

**Options for Arms Management and DDR in Nepal:**

**Lessons from Past Experience**

**Report for DFID Nepal**

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## **Options for arms management and DDR in Nepal: Lessons from past experience**

### **1. Introduction**

Nepal is poised at a decisive crossroads in its transition from armed conflict to post-conflict recovery and democratic government. Timely agreements and measures to maintain and re-enforce the ceasefire and build confidence between the Nepalese armed forces, the CPN (Maoists), and the Seven Party Alliance (SPA) and other core stakeholders are critical. Similarly, it is important to ensure a secure environment for free and fair elections, develop agreed programmes for disarmament, demobilisation and re-integration (DDR) of ex-combatants, and start the process of restoring wide legitimacy, professionalism and accountability of security sector institutions including the national army. In short, issues relating to arms management and DDR need to be high on the political agenda in Nepal.

The situation in Nepal in terms of Arms Management (AM) and Demobilisation, Disarmament and Reintegration (DDR) may seem atypical. It is certainly not a 'classical' post-conflict situation in which a UN peace support mission is about to be mandated to ensure and support implementation of a negotiated peace agreement. However, while the situation in Nepal is unique, much can be learned from past experience with arms management and DDR in other countries. Experiences from countries emerging from protracted conflict reveal that disarmament, demobilisation and reintegration (DDR) and arms management (particularly small arms and light weapons (SALW) control) are important, and can provide flexible tools and programmes that can be customised to particular circumstances.

This report aims to contribute to debate and understanding of issues, challenges and opportunities for arms management and DDR in Nepal by briefly reviewing experience with similar issues in other countries that have emerged from armed conflict. Drawing on a wide range of experiences with arms management and DDR, it identifies and discusses some key experiences and practical lessons that may be relevant for Nepal.

After this introduction, the main body of the report comprises three sections; addressing (1) the range and scope of AM and DDR programmes and measures; (2) a brief outline and analysis of the experiences of DDR and arms management in three selected countries: Zimbabwe, Mozambique, and Guatemala; (3) a review of generic lessons learned from across the range of DDR and arms management experiences that may be of particular relevance for Nepal. The report concludes with a short concluding section and a brief annex outlining our understanding of the relevant positions of the main parties and stakeholders in Nepal. The report emphasises that DDR and arms management measures and programmes:

- Have developed over time, and can be adapted reasonably flexibly according to specific national and international circumstances;
- Are particularly successful when they are integrated into peace negotiations at the earliest stage, coupled with regular confidence building measures, attentive to the management of information, expectations and reciprocity, feature demonstration projects, and are longer-term political transition and security sector reform;
- Are generally critical for maintenance of ceasefires; ensuring a secure environment of free and fair elections; and managing any post-election transition of political power.

The report is not intended to be read as a road map or blueprint to DDR and arms management. It is too short for a comprehensive review. It rather aims to inform and stimulate focused

discussion on its possible priorities, dimensions and configuration in the Nepal context. Owing to the military capabilities, command and control, territorial presence, and popular support accorded to the CPN-M relative to the Nepalese security sector and even the Seven Party Alliance (SPA), prospective interventions will be necessarily conditioned to local realities. Moreover, given persistent mistrust between and amongst regional and local actors and the impending elections, it is unsurprising that certain groups are reluctant comprehensively to disarm, much less take part in a comprehensive demobilisation and reintegration programme. The CPN-M is understandably reluctant to disarm given their potential vulnerability to the armed forces, while representatives of the armed forces and the SPA are averse to arms reductions without guarantees of an end to armed violence.

Ultimately, a precondition to successful DDR, arms management and SALW control is common understandings of what they are expected to achieve, and clarity on their process and outcomes. The importance of establishing shared and realistic expectations, predictable and coherent procedures, and recognising the accompanying risks, complex interests, and concerns of key parties cannot be over-stated. Ensuring that DDR, arms management and SALW Control are integrated into peace agreements and investment in up-front dialogue and consultations between prospective stakeholders should be considered a priority. Fortunately, there are ample examples of unconventional DDR and arms management undertaken outside of formal peacekeeping operations and in circumstances comparable to that in Nepal.

## **2. DDR and arms management processes and programmes**

Though DDR and arms management (particularly SALW control) share many characteristics – including a concern with managing arms and ammunition – they are distinct. Very generally, **DDR** is a multi-staged process introduced in *post-conflict environments* as part of a credible peace process and expected to reduce overall numbers of weapons in the hands of *ex-combatants*, shed excess military personnel, and reintegrate them into either a newly reconstituted army, or back to a civilian livelihood. By way of contrast, **arms management (including SALW Control)** entails a host of activities in both *pre- and post-conflict contexts* ranging from regulation of possession, display and deployment of arms; enhanced domestic regulation and licensing; the tightening of import, export and customs regimes, to sensitisation and risk awareness, stockpile and surplus management, and voluntary and coercive arms collection and destruction programmes.

While separate areas of engagement, DDR and arms management are clearly strategically and operationally overlapping. At a minimum, each aims to control the circulation, possession, and availability of arms and ammunition even if occasionally at different points of time, with different stakeholders, and differing objectives and benchmarks of success. But identifying and building on their synergies can reinforce both and is cost effective. In Sierra Leone, the Republic of Congo, Haiti, and Colombia, for example, arms management (particularly SALW Control) was undertaken prior to, in parallel with, and following from DDR to ensure that arms not targeted by the latter (e.g. civilian and police holdings) were collected and destroyed.<sup>1</sup> Moreover, in some cases, institutions established as part of a DDR process – national commissions, steering committees, information management systems – later adopted arms management and SALW Control priorities.

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<sup>1</sup> SALW Control activities included changes in national regulation, as well as ‘weapons for development’ programmes, that sought to persuade arms holders – often civilians or armed groups who were outside the formal DDR process – to give up weapons for specific (collectively-determined) incentives such as integration into community work schemes.

**Table 1: Comparing SALW Control and DDR Priorities**

**Arms management and Control**

**Manufacturing controls:** Adoption of decisions and national systems to control and regulate legal/illegal manufacture of arms/ammunition.

**Export, import, brokering, and national control policies:** Controls over the export, transit, and import of arms/ammunition.

**Stockpile management and security:** Systems to manage arms stocks of military, police, and auxiliary holdings, including reserve/surplus.

**Arms Collection:** Cross-border, national and municipal programmes undertaken by state, UN and civil society actors to collect SALW/ammunition from civilians through either voluntary or coercive means. These can include voluntary surrenders, buybacks, cordon and search, weapons in exchange for grants/training, weapons in exchange for development, and other types of programmes.

**Technical Arms Destruction:** A component of national demilitarization and often carried out publicly, destruction can include state stocks, surplus military stocks, seized and illegal SALW.

**National Regulation:** Reform and updating of national legislation and registration systems associated with firearm possession, carrying/use, penalties and penal codes, and amnesties where appropriate.

**Arms Demand Reduction:** Programmes focusing on stigmatising SALW acquisition, possession, and misuse through targeted incentives – often in combination with SALW Awareness.

**Arms Awareness and Risk Education:** Targeted programmes to enhance accountability in the security sector, but also to improve awareness of the risks among at-risk groups.

**DDR**

**Disarmament:** Registration, collection, control, and disposal of arms and ammunition from individual and collective groups of state and non-state ex-combatants. May include individual or collective incentives in exchange for weapons, or be pursued in a similar fashion as arms collection activities.

**Demobilisation:** Controlled and formal discharge of active combatants from armed forces or armed groups following a process of selection/registration, profiling, cantonment, and temporary assistance including medical screening, dependents allowance, and orientation.

**Reinsertion:** Direct assistance for formally discharged combatants to cover transitional needs during the resettlement period usually lasting a period not exceeding one year.

**Reintegration:** Individual, household and area-based assistance to ex-combatants and their communities including material, educational, service and infrastructure, support to ensure sustainable livelihood re-establishment.

