



## **Carter Center Observations on Local Peace Committees**

6 November 2009

### **A. EXECUTIVE SUMMARY**

This report is a review of Carter Center Long Term Observer (LTO) findings on Local Peace Committees (LPCs) from June – October 2009. The report is offered in the spirit of cooperation and respect, with the hope that its findings will be of use to the Ministry of Peace and Reconstruction and its partners.

Overall, the Center has found:

- Since July-August 2009, reports indicate that LPCs face multiple challenges and in the majority of districts they are either not functioning well or are largely inactive.
- Findings regarding LPCs were somewhat more positive in June-July 2009. This could be related to the fact that LPC secretaries were in place at that time, but cannot be concluded with certainty. Some reports were also received indicating a correlation between the change in government in May 2009 and problems in the functioning of the LPCs.
- During the period of observation, the main task that LPCs have concentrated on is the process of compensation to conflict victims, or “interim relief.”<sup>1</sup> LPC members, though seemingly aware of their broad ToR, are reportedly reluctant to take on activities beyond reviewing applications for interim relief and are waiting for specific instructions from the central level to be handed down.
- There are a few examples (such as Udaypur, Dadeldhura, and Dailekh) where LPCs appear to have had successes, particularly in regards to peace and security in the districts. These examples merit further investigation, as they could provide insight into “best practices” that could be shared with other LPCs around the country.
- Overall, the main challenges faced by LPCs include: inter-party disputes over LPC composition, commonly over leadership; perceived lack of support from the government; lack of funds; and lack of clarity among LPC members about their role.

The Carter Center lists eight recommendations in this report which may potentially help support more effective LPC functioning. Overall, our recommendations center on putting LPC Secretaries swiftly in place, higher levels of communication and support from the Ministry of Peace and Reconstruction (MoPR) to the LPCs, greater support from political parties for LPCs, increased training and funds for LPCs and LPC members, and greater awareness raising efforts. Finally, the Center believes that it will be

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<sup>1</sup> This term can be confusing, but is most often used by LPC members to describe the financial compensation being distributed by the government. (For example, 1 lakh for families of the deceased, etc). TCC observers understand that this is called “interim relief” because of the possibility that families may get additional relief during the truth and reconciliation process.

important to strengthen district level LPCs before the creation of a significant number of VDC level LPCs.

## **B. BACKGROUND/METHODOLOGY**

This information is drawn from bi-weekly field reports received from June through October 2009. LPCs are one of multiple issues currently under observation, and thus the information below is a brief view of LPC functioning to date. Carter Center LTOs generally spend 2-3 days in district headquarters and 3-7 days visiting VDCs. TCC observers generally speak to multiple LPC members individually in order to get a sense of LPC functioning, rather than interviewing the LPC as a collective group. Based on the Center's observations, certain trends appear strong enough to draw clear conclusions that may be useful for the Ministry of Peace and Reconstruction and its partners in the future.

## **C. DETAILED SUMMARY**

Between June and mid-August, visits were made to almost 24 districts. On 26 August, The Carter Center released its first interim report which stated that LPCs had been established in most districts visited however functioning varied greatly from district to district. In two districts, the LPC was reportedly playing an effective role in dealing with local problems (Dadeldhura and Panchthar). In the majority of other districts visited, however, LPCs appeared to be largely inactive and stalled due to disagreements over LPC leadership and composition. Other challenges included: perceived lack of commitment from the government; lack of clarity among LPC members about their role; complaints about inclusiveness and representativeness of various groups; lack of sufficient funds to support LPC work; a lack of training for LPC members; multiple changes to the terms of reference and deputed staff; and a general lack of awareness or interest among the public. Additionally, LPC members, though aware of their ToR, were reluctant to take on activities beyond reviewing applications for interim relief and were waiting for specific instructions from the central level to be handed down.

