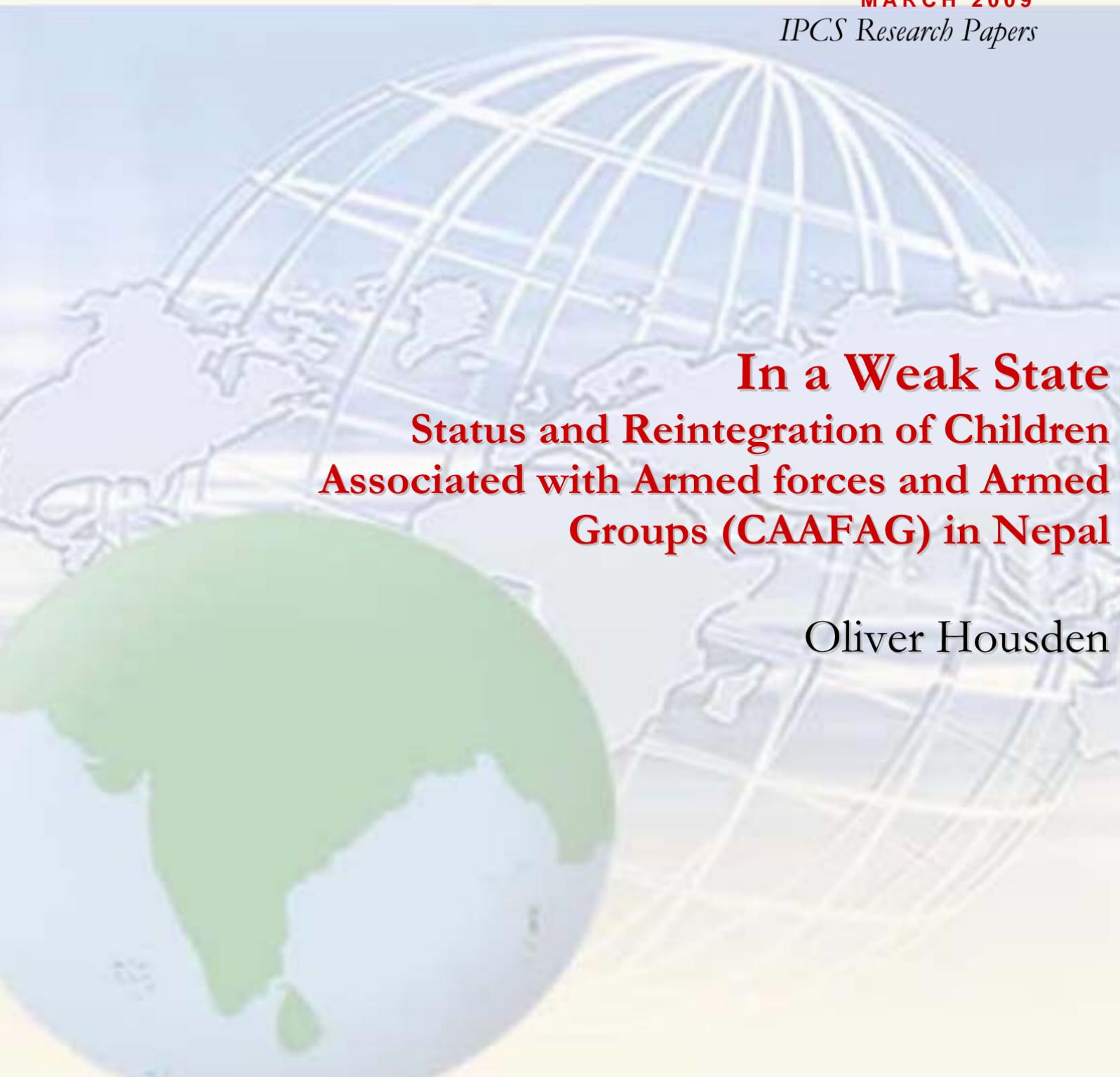


# 20

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**In a Weak State  
Status and Reintegration of Children  
Associated with Armed forces and Armed  
Groups (CAAFAG) in Nepal**

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## I. CAFAAGs: An Introduction

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The Comprehensive Peace Agreement (CPA) signed on 21 November 2006, made an unprecedented commitment to those children who had been involved in Nepal's decade long civil war. It stipulated that those "children who have already been affected [who] shall be rescued immediately and adequate provisions shall be made for their rehabilitation."<sup>1</sup> However, since the CPA was ratified, human rights and civil society groups have persistently castigated the government, and particular the Communist Party of Nepal-Maoist (CPN-M), for failing to implement a satisfactory disarmament, demobilization and reintegration (DDR) framework for CAAFAGs.<sup>2</sup> Such accusations are particularly alarming given the impending release of 2,973 disqualified minors who are currently housed in seven different military cantonments. Furthermore, while Nepal's civil war has ended, low-intensity violence, perpetrated by a variety of political groups with competing ethnic, political and regional goals still plagues the country. Many of these groups, that predominantly affect and operate in the Terai region, are eager to recruit returning CAAFAGs into their armed forces. To this end a review of the reintegration process thus far is an important exercise, as it will challenge the capacity and the claimed commitment of the government to stick to implementing the finer aspects of the peace process.