There is no single or standardised approach to pursuing DDR, arms management or SALW Control. Though ‘conventional’ DDR is often expected to proceed in discrete phases, it is seldom smoothly sequenced in practice. In cases of controlled DDR following on from a peace agreement and overseen by UN or international actors, demobilisation and disarmament may occur simultaneously. In instances where there are no clear binding agreements, demobilisation and reinsertion may proceed even before formal disarmament is initiated though this scenario presents certain risks. Related, arms management and control also frequently consists of a combination of activities that may vary in their ordering depending on the local context. For example, SALW collection activities are often preceded by the adoption of amnesty measures for weapons collection, adaptations and revisions in firearms-related legislation, the development of a collection and destruction plan for surrendered weapons, and risk education programmes.

Another recurring lesson from many DDR and arms management (including SALW Control) programmes is the value of linking them to security sector reform (SSR) activities. SSR is broadly concerned with the reform and management of official and unofficial security institutions and the democratic control, accountability, and civilian oversight of the armed forces and police.

### **3. Country Case Studies**

There is now wide experience with arms management (AM) or DDR programmes after armed conflicts in many parts of the world. Over 20 DDR programmes have been conducted since the late 1970s. Recent examples have been in such diverse country contexts as: Angola, Cambodia, Colombia, DRC, Liberia, Haiti, Nicaragua, Serbia, Sierra Leone, and South Africa. Each was unique, and the requirements in Nepal will also be distinct. Nevertheless, there are many similar issues and challenges. In this section, we provide three short case studies – Rhodesia/Zimbabwe, Mozambique and Guatemala - to illustrate the issues and dynamics of AM and DDR after conflict and to identify some relevant lessons. These will be further developed in subsequent sections, drawing on these cases as well as on wider historical experience.

#### **3.1 Rhodesia/Zimbabwe**

The AM and DDR processes after the 1979 peace agreement in Rhodesia/Zimbabwe have a number of relevant characteristics, and are instructive. They were successful overall, though there were many problems and inadequacies.

Prior to 1979, Rhodesia had experienced some 15 years of civil war, between the Rhodesian regime and the forces of the rebel Patriotic Front (PF), which was an alliance of separate opposition groups (Zimbabwe African National Liberation Army (ZANLA), led by Robert Mugabe, and Zimbabwe Peoples Revolutionary Army (ZIPRA), lead by Joshua Nkomo). The Rhodesian government and the Rhodesian Security Forces (RSF) were undefeated, but had gradually concluded that they could not defeat the PF militarily. The PF was gradually prevailing in its military struggle, but it realised that final victory would be drawn out and probably very bloody. Moreover, there was increasing external pressure for a peace agreement. The British and South African government exerted strong pressure on the Rhodesian government to reach a settlement of the conflict. The PF was also coming under considerable pressure from its Front-Line State (FLS) allies to make peace, as they themselves were being damaged economically by the conflict.

In 1979, the Lancaster House talks resulted in a peace agreement, facilitated by the UK (the ex-colonial power), which provided for a ceasefire, free elections, and a peaceful transfer of power to the new elected government. The key objectives relating to AM and DDR were to:

- Manage and maintain the ceasefire between opposing forces;
- Provide a secure environment for fair elections for a new government, which the PF was expected to win;
- Ensure control of the RSF and supervise, manage and demobilise PF forces in the context of an expected transformation/reform of the state's army and security forces after the election.

Even after the 1979 peace agreement, there was intense mutual suspicion and tension between rival forces. The peace agreement focussed on ensuring control, compliance and some demobilisation of armed groups rather than large-scale disarmament at an early stage. The Rhodesian security forces (RSF) refused to countenance large-scale disarmament or demobilisation, regarding themselves as the professional armed forces of the State, which would

form the core of the security forces after the peaceful transfer of power. The Rhodesian regime and its supporters regarded the continuance of the RSF as a guarantee of their safety during and after the political transition. The PF leadership accepted the need for arrangements to assemble their armed forces at supervised assembly points, to promote control, provide them with food and shelter, and reduce risks of ceasefire breakdown. But they were unwilling to accept disarmament of these forces, fearing collapse of the agreement and resumption of armed conflict.

Third parties played a critical role, particularly the UK, which brokered the 1979 Lancaster House agreement. All conflict parties were suspicious of the British government, but accepted both its commitment to the peace agreement and the need for such third party involvement. As part of the agreement, the UK provided a Governor for Rhodesia for the transitional period and also designed and mobilised a monitoring force – the Commonwealth Monitoring Force (CMF) – to oversee the process with some 1,300 troops. This was in effect a British operation, with the British Army exercising command and control and providing most of the troops. It was not mandated to use force or seize arms and mainly sought to manage and supervise the encampment of PF troops and ensure that the RSF remained in barracks. The CMF was only lightly armed for self-defence purposes, and would have been militarily vulnerable if the ceasefire had broken down.

The arms management and DDR processes can be broadly divided into three phases:

- Initial implementation of the ceasefire and peace agreement;
- Maintaining stability and limiting violence during the election process; and
- Conducting DDR after the newly elected PF-led government was in place.

Initial implementation: A Cease-fire Commission (CC) was established at an early stage, in which all conflict parties and key stakeholders were represented, as well as the UK. The CC agreed policies relating to the implementation of the ceasefire, within the framework of the peace agreement. It provided a vital institution within which the key parties could address concerns, ceasefire breaches and alleged grievances, and build a practical working relationship to tackle arms management, security and DDR issues as the process developed. It was much needed from the outset, and its role proved to be critical through to the end of the whole transition process. The CMF was in many ways a technical body to support implementation and promote confidence in the process.

AM problems were apparent from the outset. The RSF was required to be confined to base, while the PF forces were required to assemble at intermediate collection points and then given safe passage to more permanent assembly points (APs), with the CMF monitoring and assisting in this safe passage. The early stages of the operation were marked by mistrust. In order to persuade the PF to come out of the bush and congregate in the APs, the CMF organised ‘dummy runs’ to reassure the combatants that they would not be ambushed. Even so, many PF mid-level commanders were convinced that they would be attacked and feared that the CMF (and particularly the British) had reached a secret arrangement with the South Africans/Rhodesians to massacre them at the APs when they congregated. There were also fears of external intervention by the South Africans or by allies of the PF such as the African National Congress (ANC) and Mozambican or Tanzanian elements.

Mechanisms for information management and confidence building proved vital. A key confidence-building technique used by the CMF was the attachment of PF Liaison Officers to CMF contingents, to monitor and report reliable information to PF commanders. In co-operation with the CMF, the PF used trial runs with small numbers of PF sent to test the safety of APs

before committing larger forces to the assembly process. Communication, persuasion, and confidence building with a wide array of mid-level PF commanders and decentralised armed PF groups proved necessary. This was a time-consuming process, stretching both the CMF and the PF command structures. Nevertheless, the process of congregating PF forces to monitored AP areas was achieved only a week or so after the original deadline of midnight 4 January 1980.

The CC and CMF had to deal with many problems and breaches of agreements. The agreement lacked any specific provisions for controlling or storing arms, unlike many subsequent peace processes. The RSF and PF remained armed, and the continued existence of decentralised armed groups contributed not only to intense suspicion but also to frequent armed incidents. For example, the RSF still regarded themselves a legitimate policing force, and frequently left barracks to patrol the countryside and intercept any PF forces they found outside recognised APs. On occasion, RSF forces surrounded and threatened PF combatants at APs, requiring the CMF presence to deter attack and present a buffer between the armed groups. At one point, RSF troops surrounded the PF headquarters with armoured vehicles and artillery, threatening the whole ceasefire. The PF leadership was on the point withdrawing its troops from APs when the CMF persuaded the RSF to withdraw, and the crisis resolved. Risks of such incidents are inevitably high after protracted armed conflicts. The CC and CMF played a vital role in preventing them from escalating to a breakdown of the overall transition process. In this case, part of the problem with the process was the unequal treatment of the parties: the CMF did not directly monitor RSF bases and as many as 65% of RSF auxiliaries were not under effective surveillance.

