

ENGAGING NON-STATE ARMED GROUPS AND GANGS IN PEACE PROCESS IN NEPAL

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ABSTRACT

The peace process in Nepal has been slow and fragile with many hurdles and drawbacks. Nepal is in the crossroad to peace and democracy- there is still a long road ahead for establishing a democratic country. This article traverses through the critical juncture of the country's history by analyzing the situation of eastern Tarai in the context of an increasing number of youths joining non-state armed groups and forces. This development had led to insecurity in the region and can seriously derail the ongoing peace process in Nepal. This article is based on the in-depth interviews conducted with the armed group members, local youth and community elders. The field work spanned almost two years from early 2009 to the end of 2010. The findings show that the motivations of armed groups are as varied as their respective nature of operation. The paper provides the implication of these groups to the ongoing peace process in Nepal and offers some recommendations toward restoring peace and rebuilding normal lives and livelihoods.

Key words: Armed groups; Maoist insurgency; peace-building; post-conflict recovery; Eastern Tarai

INTRODUCTION

Ask any Nepali about the situation in eastern Tarai, they would picture a strike, *bandh*¹, abduction, murder, bombings and infiltration of armed groups and polarized community across the ethnic line. Ask a Tarai resident about an armed group member or a gang member, almost all of them would have an immediate answer: dangerous, gun-toting criminals. Oftentimes fueled by one-sided media coverage on human rights abuse and violence, these descriptions carry with them a strong sense of prejudice and assumptions.

The reality of Tarai is far more complex. Gangs and gang members pose serious threat to the security of the rural communities in eastern Tarai. But the character and the origins of these gangs and the problem of violence are not simple to understand or address. They are not quick fix solutions. They have local and national aspects and represent social, political, and economic as well as law enforcement issues.

Over the past 14 years of armed conflict, including ten years of Maoist insurgency

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¹ Bandh are total shut down of the city often called by political parties, interest groups and armed groups.

and four additional years of armed activism of many other groups, arms use and its market have thrived in Nepal. Easy availability of small arms and weapons pose a significant challenge to the Tarai region, a vast swathe of land of which still has no easy access to modern transport. An eighteen year girl, Gita (name changed), from eastern Tarai tells me, "People think that I am just an innocent girl; who knows that I have made hundreds of pressure cooker bombs and small bombs. I am not scared to make them now. I have witnessed, and also been involved in many atrocities committed to people including killing during the People's War."² Youths like Gita are numerous in the Tarai as many of them were either regarded as disqualified/ minor or they never went to register as combatants after the People's War ended. The frustration of these people seeing that nothing has improved in their lives and their feeling of disillusion from radical euphoria of revolution pose them ready to be recruited by the armed groups.³

GENERAL POLITICLA SITUATION IN NEPAL

The twenty-fourth of April 2006 will always be remembered as a victory day for Nepalese people. On this fateful day, an autocratic monarch had to bow his head in the face of popular non-violent force. The move opened a path towards peace as King Gyanendra reinstated the parliament, which was dissolved on 22 May 2002, and called upon the Seven Party Alliance (SPA)⁴ to bear the responsibility of taking the nation on the path to national unity and prosperity. Further, the Communist Party of Nepal-Maoist (CPN-Maoist),⁵ which had waged the People's War since 1996, not only joined the SPA during the popular movement but also agreed to the 12-point agreement for peace.⁶ The reinstatement of the parliament was followed by the declaration of ceasefire from both sides. The announcement of ceasefire by the government and the CPN-Maoist⁷ marked the beginning of the formal

² Based on in-depth interview with Gita (December 6, 2010) —Gita was released in February 2010 from a Maoist cantonment as a disqualified minor and late recruit. Around 4008 combatants were released from various cantonments across the country.

³ In-depth interviews with the Children Associated with Armed Groups and Armed Forces (CAAFAG) during July, 2009.

⁴ The alliance of seven major parliamentary political parties, which led the People's Movement (Janaandolan II).

⁵ Communist Party of Nepal Maoist

⁶ The SPA and the Maoist signed a 12-point agreement for peace on 12th November 2005 before launching the movement (Janaandolan II). This agreement bound the political parties and the Maoist to fight the autocratic rule by King Gyanendra. See <http://www.saag.org/%5Cnotes3%5Cnote281.html> accessed 8 May, 2006.

