



Australian Government
Refugee Review Tribunal

Country Advice

Nepal

Nepal – NPL40328 – Maoist and splinter groups – Terai – Recruitment/threats

13 June 2012

- 1. What is the relationship between Maoists and splinter groups in the Terai, particularly in the Butwal area? If an individual was an active member of the Maoists main group, would this protect you from recruitment/threats by smaller splinter groups?**

It is worth noting that following the cessation of the civil war in 2006, the Communist Party of Nepal-Maoist (CPN-M) has maintained a presence in the Constituent Assembly, and has at various times held the seat of government: the present government in Nepal is led by the CPN-M.^{1 2} It is also noteworthy that the integration of former Maoist rebels into the Nepalese Army is largely complete.^{3 4}

Relationship between Maoists and splinter groups in the Terai

Limited recent information was located regarding the relationship between the CPN-M and Maoist splinter groups in the Terai. General information on the relationship between the dominant Maoist party, the CPN-M, and various Maoist splinter groups follows below.

In 2009, *ZeeNews* reported that “Terai leader Matrika Yadav, who broke the Unified CPN-Maoist last month and Mani Thapa, who heads Revolutionary Left Wing (RWL), the breakaway faction of UCPN-M” decided to merge their parties and establish a revolutionary Communist Party. The Maoists reportedly “presented 40 point demands which includes scrapping of the Indo-Nepal Peace and Friendship Treaty of 1950, abolishing Mahakali Treaty, controlling of Indo-Nepal border, scrapping the controversial citizenship act and return of territories allegedly encroached by India”.⁵

In September 2007, a report by the South Asia Analysis Group noted that the interim government and the Madhesi Janadhikar Forum (MJF) had reached an agreement that would give “some political space to the Madhesis who now can go to the people for a mandate in the coming Constituent Assembly Elections”. The report noted that the agreement was “not all inclusive with many splinter armed groups still on a rampage”, but acknowledged that the MJF had conceded their demand for proportional representation. Some of these groups are

¹ ‘Bhattarai sworn in as 35th prime minister’ 2011, *The Himalayan Times*, 30 August

<<http://www.thehimalayantimes.com/fullNews.php?headline=Bhattarai+sworn+in+as+35th+prime+minister&NewsID=301052>> Accessed 30 August 2011

² ‘Timeline: Nepal’ 2011, *BBC News*, 17 February <http://news.bbc.co.uk/2/hi/south_asia/1166516.stm> Accessed 12 August 2011

³ ‘Nepal army ‘completes’ peace process with Maoists’ 2012, *BBC News*, 11 April <<http://www.bbc.co.uk/news/world-asia-17676538>> Accessed 2 May 2012

⁴ ‘Army ranks beckon Nepal’s former Maoists’ 2012, *Hindustan Times*, 15 April

<<http://www.hindustantimes.com/world-news/Nepal/Army-ranks-beckon-Nepal-s-former-Maoists/Article1-840871.aspx>> Accessed 16 April 2012

⁵ ‘Splinter Maoist groups join hands to form a new party’ 2009, *ZeeNews*, 24 February <<http://zeenews.india.com/southasia/2009-02-24/510278news.html>> Accessed 10 May 2012

described in the report as Maoist splinter groups.⁶ According to *Reuters*, the interim government made “a fresh offer of peace talks to groups fighting for regional autonomy in the south...to come for a dialogue to resolve those issues that can be settled before the constituent assembly elections”. Peace and Reconstruction Minister Ram Chandra Poudel reportedly “singled out two splinter groups of the Maoist former rebels that have launched a low-intensity but sustained insurgency for greater autonomy in the Terai and renewed calls for negotiations”.⁷

According to the *Indian Defence Review* in July 2007, the “CPN-Maoist chairman Prachanda and senior leader Babu Ram Bhattarai ruled out the possibility of dialogue with the Maoist splinter groups claiming that these groups were supported by ‘royalists elements and fundamental Hindu activists’”.⁸

