

Assessing Inclusivity in the Post-War Army Integration Process in Nepal

Subindra Bogati

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Abstract

One of the key features of the Comprehensive Peace Agreement (CPA), signed in 2006 by the Maoists and seven other major political parties, was the integration and rehabilitation of the Maoist combatants. After years of discussion on the written agreements and their interpretations, which were designed to facilitate the decision-making process regarding the fate of Maoist combatants, the situation of having two armies in one country finally came to an end in 2013. However, there is no clear mechanism to observe and monitor the ex-combatants after providing them with voluntary retirement packages. It is important to understand the extent to which their aspirations for a better society have been met, or to what extent they experienced changes in the social, political and economic order of Nepal, since the programme of integration and rehabilitation commenced. And with over 15,000 trained and ideologically influenced combatants opting to retire, there is fear of a growing number of new armed ethno-political and criminal groups, who may be eager to recruit militarily trained and politically aware Maoist cadres.

About the Publication

This paper is one of four case study reports on Nepal produced in the course of the collaborative research project ‘Avoiding Conflict Relapse through Inclusive Political Settlements and State-building after Intra-State War’, running from February 2013 to April 2015. This project aims to examine the conditions for inclusive political settlements following protracted armed conflicts, with a specific focus on former armed power contenders turned state actors. It also aims to inform national and international practitioners and policy-makers on effective practices for enhancing participation, representation, and responsiveness in post-war state-building and governance. It is carried out in cooperation with the partner institutions CINEP/PPP (Colombia, Project Coordinators), Berghof Foundation (Germany, Project Research Coordinators), FLACSO (El Salvador), In Transformation Initiative (South Africa), Sudd Institute (South Sudan), Aceh Policy Institute (Aceh/Indonesia), and Friends for Peace (Nepal). The views expressed in this paper are those of the authors and do not necessarily reflect the views and opinions of the Berghof Foundation, CINEP/PPP, or their project partners. To find more publications for this project please visit www.berghof-foundation.com. For further information, please contact the project research coordinator, Dr. Véronique Dudouet, at v.dudouet@berghof-foundation.org.

About the Author

Subindra Bogati is the founder and Chief Executive of the Nepal Peacebuilding Initiative – an organisation devoted to evidence-based policy and action on peacebuilding and security. His current areas of focus are on people-centred policing, violence reduction, youth (including combatants/ex-combatants, members of armed groups and dons), small arms and light weapons and social cohesion. From 2011 to 2013, he was the Coordinator of the Nepal Armed Violence Assessment (NAVA), a project of the Small Arms Survey at the Graduate Institute of International Studies. Prior to that, he helped set up the Nepal office of Saferworld and coordinated its projects on people-centred security provision, policing and integration, and the rehabilitation of Maoist combatants. He was also a lead researcher for the Institute of Development Studies (University of Sussex), for work on violence, young people and urbanisation in Nepal as part of the Addressing and Mitigating Violence programme; a Nepal case specialist for University of Denver’s research project on Religion and Social Cohesion in Conflict Affected Countries; and a research coordinator for UNDP’s Nepal Armed Violence Reduction and Community Security programme. He holds an MA in International Relations from London Metropolitan University. He was awarded the FCO Chevening Fellowship in 2009, at the Centre for Studies in Security and Diplomacy, the University of Birmingham.

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Acronyms

AMMAA	Agreement on Monitoring of the Management of Arms and Armies
APF	Armed Police Force
CA	Constituent Assembly
CPA	Comprehensive Peace Agreement
CPN (UML)	Communist Party of Nepal (Unified Marxist Leninist)
CPN	Communist Party of Nepal
KII	Key Information Interviews
NC	Nepali Congress
PLA	People’s Liberation Army
SC	Special Committee for Supervision, Integration and Rehabilitation of the Maoist Army Combatants
SPA	Seven Party Alliance
NA	Nepalese Army
NP	Nepal Police
NPR	Nepalese Rupee
NPTF	Nepal Peace Trust Fund
TC	Technical Committee for Supervision, Integration and Rehabilitation of the Maoist Army Combatants
UNMIN	United Nations Mission in Nepal
UNIRP	United Nations Inter-Agency Rehabilitation Programme

1 Introduction

Nepal's programme for the integration of ex-combatants into the Nepalese Army was somewhat unconventional - it followed a so-called context-specific model which was exclusively led by national actors. Of the 19,602 UN-verified Maoist combatants, only 1,441 (including 71 officers) were selected for integration into the Nepalese Army. Key decisions regarding the process and modality of their integration took place at a higher political level, and combatants themselves were not consulted on the matter.