Maintaining security during the election process: As the national elections approached, tensions between the PF and other stakeholder (including the CMF) escalated. Rivalries between the PF allies (ZANLA and ZIPRA) as well as other political parties became intense, as each sought to secure a strong power base through the elections. Violence increased substantially across the country in the run-up to the elections and the small CMF monitoring force was unable to contain it. As a result, the Governor felt obliged to call on the Rhodesian Security Forces to maintain and enforce the ceasefire, undermining the CMF's credibility and also questioning the equality of status between the PF and the Rhodesian regime's forces that had been built into the peace agreement.

Although many in the RSF responded professionally, the RSF was by no means a neutral force. For example, some RSF special forces attempted to assassinate the Zimbabwe African National Liberation Army (ZANLA) leader, Robert Mugabe. RSF-associated groups also blew up churches in Salisbury, which they sought to blame on ZANLA and discredit them before elections.

That the situation was defused can be attributed in large part to the institutions established to support the ceasefire and implementation of the Lancaster House Agreement, particularly the CC and CMF, and to the sustained co-ordination and support of external actors and third parties for the Agreement. A gradual re-establishment of co-operative relations between the RSF and the PF was facilitated through the Cease-Fire Commission (CC) where breaches and grievances could be addressed and confidence was developed that political leaders were re-asserting control of their forces in the interests of the agreement. The CMF played key mediating roles between forces locally and nationally. As the mission became established, the CMF acted as a facilitator to bring the parties together at APs. Joint patrols and training were mounted at some APs. In the final weeks before the elections, an RSF and British South African Police (BSAP) presence was established in all camps. The elections took place in March 1980 without great violence and in a manner that ensured overall legitimacy and acceptance of the results.

DDR processes after the elections: The Lancaster House Agreement made no provision for the reform of Rhodesia/Zimbabwe security forces after the election, or for DDR of ZANLA, ZIPRA or RSF personnel. This proved to be a serious gap, as did the lack of preparation for disarmament and weapons control across the country. After the elections, the new PF-led government expressed concern about security and the need to develop new integrated national security forces.

In practice, the strong third-party engagement of the UK and the institutions of the CC and CMF provided a basis for rapid elaboration and implementation of plans for demobilisation and re-organisation of about 6,000 Zimbabwe People's Revolutionary Army (ZIPRA), 18,000 ZANLA, and 16,000 RSF personnel into smaller national integrated forces. A British Military Assistance Training Team (BMATT) helped to organise and implement the process.

The processes were superficially successful, in the sense that national security forces acceptable to the new ZANLA-dominated government and the old regime were established, and many ex-combatants were de-mobilised and re-inserted into society. However, inadequate and partial design and implementation led to medium and long-term problems and contributed to major subsequent abuses. In practice, the new coalition government headed by Robert Mugabe launched a rough and ready attempt to disarm guerrillas still in APs, focussing mainly on those of his ZIPRA rivals. It declared a weapons amnesty, and set about collecting ZIPRA weaponry inside and outside of Zimbabwe. Demobilised liberation fighters from all sides were promised land and resources, which did not usually materialise, providing fertile ground for political manipulation of resentments decades later.

Both ZIPRA and ZANLA units were integrated into the new armed forces, but intensifying splits between the previous allies led to a series of tense violent incidents between the parties during early 1981, including a mutiny in the army by ex-ZIPRA soldiers in March of that year which was brutally suppressed. Inadequate disarmament of demobilised ex-combatants meant that there were large numbers of armed and politically aligned people in the communities. Political tensions became violent, until government forces violently and comprehensively suppressed the ex-ZIPRA black opposition.

**Some key issues relevant to Nepal:** The Zimbabwe case study highlights a number of key issues and priorities that appear relevant to Nepal. These include the high risks of breakdown of ceasefire or enduring problems without careful attention to arms management and DDR-related processes. More specifically, they include the importance of:

- Establishing specific mechanisms and institutions to manage and supervise all armed groups while implementing an agreed ceasefire and peace agreement involving post-conflict elections, including a Commission involving all key parties to agree relevant policies and programmes relating to management and control of arms and armed groups; address concerns, problems and grievances; promote information exchange and consultation, and build confidence between the parties in the ceasefire and peace process.
- Establishing technical bodies to support and facilitate implementation of agreed ceasefire, AM and DDR processes, including independent military missions capable of monitoring, managing or mediating such processes across the whole country in a reasonably unbiased and trusted way. Positive, sustained co-ordinated engagement of capable external actors that are committed to the ceasefire and peace agreement. Their critical role did not require strong initial trust: the UK government was distrusted not only by the PF forces but also the Rhodesian regime, but confidence was established in its support for the Lancaster House agreement, and it played a critical role. So did the Front Line States and South Africa, which brought consistent pressure to bear on the PF and the RSF respectively. Without

these external actors, it seems unlikely that the ceasefire would have been sustained and the election process successfully achieved.

- Ensuring effective systems for information management and communication with all parties, including mid-level commanders of all conflict parties, and for addressing security problems and concerns as they arise.
- The viability of AM processes which do not immediately require large-scale disarmament of the armed forces of one or more parties; but the importance of starting to plan and implement disarmament or arms reduction/control measures at an early stage.
- Preparing to prevent and reduce intimidation, violence and provocations during elections, including arrangements to supervise and control armed groups during election processes.
- Avoiding risks of bad DDR and unfair/illegitimate security sector reform processes after the elections, which lead to enduring problems, by starting to discuss and plan for these at an early stage.

### **3.2 Mozambique**

Experience with arms management and DDR after the civil war in Mozambique is similarly instructive. It provides complex experience of arms management issues during the implementation of the peace agreement, and also of these issues in the context of a substantial UN peace mission. Overall, the process could be judged a success, but there were also numerous mistakes and lessons learned.

After de-colonisation in the mid-1970s, Mozambique endured a protracted civil war between the FRELIMO government and rebel RENAMO forces. For many years, FRELIMO sought military victory over RENAMO, which it perceived to be an illegitimate force sustained by external forces (primarily the South African government). However, military victory could not be achieved, and it became clear that, whatever its origins, RENAMO did draw strength from alienated regions and communities within Mozambique. In 1992, the rebel RENAMO and the FRELIMO government signed a General Peace Agreement (GPA) in which the parties agreed to a ceasefire, disarmament and demobilisation measures, and to an election process to determine the future government.

A UN operation in Mozambique (ONUMOZ) (1992-94) was charged with managing and supporting implementation of the GPA. It was designed and motivated to a significant extent by the need to avoid the recent experience with Angola, where a very weak initial UN observer mission lacked the mandate or capacity to maintain the ceasefire or substantially engage with arms management tasks. This led to numerous breaches of ceasefire arrangements. Although ‘fairly free and fair’ elections were held in Angola in 1992, one party – the rebel UNITA movement – returned to conflict after it failed to win. In this context, both FRELIMO and the wider international community accepted the need for a much more substantial UN mission in Mozambique, with greater focus on arms management and DDR issues.

ONUMOZ had a large armed peacekeeping force and considerable resources. In line with the provisions of the GPA, it sought to implement substantial disarmament of the conflict parties before the elections were held, to reduce risks of a full return to violence as occurred in Angola. However, a cautious Chapter VI peacekeeping approach was mandated for the UN, said to be insisted upon by the Mozambiquan government and the parties’ reluctance to submit to enforced disarmament within the framework of the GPA.