In April 2007, *Reuters* reported that the Jantantrik Terai Liberation Front (JTLF), “which split from the main Maoist rebel group in 2004” called to disrupt the June 2007 elections. Despite the Maoists joining an interim cabinet, JTLF members “have refused to lay down their arms, saying the people of the Terai have been marginalised”. The interim government had reportedly “named a ministerial panel to engage the Front and other insurgent and ethnic groups from the Terai in dialogue”.⁹

A March 2007 *Xinhua* report noted that the “Communist Party of Nepal (Maoist) (CPN-M) and Jawala Singh-led Jantantrik Terai Mukti Morcha (JTMM) reached [a] ceasefire agreement”, agreeing not to “launch any kind of “military action”, kidnapping, murder and other excesses against one another in Sunsari and Morang, two Terai plains districts in the south of Nepal”. According to the agreement, JTMM “agreed to release abducted CPN-M cadres, both sides agreed to stand by the peace agreements reached with the government, to work towards resolving the problems of Terai, [and] not to participate in the agitation launched by the Madhesi People’s Rights Forum (MPRF)”.¹⁰

In 2007, *Agence France-Presse* reported that at least three people “were killed in clashes between two splinter groups of Maoists in southeastern Nepal”. According to the report, three Madhesi members of the JTMM (Jwala Singh) were shot by members of rival group JTMM (Goit) in Madhuwapur village, 400 kilometres south east of Kathmandu. JTMM (Goit) had reportedly “been launching anti-Maoist protest in the southern plains”, seeking that the Terai region become a separate state. An estimated 19 people were killed in clashes between Madhesi protestors and police in the preceding three weeks.¹¹

Membership of the main Maoist group

⁶ South Asia Analysis Group 2007, ‘MJF and Interim Government enter into a 22-point Agreement’, Update No. 35, 2 September <<http://www.saag.org/notes4/note400.html>> Accessed 10 September 2007

⁷ ‘Nepal’s interim govt renews call for peace talks’ 2008, *Reuters*, 16 January <<http://www.alertnet.org/thenews/newsdesk/DEL105034.htm>> Accessed 21 January 2008

⁸ Yhome, K 2007, ‘The Madhesis of Nepal’, *Indian Defence Review*, Vol 22.3, July-September <<http://www.indiandefencereview.com/geopolitics/The-Madhesis-of-Nepal-.html>> Accessed 10 May 2012

⁹ ‘Splinter rebel group vows to disrupt Nepal election’ 2007, *Reuters*, 10 April <<http://www.alertnet.org/thenews/newsdesk/DEL221911.htm>> Accessed 11 April 2007

¹⁰ ‘Maoists, splinter group said reach ceasefire agreement’ 2007, *BBC Monitoring*, source: *Xinhua*, 17 March

¹¹ ‘3 dead in Nepal after Maoist splinter groups clash’ 2007, *Channel News Asia*, source: *Agence France-Presse*, 6 February <http://www.channelnewsasia.com/stories/afp_asiapacific/view/256819/1/.html> Accessed 10 May 2012

No information was located to indicate that an individual would be protected from recruitment or threats by splinter groups by virtue of being an active Maoist, or that Maoist splinter groups in the Terai attempt to forcibly recruit people. As noted above, Maoists and former Maoist splinter groups were traditionally at odds, and have a history of violence and mutual distrust, despite holding similar political ideologies.

2. Who are the most active groups in Butwal, particularly prior to August 2008 and now? When did these groups start?

Limited specific information was located indicating which groups are the most active in the Butwal region. Information on groups in the Terai is often scarce and fragmented at best, particularly regarding smaller splinter groups, which often evade widespread scrutiny. Information, such as when certain groups were established, is provided where possible.

