Welcome to Nepal…..
Country Searching for Peace!

PEACE BUILDING PROCESS AND CIVIL SOCIETY IN NEPAL

Rohit Kumar Nepali
February 2004
Political Aftermath of People’s Democratic Movement

Failed Democratic Leadership
- Inability to fulfill people's expectations, freedom it offered & issues of rigid social structure
- The fundamental crisis of governance and political alienation of the Maoist, leading to war
- Since 1996 government restored to the military solution
- The current polity incapable to maintain security and peace in the country
- Tripartite power conflict deepening since the King's arrogation of legislative power on October 4, 2002, and two-failed ceasefire negotiations
- The political situation in deadlock and stagnation

Mal Governance with Social Injustice
- Post-1990 governance provided the space for conflict escalation
- Imbalance of political, socio-economic and cultural opportunities
- Geographical disparity: in resource distribution, structural inequality
- Socioeconomic political exclusion, gender and caste discrimination
- Constitutional causes: promote one language, one culture & one religion, gender inequalities
- The absence of a vibrant civil society
- The absence of effective mechanisms for non-violent conflict management of group interests
- Denial psyche: ignoring the reality rather than accepting challenges

Moving Towards Failed State
- A "Peaceful Country" emerging as a "Conflict Country",
- Counter violence intensified: breakdown of cease-fire 27 August 2003
- Increasing insecurity, civil strife and social, political and development instability
- Thousands killed, displaced and forced to leave the country
- Damaged billion rupees worth of property and infrastructure
- 70 % cottage, national industries & enterprises closed down
- Development budget diverted for military armament
- Moving towards militarization and autocratic rule
- Escalation of human rights violation

Chaos and Psychological Trauma
- 8,500 People killed (356 were innocent; 6,011 Maoists, 873 civil police, 773 civilians, 97 armed police and 219 soldiers)
- Over 600,000 people fleeing to the urban headquarters and neighbouring countries
- Abduction/ Disappearance: State - 495; Non State – 345
- Arrests/ Torture: State - 12, 708; Non State – 650
- Sexual Abuse: State – 93; Non State – 12
- Killed 155 children (below 17 years):
  - 79 by the Maoists and 76 by the State
  - 53 females by State & females 22 by Maoists
  - Most of the children from the Mid-western region,
- Children used as Maoist soldiers
- Children deprived of their right to education. (700 private schools closed down since 1996)
- Thousands Children made orphans
- Over 4,000 children internally displaced
Assessment of the Cost of Conflict….

Direct Cost
- Increasing government military expenditure
- Opponent’s [Maoist] military expenditure
- Government expenditure on relief service
- Extortion from the revolutionaries/ Maoists
- Increased taxes in the name of security
- The cost of lost infrastructure: The loss of production, assets, property, materials

Indirect Cost
- Business loss due to Maoist, strikes and bandhs
- Loss of Opportunities
- Fear Psychosis/ Trauma

Long Term Cost
- The development expenditure diversion affected the growth
- The lost tangible opportunity cost can neither be recovered nor repaired
- The cost of militarization affected the social sector development needs
- Nudge out the human development
- Children addicted to violence & gun culture
- Conversion of "Culture of Peace" into Culture of Violence"

Cost Estimation of Losses Due To Conflict

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>VALUE ( NRs.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct Cost</td>
<td></td>
</tr>
<tr>
<td>• Direct Government Security Expenses:</td>
<td>39 billion 63 million</td>
</tr>
<tr>
<td>• Maoists Army Expenses:</td>
<td>1 billion 94 million – 2 billion 13 million</td>
</tr>
<tr>
<td>• Physical Infrastructure, Bank etc. Expenses:</td>
<td>25 billion</td>
</tr>
<tr>
<td>Indirect Cost</td>
<td></td>
</tr>
<tr>
<td>• Business Loss due to Maoists Strikes/ Closure:</td>
<td>1 billion</td>
</tr>
<tr>
<td>• Loss of Income due to declining Tourists:</td>
<td>11 billion 4 million</td>
</tr>
<tr>
<td>• Loss of Income due to Human Resources brain drain:</td>
<td>14 billion 4 million</td>
</tr>
<tr>
<td>• Loss in Sources of Income due to labor migration:</td>
<td>8 billion</td>
</tr>
<tr>
<td>• Loss due to Diversion of Investment in Public Sector:</td>
<td>12 billion 30 million</td>
</tr>
<tr>
<td>• Effects on Direct Foreign Investment:</td>
<td>6 billion 5 million</td>
</tr>
</tbody>
</table>