One of the key features of the Comprehensive Peace Agreement (CPA), signed in 2006 by the Maoists and seven other major political parties, was the integration and rehabilitation of the Maoist combatants. Initially, most Maoist combatants intended to join the Army to continue serving their country. However, these aspirations soured in the six years that followed, during which time little progress was made in carrying out the long-awaited political processes that lay at the heart of the CPA. After years of discussion on the written agreements and their interpretations, which were designed to facilitate the decision-making process regarding the fate of Maoist combatants, the situation of having two armies in one country finally came to an end in 2013.

The Nepalese Army missed the opportunity to characterise Nepal's diverse demographic groups e.g. by ensuring better representation of women, Madheshis, Dalits and other under-represented groups. With over 15,000 trained and ideologically-influenced combatants opting to retire, there are presently many concerns about their future course of action.

This paper is based on desk research and interviews conducted in January to February 2015, in Kathmandu. In-depth interviews were conducted with ex-combatants to understand their views on the integration process. Additional interviews were conducted with senior Maoist leaders, Nepalese Army officers, serving Maoist combatants (now in the Nepalese Army) and members of Technical and Special Committees to supplement and substantiate our critical analysis arising out of the desk research. This paper analyses the process of army integration and examines the aspirations of former combatants.

2 The Nepal Civil War: 1996 – 2006

The unstable political scenario which erupted in the post-1990 period provided a backdrop to the subsequent pattern of transient and weak governments that epitomised the era. Corruption, cronyism and injustice were rife in the provision of public services. By mobilising on popular grievances and dissatisfaction, and creating recruitment pools among the poor and the marginalised (Whelpton 2005), the Communist Party of Nepal (Maoist) (CPN-Maoist) declared the "People's War" in February 1996 with the aim of abolishing the monarchy and establishing a people's republic.

The insurgency began as a small violent action against the Western and Mid-Western police posts, though it grew to become the most serious internal challenge the Nepali State had faced in the nearly two and a half centuries of its existence (Thapa 2012). In the initial years, the Government perceived it as a law and order problem and deployed the Police to crush the insurgency across all the Maoist affected areas. However, police action in these areas sparked an escalating insurgency in the country (Nepali Times 2000), which proved to be far more serious than the law and order problem it was originally conceived to be.

Maoist strength generally grew in areas where a vacuum of governance prevailed. Attacks were often directed against ill-equipped state institutions including the Police, as well as civilians. In 1999, the formation of a regular People's Army was declared. The military activities of the Maoist insurgency also began to increase, both in scale

and scope. By 2000, the Maoists claimed that there were only nine (out of a total of 75) districts that had not come under their direct influence (Karki and Seddon 2003).

Political unrest escalated further in June 2001, after the leading members of the royal family were murdered in a palace coup, leading ultimately to the dissolution of parliament by King Gyanendra Shah, who went on to assume executive power. The Maoists gradually started developing the People's War in an organised way, including plans for the "elimination of selected enemies" (Crisis Group 2005). Henceforth, they further developed and extended guerrilla warfare and installed people's committees to run parallel local level governments in some of the districts.

As the conflict increased in scope and intensity, King Gyanendra Shah responded in 2005, by disbanding parliament, declaring a state of emergency and directing the Nepalese Army to attack the Maoists. This action subsequently resulted in bringing Maoist and mainstream political parties together. Negotiations ensued between the Maoists and the Seven Party Alliance (SPA),¹ culminating in the CPA in November 2006. The CPA formally ended the civil war, in which some 16,278 people were killed² and hundreds of thousands more displaced, without significant state provision for their needs.

3 Description of the Army Integration Process

In the years following the CPA, the security management process developed apace. An Agreement for the Monitoring of the Management of Arms and Armies (AMMAA) was signed immediately afterwards, removing a key obstacle to the participation of the CPN-Maoist party in Government. It also provided the basis for a UN Security Council mandated mission to monitor the management of arms and armed personnel.

The Nepalese Army and the Maoist combatants were respectively confined to their barracks and cantonments. As envisaged by the AMMAA, cantonment and initial registration of Maoist combatants' weaponry took place in February 2007. The United Nations Mission in Nepal's (UNMIN) inspection teams had registered 30,852 fighters and 3,428 weapons spread across 28 cantonment sites. During this process, UNMIN verified only 19,602 of them as combatants and 4,008 individuals were verified as being under-age or having joined the Maoist Army after the ceasefire began. In accordance with the AMMAA, these individuals were not eligible for inclusion in the Maoist Army and were not permitted to remain in the cantonments. They were thus discharged from cantonments in early 2010. On the request of the Government of Nepal, the UN Inter-agency Rehabilitation Programme (UNIRP) offered these discharged combatants vocational skills training, education in micro-enterprise development, health-related training and education, and other formal and non-formal education.