Since the release of The Carter Center's first interim report in late August, visits have been made to 18 districts: eleven Hill, six Tarai, and one Mountain. In 16 of the 18 districts visited, LPCs existed however, out of the 16 districts where LPCs existed, 14 of them were either reported to be not functioning or were largely inactive<sup>2</sup>. In the two districts where the LPC appeared to be functioning at present (Jumla and Dailekh), the LPC had been dealing primarily with interim relief, which is what most LPC members regard as their main or only task. In the two districts where LPCs did not exist at the time of the district visit, LPCs had been established and become defunct in one district (Jhapa) while, in another (Ramechhap) the LPC was reportedly not reconstituted following a negative experience with an LPC in a different district. In the 14 districts where the LPC existed, but appeared either to be not functioning or largely inactive, multiple explanations were offered by LPC members. Below are the most commonly stated reasons for LPC inactivity or non-functioning in order of prevalence:

### Inter-party disputes over LPC composition, commonly over leadership.

Political parties play a significant role on LPCs. In a number of districts, local political party officials have been unable to agree amongst themselves on who should lead the LPC and many are keen to have their own party members serve as LPC coordinator. Given that LPCs are dealing with applications for interim relief, it is clear that parties view the LPC in many places as an extension of its patronage system and thus try to ensure that their supporters - party members or civil society - are well-represented. Moreover, although the six month term for the coordinator post was intended to ensure that no one party or individual dominate LPC functioning, the understanding among parties that the LPC will be dissolved

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<sup>2</sup> As observers are not explicitly tracking LPC functioning and are relying on information provided by LPC members, it has sometimes been difficult to distinguish between "not existing" and "existing but not functioning"

once the constitution is written means that each party is eager to have one of its own steering the process. Additionally, it does not appear in some districts that top-level local party representatives are actively participating in LPCs. In cases where the LPC would be a conflict resolution mechanism, the lack of top-level participation from local party members could hamper its legitimacy or ability to effectively resolve disputes.

Finally, there are some examples (such as Morang and Kailali) of complaints over a lack of inclusiveness by marginalized groups.<sup>3</sup>

#### Perceived lack of support from the government

A perceived lack of support from the government has been raised in several districts, partly arising from a "lack of funds", but more recently illustrated by the lack of continuation of LPC secretaries. In some cases, the expiration, and non-renewal, of the contracts of the LPC office secretaries has halted progress and LPC members are waiting for the renewal of the secretary's contract before resuming work. In other cases, the expiration or lapsing of such contracts was perceived as a signal that the LPC was "insignificant" and simply did not enjoy government support. In a handful of the latter cases, the LPC has been allowed to become defunct due to the lack of ministry-designated staff continuity coupled with members' expectations that the LPC will be dissolved upon completion of the constitution.

#### Lack of funds

Lack of funds has been raised in nearly every district, regardless of whether the LPC was or was not functioning. LPC members argue they do not have enough funds to maintain an office or a secretariat to coordinate LPC activities in some cases, or simply that they do not have money to carry out their work, visit VDCs, etc. If a budget allocation has been earmarked for LPCs, it either may not be distributed effectively or simply doesn't appear to be enough to ensure adequate infrastructure or smooth functioning. The complaint of a lack of funds appears to have some credibility in regards to LPCs as they need money to maintain an office, minimal staff, travel for those who do not live in the district headquarters to come from VDCs to participate in LPC meetings, a travel budget for visits to VDCs to fulfill the LPC's work such as investigating applications for interim relief, and some amount of funds to do their work, as most members have other jobs in addition to their LPC responsibilities.

#### Lack of understanding regarding the LPC's mandate

If the LPCs are intended to be autonomous/semi-autonomous bodies, it is not clear to LPC members. While most LPC members are aware of the role that the LPC is intended to have in dealing with interim relief, that appears to be viewed as the extent of understanding of its role in some places. Some LPC members see themselves as directly implementing Ministry instructions and are waiting for central level directives before taking on any additional tasks. Moreover, frequent changes in the ToR following changes in government have complicated members' understanding of the LPC's mandate. Multiple changes in the ToR over the last years, and anticipation of possible future changes, had been cited by observers as a source of uncertainty over its role.

### **D. RECOMMENDATIONS**

1. Putting LPC secretaries swiftly in place could be an important step towards promoting effective LPCs. The presence of Ministry-designated LPC secretaries would signify that the government is supportive of LPCs. They also serve as a potential communications channel between the ministry and the LPCs, fulfilling what is perceived as being a vital link by LPC members between the central and local levels. Such a link would be essential should the Ministry envision taking on a complicated task

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<sup>3</sup> In Kailali, Tharu activists boycotted the LPC and padlocked the LPC office to protest what they considered to be inadequate Tharu representation. In Morang, local Muslim leaders were also reportedly concerned about lack of sufficient Muslim representation on the LPC.

such as monitoring and supporting PLA reintegration. The Carter Center understands that the process to put LPC Secretaries in place is ongoing and commends these efforts.

