

5.4 Nepal: Ministry of Peace and Reconstruction – a foundation for peace

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A Maoist rebellion and a political crisis threatened to derail this traditionally peaceful country. Government and civil society found each other in time to successfully manage the threats and their aftermath. Nepal has become the second country in the world that has a Ministry of Peace.

Nepal's decade-long conflict between the government and the Maoist rebels disrupted the relationship between civil society, the state, and the market. Successive governments during the time of the conflict took an authoritarian stance and tried to place restrictions on civil society groups, thereby reducing their room to manoeuvre (Harpviken & Kjellman 2004). While civil society was thought to act as a check on the powers of the state, it was the state that set the parameters for civil society, considering it to be an "evil society."

In the midst of these challenges, Nepal's civil society played a crucial role in mediating between the needs of special interests and those of the common good, between political and economic sectors for the welfare of the majority of citizens, who are poor, powerless, deprived, and, due to the decade-old conflict, alienated from the mainstream democratic and development process (Thapa 2005). Thus, Nepalese civil society had to invent a language to communicate the problems people faced, and outline a number of overlapping programs people had to contend with, and exert pressure on all the actors in the conflict to end the conflict. There was a need for the civil society to influence state policy making and to help shape public opinion in order to articulate the collective. This is an essential element for pro-people public policies as well as to trigger the dialectics of social transformation during the transition phase. Though there were restrictions to the right to organize or free political expression, which weakened civil society, particularly during conflict. However, the encroachment of the state does not necessarily mean that there is not an active civil society in Nepal;

sometime the totalitarian regimes often sow the seeds for change as civil society organizes against its oppressive policies.

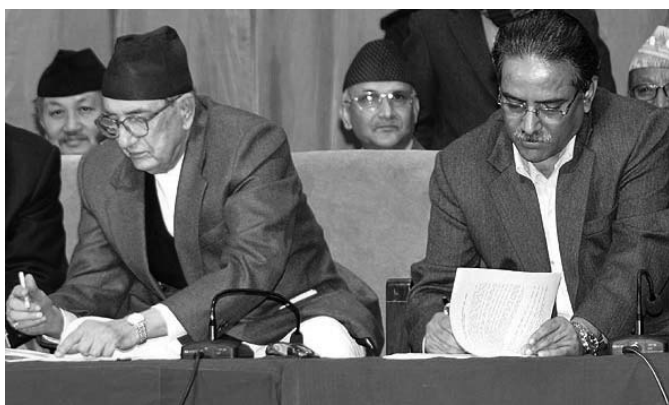
Various organized civil society groups in Nepal were active during the conflict. For example:

- *Barta Sarokar Nagarik Samiti* (Committee of Concerned Citizens for Peace alks) was formed by a number of intellectuals to facilitate the negotiations between the two sides
- *Shantira Bikaskalagi Nagarik Samaj* (Civil Society for Peace and Development-CSPD)
- *Shanti ra Loktantrakalagi Nagarik Andolan* (Civil Movement for Peace and Democracy – CMPD)
- Human Rights and Peace Society (HRPS)
- Professional Alliance for Peace and Development (PAPAD) was formed to put pressure on both sides to find a solution to the conflict.

Realizing that it would not be possible to put adequate pressure on the government by working individually, a broader alliance called Nepal Peace Initiative Alliance (NPIA) was formed later by the coming together of dozens of organizations and NGOs. Marches and other activities were organized by NPIA to lobby for a state-level Ministry/Department of Peace and to exert pressure on all parties to find a negotiated settlement of the ongoing conflict. Around this time, several other civil society forums were also created, including the Civic Forum, Civic Peace Commission, and the eleven-member Talks Facilitation Committee to help with the peace process.

Also during that time, and since 2002, the political parties went into protest mode against the government when the parliament was dissolved and the King scrapped democracy. The political movement had failed to gain much momentum, however, until the 2005 Delhi accord between the rebels and the parties (Thapa 2006). The civil society contributed to convincing the two sides

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Signing of Comprehensive Peace Agreement between Prime Minister Girija Prasad Koirala and Maoists Chairman Prachanda, December 2007

to enter into an alliance and later provide the critical spark and energy to the ongoing political movement. It is for this reason that many see the new force of civil society as having made a unique contribution in the final outcome of *janaandolan II*, as the April 2006 Revolution has come to be called.