⁷ The Maoist and the government declared ceasefire at different dates: Maoist were the first one to declare the infinite ceasefire from their side on 26th April, 2006 and the government declared ceasefire on 3rd May, 2006 after the cabinet meeting.

peace process and the envisioning of a peaceful and democratic country. This marked a beginning of the end to Nepal's armed conflict (1996-2006) that claimed the lives of more than 13 thousands people (4919 killed by Maoist and 8336 by the State) and left two hundred to four hundred thousand displaced⁸

But, the peace process that began in 2006 has been fraught with challenges and chaotic situation. The delays in drafting of the new constitution, reintegration of 19 thousand combatants, and managing the emerging demand of social inclusion, federal structure with rights to minority are some of the issues unresolved as yet.

Growing impunity and violence in Tarai region

There are both de jure and de facto impunity in Nepal. Even well documented cases of human rights abuse have not been brought to justice. Lack of political will, existing laws which shields military and civilian officials from legal accountability, political interference and lax of security measures are some of the major problems that have resulted in not taking any legal action on the perpetrators.

The ten years of Maoist People's war was largely concentrated in the hills with little effect in the Tarai region. In the early 2004, the split in the Maoist party by Jaya Krishna Goit to form the underground *Jana Tantrik Mukti Morcha* (later renamed as All Tarai Liberation Front in 2006) also back-lashed the movement. But, the political leaders who

separated from the Maoist movement were establishing their own political parties with an agenda of Madhesh as an autonomous region and demanding greater share in the peace process (and government). This process took speed at the time of ceasefire following the CPA of 2006. During the first interim government period in 2007, Madhesi Jana Adhikar Forum (FNJ, which now has split into three parties) and the Jana Tantrik Mukti Morcha took its root and with it, the uprising started in the Tarai region, popularly called Madhesh Andolan. The uprising turned violent as it widened the gap between the *Pahade*⁹ and *Madhesi* communities, and increased the ethnic fault line that already existed in the societies. The situation of impunity and violence grew sharply after the Madhesh Uprising and with it the emergence of armed groups.

Since the beginning of 2007, the uprising in the Tarai region demanding for greater share of power and autonomy has resulted in the death of dozens of protestors; shocking even the civil society and political party leaders of the Tarai movement. On the onset of uprising, Girija Prasad Koirala, the then Prime Minister, signed an agreement with the Madhesi Jana Adhikar Forum to ensure their greater share in the peace process. Regional Tarai based political parties also got a greater share in the Constituent Assembly elections (2008). Despite the recognition of the Tarai based political parties as an emerging power, there was no significant changes in the situation; instead the security situation got worse mainly in four districts of Tarai- Saptari and

⁸ See www.inseconline.org and Human Rights Year Book – 2009 and 2010.

⁹ Pahade refers to the people who migrated from mid-hills of Nepal to the Tarai region some thirty to forty years ago or bit longer. Madhesi refers to the communities that were indigenous to the region.

Siraha of eastern region and Bara and Rautahat district of central Tarai region. But many of the violent incidences did not get attention or they were just dismissed as some property or family matters are. One such case is the death of Uma Singh, a female journalist, who had been vocal in demanding the whereabouts of her father and brother (they were taken hostage by Maoist in 2005 and whereabouts are still unknown), including the killings that did not gain attention. Tarai residents have become confrontational, with the collapse of trust between the Madhesi and the government, years of unresolved grievances, the impact of Maoist insurgency and a greater tolerance for violence make a 'volatile mix' (International Crisis Group, 2007).

There are many reasons behind the emergence of armed groups at the present political juncture. Many arguments on the mainstream media are focused on the news of lawlessness and failure of state to provide security.¹⁰ A recent argument in a paper by International Alert stated that the youth are lured by 'three M's- money, motorbike and mobile (International alert, 2008, pp.8-10). Apart from these M's, the paper also highlights increasing criminality because of the lack of education and political maneuvering. Further, the Ministry of Home Affairs published a report on the list of 109 armed group operating in the country, of which 58 are based in the Tarai region. It further states that the Ministry was studying to identify the nature of the group- whether they are criminal or political.¹¹ Manadhar (2009) points out an interesting analysis

based on a report by the Home Ministry that categorizes these 109 armed groups based on their names and orientation. He points out that 38 of them have the word 'Tarai Madhesh', 11 of them have ethnic or religious orientation and are close with the monarchy, 31 of them have ethnic revolutionary names, for instance *Limbuwan* or *Khumbuwan Mukti Morcha*. 8 of them are inter-group faction or rivalry that goes by name such as Pawan and Rajan, and yet 19 of them have army word attached behind such as Tarai Army. Though these categorizations based on the names of the armed groups does give some sense of the group, but not the whole picture of the composition and motives behind their formation.

