

Evaluation

Finland's Contribution to Building Inclusive Peace in Nepal



Evaluation report 2012:7

MINISTRY FOR FOREIGN AFFAIRS OF FINLAND

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Anita Kelles-Viitanen
Shobha Gautam

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MINISTRY FOR FOREIGN AFFAIRS OF FINLAND

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PREFACE

Finland has been one of the donor countries that over the years have actively supported, together with the international community, initiatives to build inclusive peace in Nepal. Denmark launched an evaluation to assess her support to Nepal's peace process and invited also other donors to join this evaluation. Finland decided to sponsor the wider evaluation. Subsequently, it was decided that Finland would particularly contribute with a focused study on inclusiveness of peacebuilding measures over the years 2006-2011, meaning, investigating how the peacebuilding and compensation measures have reached the most disadvantaged victims of the conflict - women, elderly, ethnic minorities, and alike.

The current report is based on a profound desk study of document materials, combined with the results of a field trip to a number of conflict-affected remote areas and municipalities in Nepal, where a wide range of stakeholders and also authorities were interviewed.

This report will constitute a special Finnish contribution to the Danish-led wider joint-evaluation of Denmark, Finland and Switzerland.

Helsinki, 14.09.2012

Aira Päivöke
Director
Development Evaluation

ACRONYMS AND ABBREVIATIONS

€, Eur	Euro, Currency of European Union
%	Percent
ADB	Asian Development Bank
AfP	Alliance for Peace
AIDS	Acquired Immune Deficiency Syndrome
CA	Constituent Assembly
CEDAW	UN Convention on the Elimination of All Forms of Discrimination Against Women
CIDA	Canadian International Development Agency
COID	Commission of Inquiry of Conflict-Related Disappearances
CPA	Comprehensive Peace Accord
CPN-M	Communist Party of Nepal-Maoist
CSO	Civil Society Organisation
DAC	Development Assistance Committee (of the OECD)
Danida	Danish International Development Agency
DDC	District Development Committee
DEMO	Political Parties of Finland for Democracy
DFID	UK Department for International Development
DG	Donor Group
EC	Election Commission
e.g.	Exempli gratia (“for example”)
EPSP	Emergency Peace Support Project of the World Bank
ESCR	Economic, Cultural and Social Rights
EU	European Union
FN	Förenta Nationer (United Nations in the Swedish language)
FY	Fiscal Year
GBV	Post-conflict Traumas and Violence on Women
GEM	Gender Empowerment Measure
GESI	Gender Equity and Social Inclusion
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GoF	Government of Finland
GoN-DG	Government of Nepal and Donor Group
GRB	Gender Responsive Budgeting
HDI	Human Development Index
HDR	Human Development Report
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immunodeficiency Syndrome
HoMs	Heads of Missions
HR	Human Rights
HRD	Human Rights Defendor
HUC	Danida Department for Humanitarian Action
HUGOU	Danida Governance Programme

IDEA	Institute for Democracy and Electoral Assistance (International IDEA)
IDMC	Internal Displacement Monitoring Centre
IDP	Internally-Displaced People
i.e.	Id est ('that is')
IFES	International Foundation for Electoral Systems
IFI	International Financing Institution
ILO	International Labour Organisation (of the UN)
INGO	International Non-Governmental Organisation
JICA	Japan International Cooperation Agency
LCF	Local Cooperation Funds (of the embassies of Finland)
LGCDP	Local Governance and Community Development Programme of the GoN
LPC	Local Peace Committee
M & E	Monitoring and Evaluation
MFA	Ministry for Foreign Affairs of Finland
MDG	Millennium Development Goal
MLD	Ministry of Local Development (of Nepal)
MoF	Ministry of Finance of Nepal
MoPR	Ministry of Peace and Reconstruction (of Nepal)
MoU	Memorandum of Understanding
NAP	National Action Plan (on UN Security Council Resolutions 1325 and 1820)
NDC	National Dalit Commission
NFDIN	National Foundation for Development of Indigenous Nationalities
NGO	Non-Governmental (non-profit) Organisation
NHRAP	National Human Rights Action Plan
NHRC	National Human Rights Commission
NPTF	Nepal Peace Trust Fund
NRS	Nepali Rupees
NWC	Nepal Women's Commission
ODA	Official Development Assistance
OECD	Organisation for Economic Cooperation and Development
OHCHR	Office of the High Commissioner for Human Rights
PBF	UN Peacebuilding Fund
PCIA	Peace and Conflict Impact Assessment
PDS	Peace and Development Strategy
PSWG	Peace Support Working Group
RBM	Results Based Management
RCHCO	Resident and Humanitarian Coordinator's Office of UN
SNV	Netherlands Development Organisation
ToR	Terms of Reference
TRC	Truth and Reconciliation Committee
TYIP	Three-year Interim Plan
UK	United Kingdom
UN	United Nations
UNCT	United Nations Country Team

UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women (merged now to UN Women)
UNMIN	United Nations Mission in Nepal
UNPFN	United Nations Peace Fund for Nepal
UNSCR	United Nations Security Council Resolution
UNTOC	UN Convention against Transnational Organized Crime
UN Women	United Nations Entity for Gender Equality and Empowerment of Women
UPR	UN Universal Periodic Review of human rights
US\$, USD	United States Dollar, currency of the United States of America
USA	United States of America
USAID	United States Agency for International Development
VDC	Village Development Committee
WHO	World Health Organisation
YK	Yhdistyneet Kansakunnat (United Nations in Finnish language)
YKTN	YK:n turvaneuvosto (The Security Council of the United Nations in Finnish language)

Evaluointi

Suomen tuesta rauhanrakentamiselle Nepalissa

Anita Kelles-Viitanen ja Shobha Gautam

Suomen Ulkoasiainministeriön evaluointiraportti 2012:7

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TIIVISTELMÄ

Tässä evaluoinnissa tarkasteltiin sukupuolten tasa-arvoa ja yhteiskunnallista osallisuutta Suomen rauharakentamisen ohjelmassa Nepalissa (2006–2011) sekä sitä, miten ohjelmassa käsiteltiin konfliktin perimmäisiä syitä ja miten saavutettiin tavalliset ihmiset. Työ täydentää laajempaa, Tanskan johdolla tehtävää yhteisevaluointia. Evaluoinnissa tutkittiin Nepalin rauhanrahaston (NPTF), International IDEAn ja Alliance for Peacen hankkeita. Siinä analysoitiin myös ihmisoikeuksien käsitteellisiä yhteyksiä yhteiskunnalliseen osallisuuteen YK:n ihmisoikeusvaltuutetun toimiston (OHCHR) ja Nepalin kansallisen ihmisoikeuskomission (NHRC) hankkeissa. Evaluointi koostui asiakirja-aineisto- ja kenttätutkimuksesta.

Suomella oli käytössään merkityksellinen moniulotteinen strategia ja hyvä yhdistelmä järjestöjä. Vuosina 2006–2011 avun kokonaissumma oli 10,6 miljoonaa euroa (14 % Suomen 77 miljoonan euron tuesta Nepalille). Ohjelma oli kustannustehokas ja strateginen huolimatta konfliktin jälkeisen analyysin ja rauhanrakentamisstrategian puuttumisesta. Se oli sopusoinnussa Suomen kehitysyhteistyöpolitiikan ja Nepalin kattavan rauhansopimuksen (CPA) kanssa mutta ei keskittynyt siihen täysimääräisesti. Hankkeet olivat toisiaan täydentäviä, edistivät rauhaa, lisäsivät turvallisuutta ja osallistavaa demokratiaa, vahvistivat kansallisten instituutioiden hallintovalmiuksia ja saavuttivat konfliktin uhrin. Vaalit ja väliaikainen perustuslaki antoivat mahdollisuuksia naisille ja haavoittuville ryhmille, ja tärkeitä kansallisia toimintasuunnitelmia (muun muassa YKTN:n päätöslauselmat 1325 ja 1820) otettiin käyttöön. Avun kohdistamisessa oli kuitenkin puutteita ja avunsaajien valinnoissa esiintyi puoluepoliittista vinoutumaa.

Vastaisuudessa pitäisi tukea pitkäjänteisesti konfliktin uhreja, naisia ja haavoittuvia ryhmiä, niiden toimeentulon turvaamiseksi ja konfliktin jälkeisten traumojen käsittelemiseksi (NPTF osoitti näihin 3,7 % varoista). Pitäisi keskittyä järjestelmäperäisiin

esteisiin ja vahvistaa naisten, etnisten vähemmistöjen ja muiden haavoittuvien ihmisten valmiuksia vaikuttaa demokraattisiin toimielimiin ja eritellä tukikelpoisuuden seurantatietojen keruu.

Avainsanat: Nepal, sukupuoli, rauhan rakentaminen, yhteenkuuluvuus, yhteiskunnallinen osallisuus

Utvärdering av

Finlands bidrag till inkluderande fredsbyggande i Nepal

Anita Kelles-Viitanen och Shobha Gautam

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ABSTRAKT

Denna utvärdering granskade könsrelaterat och socialt inkluderande i Finlands fredsprogram för Nepal (2006–2011), hur programmet tog hänsyn till konfliktens grundorsaker och nådde ut till befolkningen. Utvärderingsarbetet kompletterar en större gemensam utvärdering som genomfördes under dansk ledning. I utvärderingen analyserades projekt vid Nepal Peace Trust Fund (NPTF), IDEA International och Alliance for Peace. Dessutom analyserades det konceptuella sambandet mellan mänskliga rättigheter och de socialt inkluderande projekten vid OHCHR och NHRC. I arbetet ingick en dokument studie och en fältbaserad undersökning.

Finlands insatser hade en relevant flerdimensionell strategi och en bra sammansättning av biståndsorgan. Under 2006–2011 uppgick programstödet till 10,6 miljoner euro (14 % av Finlands totala stöd på 77 miljoner euro till Nepal). Programmet var kostnadseffektivt och strategiskt trots att en analys efter konflikten och en strategi för fredsbyggande saknades. Det var även anpassat till Finlands utvecklingspolitiska riktlinjer och Nepals fredsavtal, Comprehensive Peace Agreement (CPA), dock utan att beakta uppgörelsen fullt ut. De kompletterande projekten bidrog till fred, ökad säkerhet och en inkluderande demokrati. Dessutom stärkte projekten de nationella institutionernas kapacitet för samhällsstyrning och nådde ut till dem som påverkades av konflikten. Kvotering av kvinnor och sårbara grupper främjades i val och i den provisoriska grundlagen, och nationella handlingsplaner (bl.a. för FN:s säkerhetsråds resolutioner 1325 och 1820) fastställdes. Urvalet av stödmottagare var dock inadekvat och utsatt för politisk snedvridning.

Framtida åtgärder bör ge starkare långsiktigt stöd till kvinnor och sårbara grupper som påverkats av konflikten (3,7 % andel av NPTF) när det gäller försörjningsmöjligheter och hantering av trauman efter konflikten. Åtgärderna bör beakta systemhinder, byg-

ga upp kvinnornas, etniska minoriteters och andra sårbara gruppers kapacitet att påverka de demokratiska organen samt göra mer detaljerad data om förmånsberättigade för att stärka faktabasen.

Nyckelord: Nepal, kön, fredsbyggande, social sammanhållning, socialt inkluderande

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ABSTRACT

The evaluation looked at the gender and social inclusion in Finland's peace programme in Nepal (2006–2011), how it responded to root causes of conflict, and reached the people. This work complements a wider Danish-led joint-evaluation. Projects of the Nepal Peace Trust Fund (NPTF), IDEA International, and Alliance for Peace were studied. The evaluation also analysed the conceptual links of human rights to social inclusion in the projects of OHCHR and NHRC. A desk study and field-based investigation were made.

Finland responded with a relevant multidimensional strategy and a good mix of agencies. In 2006–2011, the assistance totalled €10.6 million (14% of Finland's €77 million support to Nepal). The programme was cost-efficient and strategic, despite the lack of post-conflict analysis and a peace-building strategy. It aligned with Finland's development policies and the Comprehensive Peace Agreement (CPA) of Nepal, yet did not fully address it. Projects were complementary, contributed to peace, increased security and inclusive democracy, strengthened the governing capacity of national institutions, and reached those affected by conflict. Affirmative action for women and vulnerable groups was endorsed by the elections and interim constitution, and major national action plans (including UNSCR 1325 and 1820) were established. However, the targeting of beneficiaries was inadequate and their selection subject to political bias.

Future actions should provide more long-term support to assist the conflict-affected, women and vulnerable groups (3.7% allocated by NPTF) in their livelihoods and post-conflict traumas. These actions should address systemic barriers, build up the capacities of women, ethnic minorities, and other vulnerable people to influence democratic bodies and disaggregate monitoring data of benefit eligibility to strengthen the evidence-base.

Key words: Nepal, gender, peace-building, social cohesion, social-inclusion

YHTEENVETO

Tarkoitus ja laajuus

Ulkoasiainministeriö teetti tämän evaluoinnin täydentääkseen Tanskan johdolla tehtyä kansainvälistä laajaa yhteisevaluointia ”Support to the Peace Process in Nepal during 2006–2011”. Tanskalaisten johtamassa yhteisevaluoinnissa arvioidaan osittain samoja ohjelmia ja hankkeita, joita Suomikin on tukenut. Tämän kapeampialaisen evaluoinnin tarkoituksena on luonnehtia Suomen panosta yhteiskunnallisesti osallistavan rauhanrakentamisen prosessiin Nepalissa ja sitä, voidaanko odottaa kestäviä tuloksia. Evaluoinnissa arvioidaan osallistavia lähestymistapoja, koordinointia ja toiminnallistamista. Toinen tavoite on evaluoida, miten Suomen rahoittamat aloitteet ovat saavuttaneet nepalilaiset, erityisesti konfliktin uhrin, naiset sekä erilaiset haavoittuvat ja syrjäytyneet ryhmät. Asiayhteyksien hahmottamiseksi tässä evaluoinnissa luodaan yleiskuvaa rauhanrakentamisponnistelujen edistymisestä ja niitä rajoittavista tekijöistä sekä analysoidaan sukupuolten tasa-arvon ja yhteiskunnallisen osallisuuden tilannetta Nepalissa. Evaluoinnissa tarkastellaan Suomen panosta seuraaviin ohjelmiin Nepalissa: Nepalin rauhanrahasto (NPTF), International IDEA ja Alliance for Peace (AfP). Lisäksi tarkastellaan Suomen roolia erilaisissa rauhanrakentamiskomiteoissa ja -työryhmissä, etenkin PSWG:ssä (Peace support Working Group), joka osallistui YK:n turvallisuusneuvoston päätöslauselmiin 1325 ja 1820 perustuvaan Nepalin kansalliseen toimintasuunnitelmaan. Vaikka tavoitteena ei ole evaluoida Suomen tukea YK:n ihmisoikeusvaltuutetun (OHCHR) Nepalin toimistolle ja Nepalin kansalliselle ihmisoikeuskomissiolle (NHRC), tuen yhteyttä sosiaaliseen osallisuuteen analysoidaan myös.