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<sup>1</sup> Article 7.6.1. Comprehensive Peace Agreement, Concluded Between the Government of Nepal and The CPN-M, 21 November 2006, Official English translation published on the website of the Ministry of Peace and Reconstruction of Nepal, [http://www.peace.gov.np/admin/doc/CPA\\_eng-ver-corrected.pdf](http://www.peace.gov.np/admin/doc/CPA_eng-ver-corrected.pdf).

<sup>2</sup> "HR groups worried peace process not dealing with issue of child soldiers" (August 2006); "Reintegration of child soldiers taking too long" (May 2008); <http://www.irinnews.org/>; "UN official calls for release of children in Maoist cantonments" (UNHCR: August, 2008) <http://www.unhcr.org/>

### Why did children join the Maoist or state security forces?

Broadly speaking, child participation<sup>3</sup> in the Maoist insurgency can be explained by several 'push' and 'pull' factors. The most commonly cited push factor was extreme poverty. Poor economic conditions and consequent lack of opportunity in many districts meant that the basic needs of many children were simply not met. Antipathy towards the state was exacerbated by structural discrimination endemic in many Nepali rural communities, particularly towards girls, marginalized ethnic minorities, and lower caste, Dalit children. Most children who were recruited by the CPN-M came from far and mid-western districts such as Rolpa, Rukum, and Jarjakot where anti-state sentiment and underdevelopment was especially pernicious. Brooding intergenerational conflict was also a prominent push factor as CAAFAGs, who tended to be adolescents aged between 14 to 16 years, were typically frustrated with elder generations since they were perceived as an obstacle to greater life opportunities.

However, the CPN-M were so successful recruiting children because they implemented a strategy that tapped into these existing grievances. For instance, the CPN-M organized cultural programmes of singing and dancing that included strong messages of their political ideology, which were extremely popular with children.<sup>4</sup> Recruits were also promised a wage, which

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<sup>3</sup> Children's participation refers to persons under the age of 18 who were in either the CPN-M or state forces.

<sup>4</sup> These were typically carried out either by Maoist cultural groups, the PLA, part or full-time militias, and student or sister organizations, such as All Nepal Women Association- Revolutionary (ANWA-R). UN Secretary General [UNSG], *Report on children and armed conflict in Nepal*, 2006, 5, <http://www.un.org/>

often exceeded their average income. Although greater economic opportunities informed the decision of many youths to join the insurgency, it was the status and sense of empowerment that one gained joining the Maoists that was particularly attractive. In particular, the nature of Maoist ideology rooted in equality and egalitarianism struck a chord with girls, lower castes and Dalits as well as other ethnic minorities who historically had been marginalized by the state. Other pull factors included peer pressure – becoming a Maoist became a cool thing to do – family involvement with the party and, as the conflict progressed, revenge. Many villages experienced brutal, heavy-handed state operations. If one's father was killed or mother or sister was raped by the (Royal) Nepali Army, both of which were common incidents during the war, then motivation for joining the Maoists was bound to increase.

However, it would be a gross misrepresentation to argue that the Maoists did not force children into their ranks: fear and physical coercion were central tools for bolstering child participation. Although children enjoyed the aforementioned cultural and entertainment meetings, many were also forced to attend.<sup>5</sup> Moreover, significant numbers of children were abducted from villages and were subsequently forced into the Maoist's ranks.<sup>6</sup> The CPN-M implemented a 'One Family, One Child' policy whereby every family in a village would have to supply a cadre to their forces, which invariably led to harsh and repressive reactions on those children and

families who refused the CPN-M.<sup>7</sup> Nevertheless, one of the most interesting aspects of the Maoist's recruitment of children, especially in comparison to the conflicts in Sierra Leone or the Democratic Republic of Congo, were the relatively low levels of 'forced participation' into the active insurgency.<sup>8</sup>

### What did they do?

Whilst most were given some form of military training once they joined the Maoists, children tended to fulfill non-military roles in the insurgency on a part time basis.<sup>9</sup> Such roles included being messengers, spies or cooks and were usually performed by recruits aged between 10 and 16 years. Not everyone was given military training either, as some, especially those aged 10 to 13 years, were often deemed too young.<sup>10</sup> Those that did end up becoming combatants did not do so immediately. Prospective soldiers were put through rigorous political and military education before becoming "wholetime" members of the PLA.<sup>11</sup>

Children also formed part of the state's security forces although to a much a lesser extent than the Maoists. Captured Maoist children formed the bulk of the State's child forces, whose knowledge of Maoist

<sup>5</sup> Joint International Centre for Transitional Justice Report and Advocacy Forum, 'Nepali Voices: Perceptions of Truth, Justice, Reconciliation, Reparations and The Transition in Nepal,' *Occasional Papers Series*, International Centre for Transitional Justice, March, 2008, 51