Forging partnership for peace and democracy

The critical role played by civil society in making the political movement successful was recognized by party leaders and the media. During a BBC radio commentary on May 20th, for example, explicit credit was given to the civil society of Nepal for infusing the listless two-year-old agitation of the political parties with new vitality and bringing it to a decisive conclusion. In some of the stronger assertions of its role in the regime change, even the party leadership became marginal and irrelevant to the centrality of the civil society grassroots. After the king surrendered executive powers on April 24, 2006, the prime minister and the leader of the seven party alliances, Girija Prasad Koirala, thanked the civil society of Nepal by name for its outstanding contribution.

Civil society has remained a powerful voice in the public debates and policy issues in the immediate aftermath of the regime change. It has had a significant influence on major decisions of the new government, such as declaring Nepal a secular country, stripping the monarchy of all powers, transferring the command of

the army from the king to the cabinet, and forging a peace settlement with the Maoist rebels. Another important decision of this period was a new law that would grant Nepali citizenship to four million foreign residents and migrants, in a total national population of 26 million.⁵⁴

As a clear indication of civil society's political clout and moral authority, the government and the Maoists on June 15, 2006, nominated a 31-member committee comprised mostly of civil society actors to monitor the truce between their forces. Concurrently, a five-member committee comprised of top civil society leaders was formed to observe the ongoing peace talks between the rebels and the government. Similarly, a high-level commission comprised of civil society activists and political leaders was formed to investigate the human rights abuses of the royal government, including those of the king and the security forces, during the democratic movement. Furthermore, the government appointed yet another committee comprised of prominent civil society representatives to draft an interim constitution during this period.

Ministry of Peace & Reconstruction and CSOs: working together for sustainable peace

Perhaps most importantly, the government decided in March 2007 to create a Ministry of Peace & Reconstruction, which was one of the pressing demands of civil society as part of the peace process.

The establishment of the Ministry of Peace and Reconstruction makes Nepal the second nation in the world to have such a ministry (after the Ministry of National Unity, Reconciliation, and Peace in the Solomon Islands), placing Nepal at the forefront of the rapidly growing global movement for ministries of peace in countries around the world. So far, civil society activists and government officials from over 30 countries, including Nepal, participate in the Global Alliance for Ministries and Departments of Peace⁵⁵, all

⁵⁴ Most of these landmark decisions were contained in the declaration issued from the parliament on May 18th, 2006.

⁵⁵ For more information on Global Alliance for Ministries & Department of Peace, see www.mfp-dop.org.

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Ministry of Peace & Reconstruction

Vision

Provide effective assistance to build a beautiful, peaceful and new Nepal through lasting and sustainable peace building.

Mission

Play a catalytic role through its institutional, procedural and technical activities for the end of the present chapter of violence and towards the enhancement of sustainable peace and developmental activities.

Objectives

- Support initiatives for constructive conflict management.
- Conduction of Discussion programs, Workshops and Interactions and Trainings to sustain peace.
- Promotion of the participation and integrity of all sphere of society in the peace process of Nepal.
- Environmental development of International support and cooperation to peace.
- Support to GON in formulating and executing policies and strategies to sustain the peace process.
- Catalytic role to construct the action plans of conflict management, immediate relief, rehabilitation and reconstruction.
- Recommendation and advisory role in formulating policies and strategies required for the peace and consensus building.

calling for such government ministries or departments in their countries. These agencies will be different depending on the particular cultural and historical context of each country, but all aim to employ proven peacebuilding approaches to resolve conflicts before they escalate to violence and to otherwise prevent violence of all kinds, within and between nations, and thus create the conditions for sustainable peace.

It has widely been perceived that the Comprehensive Peace Accord concluded between the Government of Nepal and the Communist Party of Nepal (Maoists) on November 21, 2006 and subsequent political developments have brought about a decade-long armed conflict to a formal end and opened new avenues for the establishment of sustainable peace and socio-political transformation of the nation. Peace agreements signed by political leaders are often inadequate. Without a major effort for reconciliation at the grass roots, the destructive causes of conflict cannot be addressed or transformed into sustainable, 'positive' peace. In order to avoid the unfavourable situations and to mitigate the

adverse impacts on social, economic and political life of the nation caused by the violent conflict, it is vitally necessary to timely address its root causes and takes appropriate measures for its resolution. Only by combining politicians and CSOs, we can mobilize the 'social capital' that brings reconciliation and sustainable peace.

Realizing these facts, the Ministry of Peace and Reconstruction (MoPR) has envisioned that civil society can play an important role in encouraging the cessation of armed conflict, and constitutes a vital force in post-conflict recovery as it has that potential to promote reconciliation, serve as a corrective to political and military elites, as well as enhance local ownership and foster democracy.

