



**CARTER CENTER: LOCAL PEACE COMMITTEE FUNCTIONING HAS IMPROVED,
BUT OVERALL EFFECTIVENESS REMAINS UNCLEAR**

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Ka In a report released today, Carter Center observers found that although the overall functioning of Local Peace Committees (LPCs) has improved since November 2009, their effectiveness remains unclear and they continue to face serious challenges.

The Carter Center commends the small number of high-functioning LPCs that have earned local reputations for effectiveness, often through successful mediation of conflicts in their districts. However, the Center notes with concern that despite positive efforts, many LPCs have still not been able to demonstrate relevance and utility, associate director Democracy Program.

Compared with November 2009, when the Carter Center released its last report on LPCs, a much larger number of LPCs are formed and undertaking some activities. The 33 district LPCs visited for this report could be classified according to four levels of functioning : not formed (3 districts), formed but mostly inactive (9 districts), formed and active/meeting regularly (19 districts), and formed and highly active or effective (2 districts). In contrast, in November 2009, only two of 18 LPCs visited were reported as functioning and active.

The main reasons for this positive shift are: increased support, funding, and guidance from the Ministry of Peace and Reconstruction; the resolution of local-level disputes among political parties; and the end of the UCPN(M) boycott. However, at the time of observers most recent visits, more than one-third of LPCs visited were either mostly inactive or not formed, demonstrating that progress has been uneven.

The large majority of LPCs have focused on reviewing conflict- for interim relief. However, in many districts, Carter Center observers heard complaints that parties had used their

Many LPCs are also undertaking activities apart from interim relief; however, the impact of these activities remains unclear, and observers found that public awareness of LPCs was low at both the district and Village Development Committee (VDC) levels.

III. BACKGROUND AND MANDATE OF LPCs

a) Background

Establishment of Local Peace Committees was approved by the government in 2006, and a Terms of Reference was agreed in 2007. However, national-level political disputes plagued LPCs after their initial inception; the committees were reportedly formed and disbanded twice before the present Terms of Reference was issued in 2009.

In November 2009, The Carter Center reported

- 4.4 To facilitate constructive conflict transformation processes in situations of debilitating political or social conflict.
- 4.5 To work on reconciliation, healing and trust-building.
- 4.6 To continuously monitor the political and social developments at the local level and to try best to defuse

Section IV.C. of this report), including both national-level policy issues as well as those arising from specific district dynamics, continue to face LPCs across the country.

2. The increase in the overall functioning of LPCs can be attributed to: positive steps taken by the MoPR, the resolution of local-level disagreements among political parties, and the end of the UCPN(M) national boycott of LPCs.

Both national and district-level developments have been precursors to the improvement in LPC functioning. Major factors identified by Carter Center observers are discussed briefly below.

a) Positive steps taken by the MoPR, including the deployment of LPC secretaries, the provision of funds, and workshops clarifying LPC roles to members

LPC secretaries were deployed in 2009 and have played an important role in bolstering LPC functioning at the district level. Most of the secretaries appointed by the M.K. Nepal-led government are reportedly still in place, and this continuity in staffing has facilitated improvement in the LPCs. Additionally, the allocation of funds by the MoPR to district-level committees has likely been one of the most significant factors to spur new LPC activities. Most LPCs were provided NRs. 600,000 in Nepali fiscal year 2009-2010, for which they had to submit a proposal of activities and a detailed budget. In the following fiscal year, an additional NRs. 700,000 was made available, first in a NRs. 200,000 installment followed later by a further NRs. 500,000. Finally, in response to requests for greater instruction about their mandate, the MoPR provided training and held workshops for LPC members and staff to clarify their roles and responsibilities.

b) Local-level resolution of disagreements among political parties, including in regards to LPC leadership and composition

Resolution of local-level disputes over LPC leadership and composition has improved LPC functioning in many districts. For example, in Udayapur the LPC was almost completely defunct for most of 2009 but in 2010, through initiatives reportedly undertaken by civil society organizations and the new CDO, the political parties agreed on a new coordinator and thereafter the LPC was able to hold regular meetings. In Pyuthan, the LPC had been inactive for much of 2009 due to disputes among political parties but, during the Carter Center's visit in March 2011, was expanding to the VDC level. Observers have heard similar stories in other districts, including Sindhupalchowk, Salyan, and Dolakha.

c) End of the UCPN(M) boycott

The UCPN(M) nationwide boycott of LPCs obstructed LPC formation and functioning for an extended period through 2009 and 2010. Following the Maoist decision to withdraw from government in May 2009, the party decided to boycott the LPCs as part of their policy of non-cooperation with the M.K. Nepal-led government. However, this boycott was not consistently enforced, and observers found several examples of Maoists participating in LPCs. With M.K. Nepal's resignation in late June 2010, the boycott appeared to end in most of the districts where it was previously enforced, and the UCPN(M) is now participating in LPCs in most districts. While observers reported continuing UCPN(M) boycotts in a small number of places, these appeared related to local dynamics as opposed to national policy.