Menetelmät

Tämä evaluointi on luonteeltaan kvalitatiivinen ja muodostuu osaksi hanke- ja ohjelma-asiakirjojen, raporttien ja evaluointien sekä asiaan liittyvien tutkimusten perusteellisesta tarkastelusta. Siinä käytettiin taloudellisen yhteistyön ja kehityksen järjestön (OECD) kehitysapukomitean (DAC) evaluointikriteereitä (*tarkoituksenmukaisuus, tuloksellisuus, tehokkuus, kestävyys ja vaikutus*). Lisäksi tarkasteltiin *koordinointiin, johdonmukaisuuteen ja yhteistyöhön* liittyviä ratkaisevia kysymyksiä. Lisäkriteerejä, joita suositellaan rauhanrakentamisevaluointien kohdalla, olivat *osallistuminen ja paikallinen omistajuus* sekä *kattavuus*. Asiakirjatutkimusta täydennettiin kenttäkäynnin aikana tehdyillä havainnoilla, tapaamalla tuensaajien ja valtion viranomaisia. Kenttäkäynti toteutettiin neljällä konfliktin pahasti runtelemaalla alueella Nepalissa. Nämä olivat Siraha Itä-Nepalissa, Dolakha Keski-Nepalissa, Nawalparasi Länsi-Nepalissa ja Rolpan alue keskisessä Länsi-Nepalissa. Kentällä tehdyn evaluoinnin yleistavoite oli arvioida, miten konfliktin kaikkein haavoittuvimmat uhrin, naiset ja erilaiset haavoittuvat ryhmät oli saavutettu ja sitä, miten kestäviä tulosten voitiin olettaa olevan. Tämä raportti sisältää sekä asiakirja- ja muun aineiston tutkimisen ja kenttäkäynnin tulokset.

Konfliktin erittely

Konflikti sai alkunsa vaikeapääsyisellä vuoristoalueella keskisen Länsi-Nepalin keskuskukkuloilla, joita asuttaa merkittävä alkuperäisasukkaiden ryhmä. Konfliktin sy-

tyttivät valitukset etnisten vähemmistöjen sulkemisesta maaomaisuuden hallinnan ja valtion palveluntarjontamekanismin ulkopuolelle. Vuoden 2006 loppuun mennessä 13 347 ihmistä oli kuollut. Muita uhreja olivat orvoiksi jääneet ja kaapatut lapset, raiskatut naiset sekä kidutetut ja kotinsa jättämään joutuneet ihmiset. Vuosien kuluessa konflikti laajeni, ja Nepalin kommunistipuolue (maoistit) ottivat konfliktista vastuun. Vuonna 2006 päästiin sovintoon, jonka tuloksena oli rauha. Paikallisia konflikteja on siitä huolimatta esiintynyt edelleen, ja uudet yhteiskunnalliset sekä myös rikolliset ryhmät ovat esittäneet uusia valituksia ja vaatimuksia, erityisesti Terain alueella.

Osallistavan rauhanrakentamisen tilanne

Nepalin hallitus ja Nepalin maolainen kommunistipuolue (CPN-M) tekivät rauhansopimuksen marraskuussa 2006 ja sopivat pysyvään rauhaan johtavasta etenemissuunnitelmasta ja uuden, osallistavamman liittovaltiorakenteen perustamisesta. Tasa-arvosta, osallisuudesta, hyvästä hallinnosta, oikeusvaltion periaatteesta, sukupuolten tasa-arvosta ja valtion rakenneuudistuksesta tuli kattavan rauhansopimuksen keskeisiä piirteitä. Väliaikaisessa perustuslaissa ja hallinnossa on edistytty huomattavasti sukupuolten tasa-arvon ja yhteiskunnallisen osallisuuden osalta. Käytössä on uusia ja osallistavampia kansallisia politiikkoja ja elimiä. Uusia lakeja on laadittu ja muita tarkistettu. Sukupuolten tasa-arvoa ja yhteiskunnallista osallisuutta (GESI) koskeva politiikka paikallishallinnon tarpeisiin on laadittu yhdessä erilaisten sektorikohtaisten GESI-strategioiden kanssa. Merkittäviä kansallisia toimintasuunnitelmia on laadittu muun muassa YK:n turvaneuvoston päätöslauselmien 1325 ja 1820 perusteella. Merkittäviä rajoituksia on kuitenkin edelleen olemassa, kuten huono ihmisoikeustilanne, jatkuvat yhteiskunnalliseen syrjäytymiseen johtavat prosessit ja syrjivät sukupuoli- ja kastikäytännöt. Samalla kun yhteiskunnallisen osallisuuden puitteet ovat kansallisella tasolla parantuneet, osa yhteiskunnallisen osallisuuden prosesseista on pysähtynyt ja joitakin on peruttu. Perustuslakikokous hajotettiin 27. toukokuuta 2012; se ei onnistunut sopimaan perustuslaista ja liittovaltiorakenteesta, vaikka sen mandaattia pidennettiin neljä kertaa, kahdesta neljään vuoteen. Väliaikainen perustuslaki, jossa säädetään yhteiskunnallisesta osallisuudesta, pysyy kuitenkin voimassa.

Suomen rauhanohjelma

Tarkasti ottaen Suomella ei ole erillistä rauhanohjelmaa Nepalissa, mutta käytännössä sillä on erilaisista rauhanrakentamishankkeista koostuva hankesalkku. Hankkeissa tuetaan Suomen kokonaisvaltaista agenda, jossa keskitytään rauhanprosessiin, demokration kehittämiseen, hyvään hallintoon ja ihmisoikeuksien edistämiseen sekä eri ryhmien sukupuolten tasa-arvoon ja yhteiskunnalliseen osallisuuteen. Avun kokonaissumma on 10,6 miljoonaa euroa eli 14 % Suomen vuosina 2006–2011 kehitysyhteistyöhön Nepalissa osoittamasta 77 miljoonan euron kokonaisbudjetista. Suomi on käyttänyt rauhanrakentamisvarojaan strategisesti ja kustannustehokkaasti yhdistämällä voimavaroja muiden avunantajien kanssa, käyttäen laajaa kirjoa hankkeita toteuttavia järjestöjä ja silloin tällöin, tarpeen tullen, korkean tason laadukasta neuvontaa ja asiantuntemusta Suomesta. Hankkeet täydentävät toisiaan hyvin, vaikkei Suomi ole toteuttanut kokonaisvaltaista konfliktin jälkeistä arviointia, eikä laatinut rauhanrakentamisstrategiaa. YK:n ja Utsteinin -ryhmän vuosille 2010–2015 kehittämä Nepalin rauhan ja kehityksen strategia tarjoaa yleiset rauhanrakentamisohjeet kaikille avunantajille eri aloilla. Se

ei kuitenkaan tarjoa riittäviä käytännön ohjeita muuttuneessa konfliktin jälkeisessä tilanteessa, eikä sisällä muutosvaihetta ohjaavaa muutosteoriaa.

Nepalin rauhanrahasto

Suomi on muiden avunantajien kanssa tukenut Nepalín hallituksen suurta, kotimaista ja paikallisesti hallinnoitua rauhanrahasto-ohjelmaa (NPTF). Vuosina 2007–2011 Suomen osuus oli 6,5 miljoonaa euroa. Nepalín hallitus on rahoittanut kaksi kolmasosaa rahastosta. NPTF on tarjonnut hyvän tilaisuuden valtavirtaistaa yhteiskunnallista osallisuutta eri ministeriöiden ja muiden valtion virastojen rauhanrakentamishjelmissä, koska sillä on laaja, noin 275 täytöntöönpanoviraston muodostama verkosto 75 alueella. Hallinto ja varainhoito ovat siitä huolimatta osoittautuneet haastaviksi, ja toteutuksen aikana avunantajien on täytynyt tarjota erilaista kapasiteetin kehittämiseen liittyvää tukea. Se, ettei Nepalín hallituksella ja avunantajilla ole ollut käytännöllistä rauhanrakentamisstrategiaa, jonka avulla kattava rauhansopimus olisi voitu toiminnallistaa, on johtanut tilanteeseen, jossa varat eivät ole virranneet tasapuolisesti kaikille NPTF:n toimintaryhmille. NPTF:ssä käytetty implisiittinen muutoksen teoria on ohjannut ponnisteluja konfliktitilanteen vakauttamiseksi infrastruktuurin keinoin ja integroimalla nopeasti yhteiskuntaan taistelevien armeijoiden jäseniä ja kapinallisia. Kaikkiaan 19 602 tunnistettua maoistitaistelijaa on integroitu ja kuntoutettu väliaikaisen infrastruktuurin, olennaisten hyödykkeiden, turvaverkkomaksujen ja perusterveydenhuollon avulla. Tukikohtien infrastruktuuri on hyödyttänyt naapureita ja lähikyliä. Miinoja on raivattu. Ihmiset ovat arvostaneet lisääntyvää turvallisuudentunnetta ja liikkumisvapautta, joka on helpottanut heidän toimeentuloaan. Silti tasapainoisempi varojen jakaminen eri toimien välillä olisi vastannut paremmin ihmisten konfliktin jälkeisiin tarpeisiin. Koska puuttuvan infrastruktuurin (esimerkiksi poliisiasemien) rakentamiseen on ollut suuri tarve, ponnistelut yhteiskunnallisen osallisuuden, osallistavien prosessien ja yhteiskunnallisen yhteenkuuluvuuden edistämiseksi eivät ole saaneet riittävää huomiota. Tuen jakelumekanismit ja -prosessit eivät ole olleet riittävän avoimia, ja joidenkin avunsaajien tukikelpoisuus on kyseenalaistettu. Haavoittuvimmat ihmiset ovat kokeneet hakemusten käsittelyn hankalaksi. Myös perustuslakikouksen vaaleihin annettiin apua rahastosta. Kokemukset paikallisista rauhankomiteoista (LPC) 75 alueella ovat olleet sekalaisia: muutamat ovat suoraan ratkaisseet konflikteja, kun taas toiset ovat olleet tehottomia epäselvien toimeksiantojen, resurssien puutteen tai huonon hallinnon takia. Sukupuolikysymykset eivät ole saaneet riittävää rahoitusta ja huomiota.

International IDEA

Vuodesta 2009 saakka Suomi on tukenut 400 000 eurolla IDEAn osallistavaa perustuslain laatimista täydentäen muiden avunantajien tukea ohjelmalle. Tämä on ollut kustannustehokas ja strateginen valinta. IDEAlla on erinäisiä vahvuuksia, jotka ovat täydentäneet muita hankkeita. Laitoksena se saa helposti käyttöönsä asiantuntemusta ja kokemuksia muista maista ja muilta alueilta. Se on uskottava ja luotettava. Sillä on neutraali poliittinen agenda ja se toimii asiakaslähtöisesti tukien samalla yhteiskunnallista osallistamista ja osallistavia demokraattisia prosesseja. Sillä on perusteellinen poliittisten prosessien tuntemus, ja se voi joustavasti reagoida muuttuviin tilanteisiin. Työnsä ensimmäisen vaiheen aikana sitä on ohjannut pyrkimys laatia perustuslaki,

joka toteuttaisi sen uudistusagendan käytännössä kattavan rauhansopimuksen mukaisesti. Ensimmäisen vaiheen aikana laadittiin perustuslakiluonnos. Toisen vaiheen aikana painopiste siirtyi yhdistettyyn agendaan, jossa keskityttiin yhteiskunnalliseen osallisuuteen ja yhteenkuuluvuuteen. Eri komiteoiden ja ydinryhmien kapasiteettia kehitettiin korkean tason neuvontapalveluiden avulla – näihin kuului neuvontapalveluita ja teknistä ohjausta Suomesta – ja laatimalla komiteoiden työtä tukevia asiakirjoja. IDEAn työ on ollut erittäin menestyksekkästä ja urauurtavaa. Sen työstä voidaan oppia paljon, ja se pitäisi dokumentoida käytettäväksi muissa maissa. Ratkaisematta on vielä seuraavanlaisia IDEAn tunnistamia ongelmia: naisten ja haavoittuvien ryhmien osallistumista ja vaikutusta poliittisissa prosesseissa on vahvistettava, ja köyhien ja lukutaidottomien rajoitukset on otettava huomioon. Suojelusuhteisiin perustuva politiikka muodostaa toisen suuren haasteen.

Alliance for Peace

Poliittisten nuorisoryhmien ja opiskelijoiden tukeminen on toinen hyvä strateginen valinta, jonka Suomi on tehnyt yhdessä Tanskan kanssa, sillä poliittisilla nuoriso-osastoilla oli keskeinen rooli konfliktissa. Konfliktia lietsoisivat nuoret ja taisteluissa oli mukana nuoria maoistien ja turvallisuusjoukkojen riveistä. Nuoret on siten otettava mukaan yhteiskuntaan rakentavina jäseninä ja puolueidensa aktiivisina jäseninä, joilla on todellista vaikutusvaltaa. Puolueiden sisäisen toimintaympäristön haittoina ovat olleet epädemokraattiset prosessit, joihin hankkeessa on pyritty puuttumaan. Suomi on rahoittanut tätä kansalaisjärjestöä 210 000 eurolla vuodesta 2009 lähtien. AfP-hankkeen toimintasuunnitelma on sisältänyt viisi strategista tukitoimialaa: i) poliittisten nuoriso- ja opiskelijasiipien demokratisointi; ii) ihmisoikeuksien ja siirtymävaiheen oikeuden edistäminen; iii) konfliktin muuttuminen; iv) perustuslain laatiminen ja v) AfP Nepalin, sen kumppanijärjestöjen ja rauhanvuoropuheluun keskittyvien nuorisokeskusten institutionaalinen vahvistaminen. Hankkeen lähestymistapa oli konfliktinäkökohdat huomioon ottava, mutta valitettavasti sen edistymisestä ei juurikaan ole raportoitu. Muuten merkityksellisessä hankkeessa ei ole onnistuttu raportoimaan toimien ja tulosten välisistä yhteyksistä. Näistä vaikeuksista huolimatta on perustettu foorumi vuoropuhelulle, ja joitakin yksittäisiä tuloksia on saatu aikaan.

Ihmisoikeudet ja sosiaalinen osallisuus

Tässä työssä ei evaluoida ihmisoikeushankkeita. Sen sijaan analysoidaan ainoastaan käsitteellistä yhteyttä yhteiskunnalliseen osallisuuteen. Suomen apu kansallisten ihmisoikeuselinten, ihmisoikeudet huomioon ottavan oikeuden ja ihmisoikeusprosessien vahvistamiseksi edisti yhteiskunnallista osallisuutta. Suomi on antanut yhteensä 3,5 miljoonaa euroa taloudellista tukea YK:n ihmisoikeusvaltuutetun (OHCHR) Katmandun toimistolle vuosina 2005–2011 ja Nepalin ihmisoikeuskomissiolle (NHRC) niinkin aikaisin kuin vuodesta 2001 lähtien. Näin Suomi on ollut osa avunantajien ponnistuksia ihmisoikeuksien – joihin kuuluvat taloudelliset, yhteiskunnalliset ja kulttuuriset oikeudet – seurantaa koskevan kansallisen kapasiteetin vahvistamiseksi. EU:n ihmisoikeuksien puolustajien ryhmän aktivointi ja sen työsuhte vastaaviin paikallisiin ryhmiin vaikuttivat myös ratkaisevasti syrjäytyneiden yhteisöjen ihmisoikeustilanteen suojelemiseen, edistämiseen ja kunnioittamiseen poliittisen siirtymäkauden aikana. OHCHR:n työllä ennen sen Katmandun toimiston sulkemista vuoden 2011 lopul-

la oli monella tapaa välitön merkitys yhteiskunnalliselle osallisuudelle. OHCHR tuki lainsäädäntöä, jolla haluttiin oikaista *dalitien* kastittomuus, ja edisti samalla myös vammaisten henkilöiden oikeuksia ja alkuperäiskansojen oikeuksia koskevien YK:n yleis-sopimusten allekirjoittamista. Myös HIV/AIDS:ia koskevaa kansallista politiikkaa tarkistettiin. Joitakin yleistä etua koskevia kanteita nostettiin ja puolustettiin Nepalín korkeimmassa oikeudessa symbolisina tapauksina. Suomi avusti NHRC:tä ihmisoikeustapausten käsittelyssä tarkistaen syrjivää lainsäädäntöä, järjestäen julkisia kuulemisia ja toimien asiamiehenä syrjintä- ja ihmisoikeusloukkaustapauksissa. Yksi NHRC:n suurimmista haasteista on ollut se, ettei hallitus ole onnistunut panemaan täysimääräisesti täytäntöön monia komission antamista suosituksista, erityisesti vakavampia tapauksia koskevia. Tehdessään tätä tärkeää työtä NHRC:llä on myös ollut ongelmia oman asemansa kanssa. Lisärajoituksia on asettanut uusi lainsäädäntö ja määräys tuoda kaikki ihmisoikeustapaukset käsiteltäviksi kuuden kuukauden kuluessa. Tämä on merkittävä lisärajoitus haavoittuville ja syrjäytyneille yhteisöille, jotka joutuvat jo ponnistelemaan lujasti hankalien menettelyjen kanssa.

