



SAAPE Newsletter

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EDITORIAL

Peace Restoration - Struggle for a Better Nepal

Peace is not the product of a victory or a command. It has no finishing line, no final deadline, and no fixed definition of achievement. Peace is a never-ending process, the work of many decisions.

- Oscar Arias Sanchez

Nobel Peace Laureate 1987, former President of Costa Rica.

Of the world total population 22 percent reside in South Asian region. The beauty of South Asian countries lies in the fact that it is rich in diversity of religion, culture, languages and ethnicity. Diversity is a blessing to all nations but the people misconstrue it as a curse due to which one has to witness lack of peace in this region whether it be within or between the nations. Therefore peace restoration in South Asia has become a prominent challenge as, it is a long process and faces many challenges.

Peace in South Asian countries can only be restored when there are no wars or threats of wars and nations respect each others' borders and solve their disputes through peaceful means, where government respect the human rights of all their inhabitants and do not engage in persecution or repression of any individual or groups on account of caste, ethnic or national origin, beliefs, religious practices or political affiliations, when children of both genders, and women enjoy respect and protection, when individuals of all regions, religions, rational persuasion, caste and cultural and ethnic groups live in peace and harmony, and their holy books, place of worship and founders are respected.

Nepal is also one of the countries, which has been striving to restore peace in the nation for over a decade. Tussles for power, political instability, abuse of authority on gaining power and unhealthy competition in fulfilling personal and communal interests at the expense of the nation and population contributed to the deterioration in the political and economic situation of the country. Nepal has been

under severe political crisis and turmoil due to the sequence of unstable political events leading from October 2002 when the King dismissed the elected Prime Minister to the royal takeover on February 1, 2005. To meet this crisis, starting from April 2006 the country witnessed thousands of demonstrators shouting slogans for the restoration of the democratic system. The autocratic government's decision to shoot the demonstrators on sight added fuel to the agitated mass resulting in cases of human rights violations by both the security persons and even by the demonstrators. Political leaders, human

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rights activists and media personals were put under detention. But at last People's Power pushed back a despotically inclined king making space for pluralism and creating the initial conditions for peace.

The struggle for democracy and peace was worthy as Maoists announced three months of ceasefire. The seven party alliances and Maoist are now negotiating and holding round table talks to prepare for elections to a constituent assembly to write a new constitution and decide upon the future of Nepal.

This newsletter contains a variety of interesting articles mostly relating to the present situation of

Nepal. The first is by Sarba Khadka, who in detail highlights the Nepalese people's struggle for democracy and the challenges ahead. There are also other useful articles along with the articles on the SAAPE activities related to conflict, peace, security, and justice and gender issues.

We are back with the first issue of the SAAPE Newsletter 2006. We hope that you find the information in this issue, valuable to you. We welcome the ideas and suggestions from the readers with reference to the information that you prefer to see on our website and newsletter.

POEM

JIHAD

Mohiuddin Ahmad
21 March 2006

In too many fronts I am in strife
I have been fighting all through my life
I have been fighting ever since the dawn
I have been fighting since I was born

I fought for Spartacus inside the dome
I fought for slaves to retain their home
I fought for truth and freedom of speech
I drank Hemlock with Socrates

When Jhelum was seized by Alexander
I advised King Porus not to surrender
I was reborn with a name Bhagat Singh
I fought to rip up the colonial string

I fought together with Joan of Arc
I fought with Sandino to end the dark
I was with Lakshmi Bai to set Jhansi free
I fought with Zapata to free peasantry

When I was chained next to Prometheus
I didn't bow to the might of Zeus
I was reborn in a spring afternoon
I seized Paris to set up a Commune

I was in Manhattan with workers and allies
That was the beginning of Women's Day rallies
Clara Zetkin demanded women's right to vote
I was sitting beside her to lend my support

I fought for Lumumba to restore pride
That the people of Africa lost in the stride
I fought for Mandela to end apartheid
I spent in the jail thousands night

I am a homeless by Zionist design
I fought with Arafat to free Palestine
All razed in Hiroshima habitat and tree
I fight for a world that is nuclear-free

I was with Seymour Hersh in Vietnam War
I exposed to the world Mai Lai massacre
I was in the lockup at Guantanamo Bay
I suffered at Abu Ghraib day after day

I see famines taking a toll
Regimes carry on through their mole
People are tied to debt and dole
They don't understand millennium goal

I plough the land with all my toil
I grow plants from virgin soil
To GMS and high-breed I say no
I wage war against WTO

I was crucified for no crime
Yet I incarnate all the time
I walk around from Seattle to Rome
To bring peace for every home

NEPAL - ON THE PATH OF DEMOCRACY

Nepalese People's Struggle for Democracy and the Challenges Ahead with Special Reference to the King's Takeover of Executive Powers in 2005*

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1. Introduction

Nepal is a landlocked country squeezed between China and India located almost centrally in the Himalayan range. Before unification in 1769, Nepal was fragmented into about 50 petty principalities ruled by as many feudal clans or chieftains. Between 1769 and 1950, the country was ruled by absolute monarchs and the autocratic members of a single family known as *Rana*. Thus, Nepal has remained a medieval society until 1950, when the *Rana* Prime Ministers, who were the rulers of the country from 1846 to 1950, were overthrown and a "democratic government," operating under the scrutiny of an actively interested and ultimately powerful monarch, took over. This was a compromise reached between the then active political parties, the King and the *Rana* Prime Minister, and witnessed by Indian state authorities. A brief experiment with multi-party politics from 1950 ended with King Mahendra, the father of the present king, suspending parliament and taking sole charge of executive power in 1960, initiating a party-less political system called *Panchayat*. The promise made to hold a Constituent Assembly Election was thus thwarted. The supporters of multi party democracy were jailed, exiled, tortured and intimidated from 1960 to 1990 under various pretexts, and a party-less political system under the direct rule of the king continued to suppress and exploit the people and exhaust the natural resources for the benefit of a small ruling elite.

Multi-party democracy was restored in 1990 after a popular people's movement, but it quickly factionalised with the advent of political instability. The current king has twice assumed executive

powers - in 2002 and 2005 - the first time by removing the government elected by the sovereign people and the second time by removing his own unconstitutional appointee. At the same time, the Communist Party of Nepal-Maoist (CPN-M) declared war against the state and since 1996, has fought with the objective of setting up a communist republic in place of the current political system.

2. Restoration of Multi-party Democracy in 1990 and its Aftermath

During the *Panchayat* era, all the political parties and human rights organisations, NGOs and other civil society organisations were seen as a threat to the political system and were disallowed. People were totally deprived of their democratic rights and freedoms for 30 years.

In 1990, the people's popular movement overcame the autocratic dictatorship and restored multiparty democracy by striking up a compromise between the political parties and the King. The new constitution drafted in 1990 by the political parties and the King's appointees was aimed at assuring the people that they were now the source of sovereignty of the nation. Similarly, the new constitution ensured basic human rights of the people. One of the major achievements of the people's movement was to be able to bring the King under constitutional monarchy.¹

Despite the fact that the newly restored multi-party democracy created better options for a more effective political process and the development of the country, the power-sharing of the contesting forces

* This briefing paper was presented at a Brainstorming and Seminar on "Fighting for Democracy: Experiences of People's Movement in Nepal and Thailand" organized by the Thai Solidarity Group for Democratic Movement in Nepal at the Royal Hotel, Bangkok, Thailand on 7 May 2006.