2. Dedicated LPC staff responsible for providing administrative and operational support could promote regular LPC functioning. It seems challenging for the LPC secretary alone, or with support from already overstretched district administrative office staff, to ensure the regular functioning of the LPC. A contingent of dedicated staff could provide assistance coordinating member schedules, meeting agendas, and keeping minutes and managing financial matters.
3. Clear directives and support from the MoPR could also help guide effective LPC functioning. At least some LPCs view themselves as directly carrying out Ministry instruction and they are interested in receiving more guidance/advice from the Ministry, including for explanation of their mandate, for staff, for financial support, and for which areas to prioritize. In the absence of direct Ministry instructions, there is little indication that most LPCs will work on tasks apart from interim relief and, to a lesser extent, on reconstruction of physical infrastructure. Additionally, support from the MoPR could help to share best practices between LPCs to improve functioning.
4. Increased commitment from political parties could help bolster LPCs. While the Carter Center understands that this is likely outside the Ministry's control, increased commitment from all political parties is a factor that could bolster LPC morale and functioning. The MoPR could consider convening a meeting to urge parties to clearly communicate their support for LPCs to the local level.
5. Training for LPC members could enable them to better understand and carry out their responsibilities, while also communicating government support for their work. This training could be particularly important if LPCs are expected to take on a greater role in local peace building efforts and could focus on dispute resolution and negotiation skills. Additionally, LPCs could potentially play a role in overseeing the reintegration of disqualified combatants into local communities, but would likely require training in order to do this effectively.
6. An increased LPC budget allocation could potentially encourage at least some LPCs to undertake more planning and activities. For example, one justification for district LPCs to request a large budget increase is the need for LPC members to travel frequently to the VDCs in order to carry out their work (it is unclear the degree to which LPC members actually travel). The establishment of VDC-level LPCs could provide ongoing support and information to the district-level LPCs, in addition to any tasks with which they are entrusted. The Ministry should also consider other ways to stimulate LPC activity and provide them with support.
7. District-level LPCs should be strengthened before creating VDC-level LPCs. To help promote effective functioning of VDC-level LPCs, district-level LPCs should be made functional and active to provide support and a positive example to their lower-level counterparts. In cases where district-level LPCs are most successful, members could provide guidance and support to their counterparts at the VDC level. Finally, it will be useful to ensure that if and when VDC level LPCs are formed, these are placed in the most heavily conflict affected areas, and are not placed in areas where community conflict resolution mechanisms are already present and successful.
8. Awareness raising programs could be conducted to inform the public about LPCs. Despite their existence in most districts, most citizens appear to be entirely unaware of the LPC.

## ANNEX: LPCs in districts visited from June – October 2009

### EASTERN REGION

- In **Morang**, the LPC has been established but is reportedly relatively inactive, and waiting for further instructions from the government. Some representatives of the Muslim community complained that they were not represented in the LPC. (July and August 2009)
- In **Jhapa**, the LPC was established about six months ago and, according to one source, was reportedly dissolved shortly thereafter due to disagreements arising at the central government level. However, others claim that the LPC does exist but is simply not very active. Overall, the level of awareness of the LPC among common citizens is very low, according to Carter Center observers. (August 2009)
- In **Udayapur**, the LPC was established a year ago, but is not meeting due to financial problems. Funds have reportedly been frozen since the change in government and the LPC is unable to pay the rent of its office building. The LPC was dealing with victim compensation; how to rebuild structures destroyed during the conflict; and establishing memorials to conflict victims. In positive news, the LPC reportedly had some success in bringing the Kirat Janawadi Workers Party into negotiations over forced donations from VDC secretaries and development budgets and incidents of threats/extortions had declined slightly after the talks. (September 2009)
- In **Saptari**, the LPC was established four months ago, but it rarely meets. So far, it has discussed budget allocation and compensation for the victims of the Madhesi Andolan. (October 2009)
- In **Siraha**, the LPC has been established though it is not functioning, primarily due to inter-party quarreling, but also reportedly due to a lack of staff, and a lack of funds. Three meetings have been called, but only one has been held to date as parties have not been interested in coming together. (October 2009)
- In **Panchthar**, TCC teams visited the district twice. On the first visit, there was positive feedback about the LPC. It had been established and had allegedly had a notable success in resolving a conflict between the Maoists and the Nepali Congress in Yangman VDC. However, a subsequent visit three months later indicated that after the LPC Secretary contract expired and was not renewed, the LPC became inactive. (July and October 2009)