Päätelmä

Suomi edisti osaltaan merkittävästi rauhanrakentamista kokonaisvaltaisella ja moniulotteisella ohjelmalla: rauha saatiin aikaan; rauhanomaiset vaalit pidettiin; laadittiin väliaikainen perustuslaki, jossa säädetään yhteiskunnallisesta osallisuudesta ja sukupuolten tasa-arvosta, ja perustuslakikokouksessa oli varattu paikkoja naisille, nuorille ja haavoittuville ryhmille; syrjimättömiä lakeja ja kansallisia politiikkoja laadittiin ja tarkistettiin; kansallinen toimintasuunnitelma laadittiin YK:n turvallisuusneuvoston päätöslauselmien 1325 ja 1820 perusteella; naisten työryhmä perustettiin; ihmisoikeuselimä ja niiden toimintaa vahvistettiin; ihmisten, myös naisten, turvallisuudentunne lisääntyi; ja joitakin korvauksia maksettiin. Paikallisia rauhankomiteoita muodostettiin, ja muutamat niistä pitivät tehokkaasti rauhaa yllä. Ohjelma oli Nepalín ja Suomen hallitusten politiikan ja ennen kaikkea kattavan rauhansopimuksen mukainen. Silti siinä ei toteutettu täysimääräisesti moniakaan kattavan rauhansopimuksen suosituksista – jotka ovat tärkeitä sosiaalisen osallisuuden kannalta – konfliktin jälkeisen analyysin ja rauhanrakentamisstrategian puuttumisen takia. Hankkeissa ei myöskään tehty arviota rauhan ja konfliktin vaikutuksista. Naisten konfliktin jälkeisiin tarpeisiin, kuten kokonaisvaltaisiin toimeentulo-ohjelmiin, osoitettiin riittämättömästi varoja. Osaa NPTF:n varoista ei jaettu tukikelpoisille ihmisille. Syitä myönteisiin tuloksiin, kuten joidenkin paikallisten rauhankomiteoiden tuloksellisuuteen, ei analysoitu tai niin kokemuksia jaettu laajasti. Seurantajärjestelmistä puuttui sukupuolen perusteella ja sosiaalisesti jaoteltuja tietoja sekä selkeä yhteys toimien ja tulosten välillä. Ylhäältä alaspäin suuntautuva täytäntöönpano ja osallistumisen vähäisyys estivät reagoinnin ihmisten konfliktin jälkeisiin tarpeisiin. Paikkojen varaamisen ja mahdollisuuksien antamisen hyödyt taas eivät toteutuneet, koska pelkkä paikkojen saaminen ei taannut valtaa. Ohjelmasta saatiin kolme opetusta, joihin on kiinnitettävä enemmän huomiota tulevaisuudessa: i) kulttuurin myönteinen rooli rauhanrakentamisessa ja yhteiskunnallisen yhteenkuuluvuuden kannalta; ii) kohdentamisen rakenteelliset esteet palvelujen ja etujen jakelussa; ja iii) suojelusuhteisiin perustuva yhteiskuntajärjestelmä ja asiakaskäytännöt.

Suosituks

Keskeisiä suosituksia ovat seuraavat: vahvistetaan konfliktin jälkeistä ja rauhanrakentamisen analyysia; laaditaan sektorikohtaiset ohjeet, jotka eivät ainakaan heikennä tilannetta, ja tehdään rauhan ja konfliktin analyysi (Peace and Conflict Analysis, PCIA); kootaan ja jaetaan hyviä käytäntöjä ja parhaita yhdistelmiä; laaditaan yhteiskunnallisen yhteenkuuluvuuden strategioita; otetaan seksuaalisen väkivallan ja traumojen uhrin mukaan korvausjärjestelmiin; kehitetään muutosteoriaa; analysoidaan rakenteellisia esteitä ja puututaan niihin; otetaan käyttöön laajakantaisia toimeentulojärjestelmiä, erityisesti haavoittuvimmille ihmisille; pannaan paremmin täytäntöön naisten konfliktin jälkeisiä tarpeita koskevat sitoumukset Nepalin hallituksen kansallisessa toimintasuunnitelmassa ja talousarviossa; vahvistetaan näyttöön perustuvaa seuranta sukupuolen ja yhteiskunnallisen aseman perusteella jaoteltujen tietojen avulla; perustetaan vastuurakenteen instituutioita; ja parannetaan osallistumisen laatua.

SAMMANFATTNING

Syfte och omfattning

Utrikesministeriet i Finland (UM) har beställt denna utvärdering som ett komplement till den internationella utvärderingen "Support to the Peace Process in Nepal during 2006–2011", som genomfördes under dansk ledning. Den danska utvärderingen omfattar delvis samma program och projekt som Finland har stött. Syftet med denna utvärdering är att bedöma Finlands bidrag till en socialt inkluderande process för fredsbyggande i Nepal och om hållbara resultat kan förväntas. I utvärderingen bedöms omfattningen, samordningen och tillämpningen av ett inkluderande förhållningssätt. Målet är att utvärdera hur initiativ som Finland finansierat nått ut till det nepalesiska folket, särskilt till kvinnor och olika sårbara och marginaliserade grupper som påverkats av konflikten. Sammanhanget beskrivs genom analyser av hur de fredsbyggande insatserna har framskridit, deras begränsningar och läget för könsrelaterat och socialt inkluderande i Nepal. I utvärderingen granskas Finlands bidrag till följande program i Nepal: Nepal Peace Trust Fund (NPTF), International IDEA (IDEA) och Alliance for Peace (AfP). Dessutom granskas Finlands roll i olika fredsbyggande kommittéer och arbetsgrupper, särskilt Peace Support Working Group (PSWG), som ingår i handlingsplanen Nepal Action Plan on 1325 and 1820. Även om målet inte är att utvärdera Finlands stöd till the Nepal Office of the High Commissioner for Human Rights (OHCHR) och the National Human Rights Commission (NHRC) analyseras sambandet mellan detta stöd och socialt inkluderande.

Metoder

Utvärderingen är kvalitativ till sin natur och består av en noggrann granskning av projekt och programdokument, rapporter och utvärderingar samt relevanta studier. Vid utvärderingen tillämpades utvärderingskriterier som antagits av biståndskommittén (DAC) inom Organisationen för ekonomiskt samarbete och utveckling (OECD) (*relevans, effektivitet, ändamålsenlighet, hållbarhet och effekt*). Dessutom beaktas viktiga frågor kring *samordning, samstämmighet* och *samarbete*. Andra rekommenderade kriterier vid utvärdering av fredsbyggande är bl.a. *deltagande och lokalt ägarskap* samt *täckning*. En fältutvärdering i interaktion med rättighetsinnehavare och statliga myndigheter kompletterade dokumentgranskningen. Fältutvärderingen genomfördes i fyra distrikt som påverkats hårt av konflikten: Siraha i östra regionen, Dolakha i centralregionen, Nawalparasi i västra regionen och Rolpa i mellanvästra regionen. Fältutvärderingens övergripande mål var att bedöma hur man nått ut till befolkningen, kvinnor och olika sårbara grupper som påverkats av konflikten och om hållbara resultat kan förväntas. Resultaten av båda forskningsdelarna har sammanställts i den föreliggande rapporten.

Beskrivning av konflikten

Konflikten i Nepals mellanvästra region uppstod i ett svårframkomligt bergsområde, där det finns en stor ursprungsbefolkning. Den tändande gnistan var missnöje med att etniska minoriteter utestängdes från markförvaltning och statens mekanismer för tillhandahållande av service. Vid utgången av 2006 hade 13 347 personer dödats. An-

dra konsekvenser var bl.a. föräldralösa och kidnappade barn, tvångsförflyttade och torterade personer och våldtagna kvinnor. Konflikten utvidgades under årens lopp och övertogs av Nepals kommunistiska parti (maoistiskt). En fredsuppgörelse nåddes 2006. Trots detta förekommer fortfarande lokala konflikter som uttrycker nytt missnöje och krav som framförs av nya sociala grupper och även av kriminella grupper, särskilt i Terai-området.

Läget för fredsbyggande som inkluderar alla

Nepals regering och kommunistpartiet Communist Party of Nepal-Maoist (CPN-M) slöt en fredsuppgörelse i november 2006. I den ingick en färdplan för varaktig fred och uppbyggnad av en ny och mer inkluderande federal struktur. Jämlikhet, inkluderande, god samhällsstyrning, rättsstaten, kön och omstrukturering av staten blev viktiga teman i CPA. När det gäller könsrelaterat och socialt inkluderande har betydande framsteg gjorts i den provisoriska grundlagen och inom samhällsstyrning. Nya och mer inkluderande politiska program och institutioner har skapats. Nya lagar har stiftats och andra har reviderats. Programmet Gender and Social Inclusion (GESI) för den lokala förvaltningen har införts tillsammans med olika sektorsvisa GESI-strategier. Nationella handlingsplaner (NAP) har fastställts, bl.a. för FN:s säkerhetsråds resolution (UNSCR) 1325 och 1820. Stora begränsningar finns dock kvar, bl.a. svaga resultat i fråga om mänskliga rättigheter, fortsatt socialt utestängande processer och diskriminerande könsrolls- och kastrelaterad praxis. Förbättringar har skett i ramverket för socialt inkluderande på nationell nivå, men en del processer för större socialt inkluderande har avstannat och vissa t.o.m. gått bakåt. Nepals konstitutionella församling (CA) upplöstes den 27 maj 2012 efter att man misslyckats med att komma överens om en konstitutionell och federal struktur trots att dess mandat förlängdes fyra gånger, från två till fyra år. Den provisoriska grundlagen, som ger ett mandat för socialt inkluderande, förblir dock i kraft.

Finlands fredsprogram

Finland har egentligen inte något separat fredsprogram för Nepal, men i praktiken finns det en helhet bestående av olika fredsskapande projekt som stöder Finlands övergripande agenda för fredsprocessen, demokratisk utveckling, god samhällsstyrning och främjande av mänskliga rättigheter samt könsrelaterat och socialt inkluderande av olika grupper. Programstödet är sammanlagt 10,6 miljoner euro, 14 % av Finlands biståndsbudget för Nepal 2006–2011, som totalt uppgår till 77 miljoner euro. Finland har använt sina ekonomiska medel för fredsbyggande strategiskt och kostnadseffektivt genom poolfinansiering tillsammans med andra givare och ett stort urval av biståndsorgan. Vid behov har man ibland skaffat högklassig rådgivning och expertis från Finland. Programmets komplementaritet är god, även om Finland saknade en heltäckande analys efter konflikten och en utarbetad strategi för fredsbyggande. The Nepal Peace and Development Strategy är en strategi för 2010–2015 som utarbetats av Förenta nationerna (FN) och Utstein Group. Den innehåller övergripande riktlinjer för fredsbyggande till alla givare inom de olika områdena, men inte tillräcklig praktisk vägledning i det förändrande läget efter konflikten eller en förändringsteori som skulle kunna ge vägledning i omställningen.

Nepal Peace Trust Fund

Finland har tillsammans med andra givare gett stöd till den nepalesiska regeringens stora inhemska NPTF-program, som administreras lokalt. Under 2007–2011 bidrog Finland med 6,5 miljoner euro. Regeringen i Nepal har finansierat två tredjedelar av fonden. NPTF har erbjudit goda möjligheter att införliva socialt inkluderande i olika ministeriers och andra statliga organs program för fredsbyggande genom sitt stora implementeringsnätverk med cirka 275 organ i 75 distrikt. Däremot har administration och ekonomisk förvaltning av programmet medfört utmaningar som tvingat givarna att tillhandahålla olika typer av stöd för kapacitetssuppbbyggnad under genomförandet. Nepals regering och givarna har saknat en pragmatisk strategi för fredsbyggande i tillämpningen av CPA, vilket lett till att medel inte fördelats likvärdigt till alla verksamhetskluster inom NPTF. Den implicita förändringsteori som tillämpas i NPTF har gett insatserna stöd för en stabilisering av konflikten med hjälp av infrastruktur och snabb integrering av stridande styrkor och rebeller. Totalt har 19 602 verifierade ma-
oistkrigare integrerats och rehabiliterats i samhället genom tillhandahållande av tillfälligt infrastruktur, essentiella förnödenheter, skyddsnät med utbetalning av stöd och grundläggande hälsovård. Infrastrukturen som byggts för polisstationerna har gynnat grannar och angränsande byar. Minröjning har skett. Människor har uppskattat den ökande känslan av säkerhet och rörelsefrihet som främjat deras försörjningsmöjligheter. En mer balanserad fördelning av medel till klustren skulle dock ha kunnat möta befolkningens behov efter konflikten ännu bättre. Ett brådskande behov av att bygga infrastruktur som saknas (t.ex. polisstationer) har medfört att socialt inkluderande, processer för ökad delaktighet och insatser för att främja social sammanhållning inte har uppmärksamats tillräckligt. Fördelningsmekanismerna och -processerna har inte varit tillräckligt transparenta och i vissa fall har stödmottagarnas rätt till stöd ifrågasatts. De personer som är mest sårbara har haft svårt att genomföra ansökningsprocessen. Stöd har också gått till valet av den konstitutionella församlingen. Erfarenheterna av lokala fredskommittéer (LPC) i 75 distrikt har varit blandade: några har åstadkommit direkta lösningar på konflikter medan andra har varit ineffektiva på grund av oklara befogenheter, resursbrist eller svag ledning. Jämställdhetsfrågor har inte fått tillräcklig finansiering eller uppmärksamhet.

International IDEA

Finland har sedan 2009 gett 400 000 euro i stöd till IDEA:s inkluderande konstitutionsbyggande som ett komplement till övrigt givarstöd till programmet. Detta har varit ett kostnadseffektivt och strategiskt val. IDEA:s starka sidor har kompletterat andra projekt. Som institution har IDEA god tillgång till expertis och erfarenheter från andra länder och regioner. IDEA är tillförlitligt och trovärdigt. Institutionen har en neutral politisk agenda som tar hänsyn till klienterna samtidigt som socialt inkluderande och deltagande i demokratiska processer stöds. IDEA har ingående kunskap om politiska processer och flexibilitet att hantera föränderliga situationer. I den första fasen har institutionen varit angelägen om att skapa en grundlag som förklarar dess reformagenda och i praktiken ligger den också i linje med CPA. Ett utkast till grundlag togs fram i den första fasen. I den andra fasen har fokus förflyttats till en samlad agenda för socialt inkluderande och social sammanhållning. De olika kommittéernas

och gruppernas kapacitet har byggts upp med hjälp av högklassiga rådgivningstjänster, bl.a. rådgivning och teknisk hjälp från Finland, och beredning av dokument som stöd för kommittéarbetet. IDEA:s arbete har varit mycket framgångsrikt och banbrytande. Det har gett många lärdomar, som bör dokumenteras för användning i andra länder. Klyftorna som IDA identifierat kvarstår och ska beaktas även i fortsättningen genom att man stärker kvinnornas och sårbara gruppers deltagande och inflytande i politiska processer och tar hänsyn till begränsningarna hos fattiga och analfabeter. Dessutom är klientelismen inom politiken en stor utmaning.