The UN, in co-operation with the FRELIMO and RENAMO conflict parties, established the standard range of key institutions for implementing the ceasefire and GPA, including a Ceasefire

Commission (CC), and arrangements for assembling and disarming ex-combatant forces. In practice, ONUMOZ was often disorganised and it suffered many problems of planning and poor timing, co-ordination and capacity in implementation. National contributions of Peacekeeping forces to ONUMOZ were of uneven quality, and several arrived late. Assembly Areas (AAs) were opened five months behind schedule and conditions in some of them were chaotic. UN treatment of assembled forces, and its responses to problems and breaches of ceasefire arrangements, varied greatly according to the particular national contingent of peacekeeping forces involved. DDR planning and implementation was rudimentary and under-resourced.

There are important lessons to be learned from the specific arms management measures undertaken by ONUMOZ. As noted, the GPA included provisions for disarmament of conflict parties, including collection and storage of arms at Assembly Areas. This was an important advance on several previous UN missions, which tended to neglect arms management and disarmament issues with damaging results. However, although the parties had agreed to such disarmament in the GPA, many details had not been worked out. This caused problems as it became clear that both FRELIMO and RENAMO continued to be intensely suspicious of each other and of the international community, and were unwilling substantially to disarm. Instead of systematically revisiting the issues of disarmament and arms management, to develop an agreed phased approach with elaborated safeguards and guarantees of reciprocity, ONUMOZ first neglected the issue, focusing instead on moving rapidly towards elections. After problems emerged, at a later stage in its mission it then proceeded directly with efforts to achieve disarmament (stimulated in part by armed riots in some Assembly Areas).

In this context, arms held by ex-combatants at Assembly Areas were collected and stored by the UN. However, both FRELIMO and RENAMO forces delayed such disarmament by presenting incomplete weapons inventories and hiding caches of weapons. There was great demand for reliable information and assurance that weapons were being collected from each conflict party in a proportional way, implying strong demands on ONUMOZ to provide regular information. Rules of ownership and access to UN weapons stores were unclear and contested, and there was no provision for destruction. It was not until 1994, towards the end of the UN mission, that the parties conceded that ONUMOZ could transport arms from AAs to three regional depots for storage and safekeeping. Towards the end of the UN mission, the USA and the UN brought sustained pressure to bear on the issue of secret arms caches, with the US threatening to re-evaluate its future development assistance to Mozambique unless, among other things, there was greater access to arms caches. The UN also became more proactive in terms of neutralising arms caches. The Ceasefire-Commission (CC) approved a mechanism to inspect and verify suspected undeclared weapons caches with teams visiting 744 sites, but these could not be collected and disposed of by the end of the UN mission.

Overall, it is estimated that nearly 190,000 weapons were collected by ONUMOZ. This is a large number, but probably only a small proportion of those circulating the country after many years of civil war. Nevertheless, the collection of such substantial numbers of weapons could have provided important confidence-building actions to re-enforce confidence in the overall peace process. They could also have established more enduring arrangements for continuing phased collection, safe storage and disposal of arms rendered surplus by the Peace Agreement, which could continue after the UN mission ended. But in the context outlined above, such opportunities were largely missed, and it is possible that the process tended even to undermine confidence. However, there is significant evidence that the pressures to avoid carrying weapons and to hide them in secret caches at least made arms less immediately available to ex-combatants, reducing levels of armed violence.

More focussed attention was devoted to demobilisation of ex-combatants. Some former RENAMO fighters were able to join the national army, while the rest returned to their home region. Re-integration into their original communities was hard in many cases: they had often perpetrated horrible violence to their neighbours. However, traditional cultural mechanisms and rituals for repentance and acceptance were successful in helping with this process. Numbers of FRELIMO fighters were downsized, as the peace process continued. Support for re-insertion and re-integration of ex-combatants into civilian life was unfortunately very modest. This caused many local and regional problems, but did not ultimately destabilise the overall peace settlement.

Experience with Mozambique provided important lessons learned for the UN, contributing to substantial development of more effective and integrated approaches to DDR in subsequent missions. In relation to disarmament, the main lesson drawn was that disarmament and arms management must be systematically addressed when implementing peace agreements after civil wars, but in a more sophisticated and nuanced way. The issue is not whether or not to prioritise disarmament and arms management issues, but rather how best to do this in a phased way that builds confidence and is well integrated with demobilisation, re-integration and other aspects of peace agreement implementation. Detailed provisions need to be agreed at an early stage for collection, registration, safe and secure storage, and disposal (preferably destruction) of collected arms. Similarly, experience indicated a need to greatly strengthen UN systems to ensure orderly assembly and demobilisation, and to greatly increase attention to the re-insertion and re-integration of ex-combatants.

On reflection, many of the issues and mistakes relating to the implementation of the peace agreement in Mozambique were not as destabilising as they could easily have been because of structural factors. The overall results of the elections were never in serious doubt. The FRELIMO candidate Joaquim Chissano won the presidential contest and this was accepted by RENAMO. Neither the FRELIMO government nor RENAMO had ever expected the elections to lead to a change in overall power (but rather to an acceptance of RENAMO leaders as legitimate political figures), and much of the civil war was confined to specific parts of Mozambique. This increased the resilience of the peace process against setbacks from which countries in different settings (such as Nepal) would find it harder to recover. However, the inadequate engagement with weapons collection and destruction issues left a difficult legacy for the country and the whole sub-region. The hidden caches provided a massive and enduring source of lethal weapons for criminal gangs in the country, and for illicit arms shipments to South Africa and elsewhere.

**Some key issues relevant to Nepal:** The Mozambique experience highlights a number of key issues and priorities that appear relevant to Nepal. These include the following:

- It is important to avoid ‘all or nothing’ approaches to disarmament and arms management in designing and implementing peace settlements. In the context of recent conflict and mutual suspicion, conflict parties are unlikely to accept wholesale disarmament at an early stage, particularly if it does not apply to all parties of the conflict and if their security is not strongly guaranteed by external parties. For example, RENAMO remained highly sensitive to this issue in the first years of the agreement, even though its leaders knew that ultimately it would accept demobilisation in the context of continuing FRELIMO power. Insisting on such terms in a formal agreement against the strong wishes of a conflict party tends to lead to non-compliance that damages confidence.
- Arms management and weapons reduction and disposal are nevertheless key issues, which need to be systematically addressed at as early a stage as possible. Limited weapons collection and destruction events at early stages of a peace settlement can be important confidence building measures. Similarly, measures to limit visibility and ready availability

of arms are relatively negotiable and can reduce risks of violent incidents and promote a sense of security.

- Details matter in relation to arms management; including clear provision for reliable registration, secure storage, and possible destruction and disposal of arms.
- Inadequate provision for weapons control and reduction can lead to enduring problems associated with wide availability of lethal weapons in society.

### **3.3 Guatemala**

Guatemala endured a 36 year-long insurgency that was concluded with a comprehensive peace agreement signed in December 1996. Comprised of 200 separate accords, the agreement committed the rebel Guatemalan National Revolutionary Unity (URNG) and the national government to a 'firm and lasting' end to the civil war in which an estimated 150,000 people were killed and over 1 million displaced.

The lead-up to this 1996 agreement is relevant. Guatemala moved to national elections and democracy in 1985, before the cessation of the armed insurgency. However, the URNG had been seriously weakened before the election as a result of a brutal counter-insurgency campaign by the Guatemalan armed forces, supported by the 300,000 strong Civilian Defence Patrols (PACs) in the early 1980s. The subsequent peace process was initiated by the democratically elected government in line with commitments made under the regional peace accords signed at Esquipulas in 1986 and 1987, and under pressure from civil society groups and the Roman Catholic Church. Proposals for peace negotiations faced strong resistance from the Guatemalan armed forces, which insisted that the URNG had to disarm before dialogue could begin. The URNG accepted peace negotiations, but would not engage until the counter-insurgency campaign was terminated and related counter-insurgency measures were lifted.