The CPA clearly gave Maoist combatants the option of joining a state security force or leaving the cantonments with economic packages. The Maoist leadership had promised their combatants, who were assembled in 22 cantonments, that the integration process would be completed within six months. However, the process took a backseat to internal disputes among the parties as they failed to reach consensus on the issues of government leadership and constitution-writing.

Despite this, the Maoist leadership continued to affirm that there would be a bulk or unit-wise (as opposed to individual) integration, and that combatants would not be required to meet the NA's standards. They were of the view that the CPA contained parallel commitments with regard to the two armies: "professionalization of the Maoists' People's Liberation Army (PLA) (through integration) and democratisation of the Nepalese Army". They consistently vowed that the Maoist PLA and the Nepal Army (NA) would be merged together, to become the national army.

1 The alliance consisted of: Nepali Congress, Communist Party of Nepal (UML), Nepali Congress-Democratic, Janamorhca Nepal, Nepal Sadhbhavana Party (Anand Devi), Nepal Workers and Peasants Party (NWPP) and the United Left Front.

2 Ministry of Peace and Reconstruction and BBC News, Nepal Raises Death Toll, available at news.bbc.co.uk/2/hi/8268651.stm (accessed 28 February, 2014).

However, the NA, under the leadership of the Chief of Army Staff, General Rookmangud Katawal (from September 2006 to September 2009), resisted the integration of Maoist combatants. They were accused of forcible and deceptive recruitment, including that of minor children, and of serving as the ideologically indoctrinated ‘army’ of one political party. This made the integration of Maoist combatants within the security forces highly delicate and problematic.

Initially, it looked as though the integration and rehabilitation of Maoist combatants was largely a technical issue, though it later became deeply political. A Special Committee (SC) for the Supervision, Integration and Rehabilitation of the Maoist Army Combatants was formed in 2008.³ As no consensus or compromise between the political parties for the process to begin could be reached, the SC failed to make substantial progress on the integration front.

In 2010, the SC in turn, set up a Technical Committee (TC) with membership from the parties, and later added members from the Nepalese Army, the Nepal Police, the Armed Police Force and the Maoist PLA. The TC was tasked with drawing on expert advice to prepare implementable plans in line with political decisions taken by the SC. Its members were selected on the basis of their affinity with the political leadership rather than their expertise.

For years, the political parties conferred over the number of combatants to be integrated, the standards for integration (e.g. unit-wise or individual-based integration), the determination of rank and prospects for promotion, and the role of the former Maoist combatants in the NA.⁴

However, integration only became a possibility when the NA received a new army chief.⁵ The NA came to realise that it was the only institution capable of controlling the former combatants. They also believed that as long as the number of ex-combatants joining the army remained limited in numbers, they would be able to indoctrinate them and absorb them into their existing military culture without affecting troop morale.⁶

In November 2011, a seven-point agreement was signed between the political parties, which stipulated that a maximum of 6,500 former combatants could be integrated in a specially created general directorate under the NA. The original strength of the proposed general directorate was 18,500 – with 6,500 former Maoists constituting 35 percent of the force and the remaining 65 percent consisting of personnel from the security forces. It was to have multiple responsibilities and be headed by a Major-General. In the first phase of regrouping, over 7,000 combatants opted to retire with cash packages, while over 9,000 opted for integration.

The major political parties then agreed on the process and steps of PLA dissolution by providing all former combatants with three options: a) the integration of combatants into the Nepalese Army, b) voluntary retirement with cash benefits, and c) community rehabilitation through education and vocational training.

In response to this, a majority of the ex-combatants opted for voluntary retirement with cash support. Prior to the prospect of cash payments, a level of uncertainty had lingered with regards to progress being made towards reintegration. This was due to the length of time taken by leaders to hold a series of discussions with the Government and international development partners (Bleie and Shrestha 2012). The option of voluntary retirement led to the reintegration of 15,585 ex-combatants, with a cash support option of NPR 500,000 (USD 5,000) to NPR 800,000 (USD 8,000) per person, depending upon their rank and profile in the Maoist Army.

However, a hardliner group within the Maoist party termed the integration of former Maoist combatants into the NA as “*humiliating*”. Hardliners called for their supporters to choose retirement packages rather than accept the surrender-type of integration into the NA. These internal factions led to a series of clashes between supporters and anti-supporters. To prevent the situation from getting worse, the party unilaterally decided to handover the command and control of all combatants to the NA.