Alliance for Peace

Stödet till politiska ungdomsgrupper och studerande är ytterligare ett gott strategiskt val som Finland har gjort tillsammans med Danmark. Politiska ungdomsfalanger hade en nyckelroll i konflikten, som underblåstes och utkämpades av unga människor bland maoisterna och säkerhetsstyrkorna. Unga människor måste därför inkluderas som konstruktiva medlemmar i samhället och som aktiva medlemmar med verkligt inflytande i sina partier. Partierna har lidit av odemokratiska interna processer, vilket projektet har försökt avhjälpa. Finland har samfinansierat AfP, en icke-statlig organisation (NGO), med 210 000 euro sedan 2009. I AfP-projektets verksamhetsplan ingår fem strategiska insatsområden: i) demokratisering av den politiska ungdomen och studentfalangerna, ii) främjande av mänskliga rättigheter och rättvisa vid övergången, iii) omställning efter konflikten, iv) skapande av en grundlag och v) institutionell förstärkning av AfP Nepal, dess partnerorganisationer och fredsdialogcenter för unga. Projektet har tagit stor hänsyn till konflikten i sitt förhållningssätt, men det är beklagligt att dess framsteg till stor del är orapporterade. Det i övrigt relevanta projektet har försummat att rapportera om sambandet mellan dess åtgärder och resultaten. Trots svårigheterna har en plattform för dialog skapats och vissa individuella resultat uppnåtts.

Mänskliga rättigheter och socialt inkluderande

Denna undervärdering utvärderar inte projekt om mänskliga rättigheter. I stället analyseras endast det konceptuella sambandet med social integration. Finlands stöd för att stärka nationella institutioner för mänskliga rättigheter, rättvisa och processer relaterade till mänskliga rättigheter har bidragit till socialt inkluderande. Genom det ekonomiska stödet på 3,5 miljoner euro till Kathmandu OHCHR 2005–2011 och till NHRC ända sedan 2001 har Finland bidragit till givarnas insatser för att stärka Nepals kapacitet för övervakning av mänskliga rättigheter, inklusive ekonomiska, sociala och kulturella rättigheter (ESCR). Aktiveringen av gruppen EU Human Rights Defenders (HRD) och dess arbetsrelation med lokala HRD gav viktig information om hur mänskliga rättigheter skyddas, främjas och respekteras i ett läge där marginaliserade samhällen befinner sig i en politisk övergångsprocess. Före stängningen av OHCHR:s Kathmandukontor i slutet av 2011 hade dess arbete på många sätt direkt betydelse för socialt inkluderande. OHCHR stödde lagstiftning om ändring av oberörbarheten för *daliter och främjade* ett undertecknande av FN:s konvention om rättigheter för personer med funktionsnedsättning och FN:s deklaration om ursprungsfolkens rättigheter. Den nationella HIV/AIDS-politiken reviderades. Några uppmärksammade fall med

allmänintresse fördes till Högsta domstolen och försvarades där. Finland har hjälpt NHRC med att driva fall som handlar om mänskliga rättigheter, granskningen av diskriminerande lagar, offentliga utfrågningar och juridiskt stöd i samband med diskriminering och brott mot mänskliga rättigheter. En av kommissionens största utmaningar har varit att regeringen i många fall, särskilt i de mest allvarliga, inte lyckats genomföra kommissionens rekommendationer fullt ut. Medan NHRC utfört sitt viktiga arbete har den brottats med sin status. Ny lagstiftning och bestämmelsen om att alla fall som gäller mänskliga rättigheter ska inledas inom sex månader har medfört ytterligare begränsningar. Detta är en allvarlig begränsning för sårbara och marginaliserade samhällen som redan kämpar med svårhanterliga procedurer.

Slutsatser

Finland har bidragit till betydande fredsbyggande effekter genom ett övergripande och flerdimensionellt program: fred skapades, fredliga val hölls, en provisorisk grundlag som ger ett mandat för könsrelaterat och socialt inkluderande skapades med reserverade platser för kvinnor, unga och sårbara grupper i CA. Dessutom skapades och reviderades icke-diskriminerande lagar och nationella politiska program. NAP för resolution 1325 och 1820 skapades, en parlamentarisk kvinnogrupp bildades, institutionerna för mänskliga rättigheter och deras verksamhet stärktes. Befolkningens känsla av säkerhet ökade, även kvinnornas, och viss kompensation gavs. LPC-kommittéer bildades och flera av dem kunde hjälpa till att bevara freden. Programmet var i linje med riktlinjerna från regeringarna i Nepal och Finland och inte minst CPA. Flera viktiga CPA-åtaganden relaterade till socialt inkluderande uppfylldes dock inte i programmet eftersom det saknades en heltäckande analys efter konflikten och en strategi för fredsbyggande. I projekten gjordes inga bedömningar av de freds- och konflikterelaterade effekterna. De tilldelade medlen för kvinnornas behov efter konflikten, däribland övergripande försörjningsprogram, var otillräckliga. En del av NPTF-medlen förmedlades till personer som inte var berättigade till stöd. Orsakerna till de positiva resultaten, t.ex. vissa LPC-kommittéers effektivitet, varken analyserades eller förmedlades vidare. I uppföljningssystemen saknades en uppdelning av data enligt kön och social grupp liksom en klar koppling mellan åtgärder och resultat. Genomförandet uppifrån och ner och en bristande delaktighet gav inte möjlighet till att beakta människornas behov efter konflikten samtidigt som fördelarna med reserverade platser och kvotering inte realiserades eftersom platserna inte ger någon makt per automatik. Tre faktorer som behöver uppmärksammas mer i framtiden har framkommit: i) Kulturens positiva roll i fredsbyggande och social sammanhållning, ii) systemhinder vid fördelningen av service och förmåner och iii) klientelism i det sociala systemet.

Rekommendationer

Viktiga rekommendationer är bl.a. att satsa mer på efteranalyser relaterade till konflikten och analyser av fredsbyggande, skapa sektorsvisa riktlinjer som inte vållar skada och utföra freds- och konfliktanalyser (PCIA), samla och dela god praxis och bästa anpassningar, utarbeta strategier för social sammanhållning, inkludera offer för sexuellt våld och trauman i kompensationsprogram, utveckla förändringsteorin, analysera och beakta systemhinder, introducera övergripande program för bättre försörjnings-

möjligheter, i synnerhet för de mest sårbara grupperna, förbättra genomförandet av den nepalesiska regeringens NAP och budgetåtaganden avseende kvinnornas behov efter konflikten, utveckla en faktabaserad uppföljning genom uppdelning av data på kön och social grupp, skapa institutioner för ansvarsutkrävande och förbättra kvaliteten på deltagande.

SUMMARY

Purpose and scope

The Ministry for Foreign Affairs of Finland (MFA) has commissioned this sub-evaluation to complement the Danish-led international evaluation "Support to the Peace Process in Nepal during 2006–2011". The Danish evaluation will partly assess the same programmes and projects which Finland has also supported. The purpose of the sub-evaluation is to assess the contribution that Finland has made towards a socially inclusive peace-building process in Nepal and whether sustainable outcomes can be expected. This sub-evaluation assesses the scope, coordination and operationalisation of inclusive approaches. Another objective is to evaluate how Finland-financed initiatives have reached the Nepalese people, especially the conflict-affected, women and various vulnerable and marginalised groups. To set the context, the sub-evaluation gives an overview of the progress and constraints for peacebuilding efforts, together with the analysis of the status of gender and social inclusion in Nepal. The sub-evaluation reviews Finland's contribution to the following programmes in Nepal: Nepal Peace Trust Fund (NPTF), International IDEA (IDEA) and Alliance for Peace (AfP). Finland's role in various peace-building committees and working groups is also reviewed, especially in the Peace Support Working Group (PSWG) involved in the Nepal Action Plan on 1325 and 1820. Although the objective is not to evaluate Finland's support to the Nepal Office of the High Commissioner for Human Rights (OHCHR) and the National Human Rights Commission (NHRC), its link to social inclusion is also analysed.

Methods

The sub-evaluation is qualitative by its nature and has consisted of a thorough review of project and programme documents, reports and evaluations, as well as relevant studies. The sub-evaluation used the evaluation criteria of the Development Assistance Committee (DAC) of the Organisation for Economic Cooperation and Development (OECD) (*relevance, effectiveness, efficiency, sustainability and impact*). Critical issues related to *coordination, coherence and cooperation* are also addressed. Additional criteria, recommended for peace building evaluations, include *participation and local ownership* as well as *coverage*. A field assessment, interacting with right holders and state authorities, complemented the document review. It was carried out in four severely conflict-affected districts in Nepal: Siraha in the Eastern Region, Dolakha in the Central Region, Nawalparasi in the Western Region and the Rolpa district in the Mid-Western Region. The overall objective of the field evaluation was to assess how conflict-affected people, women and various vulnerable groups have been reached, and whether sustainable outcomes can be expected. The results of both of these exercises have been combined into the present comprehensive report.

Anatomy of conflict

The conflict originated in Nepal in a poorly accessible mountainous area in the middle-hills of the Mid-Western Region, populated by a major indigenous group. Grief-

ances over the exclusion of ethnic minorities from land administration and the state service-delivery mechanism ignited the conflict. By the end of 2006, 13,347 people had been killed. Other casualties included children who were orphaned and abducted, people who were displaced and tortured, and women who were raped. Over the years, the conflict expanded and the cause of the conflict was adopted by the Communist party of Nepal (Maoist). A settlement was reached in 2006 which resulted in peace. Local incidences of conflict have, nevertheless, continued with new grievances and demands taken up by new social as well as criminal groups, especially in the Terai area.

Status of inclusive peacebuilding

The Government of Nepal and the Communist Party of Nepal-Maoist (CPN-M) agreed on a peace settlement in November 2006, with a roadmap to a lasting peace and the construction of a new, more inclusive federal government structure. Equity, inclusion, good governance, rule of law, gender equality and restructuring of the State became key features of the Major progress on gender and social inclusion in the interim constitution and governance has been made. New and more inclusive national policies and institutions are in place. New laws have been drafted and others amended. Gender and Social Inclusion (GESI) Policy for local government has been established together with various sectoral GESI strategies. Major national action plans (NAP) have been established, including on United Nations Security Council Resolution (UNSCR) 1325 and 1820. Yet, major constraints remain, including poor records on human rights, continuing socially exclusive processes and discriminating gender and caste practices. At the national level, while frameworks for social inclusion have improved, part of the social inclusion processes have stalled and some have been backtracked. The Constitution Assembly (CA) was dismantled on 27 May 2012, having failed to agree on a constitution and federation structure, even after its tenure was extended four times, from two to four years. The interim constitution with its mandate on social inclusion will, however, remain in effect.

Finland's peace programme

Strictly speaking, Finland has no separate peace programme in Nepal, but in practice, it has a portfolio of various peacebuilding projects that support Finland's comprehensive agenda of peace process, democracy development, good governance and promotion of human rights as well as gender and social inclusion of various groups. The assistance totals €10.6 million, 14% of Finland's €77 million total development budget for Nepal in 2006–2011. Finland has used its peacebuilding funds strategically and cost-efficiently by pooling with other donors, with a broad selection of implementing agencies and at times, when required, with high-level quality advice and expertise from Finland. There is a good complementarity, although there was no comprehensive post-conflict assessment or a peacebuilding strategy by Finland. The Nepal Peace and Development Strategy developed by the United Nations (UN) and the Utstein Group for 2010 to 2015 provides broad guidelines for peacebuilding for all the donors in various areas. It does not, however, provide sufficient practical guidance in the changed post-conflict situation nor does it include a change theory to guide transformation.

Nepal Peace Trust Fund

Finland, with other donors, has supported the large, home-grown and locally managed NPTF programme of the Nepalese government. From 2007 to 2011, Finland's contribution was €6.5 million. The Nepalese Government has financed two-thirds of the fund. The NPTF has provided a good scope to mainstream social inclusion in the peacebuilding programmes of various ministries and other state agencies, because of its wide implementation network of approximately 275 line agencies in 75 districts. Administration and financial management have, nevertheless, proven challenging and during execution, donors have had to provide various types of capacity building support. The lack of a pragmatic peacebuilding strategy by the Nepalese government and the donors to operationalise the CPA has led to a situation, where the funds have not flowed equally to all NPTF activity clusters. The implicit theory of change used in the NPTF has led the efforts to stabilise the conflict situation with infrastructure and to quickly integrate the fighting armies and rebels. Altogether, 19,602 verified Maoist combatants have been integrated and rehabilitated with temporary infrastructure, essential utilities, safety net payments and basic health care. Infrastructure facilities in the cantonments have benefited neighbours and adjacent villages. Mines have been cleared. People have appreciated the increasing sense of security and freedom of movement that has benefited their livelihoods. Yet a more balanced cluster distribution of funds would have better assisted the post-conflict needs of the people. Because of the urgent need to build missing infrastructure (e.g. police stations), social inclusion, participatory processes and social cohesion efforts have not received sufficient attention. Distribution mechanisms and processes have not been sufficiently transparent and the eligibility of some beneficiaries has been questioned. Most vulnerable people have found it difficult to process applications. Assistance was also given to the constitutional assembly elections. The experience with the LPCs in 75 districts has been mixed: a few have directly dissolved conflicts while others have been ineffective due to unclear mandates, lack of resources or poor management. Gender concerns have not received sufficient funding and attention.

International IDEA

Since 2009, Finland has given €400,000 to support IDEA's inclusive constitution building as a complement to other donor support for the programme. This has been a cost-efficient and a strategic choice. IDEA has various strengths that have complemented other projects. As an institution, it has easy access to expertise and experiences from other countries and regions. It is credible and trustworthy. It has a neutral political agenda with client sensitivity while supporting social inclusion and participatory democratic processes. It has a thorough understanding of political processes and the flexibility to respond to changing situations. During the first phase of its work, it has been guided by a concern for designing a constitution that would realise its reform agenda, in practice, in line with the CPA. A draft constitution was completed during the first phase. During the second phase, the focus shifted to a combined social inclusion and social cohesion agenda. The capacity of various committees and caucuses was built with high-level advisory services – including advisory services and technical guidance from Finland – and by preparing papers to support committee

work. IDEA's work has been highly successful and pioneering. Much can be learned from its work that should be documented for use in other countries. Gaps, identified by IDEA, remain to be addressed in strengthening the participation and influence of women and vulnerable groups in political processes and reflecting the constraints of the poor and illiterate. Patronage-based politics present another major challenge.

Alliance for Peace

Supporting the political youth groups and students is another good strategic choice that Finland has made together with Denmark, as political youth wings played a key role in the conflict. The conflict was fuelled and fought by young people among the Maoists and the security forces. Young people, therefore, need to be included as constructive members in society and as active members with real influence in their parties. The intra-party environment has been plagued with undemocratic processes which the project has tried to address. Finland has co-financed this non-governmental organisation (NGO) with €210,000 from 2009 onwards. The operational plan of the AfP project has included five strategic areas of interventions on i) democratisation of the political youth and student wings; ii) promotion of human rights and transitional justice; iii) conflict transformation; iv) constitution building; and v) institutional strengthening of the AfP Nepal, its partner organisations and youth peace dialogue centres. The project has had a conflict-sensitive approach, but its progress, unfortunately, has remained largely unreported. The otherwise relevant project has failed to report on links between activities and outcomes. Despite these difficulties, a platform for dialogue has been established and some individual results have been made.