The impasse was broken following negotiations facilitated by Norway that resulted in the Oslo Accord of 1990 and which committed all parties to a political solution to the conflict. Consultations under the Oslo framework led to the recognition of the URNG as a legitimate party to the negotiations, paving the way for dialogue between the URNG and the government mediated by the United Nations. The negotiations were protracted and it was not until 1996 that agreement was reached on six substantive issues (addressing the underlying social and economic causes of the conflict) and five operative accords (setting out steps to demobilise, disarm and reintegrate URNG cadre).

A number of mechanisms were established to oversee and support implementation of the agreements, with URNG, government and 'notables' represented and the UN present in an observer capacity. A United Nations observer mission (United Nations Observer Mission in Guatemala (MINUGUA) that had originally been established to oversee implementation of a 1993 human rights accord, assumed major responsibility for monitoring the ceasefire set out in the 1996 agreement. MINAGUA also undertook disarmament of the URNG under a demobilization program that was conducted from March to May 1997 and which was supported by the Unit for the Promotion of Democracy of the Organisation of American States. In 1997 the Comisión Especial de Incorporaciones (CEI) was established to monitor and co-ordinate DDR policies and programmes, including the UN, EU, key bilateral donors, government authorities and ex-combatants from the URNG. The CEI met weekly to discuss strategy and programmes and to resolve any disputes, as well as ensuring that international assistance was geared to meet the actual needs and demands of the URNG. These mechanisms for co-ordinated international support for DDR were mobilised as a result of lessons learned from Mozambique and other previous DDR programmes.

Under the disarmament programme all collected defensive and offensive weapons, explosives, munitions and mines were deposited, registered and handed over to the United Nations and deposited in UN designated warehouses. The warehouses had two locks, with keys held by the UN and URNG officials. On the completion of the demobilisation process, the weapons were transferred to Guatemalan authorities. These procedures were all agreed in detail by the URNG and the government, and thus were not a substantial source of dispute during implementation.

**Box 2. Weapons collected from the URNG from 3 March to 14 May 1997:**

Small arms (includes AK-47, assault rifles, light machine guns)	1,665
Crew-served weapons (includes RPGs, mortars and others)	159
<b>Total firearms</b>	<b>1,824</b>
Small caliber munitions (up to 12 mm)	534,955
Grenades	147
<b>Rounds of ammunition of various calibers</b>	<b>535,102</b>
Mines	1,390
Bombs and rockets	934
Explosives	1,720 kg
Explosive cord	380 m
Other explosive devices	3,480

Source: *United Nations Observer in Mission Guatemala (MINUGUA)*

URNG ex-combatants were demobilised quite smoothly, using standard procedures including encampment, registration, disarmament, and demobilisation, followed by training programmes designed to enable them better to reintegrate back into civilian life. As noted, ex-combatant representatives contributed to the design and implementation of such re-integration programmes, and to the direction of international assistance. In practice, the conflict had been relatively low level for some years, and thus for some re-integration was not very problematic.

DDR experience provided some important lessons, re-enforced by other DDR programmes. While individual support for ex-combatants is important, it is necessary to integrate this with support for the predominantly poor communities that they join. Moreover, many ex-combatants do not wish to return to their previous roles, particularly in poor rural communities; with many quickly migrating to the cities. Women ex-combatants have special needs in this context. Unless great care is taken, training may not be directed to areas where there are jobs or opportunities for successful small businesses. Re-integration can be a long process, and needs to be supported with longer-term development aid.

In this context, although the DDR process in Guatemala was successful, limited progress was made in implementing the social and political commitments set out in the 1996 accords. The introduction of these measures, which included SSR, required a change to the Constitution of 1985. A national referendum was convened in 1999 on constitutional amendments to incorporate the peace accords. However, participation was low (17%) and the amendments were rejected.

This was a surprise for many, and reflected insufficient engagement with URNG and its allies with election processes. The defeat of the constitutional amendments in the 1999 referendum was a significant setback for the peace process and the needs of poor and marginalised Guatemalans that had supported the URNG campaign. Important socio-economic commitments made in 1996 have not been implemented as a result of the 1999 setback - that was in part related to the failure of left of centre parties to encourage and participate in voter registration, education and mobilisation. Abstention and non-participation was highest among those groups that would have

directly benefited from the amendments, which had been pushed by the URNG in the peace negotiations.

Perhaps as a result of such limited mobilisation linked with inadequate international attention, pressures were inadequate to achieve effective reform and enhanced accountability of the security sector, particularly of the national army and police. This continues to have a wider impact on the political and social development of the country. The long years of civil war in Guatemala left an enduring legacy for Guatemala, in the form of wide availability of small arms and light weapons and high levels of firearms death and injury associated with social and domestic violence and crime. Concern with DDR programmes has long passed, but weapons reduction and control and violence reduction remains high on the country's agenda

**Some Key Issues Relevant to Nepal:** The Guatemala experience highlights a number of key issues and priorities that appear relevant to Nepal. These include the following:

- External actors (in this case including the UN and bilateral mediators) can play an important role in reducing the suspicion and hostilities of the national armed forces to dialogue with rebels and third party demobilisation processes. The presence of MINUGUA was also critical in terms of building URNG confidence in the demilitarisation and demobilisation process.
- The successful demobilisation and reintegration of URNG combatants underscores the importance of addressing and designing a comprehensive DDR programme at an early stage in peace negotiations and also the value of providing ex-combatant and civil society groups (including women) space to articulate their needs when developing DDR programmes.
- The international community has now developed more co-ordinated mechanisms and better assistance strategies to support DDR processes.
- Careful prior negotiation and planning enables complex arms collection, storage and hand-over to be managed relatively uncontentiously.
- Once peace agreements are established and democratic elections are held, it is important for rebel groups to continue to focus on and mobilise around election processes and ensuring that their constituencies actively participate in 'normal' democratic politics.
- Security sector reform and accountability has important links with DDR and longer-term peace processes, and deserves high national and international attention.
- Wide availability of weapons after conflict creates enduring problems of armed violence and criminality, re-enforced by government failure to destroy or securely store collected weapons.

#### **4. Generic Issues: Lessons Learnt from Previous DDR, Arms Management and SALW Control Experiences**

In this section, we briefly highlight some generic lessons from experience of a wide range of DDR and arms management problems. The list is by no means exhaustive, but we have aimed to highlight generic lessons that may be directly relevant to Nepal.

##### **4.1 Early attention to arms management and DDR**

Successful preparation and implementation of DDR and arms benefits greatly from the integration of clear and transparent provisions in peace agreements and national legislation. In the case of DDR, such agreements commonly outline the terms and obligations of disarming and demobilising parties - including security guarantees, conditions and sequencing for reciprocal disarmament, and related entitlements. Likewise, arms management and SALW control activities

that include the collection and destruction of civilian arms are often guided by clear enabling legislation including parliamentary decrees, presidential acts, cabinet decisions and proscriptive guidelines.

There are various practical strategies to ensure that DDR and arms management programmes are properly integrated with peace agreements at an early stage. For example, facilitators and mediators of peace negotiations are now asked to ensure that the complexities and modalities of arms management are given adequate attention. The creation of opportunities for information-sharing, mechanisms for awareness-raising, informational seminars and study or learning tours are important for improving understanding on all sides and ensuring that the process is considered transparent and credible. There are also clear precedents for engaging parliamentarians and military personnel on approaches to SALW Control, whether through support from bilateral partners or the UN. Ultimately, the legitimacy of DDR and arms management tends to stand or fall on the process, as much as the outputs.

While the immediate focus in Nepal is on the achieving stability in the lead-up to elections and identifying potential entry-points for the management of arms, it is vital that longer-term issues are adequately reflected at the earliest stage of the negotiations. Decisions deferred to later dates can affect the success of DDR and SALW Control. For example, the expected configuration of the armed forces and security sector will determine the extent to which various parties participate in DDR or SALW Control. Thus, attention needs to be directed to developing longer term security sector priorities for reform and accountability– including the command and control of the armed forces, the role of auxiliaries and militia structures, and the potential for local community policing in rural areas.