Many of the above analysis and reports, however, are shallow analysis based on the rapid assessment in the district headquarters, hence such simplistic arguments as the lack of education, employment opportunities or failure of state to provide security. There is indeed lack of employment and educational opportunities in the Tarai region, but the existences of these groups were almost none except for some incidences of robberies and exploitation, which were rather isolated and not widespread.

Drawing from the examples of studies from Central American gangs and armed groups, Hagedron (2008, pp.7-11) says that gangs and other non-state armed groups are normal phenomena in 'anarchic time'. More recently, 'youth bulges' have become a popular explanation for the current political

¹⁰ MYREPUBLICA.com - News in Nepal Fast, Full & Factual.mht- Armed Groups in Nepal, Narayan Manadhar.

¹¹ Report released by Ministry of Home Affairs 20 August, 2009.

instability in the developing world and for the recruitment to international terrorist networks, including Nepal's decade long war's explanation. Youth bulge refers to the youth population dominating the population demography. Famous sociologist Gunnar Heinshon (2000) remarks that 'young bulge without proper engagement will likely to ignite social unrest, civil conflict and war'. Heinshon theory of youth bulge, in the context of Nepal or any other countries, indicates 'Youth' as the problem or the victim. But being youth is not a mistake. Since youth are the productive hands of the society, it is rather the flaw in the state structure that they are not managed and given spaces to work creatively.

Over past two years (September 2008 to January 2011) of my work with the youth in eastern Tarai, I have interviewed, sometimes done focus group discussions and informal conversations with youth (representative of armed group, youth wings of political parties, students), political party leaders, local government officials, school management committee members and women in the rural communities. These interviews and discussions provided a greater understanding of the violence in the four districts of Tarai region: Dhanusha, Mahottari, Siraha, and Saptari. Among these four districts, the interviews were conducted mostly in Dhanusha and Mahottari, whereas most of the focus group discussions were done in Saptari and Siraha. For the purpose of this paper, I draw on information from the interview of 75 youths and 15 focus group discussions. This research is limited by various methodological factors, such as the only

methodology used here is snowball sampling for the interviews and the focus group discussions, and thus what is presented here should not be mistaken as a definitive study on armed groups. A realistic objective of this article is therefore to stimulate further interest on the eastern Tarai's armed groups and gangs.

A number of key themes emerged. Interestingly, there appear to be few female gang/ armed group members. The vast majority of gang/armed groups members are male; female may exist but I have yet to find evidence. There are young female who have become supporters and close ally to the male armed groups, such as Gita, mentioned above. Also, most of the gang members range from age 18 to 25 at the most, so mostly young male tend to get attracted to the membership.¹² Unlike the ten years of Maoist war where many young girls and women played an active role, Tarai's armed groups do not seem to offer them the attraction of emancipation from the discrimination that they face being women or girl. In the focus group discussions, the young girls instead mentioned the fear and insecurity they feel from the armed groups.

There are multiple and complex reasons for the enlistment of youths in the armed groups. This study tries to debunk some of the misconceptions and shallow arguments that often appeared in the media as well as in the academic articles. During the in-depth interviews and focus group discussions with the community members, it was found that there are complex set of reasons that play a role in the recruitment and the set-up of the armed groups and gangs. Individual

¹² Based on the findings of interviews and focus group discussions.

members have distinct psychology, economic, societal and cultural factors motivating them to pursue membership or affiliation or to even set-up their own group. These groups are neither homogenous in the composition nor in their operating style. Membership in each group is relatively small in numbers and their motivations differ sharply even inside the group. Some are motivated by the idea of revenge, frustrated with the political parties, some are economic benefit seekers, some looking for an identity, some are change seekers and yet some are manipulated. The most significant findings are outlined below.