³ Headed by the Prime Minister, its eight members include representatives from the Maoists, NC, UML and Madheshi parties.

⁴ Interviews with former TC members, January and February, 2015.

⁵ General Chhatraman Singh Gurung succeeded General Rookmangud Katawal as the Chief of Army Staff (CoAS) on 9 September, 2009.

⁶ Interviews with a Nepalese Army Officer (retired) on 2 March, 2015.

The Special Committee swiftly endorsed this decision and deployed the NA to take full control of the camps and combatants. The ex-combatants' cantonments were closed in 2012. By 2012, a total of 1,441 ex-combatants had been fully integrated into NA (Pun 2012), finally ending the scenario whereby two armies existed in one country.

Nevertheless, despite the fact that many Maoist cadres had intended to join the Army to continue serving the country, 80 percent opted for voluntary retirement packages. Why did so many choose against the integration option? The most frequently cited reasons are fear that the Maoists would be discriminated against within the NA, and concerns that unrealistic training would force them to quit. Similarly, the exclusion of many commanders on the basis of insufficient education led their subordinate Maoist combatants to distrust the integration process - they did not want to become non-commissioned officers or low-ranking soldiers.

Disappointment in the Maoist leadership for accepting to abide by educational criteria for entry into the Army was another contributing factor to the lack of integration. Most combatants had abandoned what they were told was a bourgeois feudal school system out of a Maoist ideology. However, they now found themselves being evaluated on the basis of their performance in that very system.

Many calculated the length of time it would take them to gather sufficient funds for retirement on a basic salary in the Army, without recognising the other indirect benefits they might have accrued through integration. Many of them were too old for a career in the NA, and some had a lower level of education than even the most relaxed standards would allow. The Army did not accept them in ranks equivalent to those they held within the PLA.

Similarly, they had to fulfil a number of requirements in order to be integrated at all and these requirements played a role in determining their ranks. These included human rights vetting, physical requirements, medical fitness, education, years of service, age, and military know-how. The ranks of integrated Maoist combatants were adjusted according to their previous ranks, levels of education and the length of their service. Initially, the highest rank that the NA was willing to integrate Maoist combatants into, was that of a Major.⁷ However, according to an agreement of 13 March 2013, the highest rank that could be attained was that of a Colonel (1 position), followed by Lieutenant Colonels (2), Majors (13), Captains (30) and Lieutenants (24).

During the integration process, the Maoist party split along ideological lines, causing a degree of fragmentation within the ranks of ex-combatants. The hardliner group asked their supporters to choose the cash settlement options, labelling integration as "*surrender*". This made the combatants believe that there had been injustices committed against them, which drove many to choose options other than that of integration.

Due to the selection criteria required to serve in the Army, qualified combatants with injuries or disabilities were excluded from the integration process. Those interviewed for this paper said that they could, however, have participated in non-combat roles such as administration, intelligence, communication etc. Similarly, even those who were selected for integration, and who are now serving in the NA, have their concerns. Prospects for promotion have not been addressed explicitly at the political level, causing concern among serving officers.⁸ However, it can be expected that such prospects for promotion will depend on standard rules, taking into account years of service, completion of courses and other traditional factors.⁹

7 See The Kathmandu Post of 06 July 2013, available at www.ekantipur.com/the-kathmandu-post/2013/07/05/top-story/1352-ex-combatants-now-army-personnel/250813.html (accessed 1 March 2015).

8 Interviews with serving officers, 22 February 2015.

9 Interview with SC member, 15 January 2015.

4 Life after Rehabilitation

The ex-combatants interviewed for this paper expressed extreme frustration as they have had to face the mundane routine of daily life – something they devoted their youth fighting against. They consider that most of the structural factors contributing to conflict in Nepal have not been addressed. According to them, poverty, unemployment and inequality have remained unaddressed. They had joined the Maoist insurgency with the belief that these problems would be addressed promptly.

Wherever possible, ex-combatants have attempted to conceal their Maoist pasts, as society continues to stigmatise them. There is desire to do something productive amongst the ex-combatants, however, the lack of support from society, the government, political parties and donors has left their aspirations unfulfilled.

The majority of combatants have not returned back to the areas where they had originated from. Instead, they have settled in new locations, especially in areas close to the former cantonments - where they enjoy improved facilities and livelihood opportunities in comparison to their own villages or places of origin (NPTF 2013). Many have also settled, or have been trying to settle, in urban and semi-urban areas - in places where there are services such as schools, hospitals, road transportation, electricity etc.¹⁰

Many combatants who had violent past histories have been experiencing difficulties being accepted into local communities. Some were involved in killings or abductions as part of the Maoist party's strategy of "eliminating class enemies" - they believed that such acts were necessary for creating a "new Nepal". Others were involved in encouraging young people to join the party, many of whom died during the conflict. Family members of these victims still seek answers on the fate of their loved ones, and have little sympathy for the combatants who misled their sons and daughters.