#### **4.2 Promote Early Successes**

The perceived ‘effectiveness’ of DDR and SALW Control is central to its sustained legitimacy. The launch of over-ambitious programmes without adequate buy-in from key parties can undermine popular and stakeholder confidence in the process. So can DDR and arms management programmes that suffer from slower than anticipated implementation, persistent resource constraints and limitations, and unrealistic selection criteria. There is also a worrying tendency among some proponents of DDR and SALW Control to focus exclusively on the ‘hard core’ combatants and potential spoilers – the most intractable and challenging target group – before the dividends of DDR and wider arms management are apparent.

Early successes generate positive demonstration effects if they are properly publicised. It is therefore a priority to identify ‘low-hanging fruit’ – thematic and practical pilot projects that all parties can agree to work together on achieving. Such pilots can also serve as important test-cases for larger-scale DDR and SALW Control programmes to follow. For example, initial activities that emphasise purposive disarmament but also treatment and rehabilitation of child soldiers and female combatants, physically and psychologically disabled ex-combatants, or elderly and infirm veterans can be initiated as good will gestures and opportunities for integrated programmes. Rumour and speculation can rapidly erode the credibility of such interventions, and robust public relations programmes are important.

#### **4.3 Mechanisms for monitoring**

The monitoring of arms management is a crucial – if frequently under-appreciated – component of DDR and SALW Control. Arms holdings constitute a crucial ‘bargaining’ device and ‘security guarantee’ during the lead-up to peace agreements and their aftermath. Parties are wary of decommissioning arms for fear of heightened vulnerability to attack but also for fear of losing a

vital resource and the means of defending territory. Combatants are also frequently reluctant to forgo the power, status, and authority derived from arms and the loss of such status implicit in their 'surrender'.<sup>2</sup> Moreover, particularly where conflicts end with no clear military defeat, certain parties may see the continued possession of arms as an earned right and essential to forcing concessions, such as incorporation into an interim administration or a newly constituted army. Mutual suspicion of non-compliance to the agreed terms of arms management is common to virtually all DDR and arms management and control processes. Where such suspicions escalate, they can undermine the process and contribute to conflict onset.

Comprehensive monitoring of the disarmament or SALW collection component of DDR and arms management is integral to meeting security and confidence-building needs. By ensuring that weapons are accounted for, carefully managed, and ultimately destroyed, monitoring mechanisms can effectively counter spoiler tactics and potential cheating. Operationally, both independent and party-inclusive monitoring bodies can undertake monitoring, though their mandates are of course subject to negotiation. Past DDR and SALW Control programmes have introduced Joint Military Commissions, Liaison Committees, and Ceasefire-Commissions to facilitate the management and monitoring of arms. In other cases, bilateral donors, the UN, and regional organisations have supported the establishment of inclusive national commissions and independent inspections panels to monitor compliance with formal reporting procedures. External facilitation can be provided to support mediation and to apply leverage, though such processes are frequently contentious and fractious, as the case studies illustrate.

The practical modalities of monitoring arms management would need to be agreed by all parties prior to the launch of DDR and SALW Control. The involvement of an observer/monitoring body to oversee arms management will almost certainly be required. Any UN force will likely be unarmed, modestly staffed, and equipped with comparatively limited powers to enforce or bring to account contraventions of a cease-fire or arms management agreements. The observer/monitoring body will also likely face the usual challenges with verifying compliance and monitoring developments across the country. Lessons from other regions reveal that introduction of demilitarised zones<sup>3</sup>, early warning systems, and the involvement of civil society could prove vital in terms of monitoring. Civil society actors such as peace-builders, religious leaders, local NGOs and the media potentially have a crucial role to play in supporting monitoring. Local civil society groups, including capable human rights entities and research institutes, could report to monitoring commissions, parliamentarians, the government and other actors with a stake in the peace process. International Non-Governmental Organisations (INGOs), given that they may have greater independence and fewer security risks than locals, could also play an important reporting and monitoring function.

#### **4.4 The important role of third parties**

Recent experiences seem to indicate that although external actors and international community have not generally proved to be good at preventing armed conflicts from breaking out, they do play a key role in helping to bring conflicts to an end, and reducing the risks of resurgent violence. More specifically, experience after conflicts indicates that third parties often play a key role in helping to promote and facilitate arms management and DDR. Reasonably trusted and capable external actors can help to overcome obstacles to consultation on such issues, and can

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<sup>2</sup> In certain cases, as in Ireland, Bougainville and Kosovo, weapons are 'put beyond use' and placed in internationally monitored stockpiles. The Kosovo Liberation Army (KLA), for example, handed over its stockpiles to UNMIK with the clear understanding that they would later be provided to a newly reconstituted army or defence force in which they were expected to feature prominently.

<sup>3</sup> In Egypt, the Lebanon, and in the disputed area of Kashmir, demilitarised zones and monitoring have been used to separate parties and manage arms.

provide guarantees or support that facilitates earlier implementation. As discussed, third parties played key roles in the Zimbabwean and Guatemala cases. In Mozambique the experience of ONUMOZ was more ambiguous, but without it virtually no arms reduction and management would have been possible.

Where powerful states commit to arms management or associated programming, and provide appropriate incentives, processes have greater possibility for success. The most striking example of a forceful approach was the US/NATO determination to end the Serb siege of Sarajevo in 1994 and push through demilitarisation in Bosnia, which it duly achieved through the use of force and incentives. However, more commonly pragmatic, behind-the-scenes involvement has produced results - as that exerted in Mozambique by the USA and the UN over secret arms caches. However, ultimately whether arms management works or not will be determined by the parties to the conflict themselves and external efforts to induce co-operation on, and confidence in this process requires great sensitivity and transparency on the part of external actors.

In Nepal, the role of external actors will be crucial in formulating transitional arms management strategies to overcome the CPN-M distrust of decommissioning or disarmament, and concurrently, developing SSR options that are acceptable to all parties. The UN potentially has a very important role in terms of diplomacy and in monitoring any arms management arrangement that might emerge. However, smaller coalitions of outside states and organisations could play key roles, particularly India, USA and UK. None of these are really trusted by one or more of the key conflict parties, but experience indicates that this is not essential overall, provided that conflict parties have a well-grounded confidence that they will sustain coherent support for an agreed arms management, DDR or wider peace process. This highlights the fact that successful development and implementation of post-conflict DDR and arms management programmes in large part depends on generating co-ordination and coherence in the policies and interests of key external actors in relation to the conflict parties and the peace process, - including donor and neighbouring countries.<sup>4</sup> It also requires that they have realistic understandings of what can be achieved, and of the resources and attention that such programmes need.

Where the precise aims of DDR or weapons reduction efforts are not completely clear, donors and implementers can adopt incoherent and uncoordinated objectives that far exceed what can realistically be achieved. In Sudan, for example, many, including former fighters with the Sudanese People's Liberation Army, expect that DDR will compensate for decades of underdevelopment. The cases of the Central African Republic, Liberia, the Republic of Congo, and others testify to the limitations of DDR, where goals, the measurements of success, and expectations were poorly articulated from the outset. While some donors, development agencies, and policy-makers may see advantages in keeping their aims as flexible as possible, it is of little surprise that primary stakeholders (including combatants) and civilians often treat DDR and weapons reduction initiatives with suspicion, and even outright contempt.