Human rights and social inclusion

This sub-evaluation does not evaluate human rights projects. Instead, it analyses only the conceptual link to social inclusion. Finland's assistance to strengthen national human rights institutions, justice with human rights and human rights processes contributed to social inclusion. Through its combined financial support of €3.5 million to the Kathmandu OHCHR in 2005 to 2011 and the NHRC from as early as 2001 onwards, Finland has been part of the donor efforts to strengthen national capacity on monitoring human rights, including economic, social and cultural rights (ESCR). The activation of EU Human Rights Defenders' (HRD) group and its working relationship with local HRDs were also critical inputs for protecting, promoting and respecting the human rights situation of marginalised communities during political transition. OHCHR's work, prior to closing its Kathmandu office at the end of 2011, was directly relevant to social inclusion in a number of ways. OHCHR supported legislation to redress the untouchability of *Dalits*, while also promoting the signing of the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Rights of Indigenous Peoples. The national policy on HIV/AIDS was also revised. A few public interest litigation issues were filed and defended in the Supreme Court as emblematic cases. Finland assisted the NHRC in processing human rights cases, reviewing discriminatory laws, holding public hearings and advocating for discrimination and human rights violations. One of the biggest challenges facing the commission has been the failure of the government to fully implement many recom-

mentations it has made, especially on most serious cases. While carrying out this important work, NHRC has also struggled with its own status. Additional constraints have come from new legislation and a stipulation to submit all human rights cases within six months, a serious additional constraint for the vulnerable and marginalised communities already struggling with cumbersome procedures.

Conclusion

Finland contributed to major peace impacts with a comprehensive and multidimensional programme: peace was established; peaceful elections were held; an interim constitution with a mandate on social inclusion and gender was established with reservations for women, youth and vulnerable groups in the CA; non-discriminatory laws and national policies were established and amended; NAP on 1325 and 1820 was established; a women's caucus was established; human rights institutions and their operations were strengthened; a sense of security of the people, including that of women, was increased; and some compensations were delivered. LPCs were formed and a few of them effectively maintained peace. The programme was in line with the policies of the governments of Nepal and Finland, and most importantly with the CPA. Yet, it did not fully realise many commitments of the CPA – important for social inclusion – because of a lack of post-conflict analysis and peacebuilding strategy. Projects did not carry out a peace and conflict impact assessment either. Insufficient funds were allocated to the post-conflict needs of women, including holistic livelihood programs. Part of the NPTF funds was not distributed to eligible people. The reasons for positive results, such as the effectiveness of a few LPCs, were not analysed nor widely shared. Monitoring systems lacked gender and socially disaggregated data as well as a clear connection between activities and results. Top-down implementation and a lack of participation prevented responses to people's post-conflict needs, while the benefits of the reservation and affirmative action were not realised, because power did not follow by just getting the seats. Three lessons which require more attention in the future were learned: i) Positive role of culture in peacebuilding and for social cohesion; ii) systemic barriers in targeting when distributing services and benefits; and iii) social system of patronage with client practices.

Recommendations

Key recommendations include the following: strengthen post-conflict and peacebuilding analysis; create do-no-harm sectoral guidelines and Peace and Conflict Analysis (PCIA); harvest and share good practices and best fits; build up social cohesion strategies; include victims of sexual violence and traumas in compensation schemes; develop change theory; analyse and address systemic barriers; introduce broad-based livelihood schemes, especially for the most vulnerable; better implement the Nepalese government's NAP and budget commitments on post-conflict needs of women; strengthen evidence-based monitoring with gender and socially disaggregated data; establish accountability institutions; and improve the quality of participation.

Summary of findings, conclusions and recommendations

Key findings	Conclusions	Recommendations
The strategy and approach		
Multi-pronged program with various types of implementing agencies and approaches was highly relevant to inclusive peacebuilding.	<ul style="list-style-type: none"> • It addressed key root causes with a mix of complementary projects and approaches. • The comprehensive approach suited well for peacebuilding as challenges are complex and multidimensional. • There were complementarities but synergy could be strengthened. • There was no explicit change theory. 	Strengthen synergy between various projects by post-conflict- and peacebuilding analysis with a change theory with set of conflict-sensitive indicators to guide transformation.
Social inclusion is at the centre of all projects, supported by Finland.	<ul style="list-style-type: none"> • Major results have been produced e.g. peaceful and well-managed elections, preparation of interim constitution with affirmative action and inclusive mandates for participation (quotas) of women and vulnerable groups. • Institutions are in place but good practice does not always follow. 	<ul style="list-style-type: none"> • Analyse and tackle exclusive processes in formally inclusive institutions that sideline women and members of vulnerable groups from full participation and influence. • Strengthen quality of participation. • Strengthen the active role of women and vulnerable sections of populations in formal bodies.
Progress has been made but it gets rarely recorded and shared.	Peacebuilding is a complex and gradual process where learning and sharing needs to be at the centre of the process.	<ul style="list-style-type: none"> • Harvest innovations and scope qualitative shifts as early signals of transformation. • Share widely good practices and best fits. • Recognise and award “peace builders” and best fits.

<p>Social inclusion is at the centre of the peacebuilding programme but social cohesion, mandated by the CPA and included in the mandate of NPTF has received some attention only in the IDEA project.</p>	<p>Social inclusion requires to be complemented with social cohesion approaches that promote inter-sectional efforts and civic virtues among the population.</p>	<ul style="list-style-type: none"> • Include social cohesion strategies in peace-building programs together with social inclusion to promote interaction between socio-cultural groups and common civic virtues. • Encourage government to arrange civic education that strengthens shared citizenship. • Harvest and apply endogenous practices such as cultural values and practices that build social cohesion and strengthen common identity.
<p>Finland has taken an active and strategic role in supporting gender in peacebuilding through UNSCR 1325 and 1820.</p>	<ul style="list-style-type: none"> • NAP 1325 and 1820 concerns have not been sufficiently budgeted and systematically mainstreamed into Government projects. • New NPTF and UN Women projects will bring some correction to the above. • Post-conflict traumas and violence on women (GBV) have not received sufficient attention. 	<ul style="list-style-type: none"> • Develop broad-based assistance and livelihood packages. • Include victims of sexual violence and of psychological traumas in compensation packages and provide them counselling and other support. • Implement the national commitment on Gender Responsive Budgeting in all government supported projects.
<p>Many awareness and training programs of CSOs concentrate just on producing activities without clear links of assisting operationalization of the CPA goals.</p>	<p>CSOs need to have a clearer strategy of linking activities to project and CPA results.</p>	<p>Develop clear chains of results and link any training and capacity building to concrete results that operationalise the transformative agenda of CPA.</p>

Implementation		
Do-no-harm guidelines and Peace and Conflict Impact Assessment (PCIA) Guidelines were found missing.	<ul style="list-style-type: none"> • All sector programs can impact peace or raise tensions that could lead to open conflict. • All projects by supporting vulnerable and powerless people change power relations which can spark conflict. 	<ul style="list-style-type: none"> • Develop effective and pragmatic do-no-harm sectoral guidelines. • Carry out a PCIA to anticipate potential negative and positive impacts and guide implementation towards peace building.
Two sets of systemic barriers were discovered that negatively affect results: i) inherent characteristics of vulnerability; and ii) patronage system.	<ul style="list-style-type: none"> • Most vulnerable are prevented to access compensations and benefits because of their poverty, illiteracy, marginal status, and position in society and families, as well as residence in remote locations. • Cumbersome applications and compensation mechanisms prevent accessing of the services. • System of political patrons and their favoured clients prevents optimal distribution of benefits and services. 	<ul style="list-style-type: none"> • Revise the rules of programme interventions and benefit mechanisms and develop procedures that take into considerations the constraints faced by most vulnerable and marginal people and communities. • Address patronage system by i) analysing its operation in a given sector; ii) establishing multi-stakeholder and community based bodies to advice eligibility and to monitor fair targeting when distributing services and benefits; iii) assessing results against disaggregated data; and iv) by developing new incentives that promote fairness and democratic processes.

<p>Conflict-affected people and vulnerable groups expressed interest in getting longer-term assistance to build their livelihoods and addressing their conflict-resulted needs.</p>	<p>Especially the most vulnerable female-heads of households, widows, disabled and elderly require assistance in repairing their livelihoods and assisting them in their peace-related needs.</p>	<p>Support comprehensive and holistic programmes that combine livelihoods, counselling and civic training; and address peace-related needs identified by women, vulnerable groups, socially excluded and especially by widows, disabled and female/child heads of households; and involve civil society and community-based organisations in their implementation.</p>
<p>Results are not systematically monitored.</p>	<ul style="list-style-type: none"> • Evidence-based monitoring with data is required. • Confidence of people in fair State is important for sustaining peace and therefore accountability needs to be systematically monitored. • Quality of participation is as important as developing forums and mandates for it. 	<ul style="list-style-type: none"> • Monitor progress against base-line data and results with data disaggregated by sex, age, caste and ethnicity. • Establish accountability institutions and mechanisms with multi-stakeholders and representatives of vulnerable groups to monitor delivery of services and resources. • Improve affirmative action programs and representation of women and vulnerable groups by establishing genuine participatory processes and influence.

1 INTRODUCTION

1.1 Scope and purpose

The Ministry for Foreign Affairs of Finland commissioned a sub-evaluation to complement the Danish-led joint international evaluation “Support to the Peace Process in Nepal during 2006 - 2011”, sponsored also by Finland and Switzerland. Both evaluations cover the same period i.e. from 2006 to 2011. The sub-evaluation has analysed the peacebuilding programs and projects supported by Finland. Several donors, including Denmark have co-financed these programs and projects. The thematic focus of this sub-evaluation has centered on the contribution that Finland has made towards socially inclusive peacebuilding process in Nepal.

The sub-evaluation has assessed the management, coordination and operationalisation of inclusive approaches in the peacebuilding projects financed by Finland, excluding projects financed from the Local Cooperation Funds (LCF) administered by the Embassy of Finland in Nepal. It has analysed the complementarity and possible synergies between various projects. Another objective has been to explore how the project activities have reached the Nepalese people, especially the conflict-affected, women and various vulnerable groups, as defined in the individual projects and the Government policy. The sub-evaluation has reviewed Finland’s contribution to the following projects in Nepal: Nepal Peace Trust Fund (NPTF), Institute for Democracy and Electoral Assistance (IDEA) and Alliance for Peace (AfP). In addition, Finland’s role in various peacebuilding committees and working groups, especially in the Peace Support Working Group (PSWG) has been reviewed. Human rights projects were not to be evaluated in the overall Danish-led evaluation. Nevertheless, it was deemed necessary in the sub-evaluation to carry out an analysis of conceptual link of human rights to social inclusion, in the support that Finland has provided to the Nepal Office of the High Commissioner for Human Rights (OHCHR) and the National Human Rights Commission (NHRC).

An overview of the socio-economic and political context has been made and the roots of the conflict explored. The background analysis of the present status and the remaining challenges for peacebuilding, as well as for gender and social inclusion have been necessary to set the context for this sub-evaluation.

The sub-evaluation has assessed whether and how the selected peacebuilding interventions have targeted and reached conflict -affected sections of population, especially women, ethnic minorities, distant rural communities and other vulnerable sections of populations; how they have complemented other interventions; how they have linked to the policy level; and built overall sustainability. Other tasks have included assessing alignments of project interventions with Finland’s and Nepal’s development and peacebuilding policies; with the United Nations Security Council Resolutions (UNSCR) 1325 on women’s peace and security as well as on UNSCR 1820 protecting

women and girls from sexual violence in conflict. The sub-evaluation has harvested various social inclusion interventions, assessing their value, relevancy and coherence in support of inclusive peacebuilding. Finally, the sub-evaluation has assessed processes and institutions that are likely to lead to inclusive peace impacts by making concrete impacts on people's lives, especially on the lives of women, conflict -affected, poor and other vulnerable groups.

The sub-evaluation has served three main purposes:

- It has assessed the design, focus, achievement, reach and relevance of the project/program interventions to conflict-affected social groups in light of the national policies;
- It has assessed the special contributions by Finland on social inclusion of women, ethnic minorities and other vulnerable groups;
- It has identified lessons, successful and less-successful practices as well as made recommendations for further action.

The sub-evaluation has sought answers to the general “theoretical” questions below, although some of these questions, when analyzing projects, were found not to be relevant to the present modes of the project approaches. The following questions have, nevertheless, guided the analysis process:

1. **Conflict assessment:** Has there been and what kind of conflict assessment to guide activities in the evaluated programs?
2. **Reach:** Which conflict -affected and vulnerable groups and their needs have been included, in which activities and how their inclusion is justified? How women have been included?
3. **Do-no-harm:** Have conflict -sensitive approaches been part of the programs and how?
4. **Theories of change:** Which “theories” of change have been applied, and with what kind of change indicators?
5. **Phasing as part of peacebuilding strategy:** Has peacebuilding been conceived in a phased manner and applied at field level?
6. **Dynamism and Flexibility:** Have there been efforts to tap new risks and opportunities as well as drivers of conflict and to integrate them into program implementation?
7. **Cultural capital:** Has traditional resilience in societies, cultural modalities of collaboration and cooperation or available mediation and reconciliation potential in societies and communities been tapped?
8. **Vision of future:** As shared visions of future can be more common than the shared violent past, have people's visions for common and shared future been tapped?
9. **Bridging:** Are there efforts to build bridges between various social groups and to discourage divisive identity politics?

- 10. Social Inclusion:** Is social inclusion applied conflict-sensitively (and how?) so that it contributes to social cohesion and to a common platform capable of expressing problems and handling conflicts non-violently?

The Terms of Reference (ToR) for the sub-evaluation is given in Annex 1.

1.2 Methods

The evaluation has consisted of a document analysis and a field investigation of the effects made in the communities and on people's lives. Document analysis has involved a thorough review of project and program documents, reports and evaluations, as well as selected studies. It was complemented with a parallel field assessment in four districts in Nepal: Siraha in the Eastern Region, Dolakha in the Central Region, Nawalparasi in the Western Region and Rolpa district in the Mid-Western Region. Dolakha and Rolpa had been controlled in the past by the Maoists. All the districts are considered highly conflict-affected districts, but the killings were particularly high in Dolakha and Rolpa. Rolpa has also experienced high displacement (Hatlebakk 2009). Other criteria for their selection included presence of Local Peace Committees (LPCs), and existence of displaced people and ex-combatants, ethnic and religious minorities and conflict victims. Representative field site selection was also done and the regions visited included mountain, hill and low-land (*Terai*) areas. Key informants included LPC chair persons, heads of district police, chief district administration officers and conflict victims, men and women. NPTF has been particularly active in cantonment management in Rolpa and Nawalparasi. The objective of the field study was to examine various peacebuilding efforts and how they have reached and affected conflict-affected people, women and various vulnerable groups, and whether sustainable outcomes can be expected. Firsthand knowledge was collected through field trips to the selected districts. Field analysis focused on the inclusion and role of women (in line with the UNSCRs 1325 and 1820), ethnic minorities and other vulnerable groups in the peace process.