1. See the Preamble, Constitution of the Kingdom of Nepal, 1990

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(especially between the King and the political parties) could not be established well enough to change the state mechanisms. This led to increased frustration among the general public, whose expectations had remained unaddressed. The foundation of multiparty democracy was weakened further by political instability, lack of transparency and accountability of the state mechanisms, vested interests of the party leaders and institutional weaknesses of the political parties in addressing the issues of corruption, nepotism and bad governance.

By 1996, the CPN-M had started an armed insurgency in the name of 'people's war,' mainly demanding a republic through the process of a Constituent Assembly election. There were dialogues between the government and the CPN-M in 2001 and 2003, but those efforts failed to yield any positive results.

3. Effects of the Armed Conflict

The armed 'people's war' by the CPN-M highlighted the need for a constituent assembly election in the Nepalese political arena. It further encouraged the people to fight against centuries-long suppression by the monarchy. This 'people's war' is also viewed as contributing to the empowerment of women, Dalits, ethnic minorities and other oppressed groups, as well as challenging some negative traditional practices.

However, there have also been bitter experiences of the armed conflict, which has claimed more than 13,000 lives, and subjected several thousand to different inhumane acts of torture, intimidation, extortion, and abduction. The status of more than a thousand people who disappeared at the hands of the security forces is still unknown. Similarly, more than 35,000 people, mostly students and teachers, have been temporarily abducted by CPN-M. Since 1996, around 20,000 people have been arrested and most of them have been reportedly tortured in custody or army barracks.² Over 2,000 children have been orphaned in connection with the conflict.³ Displacement of hundreds of thousands of people from their place of origin, destruction of infrastructure, alarming insecurity, a fragile economy and the absence of state reconstruction efforts have resulted in utter national depression.

2. www.inseconline.org

3. www.cwin-nepal.org

4. Figures in this sub-topic are taken from a research paper by Dr. Dilli Raj Khanal, former Member of the National Planning Commission (NPC); and Bhim Prasad Neupane, Vice-chairman of the Nepal Intellectuals' Council (NIC). The Kathmandu Post and www.nepalnews.com, 25 July 2005.

4. Positive Sides of the Democratic Era

Even though the country came to be downtrodden because of the armed conflict starting only six years after the restoration of democracy, and because of weaknesses of governance, there were some positive results of democracy. People were able to enjoy more rights than in previous years. The people got the opportunity to take part in decision-making processes and voice their opinions in the political forum through adult franchise, basic rights and fundamental freedoms, including the freedom of expression and opinion, freedom of press, and freedom of peaceful assembly and association.

In contrast to the shortcomings of governance at the time, there were significant achievements also attained during the 12 years of democracy.⁴ Overall development, including economic and social development, was much more pervasive during the democratic period than in the 30 years of the King's direct rule pre-1990. The national poverty index decreased from 42 percent in 1990 by 11 percent points during the democratic years. Similarly, the literacy rate jumped from 39.6 percent before 1990 to over 55 percent during the democracy era. Moreover, Nepal made significant achievements in the fields of education, health and in the social sectors. Only 7036 km of road network was constructed till 1990 whereas it has reached over 16,834 now. In the social sector, national investment increased by 19 percent. After restoration of democracy, over 40 percent of households gained access to electricity. As the country adopted a liberal economic policy after the restoration of democracy, foreign investment increased by 22 percent and this provided employment opportunities to over 92,000 labourers.

While democracy ensured the people's participation in development activities, the rule of law, transparency and constitutional supremacy and accountability of the government also became realities.

5. King's Takeover of Executive Powers

As the country went through political instability, almost 12 governments came to power during the 12 years of democracy until 2002. Armed conflict and

political instability provided opportunities for King Gyanendra, who now sat on the throne after the massacre of his elder brother (the then King Birendra) and almost the whole Royal family on 1 June 2001. King Gyanendra had been widely criticized for his intentions and conspiracies against democracy even when he was not on the throne, and so his efforts to weaken the democratic system and replace it with military-power envisaged national political turmoil right after his succession.

Amid the political complexities, the then Prime Minister Sher Bahadur Deuba recommended the dissolution of the House of Representatives (HoR) due to irresolvable internal conflicts within the Nepali Congress party. King Gyanendra immediately approved this recommendation on 22 May 2002.

As the armed conflict scoured on, the CPN-M warned that it would begin an anti-election armed campaign. Thus, the political parties decided to postpone the general election until 2003. Amid this political scenario, the king suddenly dismissed the Prime Minister, Sher Bahadur Deuba, on 4 October 2002, accusing him of 'incompetence in not being able to conduct the general elections on the stipulated date'.⁵ Through this unconstitutional move, the King - also the supreme commander of the Royal Nepalese Army (RNA) - entirely violated the agreement of the 1990 people's movement, which had placed the monarchy under constitutional restraints. He instead, on his own terms, appointed three governments.⁶

6. People's Movement

After the October 2002 royal move, the political parties and civil society initiated a peaceful movement. Thousands of political activists, trade unionists, human rights defenders, students and youths were arrested. Thousands of others were intimidated. The state security forces gravely suppressed people taking part in the peaceful movement. On the whole, however, the movement was mainly the initiative of the party cadres, who failed to attract a larger support base from the people and civil society. People were generally

cynical that the political parties could effect change and bring about sustained democracy, as it was felt that the latter had been unable to do so in the past.

7. King's Attempt to Slow down the People's Movement

Against this backdrop, the King called on the political parties to recommend the name of a Prime Minister and change in the governments. But, the political parties could not come with a common agreement on a candidate. The King appointed Sher Bahadur Deuba, President of the Nepali Congress (Democratic), who was dismissed from the same post in 2002, as a new Prime Minister on 2 June 2004. The two major agendas of this government - holding dialogue with the CPN-M and establishing the executive power on the people - entirely failed on both counts.

The King dismissed that government on 1 February 2005 and declared that he would himself lead a Council of Ministers for three years.⁷ He imposed a nationwide State of Emergency (SoE) for an indefinite time and suspended various fundamental rights ensured by the Constitution of 1990.

8. Authoritarian Regime After 1 February 2005

When the King usurped power, the premiership system of governance as envisaged by the Constitution of the Kingdom of Nepal, 1990 was made useless and the fundamental characteristics of democratic system derailed. Direct rule by the King was not only direct violation of the Constitution but also an infringement of fundamental rights, the end of democratic structures, the reinstatement of an active and autocratic dictatorial monarchy, and the end of the peoples' sovereignty.

During the 14 months of the direct rule until 24 April 2006, the King's government brutally suppressed its political opponents, including human rights defenders, political activists, trade unionists, womens' rights activists, journalists and students. At least 18 people who took part in peaceful

5. Promulgation to the Nation from His Majesty King Gyanendra Bir Bikram Shah Dev, 4 October 2002. www.nepalmonarchy.gov.np

6. The king appointed a government under the Premiership of Lokendra Bahadur Chand on 11 October 2002. Chand resigned on 30 May 2003. Then the king appointed new cabinet under the Premiership of Surya Bahadur Thapa on 4 June 2003. Thapa also resigned on 7 May 2004. After that, the king appointed Sher Bahadur Deuba, President of Nepali Congress (D) as a new Prime Minister on 2 June 2004.

7. Proclamation to the Nation from His Majesty King Gyanendra Bir Bikram Shah Dev, 1 February 2005.

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demonstrations were killed and over 6,000 injured by the security forces. Thousands more were arbitrarily arrested and detained.

