forces of Vietnam. We appeal the old regime to come to its senses, immediately implement the decisions arrived at the second round of talks and create a conducive environment for the third round of talks. Else, we would like the old regime know that we remain compelled to resist against it and the Royal Nepalese Army for violating the code of conduct and non-implementation of decisions reached at the second round of talks. The old regime will be responsible for all consequences deriving from it.

Baburam Bhattarai

Convener,

Negotiating Team

NCP (Maoists).