<sup>6</sup> UNSG, *Report on Children and armed conflict in Nepal*, 2006, 8. Also see "Maoists abduct 197 kids in Nepal", (June 2004) and "Nepal Maoists abduct children" (Jan 2005) [rediffnews.com/news](http://rediffnews.com/news)

<sup>7</sup> UNSG, *Report on Children and armed conflict in Nepal*, 2006, 5; For testimonies see Human Rights Watch (HRW) Report, *Between a Rock and a Hard Place*, October, 2004, or *Children in the Ranks: The Maoist's use of children in Nepal*, January 2007; Amnesty International (AI), *Nepal: A Spiraling Human Rights Crisis*, April, 2002

<sup>8</sup> According to the Optional Protocol to the Conventions on the Rights of the Child, the "voluntary" recruitment of persons under 18 is not recognised. See <http://www.unhchr.org>

<sup>9</sup> Such as the instruction on the use of grenades or socket bombs as well as more advanced education in the use of firearms. Human Rights Watch (HRW) Report, *Children in the Ranks*, January 2007, Section V: <http://www.hrw.org/en/reports/2007/01/31/children-ranks>

<sup>10</sup> HRW, *Children in the Ranks*, Section V

<sup>11</sup> Child Soldiers, *Global Report*, 2008, 3-4, <http://www.childsoldiersglobalreport.org>

strongholds was exploited. Child captives would be forced to accompany reconnaissance missions and provide sensitive information about the homes and bases senior Maoist military personnel.<sup>12</sup> In some cases children lied about their age to get into the (Royal) Nepal Army for provided a lucrative source of income, although this was not an especially common practice.

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<sup>12</sup> U.N. Security Council, *Secretary-General Report on children and armed conflict in Nepal*, December 2006, 4

## II. Reintegrating CAFAAGs

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In 2007, a collection of Nepali non-governmental organisations (NGOs) and international NGOs (INGOs) collaborated to form the Children Associated with Armed Forces and Armed Groups (CAAFAG) working group under the auspices of UNICEF. Despite several well-intentioned programmes implemented before the working group was formed, by both Nepali non-governmental organizations (NGOs) and community based organizations (CBOs) and some international NGOs (INGOs) during the civil war,<sup>13</sup> “in the absence of a child specific DDR programme these...efforts can be best described as sporadic and disjointed initiatives in the context of ongoing conflict to provide care for children who were either released by the parties to the conflict, captured or who simply voluntarily left.”<sup>14</sup>

The CAAFAG working group’s mandate was to provide “a forum to discuss, to analyze protection issues, to elaborate and to coordinate comprehensive and harmonized responses for the release, return and reintegration of... CAAFAG, as well as to design common advocacy strategies with relevant stakeholders.”<sup>15</sup> Whilst the projects were coordinated by UNICEF, the gritty-gritty of reintegration would be fulfilled by Nepali community-based organizations (CBOs) and NGOs, such as Child Workers in Nepal (CWIN), Centre for Victims of Torture (CVICT) and Sahara Group, with training and assistance from other INGOs, for example Save the Children-Norway and

International Rescue Committee (IRC). As of December 2008, the working group provided cross-community support to 7,500 children and youths across 58 districts affected by the armed conflict.<sup>16</sup>

Broadly speaking, reintegration packages have taken two forms: education and income generation or livelihood programmes.<sup>17</sup> The most popular reintegration packages coordinated by the CAAFAG working group have been education projects.<sup>18</sup> Given most children who joined the Maoists were enrolled in school at the time, rebuilding their education in order to equip them with the necessary skills for employment was essential.<sup>19</sup> Livelihood and income generation packages have sought to provide children with a skill: sewing, plumbing and wiring are just some of the trade crafts which are taught by the CAAFAG working group. These projects have also been tailored to the specific physical geography of a certain region. Returnees to forest areas, for example, have been incorporated into

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<sup>13</sup> Such as Search for Common Ground’s youth programme which sought to facilitate the “participation of young people (aged 15-25 years) in peace building activities,” [www.sfcg.org](http://www.sfcg.org).

<sup>14</sup> Sukanya Podder, ‘Rehabilitating Child Soldiers,’ *IDSA Strategic Comment*, February 2007

<sup>15</sup> CAAFAG Working Group, *Terms of Reference* [1], (UN: Kathmandu, 2007), <http://www.un.org.np/meetingsocha/coordination-docs/TOR-CAAFAG-Working-Group.pdf>

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<sup>16</sup> Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict: Press Conference, Kathmandu, 5 December 2008, <http://www.un.org/children/conflict/pr/2008-12-05198.html>

<sup>17</sup> From the outset, each child will have some form of initial counseling to assess their mental state and will be asked whether he or she wants to go back school or into the workplace. For more details on preparation for reintegration, see (what?)