Similarly, the King's regime imposed dozens of legal measures to control the independent functioning of NGOs, trade unions, media, civil society and other professional organisations. The country was administered unconstitutionally by more than 45 arbitrary ordinances.⁸ The King's regime regularly violated the international obligations on human rights. A State of Emergency (SoE) was imposed for 3 months from 1 February to 29 April 2005 without relevant reasons pertaining to Article 4 of the International Covenant on Civil and Political Rights (ICCPR) to which Nepal is a party.⁹ Democracy and human rights were suppressed through direct attacks, and the over-militarisation and high handedness of security forces against the civilian population endangered public life.

The King's regime was further characterised by contempt of court order; control on media and communication; the demoralisation of civil administration; curtailment of labour rights; restrictions on movement, assembly and association; and the escalation of conflict. Moreover, the Government refused to initiate any peace dialogue with the CPN-M and this further deepened the national crisis.

9. Positive Initiatives Against the King's Regime and Attempts for Peaceful Resolution of the Armed Conflict

National and international initiatives played a vital role in forcing the King's regime to step back from the executive powers. The UN, EU, foreign governments, international human rights and professional organisations regularly raised their concern over the deteriorating human rights and humanitarian situation in Nepal. However, the role of some governments such as China, India and US was sometimes dubious. The UN Commission on Human Rights passed a resolution under Item 19 of the Technical Cooperation and Advisory Services on 20

April 2005, calling upon the King to urgently restore the multiparty democratic institutions enshrined in the Constitution of 1990 and to respect the rule of law without exception.¹⁰ Likewise, a Memorandum of Understanding (MoU) was signed between the UN High Commissioner for Human Rights and the Government of Nepal concerning the establishment of an Office of OHCHR in Nepal.

Additionally, dialogue between the political parties and the CPN-M began to solidify joint efforts against the King's regime, and continued further dialogue on the restoration of full-fledged democracy. The CPN-M declared a four-month unilateral ceasefire from 3 September 2005 to 2 January 2006, though the king's government did not reciprocate it. The parties and the CPN-M also signed an understanding¹¹ on 22 November 2005 which emphasised democracy, peace, prosperity, complete social change and independence, sovereignty and integrity of the country and expressed institutional commitments to democratic norms and values like human rights and the freedom of the press.¹² On 8 May 2005, the Seven Parties Alliance came up with a six-point Joint Declaration for a United Effort to Resolve the National Crisis, its own road-map towards democracy and peace.

10. Second Phase of People's Movement: Higher Dedication Against Royal Regime

The peaceful movement continuously put pressure upon the King's regime and intensified after the 1 February 2005 takeover. Silent protests that occurred during the months after 1 February changed to a strong protest campaign after the 12-point understanding between the agitating seven political parties and the CPN-M was made.¹³ The movement grew from January 2006 when the King's government waged a second serious crackdown on peaceful mass meetings on the eve of the 'municipal elections' in 8 February. But, the people's power did not lose strength; rather it got more support from all strata, including the government officials. The major decisive movement came between 6-24 April, 2006, when the people along with the party cadres,

8. Deepening National Crisis, *ibid.*, p. 47

9. See, the Resolution under Agenda Item 19 of Technical Cooperation and Advisory Services. UNCHR, 20 April 2005.

10. This understanding is widely known as 12-point Understanding between Seven Political Parties and the CPN-M.

11. This understanding is widely known as 12-point Understanding between Seven Political Parties and the CPN-M.

12. It was re-emphasised through another understanding on 19 March 2006 (Press Statement by Seven Parties Alliance (SPA), 19 March 2006.)

13. Deepening National Crisis, *op.cit.* at 9. p. 17.

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professionals and civil society came together on the streets and took part in protests amid brutal state suppression. On 24 April 2006, the King was forced to accept the agenda of the political parties and reinstated the dissolved House of Representatives.

The People's movement against the royal regime was characterised by awareness of the agenda, commitment to full-fledged democracy and peace, and hope for the bright future of the nation. The involvement of all strata of the people, in the peaceful movement of the political parties and civil society signified the importance of the forward-looking options for the political process in Nepal. People now took on the perspective that the King's regime should be totally abolished and the people's sovereignty guaranteed so as not to repeat the past mistakes.

11. Present Situation: A Paradigm Shift

The announcement by King Gyanendra that he was reinstating the HoR was a significant victory for the Nepalese people's struggle for the restoration of democracy and human rights.¹⁴ The King had been forced to agree on the Roadmap of the Seven Political Parties, along with their 12-point understanding with the CPN-M. In his proclamation on 24 April 2006, he recognised that the source of State Authority and Sovereignty of Nepal lies with the people and was cognizant of the spirit of the ongoing people's movement.¹⁵

The political parties' major agenda - the reinstatement of the HoR - has now opened up an avenue to implement the agenda of the parties and the CPN-M. The political parties and the national and international community (including the UN, foreign countries, professional organisations, human rights organisations and civil society) have welcomed this rapidly emerging new development but have also been duly cautious.

The political parties are presently promising that the Constituent Assembly election, appointment of an all party interim government, revision of the Constitution, and cancellation of the royal regime's

restrictive laws and other orders, will be foremost on the agenda of the parliament.¹⁶

So far, the government authorities have lifted the mobility restrictive orders earlier imposed in different parts of the country. Additionally, almost all political activists, trade unionists, human rights activists and journalists who were arrested during the democratic movement have been released. Though the situation seems to be getting better, civil society has been cautioning the political parties against resuming their short-sighted ways.

The restored HoR convened on 28 April 2006 for the first time in four years, and decided straight away to hold the election of the Constituent Assembly that would draft a new national constitution¹⁷ - the main agenda of the CPN-M. After the Maoist announcement of a three-month-long ceasefire, the government reciprocated on 3 May 2006 by withdrawing the Red Corner Notice and removing the CPN-M from the "terrorist" list.¹⁸

12. Decision of Seven Political Parties

The meeting of the Seven Parties Alliance (SPA) in Nepal, on 25 April 2006, resulted in the announcement of Constituent Assembly elections. The meeting also called on the CPN-M to support the parliament reinstatement move, and expressed commitment to the 12-point understanding made with the CPN-M.¹⁹ It was decided that there would be an investigation and all those involved in suppressing the people's movement during the royal regime would be punished. Similarly, the political parties pledged financial help to the families of the martyrs of the People's Movement-II, and promised assistance in the treatments of those injured. All unconstitutional decisions taken by the autocratic royal government were cancelled and the political parties formed a government and unanimously recommended Nepali Congress (NC) President, Girija Prasad Koirala, for the post of the Prime Minister.

13. Reaction of CPN-M

The CPN-M, on 26 April 2006, announced a three-

14. Statement, Nepalese King Retreats in the Face of People's Power, FORUM-ASIA, 26 April 2006

15. See the Proclamation to the Nation, 24 April 2006, <http://www.nepalmonarchy.gov.np/message/message.php?ID=28>

16. Press Statement, Seven Parties Alliance (SPA), 25 April 2006

17. 'HoR endorses constituent assembly motion', The Kathmandu Post, 1 May 2006

18. 'Govt announces truce, withdraws Red Corner Notice, terrorist tag on Maoists, annuls municipal elections', The Kathmandu Post, 4 May 2006.

19. Press Statement, op. cit. at 16.

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month unilateral ceasefire in order to provide the newly established HoR with better conditions to facilitate the ongoing 'people's struggle' for a constituent assembly and a democratic republic.²⁰ Earlier on the same day, the CPN-M had also called off the blockade of Kathmandu and other district headquarters.

14. The Way Forward

As aforementioned, there is a crucial need to continue the people's campaign inside the country and demonstrate strong international solidarity with the democratic movement in order to help the Nepalese people strengthen the process.