It was evident that young people are often lured by money or power when they join armed movements. Motivation for the economic benefit however, is one of the reasons, but not the sole one. Here is one of the cases that I found is typical of money as motivation. The two fifteen-year-old boys kidnapped a twelve-year-old from their school. These boys were locked up in the police custody. These two convicts say that they were approached by an adult to kidnap their friend from their own school. Lured by the promise of receiving 50 thousand Rupees each, they tricked the boy into a bus and handed him over to the abductors in Lahan. However, when the boys saw the parents of the kidnapped boy at their school, crying and pleading for help, they came forward and confessed the whole story. In retaliation, the parents abducted the father

of one of the two boys and demanded the release of their son. The boy was eventually released, furthermore their testimony have become a threat to their lives now.¹³

While much of the argument has focused on money, mobile and motorbike or in short economic benefit, there is one more reason that stood out during focus group discussions with a group of young people in Siraha.¹⁴ Joining the armed group reportedly gives them a sense of belonging and power. It became clear that joining an armed group is a way to increase their sense of power and purpose where they would otherwise feel powerless and marginalized. Hence, association with an armed group makes them feel more powerful, a sense of being a *thulo manche* [big person].

Other reasons for joining armed groups include threats made against children and their families, the desire for revenge, particularly for the person who have lost relatives or friends, or peer pressure from friends or relatives who are involved in armed groups and as a protective measure against becoming a victim of abduction or looting. In a focus group discussion with a group of youth from Saptari distict, for example, it was clear that they joined armed group because of the fear for the lives of their own families. Revenge seekers on the other hand, are often those who witnessed the atrocities done to their parents in the name of armed rebellion during the decade of Maoist conflict.¹⁵

¹³ Interview of the boys in custody by Meena Sharma, a colleague of the author.

¹⁴ Interviews with young people who said they belong to/know the armed group. The name of the group has been kept anonymous for security reasons.

¹⁵ Interview with armed group members- Mahottari.

Disruption to education is another ongoing issue. Poverty and gender, caste and ethnic discrimination are some major factors in preventing young people from enrolling in school or continuing with their education, and hence pushing them into work. Schools are frequently closed because of *bandha* called by political parties and their sister organizations or armed groups. When schools are closed, young people have ample free time, increasing the risk of becoming easy recruit for the armed groups.¹⁶ In some cases, there is also a lack of understanding among children and their families of the value of education. This is particularly true for girls, as boys are often seen as a more worthwhile investment. It was felt that the increasing influence of political environment has resulted in children paying more attention to political affairs than to their education, and that school dropout rates have increased as education has become more disrupted and also that children are being more involved in political activities. Many political activities have also taken place in schools. Further with the disruption to education, many young people are idle though they help their parents in the farm, making them vulnerable to recruitment in armed groups.

The current security situation has also affected the schooling for children. Extortion and threats to teachers, abduction of children, and recruitment of children and their use in armed activities occur regularly.¹⁷ Children feel insecure and are

afraid when coming to and going back home from school. Parents are worried about the safety of their children when they are not at home on time. These all add up to the existing difficulties the school-going children have been facing, such as poor school infrastructure and lack of textbooks, lack of teaching in mother tongue, and lack of child-friendly teaching methods.

In 2000, on average 1.66 schools were available for every 1,000 persons in the country. However, in all Tarai districts except Chitwan the ratio of primary schools per 1,000 populations was less than 1. The average student-per-teacher ratio was 34.7, but in the Tarai districts of Bardia, Banke and Bara it was above 50.¹⁸

In two focus group discussions with adult community members, they mentioned about the lack of employment opportunity for youth as the reason for joining armed groups. 'Today's young people are not like us, they do not like to work in farms, they want jobs other than farm work; if we give them employment we can stop this violence'.¹⁹ Further as Robert Kaplan (1996, pp.12-14) calls it, "unemployed young guys walking around, [is] a strong indicator of social volatility." But poverty and lack of employment alone does not explain the formation of gangs. Democratic and meaningful participation of all strata in political life is desired but often remains merely in papers. A youth from Dhanusha, Bijaya Kurmi (name changed), says:

¹⁶ In two focus group discussions in Siraha and Saptari, parents mentioned about the risk of young people getting involved in the armed group as they are out of school, and that they are not engaged in activities apart from house and farm work.