According to the Government of Nepal (Allocation of Business) Rules, 2007⁵⁶; published in the *Nepal Gazette* of May 7, 2007; the functions and duties of the Ministry of Peace and Reconstruction are as follows:

⁵⁶ For more information, see www.peace.gov.np.

THE GLOBAL ALLIANCE FOR MINISTRIES AND DEPARTMENTS OF PEACE

What is the Global Alliance?

The Global Alliance for Ministries and Departments of Peace, at www.mfp-dop.org, is a worldwide *community* comprised of a broad spectrum of people and organisations from civil society, government, and business:

- Are calling and working for the establishment of ministries and departments of peace in governments around the world; and
- Subscribe to principles of non-violence in their personal behaviour with one another and the world and in the resolution by peaceful means of interpersonal and intergroup conflicts.

The purpose of the Global Alliance is to enable and facilitate the capacity of its network to share and provide resources, encouragement, and support for existing and new national campaigns for Ministries and Departments of Peace that reflect and support the emergence of a global culture of peace and non-violence. The Global Alliance also seeks to increase global understanding of the need for ministries and departments of peace around the world. Two countries already have such ministries – the Ministry of Peace and Reconstruction in Nepal and the Ministry of National Unity, Reconciliation, and Peace in the Solomon Islands.

A principle activity of the Global Alliance in support of its community is sponsorship of the annual Global Summit for Ministries and Departments of Peace. The principal purposes of the Global Summit are to build relationships; share and learn from one another's experiences; expand, through trainings offered, the bank of knowledge and skills of the community; and inform their respective governments and the world about the need and role for and practicality of ministries and departments of peace.

The Global Alliance began in October 2005 in the United Kingdom at the First Global Summit for Ministries and Departments of Peace, which was attended by people from a dozen countries. The Second Global Summit, held in June 2006 in Canada, was attended by people from 18 countries. The Third Global Summit took place in Japan in September 2007 with delegates attending from 21 countries. An associated global youth movement was launched

- Formulation, implementation, monitoring and evaluation of immediate and long-term policies, strategies, plans and programs for the establishment of peace, conflict management and reconstruction of physical infrastructures damaged due to conflict
- Policies, strategies and programs of social and economic development of conflict-affected regions
- Implementation, monitoring and evaluation of such other agreements, understandings and decisions including Comprehensive Peace Accord
- Institutional, procedural and technical matters necessary for maintaining sustainable peace
- Study, analysis and exchange of experiences pertaining to establishment of peace and conflict management
- Relief and rehabilitation for those who are victimized and displaced due to conflict
- Study and research on conflict sensitivity approach
- Matters of performing tasks as depository centre and documentation centre of information, study materials and study reports relating to peace establishment and conflict management and also as a technical resource centre of peace and conflict management
- Local Peace Committees
- Transitional management of peace process and conflict

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at the Victoria Summit. Further, delegates from Africa to the Japan Summit formed the African Alliance for Peace to extend and coordinate the movement for ministries of peace throughout Africa. The Fourth Global Summit will take place in Sydney, Australia, in 2008.

The Global Alliance is committed to partnership and cooperation with governments and civil society organisations working to change the manner in which conflict is dealt with so as to meet the fundamental needs of all humanity for security, mutual respect, justice, and a sustainable Earth.

Why a Ministry or Department of Peace within national governments?

- To create peace as a primary organising principle in society, both domestically and globally;
- To direct government policy towards non-violent resolution of conflict prior to escalation to violence and to seek peace by peaceful means in all conflict areas;
- To promote justice and democratic principles to expand human rights and the security of persons and their communities, consistent with the Universal Declaration of Human Rights, other related UN treaties and conventions, and the Declaration and Programme of Action on a Culture of Peace (1999);
- To promote disarmament and develop and strengthen non-military options of peacemaking and peacebuilding;
- To develop new approaches to non-violent intervention, and utilize constructive dialogue, mediation, and the peaceful resolution of conflict at home and abroad;
- To encourage the involvement in local, national, and global peacebuilding of local communities, faith groups, NGOs, and other civil society and business organisations, including the formation of civilian non-violent peace forces;
- To facilitate the development of peace and reconciliation summits to promote non-violent communication and mutually beneficial solutions;
- To act as a resource for the creation and the gathering of best practices documents, lessons learned, and peace impact assessments;
- To provide for the training of all military and civilian personnel who administer post-war reconstruction and demobilization in war-torn societies; and
- To fund the development of peace education curriculum materials for use at all educational levels and to support university-level peace studies.