The following steps may be taken by the seven political parties, the CPN-M, and other actors favouring this accord to help the process materialise into full-fledged democracy and peace:

- The government of King Gyanendra must be held accountable for the atrocities committed by the Nepalese security forces against the unarmed protestors during his direct rule, and the perpetrators must be brought under judicial scrutiny;
- The Alliance of Seven Political Parties and the CPN-M must meet as soon as possible to discuss the peaceful resolution of the armed conflict and the strengthening of the multiparty democratic process. This should be done within the framework of international human rights and humanitarian laws, and the twelve-point understanding reached between the Seven Political Parties and the CPN-M and its follow up understanding in March 2006;
- The Seven Party Alliance should fulfil its six-point Joint Declaration for a United Effort to Resolve the National Crisis brought out on 8 May 2005, which lays out the road map to democracy and peace. They should also immediately fulfil their commitments reflected in the joint statement made on 25 April 2006, for broader initiatives to lead the country in a more inclusive and just process;
- The Seven Political Parties and the CPN-M have to come to terms and form an interim government, hold a constituent assembly election and accept the mandate of the people at the earliest possible date;
- The procedures of holding the constituent assembly election should be made clear immediately, including the determination of constituencies and the effective management of arms;
- All social and economic development activities must start immediately, focusing especially on the remote areas and marginalised groups of people; and
- All discriminatory policies, laws and practices must be abandoned immediately, and human rights and social justice upheld.

20. See the statement of Prachanda, Chairman of the CPN-M, 26 April 2006. <http://krishnasenonline.org/>

Introduction: The Situation of Widows

Keren

In the last decade, "there has been a dramatic increase in the number of widows in South Asia, Africa, and the Middle East" as a result of the "proliferation of armed conflict, ethnic cleansing, the scourge of AIDS and the persistence in some regions of harmful traditional practices. In conflict affected countries, it is estimated that half of all women may be widows" (SANWED Booklet, 2006).

In Nepal, there are currently 14,000 widows below the age of 45, many of whom are not only mothers but under-age themselves. (In some parts of the region, as in Bangladesh, the number is as high as 3 million.) According to research conducted on widows in 23 districts in Nepal, 67% of widows are under 30 of age with 3 to 4 children (Women for Human Rights, 2006). However, not much more than this information is available about the cause and effect relationships of various variables that make the lives of widows harder. In fact, the lack of quantitative and qualitative data on widowhood is stifling efforts to assist these women.

Widows undergo a difficult and psychologically scarring experience when they lose their husbands. All the markings of marriage (such as bangles, necklace, and nose ring) are removed three hours after the death of their husbands. They are then forced to take a bath with all their clothes on. After the trauma of losing their husband and undergoing the ritual, widows must face additional hardships and are often neglected by their extended family.

Traditional practices have marginalised widows and have relegated them to extremely vulnerable socio-economic positions in their communities. They are not only excluded from community social events (like weddings) but also prohibited from eating meat-both acts which contributes to their malnutrition. They are not allowed to re-marry and the stigma and superstition attached to widowhood labels them ill-omens or even witches. As such, without the support of their community and extended family, widows and their children suffer an extreme fate alone.

Because of these traditions, widows are often the most vulnerable people in their society, being both poor and under-resourced. They are also often not organised and few organisations work for the rights and improvement of the living conditions of widows. Widows face many obstacles, made worse by their lack of social and economic linkages. The lack of employment, access to the market, skills and training hinder widows' ability to break out of the cycle of poverty. They also face limited or restricted access to services such as health, nutrition, education, housing, and social security. Their legal, inheritance and property rights are often slighted in their respective country situations, and widows regularly lack access to the justice system.

As a result, widows and their families are vulnerable to displacement and trafficking. Sexual harassment in public and private spheres is common, as is their socio/cultural/religious/ caste discrimination. In addition, they are often victims of violence, sometimes stemming from their economic dependency.

At the present time, widows' capacity building and sensitisation measures have been relatively neglected. Their issues and those of their dependents have additionally not been addressed in the MDGs or in any human rights declaration like CEDAW, Security Council Resolution 1325, Beijing Declaration and Platform for Action, Convention for the Rights of Children, and the Universal Declaration of Human Rights. Widows' issues are also excluded in national and international development and peace building action plans, and their role in society such as their contribution to GDP/GNP is not acknowledged.

Currently, policymakers take little note of the plight of widowhood. No mention of the issues relating to widows has been incorporated into the Beijing Declaration and Platform for Action, or in any peace settlements. In addition, the UN document - Security Council Resolution 1325 - that specifically addresses the role and experience of women in the context of armed conflict, makes no mention of widows.

Widows undergo a difficult and psychologically scarring experience when they lose their husbands. All the markings of marriage (such as bangles, necklace, and nose ring) are removed three hours after the death of their husbands.

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Additionally, according to Professor Ishrat Shamim of Bangladesh, widows are hardly considered credit-worthy and as such, they are often overlooked by the non-profit and private sectors. They never receive loans from any of the micro-credit schemes of NGOs and the private sector, and in general, are seldom the focus of NGO assistance projects. They are forced instead to beg from house to house.

This article will discuss the experience of one of the SAAPE Country Focal Organisations, Astha/ENSS, which works with widows in India. It will then discuss Astha/ENSS's involvement with the first alliance in the world dedicated to advancing understanding and proactive change of widowhood issues. Lastly, suggestions will be made for how other organisations within the SAAPE network can likewise sensitise their programmes to address the needs of widows.

ASTHA/ Ekal Naari Shakti Sangathan

Eight percent of all women in India are widows. In Rajasthan, there are approximately 1,750,000 widows and about 220,000 separated women - a total of almost 2 million or 20 lakhs. Not all are poor, but more than half of them are in the low income category. These widows face special problems due to the fact that they are "alone;" they often receive little support from their natal and marital families and most do not remarry (Astha, 2006).

Situated in South Rajasthan, Astha, based in Udaipur, Rajasthan, is a registered society, an NGO, working for the empowerment, organisation, and human rights of the poor, deprived, exploited, and marginalised. Since 1998, Astha has been working to empower Rajasthan low-income widows and other women alone through organisation, training and action. The vehicle for this empowerment is the formation and function of the Association of Strong Women Alone or Ekal Naari Shakti Sangathan (ENSS), a mass based women's organization created in 1999 which has spread to 26 of the 32 Districts of Rajasthan -about one-third of the state.

In its research, Astha/ENSS found that widows in Rajasthan face critical issues of survival. Many widows come from socially excluded backgrounds that further exacerbate their social and economic disparities. Furthermore, the denial of land/property rights, reduction of employment opportunities due to illiteracy, lack of credit sources to begin a small business, lack of access and control over productive resources, and lack of employment training all make it very difficult for widows to earn a livelihood.

Widows in Rajasthan are unable to remain self-sufficient when (like other widows in the region) they are denied their land and property (such as house, bullocks, cows, ploughs) rights. Land and property is usually in the name of the husband. Additionally, a variety of arguments such as women are physically weak, widows should mourn the loss of their husband, and women should not plough fields, are used to rationalise away the land and property rights of widows and other "women alone." Often the benefactors of the widow's land and property rights are the male members of her husband's family. There have also been incidences when land rights have been seized by fraudulent government employees.

Socio-economic norms and traditional practices also constrain the development of women. For widows, the social control and lack of freedom of movement outside the home has kept many widows (especially those in the higher castes) in living conditions that completely negate their personhood. Widows are prevented from attending ceremonies, festivals and rituals. In order to enforce the segregation, widows are encouraged by cultural norms to dress in mono-coloured clothes (typically white). Unlike in the case for widowers, widows are additionally culturally prohibited from remarrying, and again this is particularly relevant to higher caste widows. Custom has furthermore dictated that children are the 'property' of their husband, and so, widows and separated women risk losing their children. The most common issues facing widows is being labelled as a "dakin" - witch - or "rand" - loose woman. The former label denies widows the support of society as they are labelled as evil and dangerous. Being labelled as a loose woman leads to uninvited sexual advances from men. Some even try to kill widows who have been labelled as a "dakin."