<sup>18</sup> All 48 children reintegrated by Sahara chose education. Sahara Group (with Save the Children-Norway), *Community of Reintegrated Children: Reintegration of Conflict-affected Children to Places of Origin*, Baluwater, March 2007. 80% Save the Children worked with those education; two thirds of the children under care of UNICEF are enrolled in education programmes; Personal communication/IPCS Interviews with NGO and INGO Representatives, Kathmandu, 3-10 November, 2008

<sup>19</sup> Child Soldiers, *Global Report*, 2008, 4

small production units which distil herbs for medicine which have been supported by NGOs.<sup>20</sup>

A Transcultural Psychological Organisation (TPO) Report in 2007 found that CAAFAGs have experienced greater psychosocial problems than their peers who had not been exposed to conflict.<sup>21</sup> Many returnees have experienced considerable problems after going back to their respective communities, such as rejection or marginalization even within their family. This problem is particularly acute with girls who faced sexual abuse either at the hands of fellow Maoist combatants or, if captured, by the state's security forces, who are now deemed "tainted" or "unpure."<sup>22</sup> Returnees have also faced resistance at the local community level, with children often being teased by their peers or socially excluded and stigmatized because of their involvement in the Maoists. This situation is worse in communities which have been severely affected by the CPN-M. Hence, all CAAFAGs have been given extensive psycho-schematic therapy and life-skills training to help with their psychological problems and day-to-day social difficulties of reintegration.<sup>23</sup>

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<sup>20</sup> Women's Commission for Refugee Women and Children, *Don't Call it Shangri-La: Economic Programmes for Displaced Populations in Nepal*, (Women's Commission: Kathmandu, May 2008), 6 [http://www.womenscommission.org/pdf/np\\_econ.pdf](http://www.womenscommission.org/pdf/np_econ.pdf)

<sup>21</sup> For more on types of psychological difficulties experienced by CAAFAGs, see Brandon Kohrt, 'Recommendations to Promote Psychological Well-Being of Children Associated with Armed forces and Armed Groups (CAAFAG) in Nepal,' *A Transcultural Psychological Organization (TPO) Research and Recommendations Report*, (TPO: Kathmandu, May 2007) <http://www.nepaldocumentary.com/MedicalResearch.aspx>

<sup>22</sup> U.N. Security Council, *Secretary-General Report on children and armed conflict in Nepal*, December 2006, 11

<sup>23</sup> See Child Workers in Nepal (CWIN): [http://www.cwin.org.np/programmes/child\\_participation.html](http://www.cwin.org.np/programmes/child_participation.html)

Although reintegration focuses on the individual returning child and his or her specific needs, NGOs have also implemented community based projects in order to make affected villages more conducive for successful reintegration. Community projects have included building irrigation systems and community mills or repairing schools and health clinics that were damaged during the war to improve the infrastructure of affected communities.<sup>24</sup> Psychological counseling and workshops have been setup that educate community leaders and the CAAFAG's family on spotting key symptoms and problems which returnees face. Education and livelihood projects, along with support networks, have also been extended to orphans and non-CAAFAGs in the returning child's village, thus reducing the potential for jealousy between different groups of children who might wonder: "why are these returnees receiving so much attention and not me?" Importantly, NGOs have also recognised the power of cultural events to convey messages to the wider community. To this end, street plays have been performed by youth clubs to highlight the plight of returning children and their need for support from the community in order to return. Search For Common Ground organised a Nepali folk music programme called a *Dohiri* – a traditional piece that comprises of a dialogue between two groups – which involved members of younger and older generations in order to promote an understanding of one another and ease intra-generational tensions.<sup>25</sup>

Furthermore, NGOs, such as Office of the

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<sup>24</sup> Women's Commission, *Don't Call it Shangri-La: Economic Programmes for Displaced Populations in Nepal*, May 2008, 7

<sup>25</sup> "Using the songs and a drama performed by young people, they told a story of a child who had been away fighting in the war and wasn't sure of whether to come home. They went back and forth, discussing the challenges and fears that children felt. When the child and parents agreed that it was time to come back together, the crowd of thousands cheered, celebrating the symbol of a reunified family after war." [www.sfcg.org](http://www.sfcg.org)

High Commissioner for Human Rights, Nepal (OHCHR), CVICT, and CWIN have recently shifted emphasis onto building the capacity of local structures to end the culture of impunity towards the misuse of children in political activities.<sup>26</sup> “We have trained people in human rights as part of our program here...Previously, people had no idea about the responsibilities of the army and the police. Now they know that the police need arrest warrants and that villagers can file complaints with the central authorities if they are abused. It is a start.”<sup>27</sup> By increasing an awareness of children’s rights at the grassroots level it is hoped that local development agencies and civil society will eventually be able to uphold and deal with all issues relating to the rights of the child.

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<sup>26</sup>See CVICT: <http://www.cvict.org.np>; CWIN: <http://www.cwin.org.np>; OHCHR: <http://www.ohchr.org/EN/Countries/AsiaRegion/Pages/NPSummary0809.aspx>

<sup>27</sup> Mohan Acharya, *IRC Blog*, (Kathmandu: February, 2008), <http://blog.theirc.org/author/peter-biro/>

### III. Assessing Success

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How do you quantify success with such a complicated and nuanced sociological issue? In short, this is impossible. What is more, given the short time in which the CAAFAG working group has been operating and the efficacy of reintegration projects thus far is largely unknown, it is not wise to offer a definitive answer at this stage. Nevertheless, several observations about reintegration can be highlighted so far.