¹⁷ Based on media monitoring of two local news papers.

¹⁸ Analysis for Assessing Humanitarian Needs and Vulnerabilities in Nepal 2008, IASC – Nepal

¹⁹ Adult community member in Mahottari who is representative of a political party.

'We see no hope, why should you be surprised at violence? A lack of real democracy means some youth will inevitably turn to armed, oppositional organizations for both survival and meaning. If we had democracy, youths including those who are in gangs or into violence should also have been included and would have had an opportunity to better life.'

Observing the broader context behind the profusion of armed groups, it appears that an overt criminalization of politics is significant. The major political parties including CPN- Maoist have armed militia as youth political wings; first, CPN- Maoist formed Young Communist League (YCL) to keep the power of young militia in place and in the retaliation other three have formed theirs. CPN- UML has Youth Force, Nepali Congress has Tarun Dal and MJF has Madhesi Dasta. Under political protection, these militia groups are no secret. Security personnel have often mentioned about the cases of interference from political leaders to save the criminals. Many armed group members and gangs are also protected by political leaders for their own safety and they are even rewarded for their activities.²⁰

As the reasons for proliferation of armed group and gangs in the eastern Tarai are complex; it is also deeply linked with the absence of demobilization and demilitarization in the peace process as a whole. Nepal Communist Party Maoist does not have any plan towards demobilization of their ex-combatants (around 4008 are

discharged from cantonments as Verified Minors and Late Recruits) and even no regard for the young people who had joined the movement either as messenger, donation collector, cook and carriers. An effective demobilization and demilitarization could also reduce the number of armed groups as they see reintegration package as a benefit. Many who have joined the armed groups/gangs were active members in the armed conflict and some were recently discharged verified minors and late recruits.²¹ Many self-released themselves after the war ended in 2006. There was a need for massive reintegration programme, but it was negated by the CPN- Maoist that "these militias do not need reintegration programme and package because we were in the community and we fought in the community."²² The resistance by CPN- Maoist posed major challenges for civil society organizations that were working for the reintegration process. The consortium of civil society organizations with the help of UNICEF, called 'Children Associated with Armed Conflict and Armed Force' had shed light into the fact that around 7,500 children have been provided with reintegration support.²³ But there are many more left behind. These people are easy recruit for the armed groups and gangs.

Since 2007, the nature of conflict in Tarai has changed from an armed rebellion raised by one political force (CPN- Maoist) to dealing with many political armed groups and forces with different interests and objectives. There is a growing trend among

²⁰ Interview with leaders of armed groups and Youth Force, name and place kept anonymous.

²¹ Interview with youth groups in Siraha, Saptari and Dhanusha.

²² Meeting with Baburam Bhattarai in November 11, 2008.

²³ These combatants were recruited as child soldiers and did not go to verify themselves during the verification process or disassociated themselves when the war ended.

the humanitarian and development agencies to address and assist in the emergency relief and peace building in the Tarai region, as well as to the whole of Nepal so that the situation in eastern Tarai does not spread to other regions. There is a dire need to shift their usual strategy of addressing these challenges while working towards reestablishment of secure peace. A strategic shift, which also means changing the way development work is done in the past, is very essential. Development work needs to be deeply involved with young people as well as communities so that there is a sense of empowerment and optimism. Peace is not simply the cessation of fighting; it is the dynamic management of human, political and economic development and change by non-violent means. Such non-violent management of change involves reintegrating these armed groups and gangs (demobilization and demilitarisation), victim reparation, and the integration of internally-displaced populations, refugees and the population affected by the conflict into normal life. It also involves reviving a conflict-affected economy, generating new bases for secure sources of income and reconstructing social and political institutions which address the priorities and the needs of marginalised groups in a way that does not also exclude the elites and privileged communities. All these require a thought through engagement with these groups and more young people so that they see their positive role in the peace process. Schwartz (2010) states that reconstruction policy should be rewarding for the youth to work on peace process rather than to use violence, which not only would make it difficult for armed group to recruit but would also encourage the same youth to

contribute positively in the peace process and for the security of their own communities. For example, if the youth in Tarai are given education, skills and right tools to earn income, they could be engaged in community crime patrols and given true voice in local politics; they would see both opportunity and incentive to contribute positively in the peace process.