B. CURRENT LPC ACTIVITIES

The ToR instructs LPCs to undertake a range of activities. At least four of the seven "duties and responsibilities" of LPCs are related to peace building and conflict resolution activities, two relate to interim relief and reconstruction programs, and one relates to information dissemination. However, in

reality, the majority of LPCs see their main role as reviewing and verifying conflict-affected persons' (CAP) applications for interim relief. Many have undertaken some additional activities, but only a small number appear to have made conflict resolution activities a major focus. Also, following instructions from the MoPR, most of the LPCs visited by Carter Center observers have made efforts to expand to the VDC level.

1. Nearly all LPCs have continued to focus on reviewing and verifying conflict-affected persons applications for interim relief as their main activity.

Because the District Administration Office generally does not have the capacity to reach out to conflict-affected persons across the district or investigate applications for interim relief, Chief District Officers (CDOs), who have overall responsibility for managing interim relief in their districts, often request political parties or the LPC to facilitate this effort. Nearly all LPCs have focused on reviewing and verifying CAP applications for interim relief as their main task. Applications from CAPs either come to the LPC directly or are referred to the LPC by the Chief District Officer. The comprehensiveness of LPC review of applications varies by district, but in many districts the CDO has asked the LPC to verify that applications are complete, review any supporting documentation, and discuss whether the application appears to be genuine.⁷ The Committee then selects which applications to send to the CDO with the recommendation that they be forwarded to the MoPR for final approval. In some districts, LPC members have traveled to VDCs to investigate and verify applications; in a few, VDC-level LPCs have assisted.

Despite the fact that reviewing CAP applications is only one component of the LPC ToR, many LPC members, staff, and other stakeholders have told observers that interim relief is the main, and most important, activity of the LPC. For example, all committee members interviewed in Kailali noted to observers that the major activity of the LPC was to collect and verify data to facilitate the provision of interim relief to CAPs. In Siraha, an LPC member said that, although the committee had undertaken some other activities, its main role was to forward interim relief applications to the CDO. Comparable statements were made by many other LPC members and stakeholders interviewed by the Carter Center. Numerous interlocutors, including LPC members themselves, alleged that political bias tainted the review of applications, a concern that is discussed later in this report.

2. Most LPCs are also undertaking activities beyond interim relief data collection, such as livelihood support training to conflict-affected persons, peace education activities, and training of LPC members on conflict mediation. However, the impact of these activities remains unclear.

Under a provision by which LPCs can submit activity proposals to the MoPR and in return receive funds for programs, a large majority of functioning LPCs have undertaken some activities in addition to the review of interim relief applications. The list of activities is similar across districts, and certain activities appear to be driven by central-level MoPR priorities.⁸ Activities fall into three broad categories: direct support to conflict-affected persons; promotional and public awareness activities; and training for LPC members themselves. Although these programs are organized by the LPC, they mostly appear to be implemented by outside experts ("resource persons") identified and hired by the LPC.

⁷ A 2010 report notes that, "The role of the Local Peace Committee (LPC) in the intake stage [of CAP applications] varies enormously between districts and is not regulated through the policy guidelines." International Organization for Migration, "Report on Mapping Exercise and Preliminary Gap Analysis of the Interim Relief and Rehabilitation Program," December 2010, p. 6.

⁸ The MoPR has indicated that limited capacity by LPCs to draft proposals has led the Ministry to take a more active role in shaping LPC planning documents, although this is in some tension with the Ministry's vision of LPCs as autonomous bodies.

forwards them to me.” In several districts, observers noted that political party leaders did not take the LPC seriously. In a Mid Western region district, a journalist said that “the LPC is not doing anything, just carrying bags and wearing their hats.” And, in a Far Western region district, observers heard that the LPC has produced “few activities and no results.” The frequency with which observers heard such comments indicates that in many districts even somewhat active LPCs have not been able to demonstrate their utility.