#### Education and Income Generation and/or Livelihood Projects

##### *Education*

Although feedback from reintegration projects has been limited, reports and interviews that IPCS conducted with national and international NGOs have suggested that many children they have worked with have been successfully reintegrated. The Dalit Welfare Organization (DWO), for example has “successfully reintegrated” 147 CAAFAGs, “providing them with education – formal and non-formal – and assisted mobilization of child clubs, youth clubs, women groups and consumers’ committee for peace building;”<sup>28</sup> and only six of the 54 children that Sahara, a Nepali NGO, worked with could not be returned to their respective villages and remain in institutional care.<sup>29</sup> Evidence collected so far also suggests that education projects have also been particularly fruitful, demonstrated by the excellent educational progress of Sahara’s returnees, with nearly two thirds finishing in top positions of their class.<sup>30</sup> This is not to say that education projects have not had their difficulties. Other than the psychological and social problems

highlighted in the previous section, animosity and jealousy from non-CAAFAGs towards CAAFAGs is still common, despite efforts by NGOs to include non-CAAFAGs into reintegration projects.<sup>31</sup>

##### *Livelihoods/ income-generation*

While there have been some positive examples of livelihoods and skills training projects,<sup>32</sup> initial feedback on the success of income-generation programmes has been less encouraging. Adolescent and late teens have shown a greater interest in livelihoods and income generation projects: not only do these provide them with a greater sense of empowerment, given the amount of education they have missed, adolescents have often found returning to class with children who are much younger than them an embarrassing and awkward experience.<sup>33</sup> However, it is the funding and duration of these projects has been hotly contested between members of the working group. Most Nepali NGOs who spoke to IPCS were concerned that reintegration projects were under-funded and too short, lacking essential follow-up work, to function

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<sup>31</sup> IPCS Interview with Udhav Poudel, ILO, Kathmandu, 6 November, 2008

<sup>32</sup> “Dozen former child soldiers complete electrical wiring course” (April 2008), <http://blog.theirc.org/2008/04/09/nepal%E2%80%99s-child-soldiers-trade-rifles-for-tools/>

<sup>33</sup> Private reading and writing classes are run concurrently to income generation projects to improve standards of education which help to reduce the embarrassment for returnees. Women’s Commission for Refugee Women and Children, *Don’t Call it Shangri-La: Economic Programmes for Displaced Populations in Nepal*, Nepal: May 2008, 7

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<sup>28</sup> Dalit Welfare Organisation (DWO), *Annual Report: 2007*, (DWO: Nepal, 2007), 10: [www.dwo.org.np](http://www.dwo.org.np)

<sup>29</sup> Sahara Group *Community of Reintegrated*, 2

<sup>30</sup> *Ibid*, 35

properly.<sup>34</sup> INGOs also stated that they are constrained by their budgets.<sup>35</sup> Crucially, the success of livelihoods projects will depend on external factors which are ultimately beyond the control of NGOs. One such factor is the economic and developmental status of the region that a child has been reintegrated. Finding employment in the more affluent regions of Nepal is extremely difficult, and next to impossible in the particularly backward mid and far-western districts of Kanali, Jarjakot and Kalikot. As a result, many CAAFAGs have fled their villages in search of what they see as greater opportunities elsewhere, either emigrating to India, the UAE and other Gulf States, or alternatively joining the youth wing of the CPN-M and the Youth Communist League (YCL).<sup>36</sup> Obviously, it would be impossible for every child to be successful reintegrated and the CAAFAG working group's projects, in spite of limited resources and support from the government, have been excellently coordinated. Nevertheless, a lack of funding has meant that the running of certain programmes has been too short to have as deep or lasting an impact as many NGOs desire.

### **Hidden Victims: an information deficit**

One of the major obstacles to successful reintegration has been the lack of information available to relevant NGOs about CAAFAGs. This problem has manifested in several different capacities. For example, during the conflict Human Rights Watch estimated there were between 3,500 and 4,500 children in the Maoist's ranks.<sup>37</sup> It is also estimated that roughly 40% of ex-Maoist children informally released

from the military cantonments after UNMIN's second round of verification have moved to either Kathmandu, Biratnagar or Pokhara, looking for employment as either labourers or domestic staff who are beyond the reach of many NGOs.<sup>38</sup> However, in truth the exact number of recruits and the whereabouts of child combatants informally released from the cantonments is largely unknown. Furthermore, locating returning girl CAAFAGs has also been fraught with difficulty. On return these girls, stigmatized for their involvement in the Maoist, have often been married off instantaneously and moved to another village, or rejected altogether, to protect the honour of her family. NGOs have therefore found it almost impossible to find such girls forced into a shotgun wedding to assist them with their reintegration.<sup>39</sup>

### **Weak governance: the government, political parties and youth wings**

In general, the government has not been the most supportive player in the reintegration process. Despite their rhetoric and legal commitments, the CPN-M continues to flout regulations over the illicit recruitment of children. For example, the YCL continues to recruit persons under the age of 18 years.<sup>40</sup> Although involvement in political activities does not contravene the rights of the child – on the contrary, children should be encouraged to participate in political discourse – “the main concern with regard to the presence of young people under the age of 18 years in the YCL is their potential exposure to violence.”<sup>41</sup>