Lastly, a woman without a man is perceived as utterly lacking in any strength - and vulnerable. From the male perspective, it is reasoned that a woman alone will want to seduce men to come to her, and be eager to respond to the advances of men. As a result, evidence from Rajasthan and elsewhere in the South Asia region shows that widows and other single women face sexual molestation.

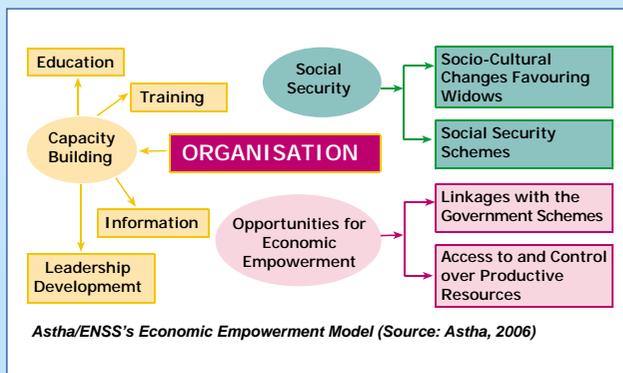
The table below depicts a break down of the percentage of widows - in the rural area, urban area and the total average - that have been affected by the aforementioned factors:

Factors	Urban %	Rural %	Total %
Religious Conventions	38	12	25
Social and Caste Customs	23.33	6	14.67
Lack of Education	22	11.33	16.67
Lack of Employment	8.67	38	23.33
Dependency due to inability to earn	8	32.67	20.33

Factors Responsible for Low Status of Women in Rajasthan (Source: Astha, 2006)

To address these issues, Astha/ENSS has set out to document the strengths, energy, and intelligence of widows, and to empower widows by mobilising them to work on their mutual problems. It has initiated economic empowerment programmes in the following spheres: socio-cultural; social security; income generation; struggle for rights of widows for land and property rights; access and control over resources; advocacy and lobbying; and linking with government schemes. Astha/ENSS's work with government programmes and resources has brought it to be involved in such activities as providing cheap food grain from the ration shop to widows; drought relief; dispensing bus passes and medical cards which entitle widows to free medicines and diagnostic tests; building destitute children's homes; housing schemes; providing mid-day meals in government schools (and employing widows as school cooks); waiving school fees for children of low-income widows and separated women; instituting pension plans and reservation programmes that provide 5% of all government employment to widows and separated women; building short-stay homes for widows and their children; and creating family support and social security grants.

Astha/ENSS's philosophy of economic empowerment is summarised in the following diagram:



Astha/ENSS's Economic Empowerment Model (Source: Astha, 2006)

South Asia Network for Widows' Empowerment in Development (SANWED)

Recently, Astha/ENSS became one of the Indian national chapter teams of the first alliance in the world dedicated to advancing understanding and proactive change of widowhood issues - the South Asia Network for Widows' Empowerment in Development (SANWED). From March 22nd to 23rd, Astha/ENSS came to Kathmandu to join organisations from across the South Asian region in launching this alliance. Astha/ENSS gave a presentation on the situation of widows in India and its ideas on the future work of the alliance.

SANWED's structure is comprised of a Core team, regional secretariat, and national chapter core teams in Afghanistan, Bangladesh, India, Nepal, Pakistan, Sri Lanka and Bhutan. Its ultimate goal is to ensure that "in each country, a national association of widows' groups should be established, with branches or member associations in every city, town, village, refugee or IDP camp so that widows know and can obtain their rights, can access training and employment, and participate in decision-making at every level" (SANWED booklet, 2006).

In line with the present challenges to improving the situation of widowhood, SANWED's national chapters have started to get involved in the following ways:

- Collecting data on the status of widows through participatory mapping and profiling, involving widow groups as key resources;
- Preparing Regular Activity Reports to share "best practices" between National Chapters;
- Sensitising national governments and the communities about the key role of widows as valuable "social capital" in peace, development and equality;
- Lobbying their respective governments to adopt

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and implement the Charter for the Rights of Widows, presented at the 49th Sessions of the UN CSW in March 2005;

- Lobbying, sensitising and creating awareness among policy planners for mainstreaming widow's agenda in the national policies and plans;
- Establishing National Resource Centres with help lines to provide widows with information on support services; and
- Preparing National Action Plan with timeline, to identify, categorise, and invite organizations committed to work for single women (widows) to join National Chapters and prioritise issues within the framework of Human Rights Instruments: CEDAW, BPFA, UN SCR 1325, etc. (SANWED booklet, 2006)

Our Role in Civil Society

The widows' movement has made significant progress in recent years. The Widows Charter was passed last year by the Nepali Ministry of Women, Children and Social Welfare. Nepal was also the first country in South Asia to have a widow organisation and to submit a shadow report for the Committee on the Elimination of Discrimination against Women (CEDAW). In 2004, the South Asian Association for Regional Cooperation (SAARC) countries launched the Charter for the Rights of Widows.

Now, with the formation of a regional network focusing specifically on widows' concerns, we in South Asia have the opportunity to be the first to get involved with the issues of widows and to have our work documented as a guideline to future work in this area.

At the current time, SAAPE is involved with widowhood issues in the following ways:

- Astha in Rajasthan, India is taking part in SANWED and is involved with issues related to widows; and
- RRN field staff members have also been taking

part in organised discussions on widowhood.

The following are some additional suggestions as to what other civil society organisations in South Asia like those in SAAPE can do to address the plight of widows:

- Help to mainstream widows' issues in all women's development and gender equality efforts;
- Formulate projects and integrate widows' issues into proposed projects in the sectors of education, nutrition, housing, public support, employment (including skills development and credit lending schemes), and health, as well as access to judicial information and services, and capacity building and sensitisation efforts. Additionally, pay special attention to the discrimination and violence perpetrated against widows, and their displacement and trafficking;
- Generate knowledge about the situation and treatment of, and livelihoods taken up by, widows through formal documentation/publications, or workshops, in order to increase the knowledge base available about the situation, experience, contribution and needs of widows;
- Utilise the knowledge gained to create empowerment programmes, such as the ones Astha/ENSS has developed;
- Advocate that widowhood and the issues surrounding widowhood be included in national and international conventions and programmes. Astha/ENSS's own work in creating linkages with government programmes and structures can be one model for such activities; and
- Formulate policy documents on how to create sensitised widowhood programmes.

As South Asia has slowly risen to take up the challenge of forwarding widows' issues, civil society organisations in the region and throughout the world, too, have the opportunity to mainstream understanding and a proactive commitment to widowhood issues into their programming in order to improve the situation for this marginalised group of women.

Caravan of Conflict: DYNAMICS OF INTERNAL DISPLACEMENT IN NEPAL

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Context and Consequences

The decade-long internal armed conflict in Nepal has resulted in the displacement of nearly 1.5 million people of which almost 3,00,000 are still within the nation state's border. Insecurity such as death threats, food insecurity, absence of security organs along with dehumanized way of killings, maiming, physical beatings, torture and intimidations are some of the key factors leading to peoples' displacement. People also tend to flee the place of origin due to alleged charges of being an informer. Hindrance in children's education and disturbances in schools are also other significant primary push factors. Additionally, extortion by the Maoists, to some extent by security forces and the activities of the security forces/Maoists in disguise have also resulted in forced displacement. Confiscation of land and housing, and killing of livestock, harassments such as demand for food and shelter, regular searches, aggravation to the family members of either sides cause constant trouble in the villages. Similarly, lack of access to health services, particularly emergency support systems, the loss of existing jobs and the unavailability of other employment opportunities along with forced conscription have contributed to abrupt displacement of civilian populations. Harsh working conditions encountered by combatants and child soldiers are also the reason for defection leading to unmonitored displacement.