- Consultation committees on peace and rehabilitation
- Truth and Reconciliation Commission
- High-level Monitoring Committee on Peace Process
- Formulation, implementation and coordination with sectoral bodies of plans of reconstruction and rehabilitation of physical infrastructures damaged as a result of conflict
- Operation and monitoring of plans and programs to be operated from the Peace Fund
- Management of cantonments of combatants of rebel-side
- Focal point of governmental, non-governmental and international institutions/organizations pertaining to peace establishment and conflict management.

These scopes of the functions and the duties of the Ministry of Peace & Reconstruction have opened up several avenues for further cooperation with civil society organizations. Civil society organizations (CSO) are partners of choice for collecting hidden small arms and light weapons (SALW); for creating public awareness and building confidence in the peace process; for helping security services to enforce weapon bans; and for successful implementation of every step in DDRRR: disarmament, demobilization, reintegration, rehabilitation, and reconciliation. The involvement of NGOs in the reconstruction process and furthermore in the creation and strengthening of a pluralistic society

based on democratic principles is even more needed as guarantor of lasting peace. They know better the needs of the peoples they represent and thereby can help to address and overcome the deeper causes of conflict.

Civil society and government cooperation: achievements and obstacles

Thus several initiatives are now underway in cooperation between civil society organizations and Ministry of Peace & Reconstruction in Nepal. One of such initiative is formation of Local Peace Committees (LPC) in various parts of Nepal which allows the local CSOs to create an inclusive multi-party dialogue to address all stakeholders' concerns, and institutionalize government peace structures. Due to LPC, there is a space for the traditional authorities (elders, religious leaders), women's organizations, youths, local institutions and professional associations to enhance their role in the promotion of grassroots peacebuilding activities through means of street plays, round table forums, implementation of peace education in local schools etc to bring people together to address ways to overcome significant obstacles to peace, and allow exchange across ethnic and geographic lines.

Similarly, NGOs are becoming more prevalent in peacebuilding activities as the result of the vacuum left by the absence of local authorities. NGOs are working with bilateral and multilateral international organizations & donors in various aspects of conflict transformation activities bridging gap between the state and local communities. The NGOs are also working together with the Election Commission in educating the people regarding Constituent Assembly Election⁵⁷ which is considered as the foundation step for democratic consolidation for the formation of New Nepal. There is no doubt that civil society has the potential to promote reconciliation, serve as corrective to political and military elites, as well as enhance local ownership and foster democracy. But CSOs face major challenges in establishing legitimacy as partners with governments in post settlement consolidation process.

CSOs face obstacles due to consistence absence of sustainable funding for its activities in peacebuilding as

most of the funds in Nepal are directed to Government initiated Peace Fund or UN's Peace Trust Fund leaving little share for CSOs activities.

Similarly, most of CSOs initiatives are often ignored by policy makers thus CSOs activities are given less importance. Recently Ministry of Peace & Reconstruction drafted a bill for the formation of Truth and Reconciliation Commission (TRC) without broad consultation with civil society. Later on when the bills was out for the public scrutiny, government had to withhold the endorsement of bill due to the criticisms received from every sectors of society including United Nations Office of High Commission of Human Rights in Nepal (UNOHCHR).

At the same time CSOs are also posing challenges and obstacles to GOs activities. In Nepal, there has been a mushrooming growth of NGOs helping to establish a different political culture and a potential to support as well as control central state structures which leads to the commercialization of peace work. Although assisting their activities represents a valuable form of intervention, but increasing the number of NGOs could actually impede institutional development by absorbing skills and manpower which are needed in the government sector. There is also a risk of increasing the divide, or confrontation, between state-building and civil-society building, two processes which should be seen on the contrary as intermeshed and mutually-reinforcing.

It is no doubt that CSOs and GOs partnership is playing an important and critical role in peacebuilding in Nepal. As outlined above, civil society does not and should not operate in a vacuum. It needs to interact with the state and business in order to influence the two. Government cannot govern alone. It needs CSOs, and CSOs cannot be the alternative to government – they need the state. Both must work together for sustainable peace in Nepal.

⁵⁷ The 21 November 2006 Comprehensive Peace Agreement (CPA) placed constitutional change at the heart of peacebuilding and efforts to tackle deep-seated economic and social inequalities through constituent assembly (CA). The CA election has been postponed for second time after a political deadlock between the Six Party Alliance and Maoists. It is hoped that the CA election will be held within April/May 2008.