



**Press Statement**

**on**

**UNMIN's Arms Monitoring Mandate**

**16 February 2010**

*This statement is in response to recent media commentary on UNMIN's monitoring role*

Recent media reports have incorrectly attributed responsibilities to UNMIN that go beyond what the parties have asked the Mission to do. UNMIN is guided by the Comprehensive Peace Agreement and the Agreement on Monitoring of the Management of Arms and Armies (AMMAA). In its monitoring role, UNMIN does not supervise or control the Nepal Army or the Maoist army.

**Responsibility of Nepal Army and the Maoist army**

Under the AMMAA, responsibility for management of the Nepal Army and the Maoist army lies with their respective chain of command. UNMIN has not been requested to manage directly any army personnel, cantonments or barracks.

It is also the responsibility of both parties to provide UNMIN with accurate figures of the number of personnel under their command. In October 2009, UNMIN formally requested from the Nepal Army and Maoist army updated figures of their respective strength, through the Joint Monitoring Coordination Committee (JMCC), a mechanism chaired by UNMIN with membership of both armies, which discusses compliance with the AMMAA. The Nepal Army and the Maoist army have yet to furnish UNMIN with updated figures.

The Secretary-General in his 26 October 2009 report to the Security Council (S/2009/553) stated

“During the reporting period, UNMIN conducted a review of its arms monitoring arrangement and highlighted the need for the Nepal Army and the Maoist army to confirm the number of their respective personnel and increase cooperation with UNMIN on the notification of troop movements.”

In the Secretary-General's report of 7 January 2010 to the Security Council (S/2010/17) he observed that

“...neither the Nepal Army nor the Maoist army have carried out the recommendations proposed to them, as indicated in my previous report to the Security Council, to confirm the number of their respective personnel and increase their cooperation with UNMIN on the notification of troop movements.”

The Maoist army and the Nepal Army are required to provide UNMIN with this information in accordance with AMMAA 4.1.1 (Maoist army) and AMMAA 4.2.2 (Nepal Army). Failure to provide this information to UNMIN is a violation of the AMMAA.

**Absence, Death and Desertion**

Under AMMAA 5.2.5, no more than 12 per cent of the army populations confined to cantonments or barracks is to be absent at any time. It is the responsibility of Nepal Army and Maoist army

commanders to adhere to this rule. Approved reasons for absence include leave, medical referral, and family visits. During such absences, army personnel are to be in civilian attire and are not to carry weapons, unless otherwise agreed.

Official information on deaths and desertion among army personnel is provided to the JMCC, as the Maoist army has done on several occasions.

### **MoPR request to UNMIN to observe salary payments**

As per the AMMAA 4.1, the Government is responsible for providing food supplies and “other necessary arrangements” to the cantoned Maoist army. The Ministry of Peace and Reconstruction (MoPR) has provided funding to Maoist army personnel since 2007. In September 2008, the MoPR requested UNMIN to observe its regular individual salary payments. The monitoring and control of these payments has always remained with the Ministry.

### **Persons disqualified as minors and late recruits to the Maoist army**

Persons disqualified in the UN-led verification process were no longer a part of the Maoist army and were to leave the cantonments immediately. Their whereabouts were not subject to monitoring. They were not entitled to regular salary payments through the MoPR. As agreed in the Action Plan on discharge, signed on 16 December 2009, OHCHR and UNICEF will monitor compliance with this Plan.