The counter-insurgency operation has further caused tension, insecurity and threat to civilian life provoking dislodgement and fleeing the place of origin. Although certainly underreported, many villagers have been displaced by food blockades, torture and killings by security forces. Civilians have been killed on suspicion of providing food, shelter or financial assistance to the Maoists, and often

tortured by the army and police. It is noted that the displacement caused by security forces was partly hidden by the government-imposed state of emergency from November 2001 to August 2002, and again the post February 1 scenario which hindered independent reporting on displacement caused by the security forces.

More civilians have been fleeing their villages for fear of being caught in the crossfire between the Maoists and Government forces or the indirect consequences of fighting, including lack of employment or education opportunities for young people. The conflict has led to the breakdown of education, closure of businesses, weakening of local economies and interruption of public services. Young men in particular have moved to India because of the conflict. "Internal migration" of students from one district to another has strained schools in many host districts.

Many families, the elderly, women, children and poor villagers have been less able to flee, staying behind to face worsening poverty, food shortages, and harassment by the Maoists and the security forces.

The IDPs generally perceive the cities and towns to be a safer destination not only for security reasons but also for better education and employment opportunities as well as access to health services. Some IDPs have connections in the major cities (especially for politically affiliated people) and/or have children, friends, acquaintances and other relatives. Easier access to government agencies and human rights, humanitarian and relief organisations have also resulted in luring them to the urban centres. Although many people have fled rural areas, some of the worst affected people could be the ones who stayed behind. Many families, the elderly, women, children and poor villagers have been less able to flee, staying behind to face worsening poverty, food shortages, and harassment by the Maoists and the security forces. They have remained back as eternally discarded people.

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Difficulties and Dilemmas

Many IDPs suffer from feelings of helplessness, depression, irritability, sleep disorders, alcoholism, addiction, gambling, and post traumatic stress disorder. From being respected as landlords, merchants and traders of their respective districts, they have now become anonymous. Despite the fact that many of them have lost their property, and their friends, relatives and neighbours, they still retain a sense of belonging to their own place of origin. Many hope they can return, as they belong to nowhere else. However, those who have lost their close relatives and are under direct threat due to political disputes, are more likely to be unwilling to return.

Many problems stem from long-term stays in IDP camps or elsewhere in destitution. They include the creation of attitudes of dependence, learned helplessness and loss of self-esteem among the population as well as fostering of social problems including breakdown of the family, alcoholism and drug abuse, depression, suicide and crime. Life in camps/settlements has a particularly negative impact on children and women, some of whom have been subject to physical abuse and sexual harassment. Typically, attendance rates at school for children in camps/settlement are well below average. There is also a long-term risk that camp populations are manipulated by groups with a political agenda or become politicized themselves because of the circumstances they find themselves in. Adolescent boys and girls are particularly susceptible to such influences.

The camps/settlements are difficult and expensive to run. At present many agencies are spending resources on maintenance and upgrading of the camps and offering token assistance to the people staying in temporary shelters and settlements. In spite of that expenditure and the efforts of the stakeholders at the district level, basic services in the camps/settlements tend to be poor. Food distribution is uneven, some of the camps/settlements are overcrowded, the physical layout is not conducive to community life, physical privacy is limited, recreation space for children does not exist, and there is a lack of community participation in the management of the camps/settlements. Lack of privacy, lack of participation, lack of income generating activities, absence of day care for children, inadequate health services and anxiety are the problems women in the camps/settlements confront on a daily basis. These same problems affect children, but to this list can be

added nutritional problems, lack of adequate play space, psycho-social trauma, and difficult access to education leading to non-attendance in school. A key feature of the life of the IDPs is the breakdown in community life since village populations are no longer intact, traditional leadership structures are absent, and people are grouped without the normal linkages that provide support to families.

IDP women and children are the hardest-hit by conflict and displacement. They do not have access even to basic health facilities. They encounter problems during childbirth and post-natal care, and face a lack of adequate/nutritious food for growing children and immunization of young children, psychological problems such as depression, frustration, irritation, homesickness and solitary stress. It has been found that their bathrooms are unhygienic, there is a lack of garbage management and a shortage of water, they are dependent on relatives/friends for food, and shopkeepers do not supply commodities on credit.

The majority of displaced children are deprived of educational opportunities. Parents are unable to afford the public school expenses let alone private schooling. Many displaced persons including children are without proper identification and birth certificates and therefore displaced children are unable to produce identity details. Parents may have a growing preference towards getting their children employed thereby feeding a young population to the exploitative labour market. A significant percentage of IDPs are still unemployed. Children are under compulsion to be engaged as labourers, for instance in stone quarries, sand mines, apparel factories and brick kilns, or as local porters, street vendors, drivers, conductors, domestic labourer or, construction workers. They are usually under-paid and their income is not adequate to sustain their lives and livelihoods. They have become the easy targets of traffickers and get easily lured towards sex work and unregulated overseas employment.

In the health and nutrition sectors, diarrhoea and other contagious diseases among IDPs are common. Limited access to basic and secondary health care compounded with a lack of reproductive health care and facilities for safe delivery have proliferated risks. Increased risk of GBV and increased HIV/AIDS risks (and other STDs) warrant immediate intervention. Small children are suffering from malnutrition and skin diseases as a result of unfriendly climatic conditions and an increase in the number of

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malnourished patients. Displaced people do not have adequate resources to deal with health problems. Meanwhile, government assistance does not support any health related issues. Sanitary problems, especially in the temporary settlements are acute.

Habitat and commodities have remained massive constraints for IDPs. In the absence of safe camps and shelters, the IDPs habitat arrangement is ad hoc. House rents in the urban centres have dramatically increased. Due to the skyrocketing price of real estate, it is seemingly beyond the reach of IDPs to find a new place to stay. In the sector of habitat and commodities the arrangements for the people living in the camps/settlements is sub-standard. For those living outside the camps/settlements, there is no any external support for habitat. In the urban case scenario, most of the family members are scattered, live in single and cramped rooms without being able to pay the rent for months. In the absence of systematic and coordinated interventions by relief and development agencies, daily food and other rations for IDPs are uncertain and in many instances inadequate. The purchasing power of IDPs has fallen to a minimum as most of them have emptied their treasury.

There is a heavy pressure of increasing population on employment and skill training opportunities. Due to the increase in the number of labourers an aggravated onslaught on poor-class workers - for instance loss of jobs and under-payment - is common. Inadequate school infrastructures in comparison to the numbers of enrolled students have been observed. Meanwhile, an increase in the involvement of IDPs into sex work has been reported. Crime patterns have seemingly changed at an alarming rate and as increase in theft, robbery and looting over the past few years has been reported. Increasing crime rates have been found and in most of the cases outsiders/strangers/IDPs are reported to be the alleged perpetrators. However, this also indicates deeply ingrained prejudices against them.

Psycho-social/trauma both in terms of gravity and the number of traumatized patients as the result of violence is pervasive. For some IDPs the most traumatic event in their lives is not internal displacement but the subsequent change in family functioning, the inability to find employment, poverty or political frustration. Many suffer from feeling of helplessness, depression, irritability, sleep disorder and post traumatic stress disorder. A tiny

number of services for traumatised people exist, all of which are provided by non governmental agencies. Psycho-social counselling as a part of the recovery process has been provided by some NGOs in a few districts only.