Reality Divide
- All the Four Power Centers Confined to their Own Isolated Realities
  - The King, Government: led by the armed soldiers
  - The Political Parties: followed by the political cadres
  - The Maoists: dominated by the leaders and commandos
  - The Civil Society: guided by the political party ideologies
- No or distorted information sharing among or between the stakeholders
- People and their realities have been totally ignored
Responses of Civil Society, Political Parties, Government And The King

Sincere But Ineffective Attempts of Civil Society
- Initially, silence prevailed among CSOs on the issue of the Maoist conflict.
- Most of the civil society groups perceived Maoists demands to be reasonable
- No attempt to address or facilitate dialogue fearing to be labeled as “Maoist Sympathizers”.
- As the movement turned violent and violated human rights the civil society voicing concern
- Peace became center point of all discussions and awareness level of the people raised
- However, systematization of communication never used as viable peace proposition

SAP-Nepal Peace Interventions….
- Bottom up process initiated to identify the issues of governance at national level (1999)
- A consultative peace building process conducted in 25 districts, 4 regions and one at national level was conducted (1999)
- Human rights activists initiated to facilitate talks (March 2000)
- A consultative process initiated to develop a national agenda through 4 regional and one national level interaction (August 2003)
- Developed agenda on Pro people governance (April 2002)
- Conducted interactive studies on the role of political parties, army and people in changing constitution at regional and national level (April 2003)
- Environment for peace continued to build up through various interactive processes

Strategies Adopted In Peace Process
- Formation of Pressure Groups of civil Society
- Peace Rally
- Civil Society Peace Forums
- Awareness Raising Campaigns
- Hunger Strike
- Need Identification for Restoration of Peace
- Training on Peace and Conflict Management
- Peace Solidarity at National and Local Level
- Peace Dialogue at National, Regional and Local Level
- Public Hearing
- Publication on Peace and Governance
- Governance Planning with People
- Peace Building Interaction Workshops
- Possibilities for building Peoples Alternative Constitution

Outcome of the Civil Society Peace Processes
- Increased sensitization, in-depth knowledge and understanding on the causes and consequences of Violence and Conflict
- Popularity of Maoist, in terms of their violent action, among the urban masses decreasing among the Civil Society
- CSOs encouraged to act as change agent of peace process
- Realization of CSOs role for promoting peace by the Government and Other stakeholders
Half Hearted Responses of Political Parties
- Clash of egos between Prime Minister and his party president resulted in dissolution of parliament
- Political attempt to isolate Maoists
- Political parties voicing to reinstate parliament for coming back to power
- Some attempts to take the King into confidence
- No confidence in Peace Talk
- The decision to form Civilian Security Committees opposed by Civil Society, Political leaders, and Human right activist
- The political parties opposing the King for overstepping his constitutional role
- Supporting the students to agitate against the King’s move
- Media was not promoted to project independent role

Peripheral Government Efforts to Mitigate Conflict
- Defense budget and armed forces drastically increased
- Security forces prohibiting distribution of food and medicine in villages
- The integrated security and development program (April 2001)
- Civilian Security Committees formed
- Permission for ICRC to operate in Nepal
- Arrangement of Compensation Fund to victim of conflict (PM Relief Fund)
- Anticorruption bill, Amending CIAA Act, Investigation of wealth of high ranking politicians and bureaucrats
- Announcing some propagandist program
- Censorship on media prevailed on the issues of political ideologies

King Overriding the Constitutional Power
- Parliament dissolved on May 22, 2002 without the completion of the terms of Member of Parliament
- Declares the date for the mid term parliamentary election
- Nominated two Prime Ministers and Cabinet Ministers, Ambassadors
- The Royal Palace budget increased from Rs. 110 to Rs. 640 millions
- Participating actively in public activities
- The King overstepped his constitutional role asserting the executive power on October 4, 2002
- Bent to destroy the old order of the constitutional monarchy under multiparty democracy
- Media never taken into confidence to play neutral role

The Commitment of the King: Unpredictable
- Three Commitments of King:
  - Multiparty Democracy
  - Current Constitution, 1990
  - After the election handing over the power to elected parliaments
- The none commitment on the Constitution reflected through the misuse of article (Dhara)127 for dissolving the Parliament
- The current environment not conducive for the free and fair election
- The King may pursue for directive election
- The changing responses of King after each public felicitation ceremonies reflects the intention:
  - Constructive Monarch
  - Active Monarch
  - Guided/ Authoritarian Democracy
- The multiparty democracy heading towards authoritarian monarchy
PERCEPTIONS AND EXPECTATIONS