Historical grievances and the current political situation in Nepal have seen the Nepali lowlands bordering India, known as the Terai, become highly restive, violent and lawless.¹² While nearly half of Nepal's population lives in the Terai, the dominant ethno-linguistic group – the Madhesi – have never shared in political power. Until a 2006 amendment to the citizenship law, many Madhesi were not entitled to Nepali citizenship due to Nepali language requirements.¹³ Militant groups and criminal gangs have taken advantage of the power vacuum in the Terai, and the relative absence of law and order has resulted in increases in the numbers of killings, kidnappings, rapes, shootings and bombings.¹⁴ Armed groups in the Terai have attacked civilians, government officials, members of ethnic groups, each other, and Maoist militias.¹⁵

In 2010, the South Asia Terrorism Portal¹⁶ (SATP) cited a Nepalese Home Ministry report, which identified 109 armed groups operating in Nepal, many of which were active in the Terai. Of these, “only 12 out of 109 armed groups active in the country were political, while 70 of them were purely criminal in orientation”. The report categorised armed groups as “political, religious, political criminal and purely criminal”. The twelve groups categorised as political included the “Akhil Terai Mukti Morcha (Jaya Krishna Goit faction), Kirant Janbadi Workers Party and Tharuhat Swayatta Rajya Parishad”, while the Cobra (Nagraj) and the Nepal Defence Army were considered to be religious. Eleven other groups were categorised as political-criminal groups.¹⁷

Following the abolition of the monarchy and the erosion of state power in the Terai, a number of armed Madhesi political and militant groups formed, advocating political and economic inclusion, ethno-regional autonomy, or secession from the state.¹⁸ These groups include: Janatantrik Terai Mukti Morcha (JTMM – formed in July 2004)¹⁹; the Madhesi Mukti Tigers

¹² International Crisis Group 2007, *Nepal's Troubled Terai Region*, Asia Report N°136, 9 July, p.i

¹³ ‘NEPAL: Tension in south could lead to war, analysts warn’ 2007, *IRIN News*, 9 April
<<http://www.irinnews.org/Report.aspx?ReportId=71235>> Accessed 19 July 2010

¹⁴ ‘NEPAL: Small arms fill power vacuum’ 2008, *IRIN News*, 14 May
<<http://www.irinnews.org/Report.aspx?ReportId=78188>> Accessed 19 July 2010

¹⁵ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Nepal*, 8 April, Introduction

¹⁶ The South Asia Terrorism Portal is maintained by the Institute for Conflict Management, a New Delhi-based private think-tank.

¹⁷ South Asian Terrorism Portal 2010, ‘Nepal Assessment 2010’,
<<http://www.satp.org/satporgtp/countries/nepal/index.html>> Accessed 18 October 2010

¹⁸ ‘NEPAL: Small arms fill power vacuum’ 2008, *IRIN News*, 14 May

<<http://www.irinnews.org/Report.aspx?ReportId=78188>> Accessed 19 July 2010

¹⁹ South Asia Terrorism Portal n.d., ‘Janatantrik Terai Mukti Morcha – Jaya Krishna Goit (JTMM-G)’

<<http://www.satp.org/satporgtp/countries/nepal/terroristoutfits/jtmmg.html>> Accessed 20 January 2012

(MMT – re-emerged after extended inactivity in 2007)²⁰; Samyukta Janatantrik Terai Mukti Morcha (SJTMM); Liberation Tigers of Terai Elam; the Terai Cobras (likely started in May 2007)²¹; the Madhesi Virus Killers; the Terai Army (first heard of in 2007)²²; and the National Defence Army (emerged in 2009).²³ The United Democratic Madhesi Front (UDMF), a coalition of several Madhesi political groups, which had demanded the creation of a single federal state encompassing the entire Terai plain, is now seeking the creation of two separate states instead. The UDMF is allied with Tharuhat Samyukta Sangharsha Samiti (TSSS) and Tharu Kalyankarini Sabha (TKS), which represent the Tharu peoples, a linguistic group which also resides in the Terai.²⁴