The cash settlements offered to demobilised combatants entailed no further training or livelihoods support. Since they had no idea how to manage their cash settlements, many ex-combatants spent them frivolously on alcohol and prostitutes. Others spent their settlement on mobile phones, motorcycles, land, and on providing cash support to their parents. This left many former combatants struggling to earn a living, particularly in the absence of marketable skills and economic opportunities.

Approximately 40 percent of the combatants used their money to go abroad to work as labourers – predominantly to India, the Gulf countries and other countries in East Asia (Nepal 2015). The injured and disabled were left with no other options but to use their money for their healthcare, treatment and subsistence. Similarly, many returned home to their families or continued working with the Maoist party.

There have been some reports of ex-combatants having been involved in criminal activities. The lack of sustained support services and re-integration efforts for ex-combatants who were not inducted into the Nepali armed forces meant that some of them invariably joined "armed groups, small arms and local goons" (Sharma 2013). Some hardliners also joined the splinter party, the Communist Party of Nepal-Maoist led by Netra Bikram Chand – also known as '*Biplab*'.¹¹

Former combatants who suffered injuries during the war maintain hope that they may receive pensions and healthcare facilities from the Government. Needless to say, they continue to face livelihoods issues and problems reintegrating into society.

Table 1 (below, based on interviews) describes the trajectories undergone by Maoist combatants before, during and after their participation in the People's War, and in particular, the challenges they met after their demobilisation and reintegration. The hardship and disappointment described by most interviewees is felt even more acutely by female combatants.

¹⁰ Interview with former combatants, February 2015.

¹¹ Interview with a former combatant turned Army officer, February 2015.

Table 1: Main Stages of Combatants' Mobilisation and Demobilisation

Life before joining the insurgency	Prior to becoming active members of the Maoist insurgency, life for combatants was comparatively carefree. Combatants were mainly in schools, and usually dependent upon their families, with minimal responsibilities.
Life as PLA members	After joining the Maoist party, combatants travelled around the country fulfilling various responsibilities. They found a sense of direction in life, which brought about satisfaction and a feeling of solidarity among and within cadres. They learned to use weapons, and generally felt empowered.
Life in cantonments	While in cantonments, feelings of unity and solidarity gave hope of a better life. There were also opportunities to study during this time. Some even got married during this time, taking on new responsibilities.
Life after reintegration into society	At this stage, they faced a number of economic and social obstacles. The majority become unemployed, with no livelihood or employment skills, leading to anger and frustration.

5 Women's Experiences during the Conflict

Most women in Nepal suffer from multi-dimensional discrimination and are often deprived access to basic services, such as education, healthcare, socio-political participation, property rights and justice. Under the predominantly patriarchal Hindu social order, women have always been treated as being inferior to men – they also lack opportunities. Women's lives, particularly in rural areas, are often tedious and monotonous, set in a repetitive pattern of reproductive activities; marriage is traditionally arranged at a relatively young age and there are very few alternatives for women to pick a different path in life.

The insurgency provided an alternative, revolutionary life, to aspiring young women; it offered challenging opportunities to work alongside men - on equal terms -, and to prove their worth, both mentally and physically. The insurgency particularly affected women from so-called "lower castes", who were economically, socially, politically and sexually exploited. It unleashed their discontentment with the State.

Former women combatants explained that the political ideology of the CPN-Maoist, which promoted gender equality and the empowerment of women, was their main reason for joining the party.¹² They claimed that they wanted to challenge the socio-cultural gender discrimination they faced and fight for the rights of all women (Saferworld 2010).

During the conflict, women combatants fulfilled different responsibilities. They acknowledged that they acquired important personal development and achievements through their association with armed groups, such as the acquisition of decision-making skills, positive self-perception, and increased self-esteem. Furthermore, women got married with men from different caste/ethnic groups - a practice aimed at breaking-down social norms.

The insurgency has qualitatively and quantitatively changed the women's movement in Nepal. While it has shifted the geographical centre of the women's movement from urban to rural areas, even within urban areas, it has qualitatively changed the women's movement from a middle-class feminist movement to a broad-based movement united around a class-based, Marxist perspective (Karki and Seddon 2003).