Several factors appear to be responsible for the skepticism about LPCs. First, many stakeholders question the impartiality of the process of interim relief to conflict victims; because many people see interim relief as the LPC’s main task, perceptions of bias and inadequacy in processing applications are especially damaging to the overall image of the LPCs. Second, particularly with regard to conflict resolution, LPCs must compete with more established mechanisms, such as all-party meetings (often used to resolve political disputes), and various local informal or indigenous conflict resolution mechanisms that are often used at the VDC level.¹⁰ Given the range of conflict resolution mechanisms available, the added value of the LPC is often not clear. Third, there is disagreement over the proper scope of LPC activities. For example, LPCs in Dang and Bardiya have attempted to address lingering conflict-era disputes, such as over allegedly seized land, but in the absence of political will have not been able to make progress; a UCPN(M) representative in Dang stated that land was a national-level political issue, above the mandate of a district body such as the LPC.

made all the nominations.¹³ In another district, numerous interlocutors complained that the LPC coordinator was treating the committee's office as a party office; when asked about the situation, the secretary admitted, "The committee could not be much more politicized."

5. In some districts, LPCs report a difficult relationship with the CDO, including tensions over budgetary autonomy.

In some districts, LPC members complained that they did not have enough autonomy in financial matters and had to apply for approval from the CDO for even small financial transactions, such as purchase of office stationery.¹⁴ This is particularly a problem in districts where there is tension between the CDO and LPC, as was reported in several cases. For example, in one district LPC members reported tension between the LPC and CDO over whether the committee needed "permission" to spend funds; they complained they could not buy "even a pen" without the personal approval of the CDO. In another district LPC members were angry about the "dominating" attitude of the CDO. In several districts, CDOs themselves stated that they did not believe the LPC had enough autonomy and that it was too reliant upon their office. LPC members in one district suggested that the LPC funds be managed by the District Development Committee (DDC), which they believed had greater capacity to manage finances than the CDO office.

6. There is very low public awareness of the LPCs at the local level.

Despite an increase in LPC formation, functioning, and activities, there does not appear to have been a parallel increase in awareness about the LPC at the local level. In most districts visited, citizens are overwhelmingly unaware of the existence of LPCs, even where VDC-level LPCs have been formed. In Dhankuta, which has a relatively active district LPC, and where outreach activities have been reported, numerous district and VDC-level interviewees noted that awareness was still very low. In one VDC, where the VDC LPC coordinator had reported the distribution of notices about the LPC to all wards, no villagers interviewed were aware of the LPC's existence. When asked to explain why awareness was so limited, committee members cited a requirement for additional funds to support public outreach.

7. In the absence of support and guidance from the district level, few VDC-level LPCs

district, the district-level LPC secretary said he did not understand the mandate of the VDC-level LPCs or how to make them function and predicted that, when formed, “they will be in the same shape or more miserable than we are here in the district headquarters.” In another district, an LPC coordinator stated that VDC committees have been formed because “[we] were told to do so, but [we] are unsure of what to do with them now.”

should ensure that no funding goes to LPCs that are not formed or are inactive, such as was the case in Gorkha in early 2011.

Increase awareness-raising and outreach efforts about program, and investigate all credible claims of political bias and malpractice in the interim relief process. Outreach work should be particularly targeted towards individuals from remote areas or marginalized communities, people who are illiterate, women, and others found to be left out by the program thus far. Additionally, the role of the LPC in the interim relief process should be assessed, including in the verification of CAP applications, and all credible claims of political bias and malpractice should be investigated.

Ensure there are sufficient resources within the MoPR dedicated to supporting LPCs in order to facilitate clear and prompt communication with LPCs that request guidance and timely processing of staff salary payments and contracts. In its proposal to the NPTF, the Ministry pledged to extend the contracts of LPC secretaries for a full fiscal year and to increase the level of communication with LPCs, both of which would be positive steps. Additional staffing or resources at MoPR dedicated to LPC support may be required. Finally, in the 22 districts without LPC secretaries, the MoPR should train and deploy new secretaries as soon as possible.

Assess which body at the local level is best placed to manage the funds allocated to LPCs. Currently LPC funds are managed by the District Administration Office; however, there are a number of other local bodies, including the DDC, which could be considered as alternatives. A review of which local office is most suitable for managing disbursement of LPC funds could be beneficial.

To district-level Local Peace Committee members and staff:

District-level LPCs should only form VDC-level LPCs if they have the capacity to provide