Reporting indicates that armed groups have been active in Butwal as recently as 2011. According to the SATP, an improvised explosive device “exploded in a moving microbus near Milanchowk in the Butwal area of Rupandehi District” in March 2011, injuring an estimated 23 people, and killing one.²⁵ In 2009, the SATP reported that unidentified gunmen shot and killed a Youth Force (the youth wing of the Communist Party of Nepal-United Marxist Leninist: CPN-UML) cadre as he was returning home in Butwal. While the CPN-UML reportedly accused the Young Communist League (the youth wing of the CPN-M) of involvement in the killing, the Jaya Krishna Goit led ATMM claimed responsibility.²⁶

3. Please provide a map of the area.

Butwal is located west of Kathmandu, near the Indian border on the Terai plain.

²⁰ Yhome, K 2007, ‘The Madhesis of Nepal’, *Indian Defence Review*, Vol 22.3, July-September <<http://www.indiandefencereview.com/geopolitics/The-Madhesis-of-Nepal-.html>> Accessed 10 May 2012

²¹ Yhome, K 2007, ‘The Madhesis of Nepal’, *Indian Defence Review*, Vol 22.3, July-September <<http://www.indiandefencereview.com/geopolitics/The-Madhesis-of-Nepal-.html>> Accessed 10 May 2012

²² Yhome, K 2007, ‘The Madhesis of Nepal’, *Indian Defence Review*, Vol 22.3, July-September <<http://www.indiandefencereview.com/geopolitics/The-Madhesis-of-Nepal-.html>> Accessed 10 May 2012

²³ Sarkar, S 2010, ‘Another Hindu militant group on rise in Nepal?’, *Thaindian News*, 6 June <http://www.thaindian.com/newsportal/world-news/another-hindu-militant-group-on-rise-in-nepal_100375787.html> Accessed 27 April 2012

²⁴ Ansari, G. 2011, ‘Madhesi parties to drop one state demand’, *Republica*, 1 November <http://www.myrepublica.com/portal/index.php?action=news_details&news_id=37747> Accessed 4 November 2011