<sup>34</sup> IPCS Interview with Tarak Dital, CWIN Headquarters, Kathmandu, 5 November, 2008; IPCS Interview with Dr B Sharma, CVICT, Kathmandu, 6 November, 2008

<sup>35</sup> IPCS Interview with INGO Representative (anon) Kathmandu, 17 November, 2008

<sup>36</sup> Brandon Kohrt, communication via email, 12 November, 2008

<sup>37</sup> HRW Report, *Children in the Ranks*, Section I

<sup>38</sup> S. B. Prasai, “Nepal moves to integrate ex-child soldiers,” *American Chronicle*, (25 March 2008), [www.americanchronicle.com](http://www.americanchronicle.com)

<sup>39</sup> IPCS Interview with INGO Representative (anon), Kathmandu, 17 November, 2008

<sup>40</sup> UN Security Council, *Secretary-General Report on children and armed conflict in Nepal*, December 2006, 3

<sup>41</sup> OHCHR Pamphlet, *Allegations of Human Rights Abuses by the Youth Communist League (YCL)*, Kathmandu, OHCHR, June, 2007, 28

However, the CPN-M are not the sole perpetrators of this violation: all political groups continue to misuse children in their political activities, from their involvement in organizing *bandhs* (strikes) to active, militant participation.<sup>42</sup> Having seen the success of the YCL, rival coalition and opposition political parties have created paramilitary youth wings which mirror the YCL, such as the United Marxist-Leninist's (UML) Youth Force and the Madhesi Janadhikar Forum (MJF)'s Youth Forum, that target schools, youth clubs and associations for recruitment as well. Whilst all groups deny they are involved in militant activities, members of every youth wing are given physical and crude self-defence training. Violent clashes between rival youth wings, especially between the YCL and Youth Force, have become commonplace with children either being injured or killed in the ensuing violence.<sup>43</sup>

Perhaps the biggest worry over the misuse of children for illicit political activities concerns the increasing number of reports about the recruitment of children by armed Madhesi Groups. In April 2008, a UN Secretary-General report stated "CPN-M recruitment methods appear to have been imitated by some Terai political parties and armed groups."<sup>44</sup> A senior military member of Akhil Terai Mukti Morcha (ATMM) informed IPCS that a strategy to recruit children had been formed and was ready to be implemented as soon as the leadership approved it.<sup>45</sup> This recruitment drive, mirroring the Maoist's "One family, One child" policy, would involve 'convincing' families in the name of an independent Madhesi state to provide one child from

their household for an armed insurgency." Furthermore, given the intimate nature of many Nepali rural communities, it would not be difficult for armed groups to find reintegrated children for recruitment.

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<sup>42</sup> "Youth groups' activities a major threat to human rights: NHRC chief" (Nepalnews.com, 3 November 2008)

<sup>43</sup> "Youth cadre killed in Dhading" (October 2, 2008), "Dozens injured in YCL-YF clash", (October 27, 2008), [www.nepalnews.com](http://www.nepalnews.com)

<sup>44</sup> U.N. Security Council, *Secretary-General Report on children and armed conflict in Nepal*, December 2006, 6

<sup>45</sup> IPCS interview with Sunsari District Commander of ATMM, Sunsari, 13 November, 2008

## IV. Taking Stock: Key Issues for the Future

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The government must provide a framework for a child DDR programme to end the culture of impunity towards the misuse of children. Whilst the torture of children is illegal in Nepal under Article 7 of the Children's Act, as of November 2008 not one person has been convicted of any offence against children.<sup>46</sup> NGOs and human rights groups have repeatedly argued that the lack of consensus between the major political parties – the CPN-M, UML, MJF and Nepali Congress – is a major obstacle.<sup>47</sup> Faith in the legal system, shattered after decades of state corruption and brutality, has to be restored in order to encourage more child victims to come forward, but this will only happen once political parties set a precedent. To this end, one positive step that could, indeed must, be taken in the short term here is disarming political youth wings such as the YCL and Youth Force. However, institutionalizing the rights of children not only demands a legal transformation but a cultural one too. It will only be achieved once all stakeholders, including NGOs, community leaders, political parties, family members and peers, appreciate the positives that participation in the CPN-M has given many returnees, such as a greater confidence to challenge authority and voice their grievances.<sup>48</sup>

Certainly, there are several potential dangers in giving returnees a greater stake in the peace process which must be avoided. Firstly, this does not mean championing the

radical or violent opinions and the participation of former combatants in the insurgency,<sup>49</sup> Secondly there is a danger of imposing the western concept of children onto these communities. Many youths in Nepal are working in the fields by the time they are fifteen or sixteen, so the concept of allowing 'children to be children' as westerners may conceive, or the engagement of youths in political discourse, are alien concepts to Nepali rural communities. Finally, it is important to find the right balance between giving children a greater voice in their respective societies and protecting them from nefarious influences, such as illicit treatment by the YCL or illegal recruitment by armed groups.<sup>50</sup>

Nevertheless, "given the crucial role that youth played in the war and the democratic revolution of April 2006, [it follows that] young people can play a role in building the peace."<sup>51</sup> To this end, grassroots youth peace building activities, such as those coordinated by Search for Common Ground and IRC, are excellent initiatives that utilise new skills acquired by some CAAFAGS and appreciate the changing rhetoric and behaviour of children in affected communities, which need to be developed further.