There is an overall acceptance and a belief that engaging armed groups is the preferred means to bring violence to an end, not least because military options deployed against insurgents on their own have not succeeded in creating conditions that will foster sustainable peace. The best option is engaging with them to understand their motivations and frustrations. The government need to look into the option of holding those gang members (who have committed serious crime) under juvenile justice system, more focused towards giving them a chance to leave arms and become a dignified civilian. Over the years of working in youth movement in Nepal and the current engagement in Tarai, this article confirms the suggestion that the youth are neither a force of instability nor the passive victims of violence as often portrayed. They can play positive role or negative role given the situation and opportunity they see. It is up to the leaders of peace process to decide.

CONCLUSION AND IMPLICATION

Here are some of the ways I came to understand that youth in Tarai should be engaged so that more youth do not join armed group/gangs as their preferred option. These options have also come out from the focus group discussions and interview.

Firstly, during the violent conflict many adult and youth have experienced that power comes from the barrel of gun²⁴ and if change has to happen it should be forced. There seems to be a strong attachment towards the gun (weapon) as the youths expressed fear that if they leave the gun they would have nothing to hold on to.²⁵ Replacing the power of gun is not easy, it has to be deliberate and slow process of disengaging them with the gun and replacing that power with something positive and concrete.

I carried gun for one year, I always felt that I have power and I can make people obey me. Something inside me always said that this not the way but I had nothing to replace it with. I came across a youth group, they were working in my village without the gun, they were talking about peace and security in a very different way, not the way I was exposed to. I left the group with the help of this group (youth club) and they have helped me get a work as a sales person in a shop in Dhanusha. I think there are many youth like me who would like to leave the violent group.

This is what Ram Bharosi Chaudhary (name changed), a former member of an armed group had to say. In the context of Nepal, there has not been a demilitarisation and demobilisation process, where the guns, bombs and lethal weapons can be handed over. There is no authentic data that shows how many guns and pistols are floating around. Further, the open border with India and the easy availability of guns will make replacing the power of gun a bit tricky.

Secondly, the feeling of helplessness and disempowerment²⁶ leads many youths to engage in violence which gives them a sense of power and identity. Political parties and civil society have failed to create a genuine platform for youth voices. They have constantly been manipulated /used in times of need by the political parties but they do not have a voice inside the party decision making. Creating a platform through social, economic and political avenues gives them a voice in their community. Civil society leaders and political leadership have a role to play in this regard. Despite the many ways in which NGOs, international agencies launched program with focus on youth in eastern Tarai, they are still not successful in halting the violence. Though laudable, their efforts often appeared reactive, beyond the reach of district headquarters, uncoordinated, ideological and organisationally divided. Without a consolidated effort from civil society, local government and political parties and grassroots organizations, youth cannot be mobilized to leave violence and resolve conflict.

Thirdly, the ten years of armed conflict targeted school children and teacher a lot. Either they were abducted to join the rebellion or schooling disrupted so that school turns into a base camp for state army or Maoist. This tradition has continued even during the peace process as the schools are frequently closed so that students are hollered to take part in political activities. All political parties target the high school students to join their youth wings either as a cadre or militia.²⁷

²⁴ The famous ideology of Maoist rebellion.

²⁵ Mentioned by many armed group members in Siraha, Saptari and Dhanusha during interviews; name not disclosed.

²⁶ Three focus group discussions with youths who had joined armed groups and gang violence in Mahottari and Rautahat district. One of the youth had also prepared a song on manipulation.

²⁷ Focused group discussion in Saptari, Siraha and Mahottari.

There is a need to further an in-depth study on the social, economic and psychological factor of these armed groups and gangs, as well as to devise a political strategy to end the state of impunity and violence in the Tarai region. It is high time the political parties, government and national and international agencies start thinking in this

direction before they operate as a professional criminal group with proper network such as MS 13 and Calle 18 gangs²⁸ in Salvador, Beliz, Honduras and Guatemala. And we should understand that all these countries have gone through at least a decade of civil wars like us.

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²⁸ These gangs started by traumatized and parentless kid of El Salvador who flee to United states. They operated in transnational level for many years between United States (Los Angeles) and Central American countries. Still they operate in some parts of these countries.