The sudden population surge into the cities combined with growing migration trends to urban areas in the last decade has strained basic infrastructure: roads, water supplies, sanitation and waste management, as well as health, education, communication and transportation. The crime rate has increased, prejudice is rampant and the numbers of traumatised people in the population is on the rise. Some IDPs live with family members, but others have few resources and no one to help them. The latter group is forced to rent small rooms with other displaced people; some 70 per cent of new arrivals live in rented accommodation. When they find employment, these young displaced people are poorly paid. This is partly because their own arrival has driven down wages in jobs that require low or minimal capital investment. These jobs are physically demanding, insecure and generate low returns. Along with poor economic migrants, displaced people work in factories, sell forest products or do small trading.

Auditing the Assistance

The response of the government to the crisis of internal displacement is described as discriminatory, lacking direction, insufficient and sometimes non-existent. There have been claims that the government assistance for displaced people has only been accessible to those with political connections. Whatever government funds were available were accessible to well-connected politicians, bureaucrats and their clients more than to "ordinary citizens".

Although the government established several compensation and resettlement funds for victims of the conflict, like the Victims of Conflict Fund under which IDP families were entitled to an equivalent of US\$1.3 per day, most of the money was spent by July 2002. All those displaced after July 2002 were therefore excluded from assistance and official recognition. Even sources at the Ministry of Home recognised that the government has not fully analyzed the extent of the internal displacement problem; and, indeed, noted that spending on conflict and additional security measures had reduced funds available for programmes that target displaced people.

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Government assistance has only been provided to people displaced by the Maoists, and not to those displaced by the government security forces. Official data collection on displaced people has tended to mask the displacement problem. Authorities have not encouraged people displaced by government security forces to come forward with their problems, and people remained reluctant to register as displaced for fear of retaliation or being suspected as rebel sympathizers. Reports prepared by districts authorities do not even include victims of the security forces, denying these victims access to government support. People have become more reluctant to identify themselves as IDPs particularly after the Royal proclamation of February 1, 2005.

Many UN agencies and international NGOs have been in Nepal for many years providing development-oriented assistance, but almost none provide humanitarian relief or target their assistance to IDPs. With the state of emergency in November 2001 followed by series of unpredictable and unstable political changes, aid programmes have been hampered or stopped by poor security conditions in rural areas. Some agencies have recently begun to consider displacement more specifically, but cooperation with local NGOs remains limited. Agencies have planned to assist conflict-affected areas mainly through development programmes. Although IDP-specific interventions may be needed during re-settlement or to meet basic needs, most IDPs are difficult or impossible to identify and trying to help them on the basis of their displacement may create divisions between marginalised people in host communities and marginalised IDPs.

Aid agencies are also starting to address the information void that has complicated assistance to displaced people. The UN Office for the Co-ordination of Humanitarian Affairs (OCHA) has drawn up a Consolidated Appeals Process (CAP) document which identifies 12 different areas of required support, namely Protection/Human Rights/Rule of Law, Water and Sanitation, Health and Nutrition, Economic Recovery and Infrastructure, Education, Family Shelter and Non-food Items, Food Security, Refugees, Natural Disaster Risk Management, Mine Action, Coordination and Support Services Safety and Security of Staff and Operations.

Future Direction

Policy is critical because it is through policy reform that a more open and flexible policy on durable

solutions for the displaced can be achieved. The recently promulgated 'National Policy on Internal Displacement-2006' is prejudiced and non-functional as it completely ignores the atrocities committed by the security forces. Other key recommendations include utilization of the *Guiding Principles on Internal Displacement* as a normative basis for policy; accelerating resettlement and relocation out of the camps/settlements/urban centres as a priority; improve conditions in and management of the camps/settlements/urban centres so as to reduce social problems; ensure the basic rights of the residents of the camps/settlements are understood and respected; and address the specific needs of women and children. Meanwhile, it is highly desirable to begin closely monitoring and documenting human rights violations of IDPs and to develop programmes of cooperation with NGOs and humanitarian organisations.

Another important step is to promote programmes to help families to stay together and provide information on the location and circumstances of family members and develop programmes of public education on the status of IDPs and the principles applicable to their situation. Likewise, framing a comprehensive policy on IDPs modelled on the *Guiding Principles on Internal Displacement* and the minimum standards expounded in the UNHCR Handbook for Emergencies followed by monitoring the implementation of such a policy by the different ministries and departments responsible for the welfare of IDPs is vital. The other crucial step is to promote monitoring of all other policies and practices that affect IDPs, integrating IDP concerns and rights into all aspects of government policy and ensuring that state agencies focus on the needs of IDPs when implementing policy; and receiving, forwarding or acting upon complaints from IDPs.

The UN CAP should develop a comprehensive policy on the role it intends to play with regard to IDPs. This policy should be disseminated among its staff, particularly its field offices, among the staff of government institutions, particularly those dealing with IDPs, among displaced populations and among the general public. The CAP is also expected to specifically develop a programme of action to strengthen the capacity of the participating agencies' field offices to respond to the rights and concerns of IDPs. It should provide regular training to its staff on relevant standards and expose field officers to the range of interventions they can make.

The Ministry of Women, Children and Social Affairs and Women's Development Offices should be directed to address the pressing and hitherto unaddressed issues of concern to IDP women and girls such as rape, domestic violence, incest and commercial sexual exploitation. They should work in conjunction with women's groups, human rights and humanitarian organisations in responding to the specific concerns of IDP women and girls. The government should draft and adopt legislation based on the Guiding Principles that recognizes the rights of IDPs and provides an effective method of enforcement. Such legislation should be drafted in collaboration with NGOs and humanitarian organisations.

The government should ratify Protocol II to the Geneva Conventions-1977 which deals with internal armed conflict. It should also ratify the SAARC Convention on Trafficking-2002; UN Protocol on Trafficking-2000; Migration Convention-1990; Refugee Convention-1951; Guiding Principles on IDPs-1998 (ratification not required but adherence desirable); the Rome Statute of the ICC; and both Optional Protocols on CRC-2000.

The insurgents should immediately halt all violations namely abduction, extortion, false accusation, intimidation, dehumanization against innocent, unarmed civilian populations and respect the specific vulnerabilities associated with children, adolescents,

women, ethnic and *Dalit* communities. They should, along with the government, observe and respect the rules of engagement as embodied in the Geneva Conventions to protect civilians, especially children and women during the armed conflict and allow and co-operate with safe corridors for the repatriation of displaced populations to the place of their origin or elsewhere. They must acknowledge that the extent of displacement is primarily due to the non-compliance of the insurgents to international humanitarian law and ensure the respect of the rights of IDPs especially the right to return home and claim their private property without any interference and lead a normal life.

Finally, despite the recent successful pro-democracy movement in April 2006, few have reportedly returned to their homestead, preferring to remain in the relative safety of urban areas or in India. In the absence of a formal peace dialogue towards tangible negotiation for a durable political settlement, it is difficult to envisage any quick solution to the IDP crisis. This therefore implies the need for immediate humanitarian intervention for the recovery and resettlement of the destitute without destination!

(This article is based on the study titled "Caravan of Conflict: Dynamics of Conflict-induced Internal Displacement in Nepal" -2005, Caritas Nepal: Co-authored by the contributors.)