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<sup>46</sup> HRW, "Nepal: End the torture of children in police custody," November, 2008: <http://www.hrw.org/en/news/2008/11/18/nepal-end-torture-children-police-custody>

<sup>47</sup> IRIN NEWS, "Nepal: Reintegration of child soldiers taking too long," 27 May, 2008; <http://www.irinnews.org/report.aspx?ReportId=78422>

<sup>48</sup> IPCS Interview with Tarak Dhital, CWIN Programme Coordinator, CWIN Headquarters, Kathmandu, 5 November, 2008

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<sup>49</sup> Search For Common Ground has noted that although children are eager to be involved with peacebuilding activities, they tend to lack the necessary skills and capacity to assist effectively. See Tjendra J. Phereli, *The Role of Youth in Peacebuilding and Community Decision Making in Nepal*, Baseline Study Report, Search for Common Ground, Finland, February, 2007: [http://www.demofinland.org/\\_file/12556/Baseline%20Report%20NEPAL%20-%20FINAL.pdf](http://www.demofinland.org/_file/12556/Baseline%20Report%20NEPAL%20-%20FINAL.pdf)

<sup>50</sup> A balance which literature, considering children's involvement in political armed violence, has failed to achieve. See Jason Hart, 'Child Participation in political armed conflict,' *Conflict, Security and Development*, Vol. 8, No.3, October 2008, 290

<sup>51</sup> Tjendra J. Phereli, *The Role of Youth Search for Common Ground*, Finland, February, 2007, 8

## Countering structural inequality in the community

That CAAFAGs from marginalized backgrounds, especially girls, have found it harder to return is no coincidence. It is especially important that Dalit, female and ethnic minority children are given a platform to articulate their grievances in the future. However, as with institutionalising children's rights, INGOs must be sensitive to various Nepali communities and recognise their different customs which, given Nepal's ethnic heterogeneity, will vary considerably across the country. A failure to appreciate this would leave INGOs open to charges of 'imperialism' and hegemony, which would wreck any chance for effective change for years to come. Therefore, it is imperative that INGOs support and foster existing grassroots initiatives such as Advocacy Forum, the DWO, or Informal Sector Service Centre (INSEC), which already challenge discrimination rather than imposing projects themselves.<sup>52</sup>

## Extending the projects

Although considerable fieldwork on the efficacy of reintegration is yet to be completed, the widespread concern over the length of reintegration programmes and inadequate levels of follow-up work suggests a fresh look at the duration of projects needs to be considered. Some INGOs have already concluded that their livelihood programmes need to be boosted, citing short term projects and limited grants as a key reason why they have not been so successful.<sup>53</sup> Furthermore, the stability of reintegration is extremely vulnerable to external shocks and wider socio-economic factors. Appalling flooding and the subsequent brewing food crisis, which threatens the food security of thousands in the mid and far west of Nepal, is one such shock that has the potential to jeopardise

the reintegration process completed thus far.<sup>54</sup> Moreover, if the government cannot provide any economic opportunities to returning CAAFAGs then livelihood training will fail to produce any visible results.

Again, there are several complexities involved with both extending the length of projects and greater government involvement in reintegration. The government and NGOs cannot stay in villages for too long as they risk creating a culture of dependency: at some point, these youth who shall soon become adults, who will have to make it on their own. Although considerable scholarship and newspaper column inches have been devoted to the effectiveness of foreign aid and the presence of INGOs in Nepal,<sup>55</sup> it is important to highlight that the Himalayan republic has been hugely dependent on financial assistance from abroad for decades. For example, as of 2002 foreign aid financed over 50 per cent of Nepal's developmental expenditure.<sup>56</sup> To make matters more complicated, most Nepali NGOs, despite claims otherwise, tend to be highly politicized and affiliated to a particular political party.<sup>57</sup> Until now this has been a relatively underplayed issue and not caused many difficulties, but an increased

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<sup>54</sup> IRIN News, "Nepal: Food insecurity intensifies in the wake of floods," 8 October, 2008: <http://www.irinnews.org/Report.aspx?ReportId=80734>

<sup>55</sup> S.K.Shrestha "Living beyond one's means: Do donors help or hinder self-reliance and development?" *The Nepali Times*, October 3-9, 2008; K.M. Dixit, "Aid and Influence," *The Nepali Times*, October 3-9, 2008, and Abid Aslam, "Aid doesn't reach the ultra-poor" in *The Nepali Times*, October 3-9, 2008; N. Khadka, 'Foreign Aid to Nepal: Donor Motivations in the post-Cold War World Period,' *Asian Survey*, Vol. 37, No. 11, (November 1997), 1044-1061