The Perceptions of Various Stakeholders
• The King blaming the politicians
• Youth Students leaders blaming the King
• Maoists blaming the King and political party leaders
• The Political Party leaders blaming the King
• Ironically no one is making self assessment and
• None of the stakeholders raising the people’s agenda

The Various Expectations Without Realization of Peoples Expectation
✓ Constitutional Monarchy under Parliament Democracy: The Elected Political Parties
✓ Democratic Republican: Youth Students Leaders
✓ Autocratic Republican/ Communism: Maoists
✓ Authoritarian Democracy: The King
✓ Multiparty Republican Democracy: People of Nepal

The Current Positioning: Not A Win Win Situation
✓ No major power center in win win situation
✓ The Political parties leaders: Lost the credibility and trust of people, no public following
✓ The King: Even with army power no proven commitment to address people agenda
✓ The Current nominated Government: No legitimacy, no public support
✓ The Maoists: Peoples agenda with arm power but without winning of hearts of the people, wrong approach
✓ The Civil Society: Weak, disorganize and politicized without collective agenda

Common Agreeable Points of Major Stakeholder: Some Hope!!!
• A massive modification in the state mechanism and socio-economic structure;
• The Peoples Sovereign Power to be further clarify and strengthen;
• Acceptance of "Rule of Law" for the promotion of Basic (Muliki) Rights and protection of "Human Rights";
• Due recognition to the political parties for the institutionalization of multiparty democratic system;
• Provision of elected peoples parliament and elected government;
• Eradication of all kinds of gender, caste and ethnic biased practices and existing exclusionary and discriminatory laws;
• Special provision of reservation for the women, ethnic, dalits and people of remote areas;
• Special provision for the decision through the referendum on any constitutional changes and issues of national importance.

A DREAM FOR PEACEFUL NEPAL
The Focus of Peace Building
• Recognize The Major Actors of the Peace Building:
  ✓ Maoists Rebels
  ✓ Political Parties involved in movement
  ✓ The King and Ruling Party
  ✓ The Civil Society
• Reconciliation among the Conflicting Parties and Wider Society
• Conflict Transformation with focus on Socioeconomic and Political Development
• Reconstruction of the Society with Equality and Social Justice
• Economic Growth with benefits to all

**Basic Conditions for Conflict Transformation**
- Solution through political processes and not through military
- Adoption of inclusive decisive governance measures
- State performance according to the people expectation
- Change the perspectives of power balance (Not Elimination of the Third Power):
  - Alienation of Maoists by the collaborative efforts/actions of Political Patties and the King
  - Joining of parliamentarian political forces and Maoists towards isolating the ruling government

**Strategic Steps for Peace Building**
- Initiation for Peace Talk by either of the stakeholders
  - By the King
  - By the Parties
  - By the Maoists
  - By the Civil Society
- Announcement of Ceasefire
- Formation of all stakeholders Joint Peace Commission
- Call for all stakeholders representatives Conference
- Develop political consensus on basic elements of conflict
- Formation of all party interim government
- Conduct election for Constituent Assembly
- Draft a new Constitution
- Election of Parliamentary Government
- Formation of New Constitution
- Formalization of the Constitution through Referendum

**Role of Civil Society in Building Peace**
- Facilitate for identifying the underlying issues and look for shared objectives and mutually compatible agendas,
- Promote mutual respect among all the power centres/stakeholders
- Adopt multi-track, multi actor approaches combining a range of strategies at all level
- Articulate and modify the role of the security forces in society for preventing violence
- Establish mechanism for monitoring human rights violation
- Include a program of disarmament, demobilization, and re-integration for peace settlement
- Facilitate to form an independent judiciary and accountability
- Promote for reconciliation at all levels
- Develop networks and coalitions with likeminded partners
- Enhance the professional skills of civil society actors
- Promote the media for communication and advocacy

**PEACE, PEACE AND PEACE !**
- The Government, Political Parties and the Maoists must be sincere and serious to resolve the conflict
✓ Civil society be organized with Common Agenda of PEACE
✓ Media be neutral, impartial on the Political PEACE Process
✓ Business sector be Pro Active
✓ Promotion of Inclusive Governance with Social Justice Approach

Thank You! Namaste!

SAP-Nepal, February 2004, Canada