In the post CPA period, the situation of women improved. Nepal has seen some progressive results, including affirmative action which ensured 33 percent of legislative seats for women, making Nepal the leader in the Asian

¹² Interview with former women combatants, February 2015.

region in this regard.¹³ There has also been great improvement in legislative revisions of discriminatory laws, alongside efforts to eliminate entrenched societal problems. The Domestic Violence Crime and Punishment Act of 2009 is one example of this. The Government of Nepal adopted its National Action Plan on United Nations Security Council Resolutions 1325 and 1820 on the 1 February, 2011, becoming the first country in South Asia to do so. Hence, there have been numerous efforts to secure women's rights in the private as well as public domain. Implementation, however, continues to remain a challenge.

6 Former Women Combatants in the Post-CPA Period

The UNMIN verified 3,846 female combatants, making up approximately 20 percent of all combatants. However, only 100 female combatants joined the Army through reintegration. While at the cantonments, many female cadres had married and given birth to children. Within family units, it was common for husbands to join the Army and for wives to stay at home, looking after children. The Army further deemed young and breastfeeding mothers as ineligible for army training.

Some women had husbands who were injured and needed steady care, and others refused to join the Army because they had witnessed many of their friends being deemed “under-qualified” to fulfil the recruitment criteria. Some of them left the cantonments to have children and thus missed out on the re-verification process. Moreover, work divisions did not enable women to opt for integration. If a husband were to choose integration, his wife would generally opt for voluntary retirement.

According to female combatants interviewed for this paper, since the end of the conflict, they have experienced disempowerment and marginalisation. They also remain highly vulnerable as they do not have support networks where they now reside. Furthermore, inter-caste marriage or the stigma associated with having been a member of the Maoist Army has not helped women live in a peaceful manner.

Recognising the problems faced by former female combatants, a Former PLA Women Foundation was set up, and now boasts 3,000 members. According to these members, the biggest problems currently faced by former female combatants are their livelihoods and reintegration into society. Many set up small businesses, such as poultry farms or small grocery stores, financed by their voluntary retirement package. However, due to lack of experience and know-how, most of them have lost their money and have become insolvent.¹⁴

While many male combatants left the country in search of employment, most of the female combatants have remained in Nepal. This is in part due to a ban imposed by the Government of Nepal preventing Nepali women under the age of 30 from working in Gulf countries. This ban was introduced amid increasing concerns over the abuse and exploitation of women in these countries.¹⁵ Although Nepali women continue to fly to these destinations through illegal channels, the former combatants interviewed said that they were aware of abuses carried out by employers and thus chose to remain in Nepal, avoiding the risks of both sexual and physical abuse abroad.

Most former female combatants reside in urban or semi-urban areas within Nepal. They try not to introduce themselves as former combatants due to the cultural doubts it would cast on socio-cultural conceptions of ‘womanhood’. It seems that women combatants face double stigma: first, for having been associated with armed opposition groups, and second, for having transgressed socio-cultural norms of female behaviour.

Finally, it is believed that most women's problems remain unaddressed since women were completely excluded from the negotiation tables. Their needs and concerns were not reflected in the agenda.¹⁶ For example, there was no woman in either the Special Committee or the Technical Committee. One aspect of positive progress,

13 OHCHR: Working Towards More Women leaders, available at www.ohchr.org/EN/NewsYorK/Stories/Pages/Workingtowardsmoreswomenleaders.aspx (accessed 15 June 2015).

14 Interview with the chairperson of PLA Women Foundation, February 2015.

15 See CNN News, available at edition.cnn.com/2012/08/09/world/meast/nepal-migrant-workers/ (accessed 15 February 2015).

16 Interview with Maoist Central Committee Member (female), January 2015.

however, is that political parties have begun to put women's rights on their agendas due to demands instigated by the need for increased participation of women in politics.

7 An Inclusive Army?

This final section of the paper assesses the degree of transformation towards greater inclusiveness within the Nepalese Army (NA). During the conflict, the strength of Nepal's Army was raised from 58,000 to 95,753 combatants. Nepal thus became one of the most army-centred countries in South Asia (Bahadur Kc 2012). Despite its enormity in size, the NA was negatively portrayed as the 'King's Army' - an institution which remained controlled by higher class elites - the Chhetris and Thakuris.¹⁷

The CPA called for parallel processes of integrating and rehabilitating Maoist combatants, bringing the NA under democratic control, as well as adjusting its size and making its composition more inclusive. When political leaders were discussing the integration of Maoist combatants, civil society leaders and academics raised their voices, calling for the need to use the integration process as a way to make the NA more inclusive and representative of Nepal's diverse population - by ensuring better representation of women, Madheshis, Dalits and other under-represented groups (Gautam 2009).