<sup>56</sup> B.P.Bhattarai, 'The effectiveness of foreign aid: a case study in Nepal,' *Australasian Digital Theses Programme [PhD Thesis]*, University of Western Sydney, 2005, 6

<sup>57</sup> IPCS Interview with Manish Thapa, Asian Study Centre for Political & Conflict Transformation, Kathmandu, 7 November, 2008

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<sup>52</sup> IPCS Interview with Brandon Kohrt, via email, 10 December 2008

<sup>53</sup> IPCS Interview with INGO Representative (anon) Kathmandu, 17 November, 2008

government presence could spark serious disagreements between Nepali NGOs, INGOs, donors and the state and threaten the entire DDR process. Nevertheless, there is an onus on the government to provide a framework for reintegration which NGOs can operate within and consolidate the stability of reintegration programmes.

### **Children in the cantonments: the biggest test is yet to come**

Ultimately, the efficacy of reintegration will be tested when the 2,973 disqualified combatants are released from military cantonments. Human rights groups, aid agencies and the UN have repeatedly called for the CPN-M to release these children, stating they are more than ready “to support the reintegration of children discharged from cantonments.”<sup>58</sup> In a statement made by Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, this process would begin in December 2008 and been completed by February this year.<sup>59</sup> However, serious questions remain over the long-term future of the reintegration. For instance, the secrecy surrounding the incarcerated children is particularly concerning. Only UNMIN has had consistent access to military cantonments, and even they are not allowed to interview these children. With vital personal details, from their background and interests to their mental state and experiences of the conflict and mental state, completely unknown, how effective can we expect their reintegration packages to be?

The best scenario NGOs can hope for is that these children will exhibit the same

albeit more extreme problems as other CAAFAGs – but given the length of their incarceration, disqualified combatants will almost certainly present a new range of problems. These children have been in the cantonments for nearly two years and will have been subjected to continuous military training and indoctrination. Overturning political education and fear has been hard enough with CAAFAGs who have either been released informally or wanted to leave anyway. Many CAAFAGs currently incarcerated will not want to go back to their villages, especially if they expect hostility and structural discrimination on their return. Numerous others will also be disillusioned as the CPN-M have made promises about future employment and income which they will fail to keep as only a fraction of those in the cantonments will be allowed into the new amalgamated armed forces. Furthermore, having been incarcerated for nearly two years, many disqualified combatants will not be children anymore. Therefore, while programmes already in place to reintegrate disqualified PLA in the cantonments will follow existing packages, the working group’s projects will have to shift their emphasis from child to youth orientated programmes. If they do not adapt to these new circumstances then reintegration will fail. A situation whereby thousands of trained, disillusioned and indoctrinated former Maoist combatants with no economic or social opportunities would be extremely destabilising and simply must not be allowed to happen.

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<sup>58</sup> IRIN NEWS, “Nepal: Reintegration of child soldiers taking too long,” 27 May, 2008: <http://www.irinnews.org/report.aspx?ReportId=78422>

<sup>59</sup> Office of the Special Representative of the Secretary-General: Children and Armed Conflict (OSRSH) Press Release, *NEPAL: Minors to be discharged from Maoist cantonments*, [OSRSG/081205], Kathmandu, 5 December, 2008: <http://www.un.org/children/conflict/pr/2008-12-05198.html>

## V. Conclusions

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This paper has sought to present an analysis of the current status of reintegrating CAAFAGs in Nepal. Until now, this has been excellently coordinated by the CAAFAG working group and although there has been limited feedback from the field, early indicators have shown many positive results. However, more fieldwork needs to be done, particularly assessing the psychological impacts and sociological experiences conflict has had on CAAFAGs; locating the hundreds and thousands of displaced CAAFAGs who so far have slipped under the radar of NGOs; and on collecting feedback from already reintegrated CAAFAGS to test the efficacy of rehabilitation programmes. As the release of most former combatants from the seven military cantonments around Nepal looms on the horizon, the worthy efforts of the working group should not distract them from numerous other issues and problems that have not been addressed. Important questions remain unanswered over many integration projects. In the long run, leaving the challenge of reintegrating CAAFAGs to NGOs and the civil society alone is neither politically sustainable nor conducive for a peaceful and secure Nepal. Greater political capital and a government framework must

be created to provide direction to civil society.

However, what is particularly revealing about this issue is that it is both a symptom and an explanation of the turbulent security dynamic of Nepal. The state, lacking both the capacity and the inclination, has failed to tackle deep rooted inequality and structural problems in which armed movements can recruit marginalized sections of the population and consequently flourish. Thus the government and fellow security analysts must revise their conception of the reintegration of CAAFAGs as solely a socio-economic issue. The very fact that children are once again being exploited by armed groups in the Terai region surely demonstrates that this is an urgent security matter as well. However, in the short to medium term it appears that, as is too often the case, civil society will be left to pick up the pieces, and Nepal will remain vulnerable to the low intensity violence it is currently experiencing. One can only hope that enough internal dissent and international pressure will eventually be levied on the Nepali government to force it to act upon this key aspect of the peace process.



### About the Author

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