### CENTRAL REGION

- In **Kavrepalanchowk**, attempts to set up an LPC stalled due to tensions between political parties. Other parties felt that the Maoist candidate for coordinator was involved in war atrocities and this damaged the credibility of the LPC. Additionally, when the Maoists and the NC were leading the LPC, they allegedly provided compensation only to their own party cadres. (June 2009)
- In **Lalitpur**, the LPC exists but is reportedly not very active. The formerly royalist parties are also reportedly excluded from participation. Civil society complained that the LPC was dominated by the political parties, but were still optimistic that the LPC could be useful in the future. Parties also meet outside the LPC in all-party meetings convened by the CDO. These APMs helped defuse a problem in Chapagaun VDC after heavy clashes between locals and police. (July 2009)

- In **Dolakha**, the LPC had an office, a Secretary, and 22 members but was not functioning due to an inability to agree on who will be the coordinator. The CDO convened a meeting to resolve the issue, but no consensus was reached and four months later the LPC was still not functioning. The dispute over the Coordinator position is due to the belief that the coordinator of the LPC can direct funds to his or her party cadres who were victims during the war. (July 2009)
- In **Parsa**, the LPC office has been opened but the LPC has reportedly not been established. There are reports that party leaders do not have time, disagree on the functioning of the LPC, and that local officials are too busy. According to one source, no one seems to be interested in the LPC, and they do not really understand its purpose. (August 2009)
- In **Dhanusa**, the LPC was established two years ago, but parties and NGOs are not interested in participating. One person interviewed said he believed that it was not functioning because “it has no office, no staff, no facilities, no support from MoPR, and the six month coordinator post is too short to understand the functioning of the mechanism.” (August 2009)
- In **Ramechhap**, the LPC was not yet established. At the time of the visit, all party meetings were being held in the absence of an LPC. (August 2009)
- In **Makwanpur**, the LPC was "revived" in June 2009 (it was never "active" previously), but meetings are reportedly rare and without agenda. The LPC did plan an interaction program and candle-lighting ceremony for World Peace Day. Another perceived success was that political parties decided to place their highest-ranking members in the LPC, however this has also resulted in complaints that the top leaders do not have time to give sufficient attention to the LPC. According to the landlord at the LPC office, though the LPC office door is locked several persons every day come to the LPC office. It was decided that LPCs would be formed in two VDCs, but the decision had not been implemented as of mid-September. (September 2009)
- In **Rautahat**, the LPC was established eight months ago, but was unsuccessful due to inter-party quarrels. It was re-established four months ago, but has become defunct since the office secretary's contract expired. (September 2009)

## WESTERN REGION

- In **Kapilbastu**, the LPC has been established but had not yet begun any activities (June 2009).
- In **Myagdi**, the LPC was re-established but has no planned activities and selection of leadership has been the main focus thus far. Lack of funds and government instability were cited as challenges, as well as the short time line. (July 2009)
- In **Lamjung**, the LPC had been established but was not yet operational. No Coordinator had been selected and there were no activities or plans. (July 2009).
- In **Kaski**, no LPC had been established (July 2009).
- In **Gorkha**, parties accused the Maoists of only allowing the RPP to sit on the LPC because it is a weak party in the district, and excluding the UML and NC (July 2009).

- In **Palpa**, the LPC was established two months ago. It has held one meeting and is under UCPN(M) coordination for the first six months however one member stated that the LPC has not prepared any plans. UML, NC, and UCPN(M) district leaders all stated that they were concerned that there has been no training of LPC members and the LPC secretary's contract had expired, the latter having demoralized LPC members and caused them to believe that the LPC is insignificant. (August 2009)
- In **Baglung**, the LPC was "re-established" in mid-September. Its first iteration became defunct after UCPN(M) tried to dominate it according to one source. All of the parties perceive the main problem to be lack of sufficient support for the LPC in terms of contracts for secretaries, permanent staff, or operational funds. Citizens are not aware of the LPC and go to the CDO regarding conflict-related issues. (September 2009).
- In **Syangja**, the LPC was established two months ago, but has conducted no activities as of late August. UCPN(M) and NC say that because the office secretaries' contracts have expired, they believe that the LPC will be dissolved under the government and it has been written off as defunct. (September 2009)
- In **Nawalparasi**, the LPC was re-established five months ago but is essentially non-functional. Civil society alleges that all LPC members are party cadres. According to one member, the major focus of the LPC was to declare Nawalparasi a "strike-free" district. Challenges included a lack of understanding of the LPC role and the government's failure to provide a Secretary. (October 2009).