Following the principle of inclusiveness stipulated by the Interim Constitution,¹⁸ the NA, along with other security institutions, made provisions for 45 percent of their posts to be attributed through a separate competition among the following social categories: women (20%), Janajati (32%), Madheshi (28%), Dalit (15%) and Remote Areas (5%). Although new recruits have raised the number of women and marginalised community members, the NA still has a long way to go to transform itself into an inclusive institution.

The NA implemented the Directive on Gender Conduct, 2014, and Women Military Directive, 2014. These directives aim at creating gender responsiveness measures and adopting a zero-tolerance policy against any kind of violence against women. The NA believes that these directives will facilitate the entry of more women into the military service and help meet the NA's international commitments.¹⁹ The United Nations is giving priority to those countries in the peace missions which have ensured women's participation. Nepal is the fifth largest uniformed contributor to the UN peacekeeping missions.

There are presently 1,776 female personnel in all ranks, accounting for just 1.91% of the total army strength.²⁰ Prior to 2004, women were recruited in technical areas such as medicine, engineering etc. Today, however, women soldiers are legally accepted as equals to their male counterparts. The NA plans to increase the female workforce to 5% of its total strength - on par with most foreign militaries (The Kathmandu Post 2014).

Another group that has been pushing for its inclusion in the NA is comprised by Tarai based (i.e. Madheshi) regional political parties. In the Four-point Agreement between the Government of Nepal and the Madheshi Morcha²¹ on 28 February, 2008, Madheshi representation in the Army was ensured. The agreement stated that there would be a group entry of 3,000 Madheshi youth into the Army. However, there was a huge public outcry against the agreement. Since then, the recruitment of the Madheshis into the NA has been almost nil.

17 Since its formation, the Nepalese Army has recruited from a select range of caste and ethnic groups. There has been a traditional divide between the officer corps - traditionally drawn from a small number of noble families - and the bulk of ordinary soldiers. For more, see Chalmers (2012).

18 Article 144(4) of the Interim Constitution, 2007, of Nepal, mentions the necessity to determine the size of the Nepalese Army and to give it a democratic and inclusive structure by formulating an action plan of democratisation. The Constitution stresses that the work plan shall develop the "democratic structure and national and inclusive character" of the Army and provide for training "in accordance with norms and values of democracy and human rights".

19 Interview with Nepal Army Officer, February 2015.

20 NA website, available at www.nepalarmy.mil.np (accessed on 22 February 2015).

21 Morcha is an alliance of Tarai-based regional parties .

The NA states that there are 6,196 members of the Madheshi community in the Army,²² whereas Madheshi activists claim that the real figure lies somewhere between just 1,700 and 1,900 (Jha 2013). Most Madheshi soldiers work in technical roles such as barbers, doctors and electricians, and reside in non-officer quarters. Jha (2013) further argues that more than 150 Madheshis applied for the 32 reserved seats at the officer level in 2011, though only one was selected.²³ He thus argues that a manipulative selection criteria adopted by the army is keeping the eligible applicants out.

8 Conclusion

When the conflict ended with a CPA in November 2006, there was promise of structural changes that would end the vicious cycle of institutionalised discrimination and development deficiencies, which lay at the heart of the insurgency. Nine years on, most structural factors contributing to conflict in Nepal remain unaddressed.

The focus of the political parties has been on a political transition rather than an economic one, the latter of which is a prerequisite for more equitable growth. Underemployment, at nearly 50 percent of the total population, remains critically high, while 46 percent of young people aged 20-24 years old are not part of the formal labour force (NLFS 2009). Due to diminishing and limited economic opportunities at home, nearly 1,500 young Nepalis migrate (to places other than India) every day, in search of employment opportunities (UNFPA Nepal 2013).

In addition to continued uncertainty in the capital city and the threat of armed groups in the Tarai and Eastern Hill districts outside Kathmandu, the fate of the thousands of ex-combatants who were deemed unfit to join the security forces and were instead induced to return to civilian life remains uncertain. With the sudden proliferation of identity-based movements and dissent groups in post-CPA Nepal, security has remained fragile – recourse by these groups to agitation often culminates into violence. The potential for the resurgence of large-scale armed conflict in the country seems minimal, given the factionalisation within the dissenting political parties – largely resulting from their failure to deliver on the promises made prior to the armed rebellion. However, with over 15,000 trained and ideologically influenced combatants opting to retire, there is fear of a growing number of new armed ethno-political and criminal groups, who may be eager to recruit militarily trained and politically aware Maoist cadres.