Interviews were carried out with nine groups: i) conflict victims (ex-combatants; family members of combatants who lost their lives; victims of Maoists; wounded and displaced by the insurgency; raped and tortured women); ii) LPC members, iii) Paralegal Committee members; iv) District Police officials; v) Local Development Officers and District Development Committee members; vi) Chief District Officers and District Administration Officers; vii) Women Development Officers; viii) civil society members; and ix) marginalised and vulnerable community members in the districts.

The sub-evaluation has used the OECD/DAC evaluation criteria (*relevance, effectiveness, efficiency, sustainability and impact*). Critical issues related to *coordination, coherence and cooperation* have been addressed. Additional criteria, recommended for peace building evaluations, have been included. These include *participation and local ownership* as well as, *coverage*. These analytical tools have been used to answer a number of key questions

about the inclusive peacebuilding interventions, and to explain the main features of the projects. The contents of the sub-evaluation criteria have been selected and extrapolated from the questions expressed in the terms of reference of the Danish evaluation. An evaluation matrix (Annex 3) was prepared during the Preliminary Phase and has been used to structure the enquiry.

2 BACKGROUND

2.1 Anatomy of conflict

2.1.1 *Roots of conflict*

Unequal land distribution, discriminatory caste structure, vertical or horizontal inequality, environmental degradation, corruption and poverty have been given by researchers as some of the reasons for the emergence of armed conflict in Nepal (Tiwari 2007; Lawoti 2010; von Einsiedel, Malone & Pradhan 2012). The conflict, which dramatically escalated in 2002, was preceded by an insurgency against the government of Nepal by the CPN-M party in February 1996. In the beginning, it was largely confined to the Western and Mid-Western Development Regions. After the collapse of ceasefire talks in 2001, it spread to cover the whole country.

There is a widespread assumption that poverty is a source of violence, despite there being no direct causal relationship between the two. Research has shown that poverty and extreme inequalities between the rich and the poor become sources of conflict only when they are linked to the real or perceived oppression of social, religious or ethnic groups (Conflict Sensitivity Consortium *sine datum*; Murshed & Gates 2004). Overall understanding of what causes a conflict and what induces peace is, however, still limited. According to some, bad governance plays a critical role in the emergence of conflict and peace (Garfinkel & Skaperdas 2011). This explanation is valid for Nepal, too, although many other factors are at play and the conflict has developed new “roots” over time.

According to Gersony (2003), in Nepal the conflict originated in an area between northeast Rolpa and eastern Rokum in the middle hills of Nepal’s Mid-Western Region. The area was isolated and poorly accessible. It lacked all-weather road until 2003. Both the fractured terrain and lack of road access contributed to the insurgency. The area was mainly populated by the indigenous and ethnic *Magars*, Nepal’s largest ethnic minority (7 %). Its language with many dialects belongs to the Tibeto-Burman language family. Rural *Magars* practiced subsistence farming, pastoralism and sheep herding. They were also involved in iron mining. Women were weaving and knitting. They - like many indigenous women - had fairly high status within their society. Men had been often hired to the British *Gurkha* and Indian army. *Magars* had earlier been rather wealthy and theirs had been the most prosperous area of Western hills. In

1970s, things started to change, when the Indian army service began to diminish and people started to struggle with their traditional livelihoods. Yet, they did not blame the Government at that time. This attitude changed after a series of government decisions and actions that aggravated their problems. Problems included classifying the land they used as “forest land” and subsequently forfeiting it by the State. People perceived government action as arbitrary and unjust, especially as it was imposed without local consultations. Another perceived injustice related to the transfer of district capital from Rukum-kot to Musikot in 1973. It brought out 10,000 protestors with arms. In the rebellion; two of the protestors got killed. Some of the key protest organisers fled to India and contacted the Communist Party there. The area, therefore, had experienced an unusual concentration of problems and unfair practices of administration. Communist party entered the scene to interpret and exploit the long list of deeply felt grievances. Within four years, the allegiance to the Communist party increased from 10 % to 60 %. During the first 6 years, violent uprising was able to travel - unhindered by the State, which was mostly inactive in the distant hills - to all corners of Nepal and the Maoists took control in 60 - 72 districts. They targeted as supporters mainly **young** single men and women aged 15 to 25.

Based on this history, given by Gersony, **grievances over exclusion of ethnic minorities as well as discrimination and exclusion by the administration ignited the conflict in Nepal. Conflict over land** easily spreads to other indigenous communities, because land problems are at the centre of indigenous peoples’ struggles everywhere (Kelles-Viitanen *sine datum*). In Nepal, the *Gorkha* rulers confiscated the *kipat* (communal) lands of the indigenous peoples and converted them into *raikar* (state-owned) so that the state could levy taxes on them to support ruling classes and military expenditures. Since land and forest were the main sources of socio-economic as well as religious and cultural life of the indigenous peoples, new land policies not only undermined their socio-economic status, but also their local autonomy and culture. The creation of national parks in the 1970s continued this trend by displacing many indigenous peoples from their ancestral lands (Gurung 2009). There has been poor understanding and respect of indigenous peoples’ land practices, livelihoods and lifestyles, in spite of the fact that displacement from land erodes their identity, which is intertwined with land (Lawoti 2010). Gradually, indigenous land practices, such as shifting cultivation, are getting recognised as a cultural right of the indigenous peoples (ICIMOD 2008).

The conflict was launched at a time when the economy was growing at a modest rate of 5 per cent. Yet, inequalities grew between 1996 and 2004 (Oxfam International 2008). Nepal, which in 1980s was more equal than other countries in South Asia, in the 1990s became the most unequal country among them (Lawoti 2010). All this, has been assumed to indicate that there was a **need for growth with equity** (Tiwari 2008), but this challenge was unaddressed.

Over the years, conflicts tend to be transformed and new grievances and new groups enter the scene. This has happened in Nepal, too. According to Dahal and Bhatta (2008), the Track-I peace negotiation process excluded women and other severely

discriminated groups such as *Dalits* and *Madhesis*, thereby fuelling new sources of conflict based on identity. In the absence of broad-based national consensus, interim power sharing provoked resistance from excluded groups, who felt that structural injustices were at the root of violence and oppression. The reinforcement of ethnic identity was also contested against the national identity. In the process, '*Madhesi*' has come to refer to non-tribal, caste Hindus of Indian origin that live in the Terai, thus adding ethnic connotation to the geographic association. Those living in the Terai who do not fit this definition (Muslims, *Tharus*, *Pahadis*, and indigenous groups who predated *Madhesi* immigration) are, therefore, not officially *Madhesi* (Miklian 2009). Even *Dalits* now confuse themselves as a kind of ethnic group (observations of Kelles-Viitanen in Nepalganj in February 2011). Against all this background, it will not be easy to make political transition to an inclusive democracy that thrives on socio-cultural diversity. Another transition that needs to be made is a move from feudal practices to a modern democracy based on civil rights (Dahal & Bhatta 2008).

2.1.2 Effects of conflict

It is estimated that by the end of 2006, altogether 13,347 people were killed because of the conflict. Of these, 8377 were killed by the state and 4970 by the Maoists (Thapa 2011). The figure has been recently put as high as 17,800 by the Chief of the Ministry of Peace and Reconstruction (Nepalnews.com 2012), according to whom 13,893 families of the deceased have already been given compensations. Altogether 85,185 cases of abductions have been recorded to have taken place between 1996 and 2006, but the real number may be higher (Lawoti & Pahari 2010). Many children were abducted, detained and maimed during the conflict. About 33,160 students were also abducted from schools in 2005 (Lawoti & Pahari 2010). Around 3500 to 4500 child soldiers had been part of the Maoist fighting force (Lawoti 2010). They had been used as messengers and soldiers. People were displaced, tortured and attacked by both Maoists and state-sponsored vigilante groups. Women were raped. Massive dislocations took place. Among the displaced, many were women, children and the elderly. The Norwegian Refugee Council estimated that out of 50,000-70,000 internally displaced persons, 50% were women. According to the United Nations Development Programme (UNDP), by the end of 2011 about 50,000 of them are still to be displaced (IDMC 2012).

Infrastructure with buildings and equipment was destroyed. Properties worth more than five billion Rupees were destroyed (Tiwari 2008). Destruction included two thirds of Village Development Committee (VDC) buildings, 579 police posts, 14 airports, 7 jails, 18 courts, 641 post offices, 85 health posts, 290 forest offices and range posts, 128 telecommunication towers, 96 powerhouses and electricity offices, 30 irrigation infrastructure, 34 district education offices, 149 agricultural offices, 24 live-stock offices, 6 social conservation offices, 42 land revenue offices, 9 land reform offices, 18 women's development offices, 22 revenue offices/units, 2 radio stations, 8 national parks and reserves, 44 bridges, 9 dairy development units, 77 municipalities and wards, 1621 village development committees, 22 drinking water systems, 25 food

depots/stores, 159 schools, 5 treasury offices, 222 financial institutions, 15 land measurement offices, 38 family planning offices/units, 7 Sajha transport company losses and 45 roads (Lawoti & Pahari 2010; Thapa 2011). Local government collapsed. Delivery of services was interrupted. Limited operational space for development hampered provision of basic services. Parallel forms of government, established at district and village levels by the government and the CPN Maoist government (*Jana-sarkar*), caused further confusion. Livelihood bases were also destroyed and lands encroached. As a result, poverty in an already impoverished county increased (Lawoti & Pahari 2010; Thapa 2011).

All the above data proves that the post-conflict challenge is massive and requires multi-pronged approaches in building infrastructure, repairing institutions and peoples' lives as well as addressing various post-conflict grievances and traumas. All this needs to be done in a complex environment. Post-conflict periods tend to experience vehement struggles for power and for access of various economic resources and interests. Struggles become an additional obstacle for peacebuilding. Fractitious leadership with a new power struggle has been observed in Nepal, too. A new bargaining environment has been created (Dahal 2010).

Although the number of armed outfits operating across the country have decreased and the fatalities in extremist violence halved from 2010 to 2011, according to the Ministry of Home Affairs (June 16, 2011), the threat of extremist violence persists. The Terai region, particularly, continues to simmer (South Asia Terrorism Portal 2012). Interpersonal conflicts are also high (Search for Common Ground 2012). Corruption continues to be widespread and "conflict entrepreneurs" are playing an increasing role in the shadow economy (Ballentine & Nitzshke 2005).

2.2 Status of inclusive peacebuilding

2.2.1 Achievements

After ten years of fighting, peace was reached and the CPA between the Government of Nepal and the CPN-M was finally agreed in November 2006, with a roadmap to a lasting peace and the construction of a new government structure. CPN-M demands included an establishment of a republic, a constituent assembly and inclusion of traditionally marginalised groups. Equity, social inclusion, social cohesion, good governance, impunity, gender equality and restructuring of the State became key features of the CPA.

The United Nations Development Assistance Framework (UNDAF) evaluation (United Nations Country Team 2011) has highlighted the progress that the country has made since the CPA as well the constraints that remain. Operating environment for peacebuilding has continued to be constrained by political uncertainties and political struggle for power with new bargaining environment and absence of local political

bodies. Impunity for serious human rights violations has continued. Yet, in spite of constraints, commendable progress has been made both on development and peace-building impacts. Progress has included cessation of the national-level armed conflict. Structural changes to the state and governance have also been made. On the development front, Nepal has recorded the fastest progress on the Human Development Index (HDI) in any country. Its progress on achievements on the Millennium Development Goals (MDGs) has also been impressive in reducing poverty - with wide variations, however, between regions, social groups and urban/rural divide. It has also made progress on gender equality.

Constituent Assembly elections were held in 2008. Nepal was declared a federal democratic republic. According to the unpublished NPTF project reports, altogether 4008 verified minors and late recruits were discharged in 2010. In 1 November 2011, the four main parties signed a specific 7-Point Agreement. It contained an agreement on closure of cantonments and offering packages to over 19,000 (later revised as 16,982) combatants in the Cantonments. Three options were proposed: voluntary retirement (cash payment), army integration or rehabilitation programme. Only six people chose rehabilitation and 9000 chose army integration (although the limit had been agreed as 6500). Cash payments and immediate departure from the cantonments were initially chosen by 7000 persons. In 2012, altogether 7365 personnel from the Maoist cantonments were discharged through voluntary retirement. Consequently, additional combatants registered for voluntary retirement and finally only some 3000 were left to be assessed by the Nepal Army for recruitment. The overall agreement included an agreement on completion of the draft constitution that outlines the federal republic, and enshrines key rights and concerns of equity, equality, ethnicity and inclusion. Finally, the 7-Point Agreement included an agreement about the preparation and conduct of the national elections.

There are many who think that only drafting of constitution and new elections would be the beginning of real peacebuilding and reconstruction process. There are also apprehensions that those milestones would bring along new tensions and potential conflicts around identities, rights, land, federalism, livelihoods, community reintegration and recovery, and access to public services (Joint Government/Donor Review of NPTF 2012).

The Interim Constitution, for the first time, in the history of Nepal, explicitly recognized *Dalits*, *Adivasis*, *Janajatis* (indigenous peoples) and *Madhesis* as historically marginalised groups, and specified them as beneficiaries of special treatment by the state (UNDP 2008). Article 21 in the Constitution gave them and other vulnerable groups the right to social justice. The new provisions included right against untouchability and racial discrimination (Article 14); and the provision of positive discrimination for *Dalits*, women, indigenous ethnic groups and *Madhesis*. The rights of peasants, labourers or those who belong to a class, which is economically, socially or culturally backward, were also safeguarded. So were the rights of children, the aged and disabled (Article 13(3)). Women were given remuneration and social security equal to men for the same work (Article 13 (4)). Other women's rights included right to reproduc-

tive health and to ancestral property as well protection against infliction of violence (Article 20).

New national institutions have been put in place. They include the Constituent Assembly (until 27 May 2012 when it was dismantled), Land Reform Commission, State Restructuring Commission, Ministry of Peace and Recovery as well as the Special Committee for Supervision, Integration and Rehabilitation of the Maoist combatants. Local Peace Committees have been established in 73 districts (by April 2011). Progress also includes the Agreement on the Monitoring of Management of Arms and Armies.

Nepal is party to at least 150 multilateral treaties and 21 human rights related conventions. The UN Convention against Transnational Organized Crime (UNTOC) was the latest one and acceded in December 2011. Nepal has ratified and signed various UN Conventions and international declarations, including the International Covenant on Economic, Social and Cultural Rights; Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) with the Optional Protocol; Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Convention on the Rights of the Child with two Optional Protocols controlling the involvement of children in armed conflict and sale, prostitution and pornography of children; Convention on the Rights of Persons with Disabilities; International Labour Office (ILO) Conventions on Forced Labour 29, on Abolition of Forced Labour 105, on Discrimination (Employment and Occupation) 111, on Minimum Age 138 and on Worst Forms of Child Labour 182, on Indigenous and Tribal Peoples 169, and on Right to Organise and Collective Bargaining 98. Various legislations have been put in place including the law criminalizing caste-based discrimination (untouchability).

Other progress milestones have included establishment of the National Human Rights Action Plan; UNSCR 1612-mandated Action plan on the release and reintegration of verified minors; the National Action Plan of Action on UNSCRs 1325 and 1820 on women's leadership in peacebuilding and conflict prevention as well as prevention of and response to conflict-related sexual violence; the National Action Plan on Bonded Labour; and the National Master Plan on Action on Child Labour. Several other strategies are awaiting endorsement, such as the National Plan of Action for Youth Employment of Nepal and the National Plan of Action on the Implementation of ILO Convention 169 on Indigenous Peoples (United Nations Country Team 2011).