### **MID WESTERN REGION**

- In **Banke**, the LPC had been formed, but unable to agree on a coordinator, allowing the CDO to serve as the acting coordinator until parties could reach an understanding. The LPC was only dealing with reviewing applications for interim relief. Members indicated that frequent changes in the LPC ToR created uncertainty in the LPC mandate. Moreover, two members noted the lack of a travel allowance to cover costs associated with visiting remote VDCs. (June 2009)
- In **Surkhet**, the LPC had been formed, but had not met at the time of the visit. (July 2009)
- In **Bardiya**, the LPC failed to select a coordinator and is mostly inactive. The CDO and his staff have processed most of the applications for interim relief without the support of the LPC. (July 2009).
- In **Dang**, the LPC is reportedly inactive as they had finished the most recent round of interim relief distribution. The LPC is unwilling to take on other tasks without directions from the central level. Some members criticized the LPC for not engaging with serious local issues. The CDO suggested that the LPC discuss land issues, but it has not been active on this. (August 2009)
- In **Jumla**, the LPC was established a year ago and is about to select its third coordinator for a six-month tenure. The LPC has only addressed interim relief to date. District-level party representatives claim that the lack of a budget has prevented the LPC from taking on a broader role. (August 2009)
- In **Pyuthan**, the LPC was established a year ago, but LPC contracts have expired and there are mixed reports on whether it is active. Most say its activities have stopped; one former member said it stopped functioning four months ago after a quarrel between political party members. Before stopping, the assistant CDO said that the LPC was considering applications for interim relief. (September 2009).

- In **Dailekh**, the LPC is meeting approximately once per month. It has been primarily dealing with interim relief applications however it is also setting up VDC-level LPCs, and is involved in rebuilding some destroyed buildings and educating political parties to protect such buildings. VDC-level LPCs have reportedly been established (or are in process) in nine VDCs. However, the LPC faces: financial and personnel difficulties (Secretary has not been paid for two months although he continues to work. The LPC has also not paid rent or phone bills); heavy influence by political parties; lack of confidence from the CDO; and too short a time line. (October 2009)

## **FAR WESTERN REGION**

- In **Kailali**, the LPC was established in May, and had met once. LPC members agreed on a coordinator however NC and UML representatives complained that he was only a low-ranking Maoist cadre, which they said undermined the LPC's credibility. Moreover, Tharu activists reportedly boycotted the LPC as they felt that Tharus were not adequately represented among LPC members. (June 2009)
- In **Dadeldhura**, the LPC was established in March and met on a monthly basis. In June, the LPC conducted an event attended by NC, UML and UCPN(M) to promote improved relations between party youth wings which was reportedly successful. The LPC was also reviewing applications for interim relief. (July 2009)
- In **Baitadi**, the LPC was established two months ago and has only held one meeting. It is reportedly receiving applications for compensation from conflict-affected persons. The contract of the LPC secretary expired recently and the LPC is waiting for his return to begin discussing applications. The establishment and functioning of the LPC has reportedly been hampered by political wrangling over its composition and leadership (it was ultimately agreed that a Dalit female civil society representative, seen as pro-UML, would lead); the lack of clarity of the LPC ToR; and a lack of funds. (August 2009)
- In **Kanchanpur**, the LPC was established in May and has met about 10 times (including both Secretariat and full LPC meetings). LTOs report that most believe the LPC has not been very active. The main challenges are confusion over the LPCs role, politicization, lack of funds, and some concerns that Tharus are underrepresented. (August 2009)
- In **Accham**, the LPC was "re-established" in May and had met only one time as of early September. Challenges faced have included difficulties in selecting an LPC coordinator (the selection process is ongoing); a lack of commitment to the LPC from political parties (members do not regularly attend LPC meetings); a lack of clarity regarding its mandate; and a lack of funds. (September 2009)
- In **Darchula**, the LPC was established in May. The Secretariat has held meetings but the full LPC has not, despite civil society members' recommendations that it should. The LPC is focused on interim relief and also helped organize an interaction program on World Peace Day, though unfortunately it was reportedly poorly attended. Composition of the LPC and selecting a Coordinator, politicization of the LPC, lack of commitment from political parties. (October 2009).