#### **4.5 Reciprocity**

Reciprocity is driven by political and security considerations as much as technical considerations. Experience shows that conflict parties are normally highly sensitive to reciprocity, for symbolic reasons as much as for direct political and security interests. The case studies and other past experiences indicate that it is important to find ways in which the parties can demonstrate clear reciprocity from early in the ceasefire or peace process, without immediately making strong

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<sup>4</sup> The importance of donor coherence has been repeatedly emphasised by the OECD-DAC and is regarded as a core priority of the difficult partners and fragile state agenda.

demands on mutual trust and confidence, which is in short supply at least in the early stages. Reciprocity is a process that can be handled differently over time and as the peace process deepens. Reciprocity thus needs to be actively managed, and requires substantial consultation, understanding and communication of the perceptions and concerns of each the key conflict parties. The positions and capacities of the parties are often rather asymmetric in several respects. This means that it is generally reasonable to anticipate that actions and requirements from them will not be identical or necessarily symmetrical overall. However it may be symbolically useful to find joint actions and demonstrative projects early on, through which all parties can demonstrate commitments to their agreements and the peace process with taking major risks.

In the Mozambique case, RENAMO was highly sensitive to equal treatment, being the weaker of the two parties and also the one least secure about recognition of their legitimacy. They thus demanded high reassurance that FRELIMO was making subject to the same disarmament and demobilisation measures at the same pace. The UN mission was not initially sufficiently sensitive to this, resulting in delays and disputes. Moreover, the belated but strong pressures on both parties for substantial disarmament, without careful agreement on phasing and procedures, meant that opportunities were missed for demonstrations of reciprocal commitment to the peace process (even if not to disarmament). The Zimbabwe and Guatemala cases demonstrate that rebel groups have been prepared to accept relatively asymmetric demands on them to accept greater monitoring and supervision, provided that they believe that the overall peace process is in their interests and their main security concerns are addressed (normally by international/third party engagement).

There are many examples to demonstrate that as confidence in the ceasefire grows, and the peace process proceeds, the issues of reciprocity can become easier to manage, since there are a wider range of parallel processes moving forward from which each can draw comfort. Nevertheless, grievances can rapidly develop without mechanisms for regular meeting and dispute resolution amongst all stakeholders. In Zimbabwe, confidence in the ceasefire arrangements grew once the implementation of the Lancaster House Agreement got underway, enabling more complex patterns of reciprocity. But as elections approached, these began to break down, requiring urgent mediation and remedial action.

Reciprocity issues in Nepal will focus on relations between the CPN-M and the security sector and they can be expected to revolve around arms management, demobilisation and SSR. If the CPN-M do decommission, this will open a strong reciprocal option for reform of the army and wider security sector. Alternatively, other more negotiable arms management agreements could be discussed, in the hope of promoting greater control of arms and armed groups as the election approaches. Examples could include confidence-building measures, such as the storage of CPN-M weapons in sites monitored by the UN and other bodies. Conversely, if the army is to be persuaded to undergo SSR (including the entry of ex-CPN-M cadres), which will be essential for effective civilian control, the CPN-M could reasonably be expected to reciprocate by moving towards some form of phased arms decommissioning or DDR process. Phasing and sequencing will be critical.

International aid strategies need to be very sensitive to community perceptions of equitable distribution of assistance and development resources in post-conflict contexts. Aid for re-integration of ex-combatants needs visibly to be allocated fairly, and as noted above effective balances need to be maintained between assistance for ex-combatants and for their new host communities. The same principles apply to distribution of wider development aid, as the peace process proceeds.

#### **4.6 Confidence building measures (CBMs)**

Monitoring (discussed above) is an important component of CBMs but past experience shows that other supportive measures are required to build confidence. Arms management and DDR processes can provide a rich array of opportunities for confidence-building. Some of these relate to direct military confidence building to reducing risks of surprise attack or unintended escalation of violence. In order to allay fears of attacks and armed clashes between various armed elements during a cease-fire/arms monitoring, past experience in places such as Kashmir, the Sinai, Guatemala and the Lebanon, suggests that the establishment of demilitarised zones, unarmed patrols, joint patrols, exchange of liaison officers, and checkpoints can be useful in many contexts. Geographical separation of forces, in particular, agreed by the parties can be valuable in terms of avoiding clashes and enabling confidence to develop. Most DDR processes have placed troops undergoing arms management in areas well apart and where their presence is unlikely to lead to problems. However, this will require sometimes difficult negotiations with the parties as this could well lead to de facto control of territory subsequently.

In complex contexts such as Nepal, different approaches may be better to achieve the same effect, such as procedures to demonstrate withdrawal of armed forces to barracks (army) and allocated assembly areas (CPN), and steps to enable provision of state education and health services in areas previously denied to them by rebel forces. It has become clear that acts to voluntarily collect and destroy arms by conflict parties can be a particularly potent CBM, not only for other armed groups but also to the wider public. In Mali, a symbolic weapons destruction ceremony by Tuareg ex-combatants in co-operation with the Government (the ‘Flammes de la Paix’) proved to be resonant, and likewise in Cambodia as the government moved to reduce ready access to SALW. These events need to be carefully arranged, involving international observers and clear accounting and transparency procedures. Similarly co-operation between police and local communities for civilian arms collection and destruction processes have proved to be very effective foci for building police-community co-operation. The opportunities for a such activities in Nepal should be considered.

The most effective forms of confidence building are to identify what concerns adversaries’ the most, and then take clear and visible action to address these for CBM purposes. Experience shows that communication (formal or informal) and joint action between rebel groups and government forces is a key element of confidence building. In cases where the armed forces have been hostile to the suspension of counter-insurgency activity and/or the reintegration of rebel groups into mainstream political life, contacts with sympathetic and peace oriented elements can be instrumental in developing a consensus around peace and arms management issues. Social polarisation in recent years has been great in Nepal, making this very relevant.

#### **4.7 Guns and elections**

Irrespective of the timing or modalities of DDR or SALW Control, the wide availability of small arms and light weapons will become a major issue in the period leading up to elections in Nepal. Past experience from a number of countries emerging from armed conflict and facing democratic transition reveals that wide weapons possession – whether lawfully-held under a pre-determined mandate or illegally-cached in contravention to a peace agreement – is strongly associated with armed violence, coercion, and intimidation. In Rhodesia/Zimbabwe, Mozambique and Angola, rebel groups and their associated political parties used armed violence to retain control over key areas, influence voting preferences, and intimidate election officials and rival candidates. Arms were in many cases stockpiled in hidden caches for use by rebel and government forces to attack one another in the event that the election results were contested.

The presence of arms during elections strengthens the likelihood that the defeated party will not accept the end result or that it will be considered illegitimate in the eyes of the international/domestic community. For example, in Angola, UNITA actually returned to war after it lost the elections. This was at least in part attributable to the fact that the UN Angola Verification Mission (UNAVEM) had failed to disarm either side.

DDR and SALW Control offer a range of practical entry-points to reducing and potentially containing acute levels of election violence. For example, targeted DDR programmes can potentially neutralise spoilers by ensuring that armed groups or ex-combatants are confined to barracks and their weapons managed in a transparent and credible fashion. Related, temporary weapons amnesties can also be followed-by enforced restrictions on the carrying and public display of arms among all parties in the lead-up to elections – including both state and armed groups, as has been successfully undertaken for example in Colombia and Papua New Guinea. Such programmes invariably need to be backed with a robust public information campaign and SALW awareness building, as well as concerted work with political parties.

### **5. Issues and Priorities Relevant to Nepal**

This short report emphasises that there is now wide experience with DDR and arms management measures and programmes across the world, in contexts that are not radically different from those of Nepal. Among the many findings, the report has emphasised that arms management and DDR measures and processes:

- Have developed over time, and can be adapted reasonably flexibly according to specific national and international circumstances;
- Are particularly successful when they are integrated into peace negotiations at an early stage, coupled with regular confidence building measures, attention to management of information, expectations and reciprocity, feature demonstration projects, supported by capable external actors, and appropriately linked to longer-term political transition and security sector reform strategies;
- Are generally critical for maintenance of ceasefires; ensuring a secure environment of free and fair elections; and managing any post-election transition of political power.