2.2.2 Remaining national challenges

The donors - including Finland - joined Nepal to assist in its huge peacebuilding task of disarmament and demobilisation, security, reconstruction, building of institutions, setting of legislations, constitution making, humanitarian support, media and awareness training, strengthening of the civil society, reconstruction of livelihoods and other development interventions. The new Ministry of Peace and Reconstruction was es-

tablished in 2007 for constructive conflict management and for promotion of participation and integrity of all spheres of society in peace processes. It has proven to be a huge and challenging task, in a volatile political environment.

Progress has been made, but Nepal remains in a critical transition phase. The operating environment will continue for some time to be constrained by factors such as political uncertainties, fractious political struggle for power; absence of local political bodies; impunity for serious human rights violations and weak enforcement of laws; and by struggle coming from increased identity politics. Inter- and intra-party feuds have led to frequent changes of government. Nepal has already seen five prime ministers and the Interim Constitution of 2007 has been amended ten times (Bhatta 2012).

Scale of violence is now down, but sporadic incidents continue almost all over the country. Small armed groups, criminal outfits and freshly invigorated identity-based movements usually carry out violence. They have taken advantage of the lack of institutions in the transitional state and of the lack of political institutions in the districts.

The human rights situation has continued to be poor. The 2011-2014 National Human Rights Action Plan (NHRAP) notes that “results are poor: the incidents of HR violation are not found to have decreased whereas it is voiced that there is an increase in impunity as well”. There were 103 violations on human rights defenders, in 2011 alone (United Nations Country Team 2011).

Despite major achievements in the peace process, there is no overarching multiparty national strategy to direct implementation of Nepal’s long-term transformation as laid out in the Comprehensive Peace Accord (CPA). Nor has the architecture for multiparty dialogue, as envisioned in the CPA, emerged. Strategic peacebuilding institutions are yet to be established (United Nations 2011a; United Nations 2011b).

While past action has focused on the immediate peacebuilding requirements, **more efforts are required to support long-term structural reforms at the heart of the CPA**. Deep-rooted development issues that led to the armed conflict remain to be addressed in a concerted way. The **Challenge is complex and warrants multi-pronged and systemic strategies**. There is a pressing need to **increase delivery** and implementation of socio-economic and cultural **rights, equality, and inclusion** while also embarking upon the fundamental political, socio-economic and governance transformations outlined in the CPA.

While Constitution has been drafted, it still needs to be finalised and enacted. The term of the Constituent Assembly expired on 27 May 2012 without political leaders completing the task of writing a new constitution. The leaders of the four main parties failed to resolve differences over whether the states to be created by the constitution should be determined based on ethnicity. New elections are expected to be held in November 2012.

There is a concern that the pending legislation for the Truth and Reconciliation Committee (TRC) and the Commission of Inquiry of Conflict-Related Disappearances (COID) has been used as a justification for not prosecuting conflict-related crimes through the regular judicial system, although the CPA sets out a clear commitment to the Universal Declaration of Human Rights, international humanitarian laws and basic principles and values relating to human rights. Corruption also remains a major problem and a main hindrance to the Rule of Law (European Union Working Group 2011; Dix 2011).

There is no comprehensive human rights protection legislation to provide effective remedies for violations. It is reported that no person has been prosecuted in civilian courts for *serious* abuses, including those relating to sexual violence, committed during or after the conflict, despite monitoring and reporting provided by the OHCHR, NHRC and other national human rights organizations (United Nations Country Team 2011).

While human rights awareness has increased at the national level, there is still insufficient understanding of human rights practice at the local government and community levels. Officials and common people do not make a sufficient difference between welfare and rights-based approaches. Gender-based violence has increased, and problems are often perceived as a private matter. While some awareness of gender violence has increased, people lack means for getting their grievances redressed. They face various social, economic and procedural **barriers** to getting help from the formal justice system. Paralegal committees, legal aid desks and mediation centres have brought some relief in addressing people's legal needs, but they are not linked to the formal justice system (United Nations Country Team 2011).

At the local level, **political interference** hampers the delivery of services. Carter Center (2011a) observed that the youth wings of the political parties interfered with tender processes, taxation and other activities, undermining political space, development and public security. Political patronage and clientelism have deep roots in history. They link to the collective-action problem. Given the way political competition works, especially in ethnically divided societies, the incentives to engage in short-term clientelistic strategies for gaining votes and seeking political legitimacy continue to be overpowering (Booth 2011).

Multidimensional poverty remains an issue to be tackled with comprehensive approaches that provide opportunities to increase the voice, capacity and livelihood opportunities of the people. Especially, the Nepali youth faces a serious employment challenge. Unattended, it can be a threat to a lasting peace. **Multi-faceted, cross-cutting and conflict-sensitive interventions** are needed to effectively improve the chances of vulnerable groups in Nepal's aggregate development plans.

Another threat comes from the changes following the conflict. Carelessly planned peacebuilding interventions can become sources for new conflicts. Conflicts also

tend to create particular interaction patterns. Once violent methods for dealing with a grievance enter a society, violent tactics can extend to all grievances and become a new model for inter-group interactions and negotiations. A worrisome trend has been recognised in Nepal: violence has gradually been adopted as a legitimate form of protest. At the same time, local politics has become criminalised and linked to growing number of armed groups, especially in Terai. The government has identified 109 underground groups operating in Nepal, most of which are in Terai (Thapa 2011).

Peace-building and state building provide a unique opportunity to address injustices and inequalities of the past, and to set new institutions and ingrain new practices. They offer an opportunity to build i) a *capable and efficient state*, where things get done; ii) an *accountable state* that is responsible to citizens and stakeholders; and iii) a *responsive state* where policies and institutions respond to the needs of citizens and uphold their rights (DFID 2006). In Nepal, weak performance of the state has been observed. It has not just constrained the delivery of services, but it has also negatively affected its transformative functions. One of the key functions of the state, particularly in developing societies, should be to function as the *agency for transformation* towards more inclusive and just society (Riaz & Basu 2010).

2.3 Status of gender and social inclusion

2.3.1 Gender

In Nepal, women were not just conflict victims, but they also participated in the insurgency and formed a critical number of Maoist combatants. According to the United Nations Mission in Nepal (UNMIN), of the 19,602 combatants, 20% i.e. 3,846 were women. They had other roles, too as daughters, mothers and wives of the combatants. As many men disappeared or escaped from home in fear of getting kidnapped, forcefully recruited or conscripted, women shouldered additional work for family members. As a result, women's economic participation increased during the conflict (Menon 2011).

Women also suffered from the conflict, as victims of rape and other forms of violence. Much of the violence has remained hidden and unreported (Asia Foundation 2010), but the number of victims, seeking legal protection, is increasing. Women and excluded groups have started to voice their demands in the informal justice system (United Nations Country Team 2011).

Many reforms have been introduced in Nepal to improve women's situation (United Nations Country Team 2011). They include policy provisions related to marital rape, domestic violence, property inheritance, citizenship transfer and sexual harassment in public and workplaces. Gender responsive budgeting (GRB) was also introduced in the fiscal year 2007/2008. A GRB Committee was formed to monitor its performance. Ministry of Local Development (MLD) has produced GRB Guidelines for all

the Local Governments (*Baskota sine datum*). Gender budgeting remains an issue in many sectors, including in peace program budget.

Nepal has come a long way in the struggle for inclusion and gender equality when it comes to drafting of constitution and formal political representation of women. The participation of women in public policy dialogue and decision-making has increased. Women's representation increased from a mere 5% (previous elected parliament) to 33%, which is a historic breakthrough. Fewer than 30 countries have reached the target of 30% women in national parliaments. Women chairs in task force committees have also doubled, and it has been agreed that women will comprise 33% in LPCs (*Baskota sine datum*).

Despite progress made by quotas in boosting women's roles in the public sphere, social norms and prejudices still impede their meaningful political participation. One major constraint is the discrimination women face within their parties. While party support is necessary for women to enter legislative bodies, the political landscape has continued to be virtually "off limits" to new faces. This has been evidenced by the low number of women in the central committees of the political parties, despite legislation requiring 33% women. Women's political representation has averaged in the central and district executive committees 12 % at the central and 10 % at the district level. At the decision making level of political parties, women's share has been 1.6 % at the central level and 3.5 % at the district level (Renaissance Society Nepal, Women's Democratic Network & United Nations Development Fund for Women 2009). Women politicians and other women in leadership positions would require lobbying skills, strong supportive networks and strategic knowledge to serve in leadership capacities. The masculine political culture, increasingly working with power of "muscle", needs to be reformed.

The Government of Nepal adopted on 1 February 2011 a National Action Plan on the United Nations Security Council Resolutions 1325 and 1820. Nepal became the first country in South Asia, the second in Asia and the 24th country globally to adopt a National Action Plan (NAP). It is the most widely consulted NAP globally. The NAP was developed through a collaborative multi-stakeholder process. Consultations were held in 52 of the 75 districts, covering all five development regions. It was supported by the donor Peace Support Working Group consisting of Australia, ADB, Canada, Denmark, European Commission, Finland, France, Germany, International IDEA, ILO, Japan, Norway, OHCHR, Switzerland, UK, USA, UNDP, UNFPA, UN Women, UNICEF, UNESCO and the World Bank. Finland has been very active, presently functioning as a rotational chair of the Group.

The NAP of UNSCR 1325 and 1820 represents a key entry point for strengthening women's participation in peace building, while also providing a framework for donor support. The main objective is to protect women and safeguard their human rights during conflicts; prevent gender-based violence; and promote women's participation in peace negotiations and peacebuilding efforts. The NAP has five goals on: i) partici-

pation; ii) protection and prevention; iii) promotion of rights; iv) relief and recovery; as well as v) resource mobilization, monitoring and evaluation. It has been a collaborative effort of the Government, development partners, UN agencies, civil society, women and children's networks and organizations. Despite recognition of the importance of implementing **UNSCRs 1325 and 1820, progress to date has been slow** in concretely addressing women's security and peace building needs (Torry, Rana & Bhadra 2010). Civil society and CA members and government officials have received some capacity support on UNSCR 1325. Finland's support to UN Women in a new project to implement selective but well-integrated UNSCR 1325 and 1820 goals in the districts and villages will fill an important gap and will pioneer field implementation of the NAP.

Paralegal committees, community mediation centres, and women's federations have been some of the informal mechanisms reaching out to women and traditionally excluded groups, including *Dalits*, *Madhesis*, *Janajatis*, and Muslims. They have focused on reducing domestic problems and gender based violence. Village level institutions such as VDCs have been gendered. It is now required that one third of members are women and at least one of the top three posts is held by a woman (United Nations Country Team 2011).

Legal reforms to promote gender equality and address discrimination, include policy provisions related to marital rape, right to reproductive health care, property inheritance, citizenship transfer, and sexual harassment in the public and workplaces. A legal framework for transitional justice mechanisms with participation of women and traditionally excluded groups has also been prepared. Passage of the law on domestic violence is another significant achievement in efforts to strengthen women's rights. Implementation of these acts is now required. Special attention needs to be given to the most vulnerable categories who find it difficult to access what they are due. As a huge gender gap persists in the literacy status of women (34.9 % compared to 62.7 % of men in 2003), **illiteracy is a factor that can prevent women to access services and their rights** (United Nations Country Team 2011).

Despite commitments to end gender discrimination with gender-responsive policies and legislations, the **institutional mechanisms and the capacity for effective implementation have been still lagging. Deeply ingrained negative cultural norms and practices** continue to undermine progress in gender equality. Yet progress has also been made. The gender empowerment measure (GEM), which measures female empowerment in earned incomes, economy and political decision making, has recorded a substantial leap from 0.391 in 2004 to 0.496 in 2009 (UNDP 2009; United Nations Country Team 2011).

During field visits for the UNDAF evaluation (United Nations Country Team 2011), it was observed that gender was often equated with activities for girls and women rather than activities that address *the relations* between men and women. Many staff continues to understand gender integration to mean a focus on women as a target

group, rather than identifying areas of gender inequalities and imbalances on power and its practices between men and women.

2.3.2 Social inclusion

Nepal is a highly diverse society with 102 ethnic groups, 92 languages and 7 religions. Ethnicity, caste, gender and region-based exclusion of large numbers of Nepalese people from political, economic and social processes has been considered one of the main causes of conflict in Nepal. As reported in the section 2.1.1, rebel heartlands were neglected rural districts, particularly in the Midwestern part of Nepal, heavily populated by non-Nepali-speaking and non-Hindu ethnic groups.

Nepal's ethnic minorities and indigenous societies are less hierarchic, patriarchic and more egalitarian than caste-based Hindu society. They have community-based norms, values and customary sharing practices. Religion is based on nature and environment. There is a strong sense of belonging, which is not just between people but also dictates the relationship with nature and environment. They have cultural practices and social bodies, which improve social cohesion and reduce kinship and family friction. Ethnic and community organisations that facilitate open discussion on conflicts include *mukhiya*, *mahato* and *badghar*. Local mediation also exists through *bhaladmi* or *pancha bhaladmi* (Lederach & Thapa 2012). Various village bodies are found such as *ta-mudhin*, *magar samaj* and *thakali samaj* in the Gandak region, *syangtan* (*panch gaule*) in the Manang district and *Chumlung* of *Limbus* in the eastern part of Nepal. Several conflict management activities carried out at the local level are based on values and customs (*riti-thiti*), which play an important role in binding people together and holding culprits accountable to their actions (Dahal & Bhatta 2008). **The potential role of these indigenous institutions, cultural norms and practices has been mostly ignored in peacebuilding processes.**

Social exclusion has historical roots that cause impoverishment and marginalisation of indigenous peoples and other vulnerable groups in Nepal. Cultural discrimination, economic exploitation, social exclusion and political oppression have become common ever since the formation of greater Nepal through territorial conquest by the *Gorkha* rulers in 1769. Soon after the territorial conquest, Nepal was declared *Ashali Hinustana* i.e. true Hindu Kingdom with four *varnas* (*Brahmin* priests and scholars, *Kshatriya* rulers and warriors, *Vaishya* merchants and *Sudra* laborers) and 36 castes. Non-Hindu communities became excluded from the mainstream national political life and deprived of socio-economic opportunities (Gurung 2009).

In today's Nepal, there are wide differences between various caste and ethnic groups on life expectancy, per capita income and adult literacy. According to the World Health Organisation's (WHO) Database on Health in Poverty Reduction Strategy Papers, in 1996, life expectancy of *Bahun*s (a top caste) was 60.8 years, while it was 48.7 for Muslims and 50.3 years for *Dalit*s. Adult literacy rate of *Bahun*s was 58 % whereas for Muslims it was 22.1 and for *Dalit*s 23.8 %.

One of the CPN-M demands centered on the inclusion of traditionally marginalised groups. Subsequently, important steps were taken at the highest level, to support social inclusion and include it in the CPA. It was a major achievement, taken into consideration of the earlier exclusionary character of Nepal's democracy and its state institutions (Lawoti 2010). Political parties agreed on broad-based participation in the electoral system. Seats were ensured to various social groups with the result of *Jana-jatis* getting 34 %, *Madhesis* 35 %, the *Dalits* 8 %, women 33 % and youth (under 35 years of age) 23 % among the CA members. The combined share of the ruling elite consisting of *Bahun*s (highest caste Brahmins) and *Chhetri*s (second highest warrior caste) went down to below 35 % from their earlier 65% (Thapa 2011). As a result, *Bahun*s and *Chhetri*s have joined to protest against ethnicity-based federalism, which they considered to threaten their power. They have demanded the government to award them, too, an indigenous status (Thapa 2011).