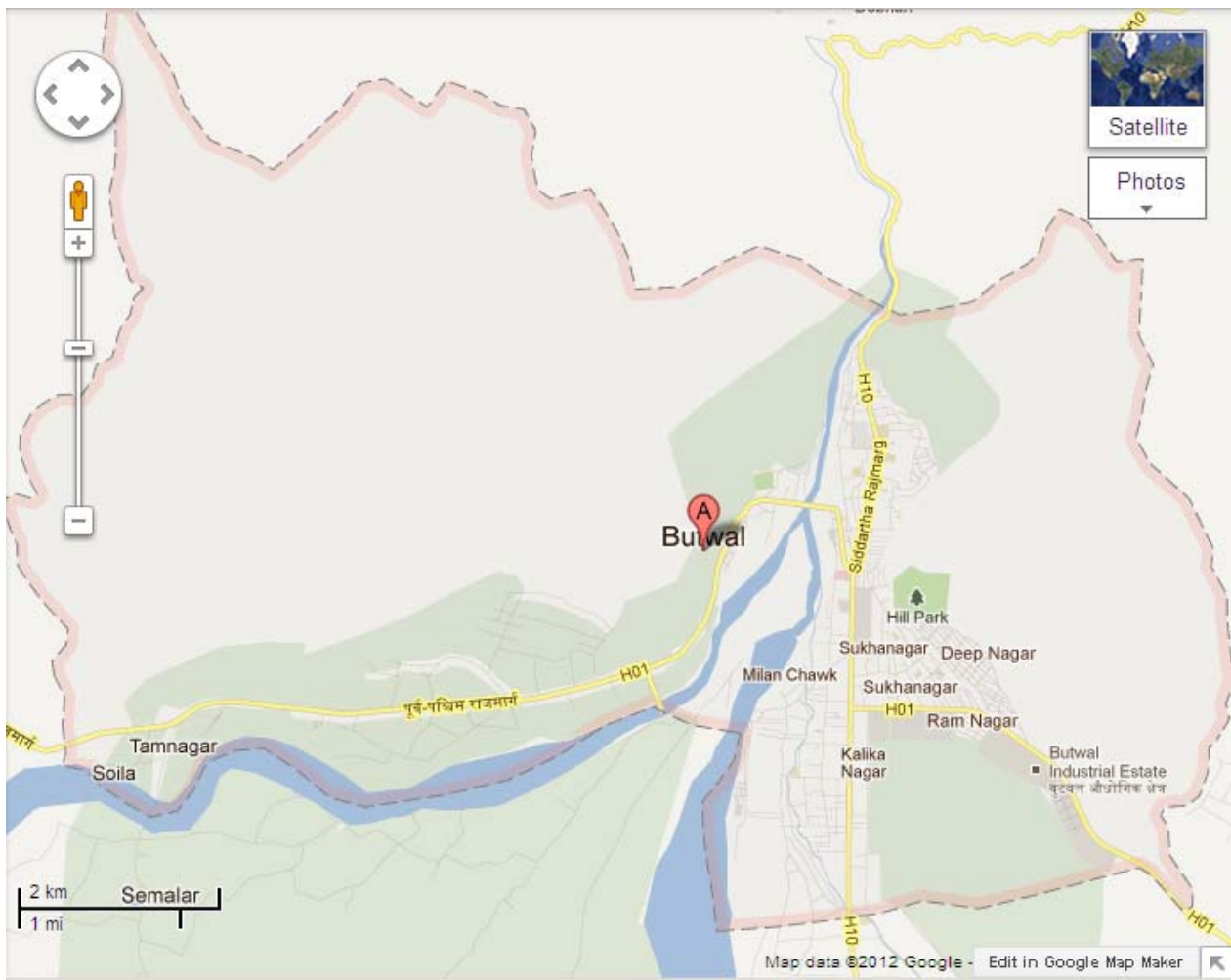
²⁵ South Asia Terrorism Portal 2011, ‘Nepal: Terai Simmering – Analysis’ 2011, 4 April <http://www.satp.org/satporgtp/sair/archives/sair9/9_39.htm#assessment1> Accessed 20 January 2012

²⁶ South Asia Terrorism Portal n.d., ‘Janatantrik Terai Mukti Morcha – Jaya Krishna Goit (JTMM-G)’ <<http://www.satp.org/satporgtp/countries/nepal/terroristoutfits/jtmmg.html>> Accessed 20 January 2012



Map 1 - Butwal²⁷

²⁷ 'Butwal Regional Map' 2012, Weather-Forecast.com website <<http://www.weather-forecast.com/locations/Butwal>> Accessed 10 May 2012



Map 2 – Butwal City²⁸

²⁸ 'Butwal City' 2012, Google Maps website

<http://maps.google.com.au/maps?hl=en&rlz=1T4EGLC_enAU383AU467&bav=on.2.or_r_gc.r_pw.r_qf..cf.osb&biw=1112&bih=699&wrapid=tlif133660180613710&q=Butwal+city&um=1&ie=UTF-8&hq=&hnear=0x3996864275d9755f:0x2b1e92d89d4bb3ae,Butwal,+Nepal&gl=au&ei=2veqT76XO-aOiAfm1YjACA&sa=X&oi=geocode_result&ct=title&resnum=1&ved=0CCMQ8gEwAA> Accessed 10 May 2012

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<<http://www.hindustantimes.com/world-news/Nepal/Army-ranks-beckon-Nepal-s-former-Maoists/Article1-840871.aspx>> Accessed 16 April 2012. (CISNET Nepal CX285149)

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<<http://www.thehimalayantimes.com/fullNews.php?headline=Bhattarai+sworn+in+as+35th+prime+minister&NewsID=301052>> Accessed 30 August 2011.

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