[Contd. from page 20]

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Regional Thematic Focal points

Gender: All Nepal Women's Association (ANWA), Nepal

Labour: Pakistan Institute of Labour, Education and Research (PILER), Pakistan

Governance, Accountability, Democracy and the Rule of Law: Vikas Adhyayan Kendra, India

Food Sovereignty: Movement for National Land and Agricultural Reform (MONLAR), Sri Lanka

Peace and Demilitarisation: Rural Reconstruction Nepal (RRN), Kathmandu.

SAAPE ACTIVITIES

International Conference on Peace and Justice in South Asia

On February 24-26th, organisations in Mumbai who were working actively on conflict, peace, security, justice and gender issues came together as "Peace Mumbai" and organised a event on the theme of "Peace and Justice in South Asia". SAAPE provided financial support as well as sponsoring SAAPE representatives from the whole South Asia region. More than 250 participants from all over the world attended including from USA, Iran, Palestine, Australia, Europe and Asia.

The event was all about building up peoples' solidarity, cutting across the constrictive state borders to forge a greater South Asian identity based on common cultural roots and heritage, and creating a new world - a world based on Peace and Justice, free from violence and oppression.

The main thrust of the conference was to explore and establish the links between "increasing incidence of poverty, economic exploitation, environmental degradation, militarisation, religious fundamentalism, fanaticism, corporate globalisation and consequent erosion of democratic institutions in the region of South Asia." The venture was driven by the urge "to work on alternatives to the current paradigm" so as to move towards "a South Asia that is based on peace and justice," based on "a framework that is democratic, peaceful and nuclear-free" with "just economic policies with regard to trade and sharing of natural resources." It maintained the conviction that "the countries of South Asia have a long history together and strong cultural, social and political links" and hence, the "region can show the way for greater political, regional, cultural cooperation that is outside of the neo-liberal, militaristic, corporate led path that governments are choosing".

The conference has opened up the immense possibility of working towards a truly collective South Asian effort by building "organic linkages with similar organisations, movements, and individuals across the globe." Finally, in the light of recent political developments in Nepal, a Special Resolution was developed and unanimously endorsed by all delegates, which condemned the undemocratic royal takeover of 1 February and called for a return to democracy.

SAAPE Event at the World Social Forum

The World Social Forum (WSF) was held from the 24th to the 29th of March, 2006, at the City Sports Complex, Kashmir Road, Karachi, Pakistan. More than 40,000 delegates from all over the world actively participated in this mega event.



SAAPE organised a conference on the third day (26th March) on the theme of "Struggle for Democracy and Survival in the age of Globalisation: Towards a South Asian Perspective." It was one of the major events during WSF and was attended by about 700 participants from all over the world. It was addressed by prominent academicians and social and political activists from South Asian countries namely: Professor Kamal Mitra Chenoy, Jawaharlal Nehru University; Dr. Arjun Karki, the Regional Co-ordinator of SAAPE; Mr. B.M Kutty, a founding member of PILER; Prof. Mesba Kamal of Dhaka University; Dr. Gopal Krishan Siwakoti, Representative of the Defend Human Rights Movement Nepal; Ms. Sausi Palejo, a Member of Parliament in Pakistan; Mr. Rasool Bux Palejo from the Awami League; and Mr. Ashok Bharti from the World Dignity Forum.

The assembled speakers represented the true face of South Asia and were able to demonstrate the synergy present in their respective countries in the struggle of the people to achieve a democratic reality. They spoke about the effect of globalisation on the poor masses in the developing countries and the urgent need to build and strengthen alliances to eradicate poverty and injustice, particularly in South

Asia. The event was also well regarded by the daily newspapers and the electronic media sources.

High Level Panel Discussion on “The Future of Democracy, Peace and Human Rights in Nepal”, 1 February 2006, Brussels, Belgium

On the anniversary of King Gyanendra's take-over, 1 February 2006, a coalition of autonomous European development organisations working in solidarity for Democracy, Human Rights and Peace in Nepal, in collaboration with the South Asia Alliance for Poverty Eradication (SAAPE) organised a high level panel discussion to discuss the current political and human rights situation in Nepal and explore potential policy avenues towards a peaceful and democratic solution.

Dr Arjun Karki, as the Coordinator of SAAPE as well as President of the NGO Federation of Nepal, was a key invitee and speaker at the panel. A number of representatives from NGOs, EU Member States, the Council Secretariat, European Commission, European Parliament, academics, Nepalese diaspora as well as journalists from across Europe participated in the programme. The highly successful panel discussion on the Nepal Crisis concluded with a presentation of two new reports by Dr Arjun Karki to Mr Michael Matthiessen, Personal Representative of the Secretary General Javier Solana, High Representative for Human Rights - a civil society report from Nepal entitled *The Royal Military Coup: 365 Days of Consolidating Power* and another by the Asian Centre for Human Rights and Forum-Asia entitled *Nepal: One Year of Royal Anarchy*.



Solidarity Committee for Democratic Nepal, Bangladesh

The solidarity committee was formed in Dhaka on 16 March 2006 with 21 members from different organisations to support democratic struggle in Nepal. The meetings have been presided over by Farhad Mazhar of South Asia Network against Torture and Impunity (SANTI), Mohiuddin Ahmed of CDL has been nominated as its Convener and Mizanur Rahman Apel as its Member Secretary. The Committee held a discussion meeting on the present situation of Nepal and its impact on South Asia at CDL office on 02 April 06. The meeting came out with a solidarity statement reproduced below:



The people of Nepal are fighting for their rights, the rights to decide their own destiny. The struggle of the people of Nepal has entered a new phase that has several dimensions including:

- Struggle for abolition of monarchy;
- Struggle against caste chauvinism;
- Struggle against feudalism; and
- Struggle against global and regional hegemony.

These are the points of convergence where the people of Bangladesh express solidarity with the people of Nepal.

- We congratulate the brave people of Nepal for their continued struggle for peace, democracy and human rights including rights of the dalits, women and ethnic minorities;
- We mourn the death of the unarmed people killed by the royalist forces in the movement for democracy;
- We demand immediate release of all political prisoners;

SAAPE Activities

- We demand immediate and unconditional surrender of political power from the monarchist regime to a body chosen by the movement groups;
- We urge all South Asian governments to disassociate themselves from the Gyanendra regime;

On behalf of the Solidarity Committee for Democratic Nepal

Mohiuddin Ahmad, Convener
Mizanur Rahman Apel, Member-Secretary

Demonstration of European Solidarity for Democracy, Peace and Human Rights in Nepal, 1 February 2006, Brussels, Belgium

In addition to the high level panel discussion conducted in the morning of 1st February 2006, a demonstration was held in the afternoon, in front of the European Commission and the Council of the EU. Hundreds of supporters of the Nepalese diaspora groups from Belgium, Germany, the United Kingdom and the Netherlands and members of European



development and human rights organisations appealed for the restoration of democracy in Nepal, also calling for a peaceful rather than military solution to the current political crisis on 5th February 2006 in Brussels.

Dr. Arjun Karki explained "The aim of this gathering is to draw the attention of the European Union and the European Parliament to express their solidarity in defending democracy, human rights and peace in Nepal." Mr. James Moran, Acting Director for Asia from the European Commission visited the demonstration and received a statement of solidarity and petition from Dr. Karki. Soon after, BBC Asia broadcast a live interview of Dr. Arjun Karki.

For more information

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Country Focal Organisations and Contact Details

The SAAPE has Country Focal Organisations (CFOs) in each country of the region to co-ordinate and expedite the country-based processes. The CFOs are also responsible for providing the necessary inputs and feedback to the SAAPE Secretariat, based at Rural Reconstruction Nepal (RRN). They are chosen from among the member organisations of the respective countries.

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