The nascent peace process in Nepal remains fragile and vulnerable to pressure from external forces and ‘spoilers’. The manifest lack of personal trust and confidence between representatives of the CPN-M, the SPA, and the armed forces has impeded constructive debate and consultation of DDR, arms management/SALW Control and SSR issues amongst the parties. It is not the role of this Report to propose specific approaches towards developing and implementing agreed arms management and DDR related processes in Nepal. In principle, any possible options are available in the Nepalese context but they require detailed examination and consultation before any can be confidently proposed.

Fundamental to any strategy is a decision on whether and how to consider the CPN-M to be a key party in any political transition. Many have concluded that this is the only realistic approach. The CPN-M controls much of the territory of Nepal, is militarily ascendant at present, appears to command substantial public support, and has declared a willingness to participate in free elections and to enter government as a member of a coalition government. Unless these circumstances change profoundly, the only viable peace process has to come to terms with the CPN-M. Similarly, the Nepal armed forces are key stakeholders, and need to be included in negotiations.

Within this overall framework, a number of priority issues for Nepal emerge from an examination of experience of post-conflict arms management and DDR processes, including the following.

- A consultation and monitoring commission should be established to facilitate early discussion of appropriate measures and programmes to begin an arms management and DDR related process in Nepal. This body should involve representatives of the SPA, CPN-M, Nepalese Armed Forces, and other key stakeholders, including relevant civil society representatives and key external actors (including India, USA, UK, and UN).
- A phased approach should be adopted to arms management, ceasefire monitoring and DDR related programmes in Nepal, enabling an effective early start without immediately calling for major disarmament measures that demand high mutual trust at an early stage. In this context, it is reasonable to expect the CPN-M to consider participating in substantial measures to enhance monitoring and control of arms, and perhaps to take part in some limited disarmament measures. Parties could for example explore the modalities of an arms management approach that places the arms of the CPN-M in storage with access in emergency situations but under close monitoring/supervision by the UN/third party monitors. But reciprocal steps are also reasonable from other parties.
- It is a priority to establish mechanisms to monitor and reinforce the ceasefire, and to take steps to reduce risks of violence and intimidation in any forthcoming national elections. This implies substantial action to monitor and restrict arms availability and visibility, and otherwise reduce the risks they pose to the election process.
- Arms management and DDR processes in Nepal need to be associated at an early stage with related steps towards reform and enhanced accountability of the security sector, particularly the national army.
- Mechanisms for coherent and reliable international/third party support for DDR and arms management processes are needed for Nepal, in the context of wider support for peaceful transition to an elected government under the rule of law. The UN has much to offer in this context, but India's well-known sensitivities on this imply that contributions from other external actors also needed. An important first step would be to informally establish the modest capabilities required to provide initial technical and monitoring support for the Commission suggested above. Alongside this, key external actors need to move towards a common approach towards arms management and DDR in Nepal, and towards wider strategy for a peace process.

### **Annex 1: References and further reading**

This report draws upon a large literature. The following are recommended for some easily available further reading.

GTZ et al, *Disarmament, Demobilisation and Re-integration: a practical field and classroom guide*, 2004.

UNDP *Practice Note: disarmament, demobilisation and re-integration of ex-combatants*, UNDP, New York, 2005.

BICC *Conversion Survey 200x: global disarmament, demilitarisation and demobilisation* (annual Yearbook), Nomos Verlagsgesellschaft, Baden Baden.

UN Resource Centre on Disarmament, Demobilisation and Reintegration, at [www.unddr.org](http://www.unddr.org) (see also the UN Integrated DDR Standards, 2006).

*Small Arms Survey 200x* (annual yearbook), Oxford University Press.

Biting the Bullet Project, *Reviewing Action on Small Arms 200x* (occasional yearbook 2003, 2005 2006), BtB Project, London.

## **Annex 2: DDR Perspectives within Nepal**

The pace of political change in Nepal has been rapid and the country finds itself at a crucial juncture. While the potential for lasting peace and the introduction of an inclusive democracy is strong, there remains the possibility that traditional antagonists will return to conflict – in either the short or medium term. Decisions that are taken over the coming weeks will shape the prospects for long-term peace. This report notes that none of main actors have articulated a coherent, holistic strategy for DDR – in either a minimalist or comprehensive form. This is understandable given the speed of political developments but it is a situation that requires urgent rectification if current moves toward peace are to be consolidated.

The *Seven Party Alliance* is too inchoate and fragile to address, develop or design DDR strategies and programmes. The alliance is purely expedient for the individual parties concerned and a product of the unique political circumstances that the country currently finds itself in. As such, no common platform in relation to DDR has been developed or elaborated. Moreover, the individual parties that comprise the SPA, but more specifically the leading component organisations (Nepali Congress and the UML) have not outlined individual party-specific ideas in relation to DDR and these have not historically been at the forefront of the parties strategic or tactical thinking. There is an acute absence of engagement or understanding of DDR and this has been reinforced by the tradition of donor / third party funding and support for the political parties focusing on party political reform and representation issues and capacity-building, rather than intellectual engagement with direct post-conflict issues.

The leadership of the SPA has been preoccupied by negotiations with the CPN-M and external actors in relation to the formation of an interim administration and elections to the constituent assembly. As such, there is no central ‘elite’ leadership on DDR thinking. Issues such as the staffing and mandate of an interim administration and the schedule of the constituent assembly elections has detracted from the elaboration of DDR-related issues by the SPA. Of acute concern, the SPA is highly reluctant to engage with the armed forces, a tendency that has been reinforced by pressure from external actors keen to ensure that the CPN-M is disarmed ahead of any broader discussions related to DDR. The SPA government has outlined plans to feed CPN-M cadre during the current cease-fire, but even this strategy is under pressure from donor countries and it is not part of an integrated package or assessment of DDR options and approaches.

*The Nepalese armed forces* are not engaged in DDR related discussions or planning, either formally or informally. While the military has found itself subject to significant change in relation to its constitutional status and engagement in security related matters, civilian authority over the security sector has not been established. Confined to barracks and effectively ‘out of sight’ the military has been disconnected from ongoing political debates and its views and input have not been solicited by the SPA or the CPN-M. As a consequence, the position of the armed forces in relation to DDR or wider SSR related issues are unknown, despite the importance of their role and attitude toward these processes and the evident dangers presented by their alienation and exclusion from the elaboration and future roll out of related programming. Moreover, while some sectors of the armed forces appear to support current moves toward peace and inclusive democracy, senior factions are known to be antagonistic. Deliberation of DDR issues would provide the army with a channel for engagement and ‘voice’ and provide a mechanism for the security sector to engage constructively in peace-building efforts.

By contrast, the *CPN-M* has elaborated a position on DDR, although this is limited and dominated by the recommendation that the Peoples Army of the CPN-M integrates with the

Nepalese Armed Forces. However, the plans outlined are contentious, limited, they do not constitute a comprehensive strategy and they are unlikely to work in military, tactical and strategic terms. They also do not share the support of the SPA / armed forces, nor do they appear to have had input from civil society. The CPN-M position does appear to be subject to flux, particularly in relation to issues of arms management ahead of constituent assembly elections – although the organisation is emphatic that it will not disarm ahead of the formation of an interim administration. The role of outside bodies, specifically the UN is negatively viewed by the CPN-M, which argues that the Nepalese people can deal with arms management without external ‘interference’.

None of the parties have addressed issues such as the creation of joint military commissions or liaison committees, mandates or resourcing for DDR. There is a vacuum of ideas and understanding of DDR and the potentially negative impact that not addressing these issues could have over the longer term. Overall then, the position of all parties is unclear and no mechanisms currently exist for broad-based deliberation. As such, a key recommendation of this report is that support be immediately put in place to encourage the design and elaboration of DDR programmes by all parties and that perspectives on DDR are constantly monitored as the political situation evolves.