

facilitate a peaceful and comprehensive solution through political and diplomatic efforts; and reiterated the need for the Democratic People's Republic of Korea to comply fully with all the provisions of Security Council resolution 1695 (2006);

Urged the Democratic People's Republic of Korea to return immediately to the six-party talks without precondition, and to work towards the expeditious implementation of the joint

statement of 19 September 2005, and in particular to abandon all nuclear weapons and existing nuclear programmes;

Stressed that a nuclear test, if carried out by the Democratic People's Republic of Korea, would represent a clear threat to international peace and security and that, should the Democratic People's Republic of Korea ignore calls of the international community, the Council would act consistent with its responsibility under the Charter.

28. Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council

Initial proceedings

Decision of 1 December 2006 (5576th meeting): statement by the President

At its 5576th meeting, on 1 December 2006, in which the representative of Nepal was invited to participate, the Security Council included in its agenda, without objection, the item entitled "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council".¹

In the letter, with regard to the peace process in Nepal and the request for United Nations assistance in that process, the Secretary-General reported that the peace talks between the Seven-Party Alliance forming the Government of Nepal and the Communist Party of Nepal (Maoist) had led to the successful conclusion of an agreement on 8 November 2006, which had been consolidated by a Comprehensive Peace Agreement, signed on 21 November 2006. In that agreement, the parties had agreed on the basic arrangements for the cantonment of the combatants of the Maoist People's Liberation Army and the storage of the arms and munitions of both sides. The Comprehensive Peace Agreement declared the commitment of the parties to transform the existing ceasefire into permanent peace.

Referring to the letter dated 9 August 2006 from the Prime Minister of Nepal,² the letter of the same date from the Chairman of the Communist Party of Nepal (Maoist)³ and the letter dated 16 November 2006 from the Deputy Prime Minister and Minister for Foreign Affairs of Nepal,⁴ the Secretary-General noted

that the United Nations had been requested to, inter alia, monitor the management of arms and armed personnel by providing qualified monitors supported by appropriate technical capacity. The scope and nature of that assistance, with a view to creating an atmosphere conducive to free and fair elections for the Constituent Assembly, was in the consultation phase between the Personal Representative of the Secretary-General and the concerned parties. The Secretary-General stated that, prior to such an assessment, it was imperative that the United Nations be in a position to support the peace process during the interim phase by predeploying an appropriate presence in the field as soon as possible, and should his intent to proceed accordingly.

The President (Qatar) made a statement on behalf of the Council, by which the Council, inter alia:

Warmly welcomed the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of a Comprehensive Peace Agreement, and the stated commitment of both parties to transforming the existing ceasefire into a permanent peace;

Noted the request of the parties for United Nations assistance in implementing key aspects of the Agreement, in particular monitoring of arrangements relating to the management of arms and armed personnel of both sides and election monitoring; agreed that the United Nations should respond positively and expeditiously to that request for assistance;

Stood ready to consider the formal proposals of the Secretary-General as soon as the technical assessment was complete.

¹ S/2006/920.

² S/2006/920, annex I.

³ Ibid., annex II.

⁴ Ibid., annex III.

**Decision of 23 January 2007 (5622nd meeting):
resolution 1740 (2007)**

At its 5622nd meeting, on 23 January 2007, in which the representative of Nepal was invited to participate, the Council included in its agenda the report of the Secretary-General dated 9 January 2007 on the request of Nepal for United Nations assistance in support of its peace process.⁵ In his report, the Secretary-General observed that the internal armed conflict in Nepal, between government forces and the Communist Party of Nepal (Maoist), had begun in 1996 and had ended with the signing of the Comprehensive Peace Agreement on 21 November 2006, which consolidated the 12-point understanding signed in November 2005 between the Seven-Party Alliance of parliamentary parties and the Communist Party of Nepal (Maoist) vowing to “establish absolute democracy by ending autocratic monarchy”. On the basis of the requests contained in the above-mentioned letter,⁶ the Secretary-General had dispatched a multidisciplinary assessment mission to Nepal from 9 to 17 December 2006 to develop an integrated concept of operations for a United Nations political mission in Nepal. Plans were also developed for the rapid deployment of up to 35 monitors and 25 electoral personnel as approved by the Council in its presidential statement of 1 December 2006. On the basis of the findings of the assessment mission, the Secretary-General recommended that a special political mission, the United Nations Mission in Nepal (UNMIN), be established for a period of 12 months until after the implementation of the results of the 2007 Constituent Assembly election. The main components of the Mission were related to the areas of support for the Comprehensive Peace Agreement, as requested by the parties. Core assistance to the peace process was to be provided through monitoring of the management of arms and armies, monitoring of the

⁵ S/2007/7, submitted pursuant to the presidential statement of 1 December 2006 (S/PRST/2006/49).

⁶ See S/2006/920.

ceasefire arrangements and support to the Constituent Assembly election. As the concerned parties had called for assistance in creating a free and fair atmosphere for the Constituent Assembly election by monitoring the non-military aspects of the ceasefire arrangements, the Secretary-General underscored the need for close coordination between the well-established Office of the High Commissioner for Human Rights (OHCHR) and the monitoring functions of UNMIN in Nepal. Consistent with the principle of an integrated approach, the Mission would establish a coordination unit whose main function would be to ensure strategic coherence and operational cooperation among members of the United Nations family and donors in Nepal.

At the meeting, the President (Russian Federation) drew the attention of the Council to a draft resolution;⁷ it was put to the vote and adopted unanimously and without debate as resolution 1740 (2007), by which the Council, *inter alia*:

Decided to establish a United Nations political mission in Nepal (UNMIN) under the leadership of a Special Representative of the Secretary-General and with the following mandate: (a) to monitor the management of arms and armed personnel of both sides; (b) to assist the parties through a Joint Monitoring Coordinating Committee in implementing their agreement; (c) to assist in the monitoring of the ceasefire arrangements; (d) to provide technical support for the planning, preparation and conduct of the election of a Constituent Assembly; and (e) to provide a small team of electoral monitors to review all technical aspects of the electoral process, and report on the conduct of the election;

Decided also that the mandate of UNMIN should be for a period of 12 months;

Requested the Secretary-General to keep the Council regularly informed of progress in implementing the resolution;

Requested the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of UNMIN and associated personnel in executing the tasks defined in the mandate.

⁷ S/2007/30.