This report has identified a number of factors that have prevented uptake of the integration and rehabilitation packages, including inadequate communication, lack of socio-economic profiling, inadequate stipends provided to support participation, training and transportation, dissatisfaction with the types of vocational training offered and their duration, a lack of understanding and responsiveness to the different needs of men and women, the lack of health care and psychological trauma counselling services, and the absence of support to access legal documents, among others.

There is no clear mechanism to observe and monitor the ex-combatants after providing them with voluntary retirement packages. It is important to understand the extent to which their aspirations for a better society have been met, or to what extent they experienced changes in the social, political and economic order of Nepal, since the programme of integration and rehabilitation commenced.

²² The Kathmandu Post, 07-07-2011. Available at www.ekantipur.com/the-kathmandu-post/2011/07/06/top-story/inclusive-nepal-army-more-seats-for-madheshi-other-groups-in-na/223675.html (accessed on 22 February 2015).

²³ The court ruled that the examination should be conducted in a way that would make it easier for Madheshis to pass.

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Annex 1: Testimonials from Maoist ex-combatants

Sabina, 24, Baglung (female)

I always wanted to be in the army – as my whole family is either in the Nepalese Army or the Indian Army. I used to tell my father that I wanted to be an army officer but he disliked the idea and threatened me into concealing this aspiration of mine. His argument was that the army was only for boys, not for girls or women.

As I saw that my dream of becoming an officer would not be realised, I thought joining the Maoists might fulfil my dream. That is why I ran away from home and joined the Maoist PLA on my own. I visited about 10 – 12 districts while being a member of PLA. I loved what I was doing along with my friends. We were sacrificing our youth (the most productive part of our life) for the transformation of the country, for the liberation of the women and others.

While in the cantonment after the CPA, I was still interested in joining the Army, not the Nepal Army but rather a national army. I had completed my Proficiency Certificate Level I had an offer to be an army officer. However, I didn't join it. There were so many friends of mine who wanted to be in the army, but were unable due to being "under-qualified".

I would have certainly joined it if my friends also had the same opportunities. However, our main goal was to liberate or empower women for the equality in the society. If I join the Army, I will just be a representative of women. One person can not make a difference in such a traditional institution. So, I decided to work within the party at a district level with my friends.

However, I am happy with the fact that our movement has forced the Army to take initiatives to open up opportunities for women / girls.

Harshaman, 29, Rolpa (Janjati, male)

I joined the Maoists because I believed that they were fighting against injustice and inequality. Almost all of my friends joined Maoist party as my village of Rolpa is the heart of Maoist insurgency.

Like my many friends, I joined the Maoists at an early age. As we had nothing to lose, we fought so many wars bravely making the party stronger and stronger. Many of my friends lost their lives while fighting the Nepal Army. A couple of them joined the Maoists because I encouraged them.

While in the cantonment, I got married and now have two kids. Life is pretty hard when you have a family to look after. After many years in cantonments, I have seen the political drama staged by the political parties. So, I stopped romanticising revolution and its ideals long ago. I was a company commander and wanted to join the Nepal Army. My wife decided to become a house wife looking after our two kids.

However, I didn't get an officer position because I am not sufficiently educated. I could have joined much lower position if I had wanted. However, I didn't feel that is right. It is interesting that no one from Rolpa has been given an officer position, despite the fact that this place helped sustain the conflict for so many years.

Nabin, 32, Arghakhachi (Injured, Dalit, male)

I am from a Dalit family and had nothing to do in the village. My wife and I decided to join the Maoist in order to network, which would be helpful in the future when looking for employment. We wanted to be responsible for non-fighting activities but happened to work as people's liberators. My wife became a martyr when she was fighting in western Nepal, whilst I was away in the mid Eastern Region.

After being in the PLA, I became more ideological and thought that we needed to look at emancipation on a broader scale of society rather than at a family level. So, I was kind of proud that she was killed while trying to emancipate the society. I kept fighting across Nepal visiting nearly 30 districts.

However, at the end of 2005, in one of the battles with the Nepal Army, I got shot and I had to get rid of my hand if I wanted to live. Once I was treated and came into the cantonments, the real struggle began. I used to discuss my chances of being a part of the national army. Some friends used to say one thing, and others would say something else. That always bothered me. I never got a firm answer from anyone.

Now, along with my [new] wife, we sell clothes on the street. As I really cannot do any other productive work, this is the only thing I can do. My wife didn't join the army because she had to take care of me. I could not join because I was told I was not fit.

I am sure there could have been other jobs where a person like me can do something within the Nepalese Army. However, we were not given a job that could have made our lives economically secure. The work my wife and i do doesn't always make a profit. Sometimes we lose so much money. Both of us suffer from great mental and emotional stress.