Getting a seat has not automatically and, in practice, meant a seat with power. Members of the vulnerable groups continue to be sidelined in the institutions of power and in their operations. Leadership of powerful political institutions has continued to be in the hands of *Bahun*s and *Chhetri*s (Thapa 2011). Old patronage system has continued to operate. One form, *chakari* was established during the Rana period, between the rulers and their submissive civil servants. With the end of the Rana rule, it was formally abolished, but by that time it had become established as an integral part of the Nepali social organisation. *Afno manche* is one of the concepts linked to it. It means one's inner circle of associations, from which one can expect favors. The most important asset is whom one knows. It is claimed that most grievance procedures are addressed through *chakari* channels, affecting the length of the time it takes to cash a cheque, get treatment in hospital or even influencing one's child's success at school. With the time, new patrons have entered the scene. Political affiliation and connection has become as important. *Chakari* and *afno manche*-systems impede social inclusion efforts on the ground, and uphold social exclusion system of inequality (Subedi *sine datum*; Bista 1994; Dix 2011). Even the best-designed institutions can still be co-opted and reshaped by the forces that sustain prevailing and exclusionary patterns of conduct (International Crisis Group 2010; Thapa 2011). Nepal is now in a situation, where there are two competing systems: formal institutions with their rational-legal rule of the state coexist along with patrimonial or patronage relations (von Soest 2010).

Nepal's new constitution was drafted with a broad-based participatory and inclusive approach, supported by donors, including Finland. Consortia of 18 NGOs hosted dialogues in 240 constituencies and in 3,900 VDCs throughout Nepal. Magnitude of support was provided to facilitate people of all walks of life to influence the constitution making process. The process generated more than 5,000 submissions and opinion papers on areas such as child rights, women's rights and social inclusion (United Nations Country Team 2011).

Successive governments have tried to make public service more inclusive (Thapa 2011). In 2007, the Civil Service Act, the Police Regulations and the Armed Police Regulations were amended to set aside 45 % of all vacant positions for women, *Jana-jatis*, *Madhesis*, *Dalits* and people from backward areas. In early 2009, the Maoist-led government tried to widen the legislation by introducing the ‘Ordinance to Amend Some Nepali Acts to Make Public Services Inclusive’, to introduce similar quotas in the army, health service, local development committees and education. Although the ordinance has not yet become law, some of the government institutions have already adopted the policy of inclusion. In 2010, Army Chief (who is a *Jana-jati*) announced that the army would reserve 45 % of its vacancies for the reserved categories. This provision has not been implemented, so far, because of a tussle over definition of reserved categories.

Already in 2004, both the Local Infrastructure Development Policy and the Rural Water Supply and Sanitation Sector policy had called for inclusive development with participation of women, disabled, backward, oppressed, and low caste people. In 2009, a GESI policy and strategy was developed by the MLD for the Local Governance and Community Development Programme (LGCDP) to ensure that gender and social inclusion concerns (caste, ethnicity, religion, disadvantaged regions and poverty concerns) are integrated in all aspects of service delivery in the district, municipality and village level governance structures. The GESI policy and strategy was developed through a participatory process at the community level. It was followed with stakeholder consultations at central, regional, district and village levels (Banerjee, Poutiainen, Dey, Dunghana, Kioko, Mattila & Muhindi 2010). It has three components:

1. Building participatory capacity of women and excluded groups as well as networks and representative organisations, such as Village Citizen’s Fora and the VDCs, to hold the local governments accountable and to promote participatory management;
2. Increasing capacity of local governments for inclusive management of resources and equitable delivery of basic services by allocation of budget quotas and block-level grants to women and excluded groups, and measuring progress with GESI-sensitive indicators;
3. Strengthening policy and national institutional framework for devolution and local self-governance as well as transforming existing power relations to address needs of women and the excluded.

GESI policy has been operationalised with block-level guidelines. District staff has been trained in the GESI obligations and operational requirements. For monitoring and reporting purposes, gender and socially disaggregated data will be collected. Progress on changes in assets and services, influence, behaviour and social practices as well as in budget allocations will be monitored. A Local Governance Voice and Accountability Facility has been put into plans to support GESI Section of the MLD together with GESI Implementation Committees at district level (Banerjee & al 2010; United Nations Country Team 2011).

Many sector line ministries, such as ministries of health, forest, and education, have developed GESI policies. GESI Units have been formed at least in the ministries of health and population, agriculture and cooperatives, education, and within the NHRC. Others like the Ministry of Physical Planning and Works have GESI approaches in their plans (Banerjee & al 2010; United Nations Country Team 2011).

Some impact has already been made. The Ministry of Education and the Ministry of Health and Population have started to collect data on different social groups. The Ministry of Health has developed an evidence-based policy, building on understanding of social and cultural barriers to health. Increased budget allocation for primary health care clinics in 25 poorest districts has contributed to expanding access of basic health care services to the poorest. In the education sector, GESI related reforms have led to a dramatic increase in access to school by girls and children from the excluded groups (United Nations Country Team 2011).

Donors have aligned their strategies with the government's GESI commitments. It has become mandatory for all ADB projects and programs to integrate GESI concerns, by developing a GESI plan with indicators in the results framework. GESI considerations have become requirements for all Canadian International Development Agency (CIDA) programs and projects, too. Projects are required to prepare GESI strategies and to incorporate GESI indicators in their Results Based Management (RBM). Denmark has integrated social inclusion and gender equality as cross-cutting themes in all its programs in Nepal. It has become compulsory for the EU to integrate and address issues of gender and social inclusion in all EU actions and projects. The Japan International Cooperation Agency (JICA) Gender Mainstreaming and Social Inclusion Project has been mandated to develop and strengthen gender mainstreaming and social inclusion responsive mechanism through institutional capacity enhancement at the central government level and in the targeted District Development and Local Development Committees. The Netherlands Development Organisation (SNV) has put in place a special programme "Social Inclusion Research Fund" with co-financing from Norway to mainstream social inclusion and gender aspects in all its work. GESI policy has been for some time at the centre of the work of the United Nations Country Team (UNCT) in Nepal. Its new UNDAF program phase (2013-18) will use profiles of vulnerable groups in Nepali society as the basis for the UNDAF country work and process, integrated to its conflict sensitivity mechanisms (United Nations 2011a).

Finland has been among the first to operationalise GESI policy in its sectoral programs. The Rural Village Water Resource Management Project in Central and Far West carried out a GESI study, on the basis of which a GESI Strategy and Action Plan was developed in 2007. GESI approach is also used in education programs, environment sector projects, forest sector project and program as well as in water supply, sanitation and hygiene projects (Caldecott, Hawkes, Bajracharya & Lounela 2012).

Social inclusion is not a stand-alone exercise of targeting and counting people group by group in, but it is closely linked to the practice of human rights and social justice. Social inclusion, gender equality and human rights – although consisting of different processes - form an interdependent and mutually enforcing agenda. This principle has been acknowledged by the Government of Nepal, endorsed in the Nepal Peace and Development Strategy for 2010 to 2015 (United Nations 2011a). It has dedicated a whole chapter on social inclusion, making it part of its medium- and long-term goals. According to the Strategy, gender and social inclusion, rule of law, security sector transformation, land reform, good governance, inequality and inclusive growth, state restructuring, and employment creation are all highly interconnected. The Strategy recognises systemic pattern of exclusion and vulnerability. It highlights the difficult challenge of turning the social diversity of Nepal into a positive asset for the nation. It warns against zero-sum thinking, which can strengthen separation between social groups and establish new forms of hierarchy. The strategy calls for establishment of an intersectional approach that identifies most marginal amongst all social groups. **Extra care, indeed, is required so that social inclusion efforts do not create new boundaries between groups;** lead to segmentations, or even to political secession. For this reason, **social inclusion strategies need to be complemented with social cohesion strategies that engage the whole community in building trust and shared vision; and strengthen inter-group relationships, promoting tolerance and respect for people of different backgrounds.**

3 FINLAND'S INCLUSIVE PEACEBUILDING PROGRAMME IN NEPAL

3.1 Overview

Strictly speaking, Finland has no peace programme in Nepal, but in practice, it has had a portfolio of complementary peacebuilding projects and other activities. This portfolio has included various projects co-financed with other donors; provision of high-level technical expertise, where and when needed; and participation in and chairing various co-ordination bodies. When working with other donors, Finland has deployed its funds strategically. It has obtained access to forums, where Finnish influence, knowledge and added value have been used cost-effectively in areas of calming the conflict, negotiating agreements of governance, as well as promoting mutual respect and reducing oppression, exploitation and suffering.

The evaluation of the country programme of Nepal (Caldecott *et al* 2012) praised the wise choices that Finland had made in joining multi-donor and multi-actor initiatives to promote peace and stability and, at the same time, promoting respect for human rights and rights of the most vulnerable and the poor. Finland has supported Nepal in the interlinked agenda of peace process, democracy development, good govern-

ance and promotion of human rights, including the rights of women and marginalised groups, poverty reduction in deprived rural areas and empowerment of civil society. All these topics are long-term values of Finland, as noted by the Finland-Nepal Program evaluation of 2012 (Caldecott *et al* 2012). These values have most recently been endorsed in Finland's 2012 Development Policy Programme (Ministry for Foreign Affairs 2012).

The peace programme addressed some root causes of the conflict but it was initially mainly engaged with security and stabilisation of the situation. This was in line with the Development Policy of 2004 and the Development Policy Programme of 2007. All of these policies highlighted the importance for peace and security as a foundation of sustainable development. While the 2004 Policy highlighted gender and social equality as cross-cutting themes, the 2007 Policy Programme promoted social equality together with rights of women. The Human rights and commitment to rights-based development were part of all these policies as well, but they gained stronger focus in the 2011 Development Policy Programme. The peacebuilding advice given by the Embassy has reflected and aligned with Finland's evolving development policy.

The 2012 Development Policy Programme recognises the absence of widespread political violence as a pre-condition for peaceful sector development work. It notes that conflict-sensitive approach will be applied to all Finland supported programs, in future. It has a broad-based approach to peacebuilding. The Development Policy Programme promotes position of vulnerable and marginalised groups, including IDPs, while decreasing their inequalities. It emphasises the rights and needs of vulnerable groups, especially of women and girls. It pays particular attention to the rights and equal participation opportunities of people who are vulnerable, socially excluded and discriminated against. It emphasises that human rights abuses related to conflicts, especially impunity with most serious conflict-associated crimes, must be prevented. It also recognises that "in post-conflict situations, states need support in disarming the combatants, demobilisation, rehabilitation and re-integration." In practice, this approach is already practiced in Nepal.

Finland's peacebuilding programme has been in line with the Nepal Peace and Development Strategy 2010–2015 and the Nepal government's Three Year Interim Plans (TYIP). Both have emphasized social integration and inclusive development as the basis for economic and social transformation of the country. TYIP's primary objective is to reduce poverty, improve services in the social sector, create employment, re-structure and rehabilitate infrastructure damaged during the conflict. One of the aims is to establish peace while envisaging quick delivery of tangible benefits to the rural poor through increases in targeted programmes for vulnerable groups and women. The draft Approach Paper to TYIP 2010-2013 envisions a society where social exclusion is eliminated.

Finland's participation in the multi-actor peace building efforts has been guided by a strategic vision that only by improving the lives and livelihoods of the vulnerable

people in Nepal, a lasting peace in the society can be achieved. Emphasis on social inclusion is part of this vision. The evaluation of the country programme of Nepal (Caldecott *et al* 2012) considered gender and social inclusion among Finland's technical strengths. Promotion of multi-stakeholder dialogue between government and the non-governmental stakeholders was seen as another strong area of Finland. The present sub-evaluation endorses these views.

After initial earmarked financing of NPTF (IDEA financing also started with earmarked funds), Finland moved to basket funding of peace building interventions in 2008. Basket funding or pooled financing usually serves two purposes: i) It provides recipient governments with larger single programs; and ii) it provides international partners with a way to support programs that greatly exceed their own national contribution. Through pooled financing, the donors can effectively pool risks, and shift the burden of responsibility for risks of waste, abuse or corruption from the shoulders of each individual donor to the multilateral system (World Bank 2011). In post-conflict situation, there are more risks, and therefore pooled financing is even more welcome. Donors can support larger and more comprehensive programs, required for vast challenges of peacebuilding. In 2006 - 2011, the total budget of Finland's peacebuilding programme (€10.6 million) has been around 14 percentage of its total of development budget (€77 million) to Nepal. The break-down between different projects is given in Table 1.

Table 1 Disbursement of funding in Finland's peace programme in Nepal 2006 – 2011.

Project	€million	Percentage
NPTF	6,5	61
AfP	0,2	2
IDEA	0,4	4
OHCHR	3,0	28
NHRC	0,5	5
Total	10,6	100

Source: MFA, Embassy of Finland in Kathmandu.

The implementing agencies in Finland's peacebuilding program have varied from a government agency (NPTF), constitutional body (NHRC), inter-governmental agency (IDEA), NGO (Alliance for Peace) to a UN agency (OHCHR). Taken into consideration the multidimensionality of the peacebuilding challenge and the complementary efforts required, this has been a good mix. It has aligned well with the OECD DAC Guidelines for engagement in fragile states (OECD 2007). OECD Guidelines recognise the multidimensional nature of peacebuilding, and the need to *align with local priorities in different ways*.

Finland (Embassy) has actively promoted peacebuilding cooperation and coordination by providing inputs and comments. It has actively taken up issues, such as strengthening of peacebuilding structures in various donor, UN and EU meetings. In the Donor/Government Advisory Group of the NPTF, Finland has been concerned of the focus of activities. As a result, the budget for building and repairing of police stations was halved. When the EU countries prepared the sections concerning Nepal in the EU Human Rights Report, Finland expanded the document with sections on economic, social and cultural rights. Finland also actively participated in the high-level political dialogue and preparation of the Universal Periodic Report (UPR) of Human Rights in 2011. Embassy prepared responses on discrimination, especially on educational rights of *Dalit* girls and women's land rights.

Finland has been active in many working groups of donors. These have included servings as a Chair of the EU **Working Group on Human Rights Defenders**, initiated by the EU Parliament, from June 2010 to July 2011. Finland has also participated in the European Union Heads of Missions (HoMs) group, constituted by Denmark, Finland, France, Germany, UK and European Commission. It has taken special initiatives in this group to influence peace processes. In addition, Finland has participated in the **Utstein Plus Senior Officials' Group** (now called International Development Partner's Group), attended by bilateral donors, UN and the IFIs (World Bank and Asian Development Bank). The Utstein Group is a main forum for developing common development strategies and policies by donors. It has promoted mainstreaming of a peacebuilding and peace -sensitive approach in bilateral ODA and NGO interventions. Utstein Group has had an active role together with the UN in finalizing the Nepal Peace and Development Strategy.

The Peace Support Working Group (PSWG), which started in July 2006, is another key group where Finland has been highly active. It is, at the present, co-chaired by Finland with the UN Women. This large Group, consisting of 22 organisations (ADB, Australia, Canada, Denmark, EU, Finland, France, Germany, IDEA, ILO, Japan, Norway, OHCHR, Switzerland, UK, UNDP, UN Women, UNFPA, UNICEF, UNESCO, United Nations Regional Centre for Peace and Disarmament and World Bank) has been tasked to coordinate activities for the UNSCR 1325. It has taken over more than just coordination as it has supported development of the National Action Plan for 1325. Finland has been a member in a small team with Norway, UNFPA, CIDA, UK and UNIFEM to formulate the ToR for consultants, who were hired to develop NAP on 1325 and 1820. The PSWG is still supporting the Ministry of Peace and Reconstruction (MoPR) to find funding for implementation. The Guidelines with the outcome indicators for screening donor proposals (including those to be funded by the UN Nepal Peace Trust Fund) have also been developed. A high-level Steering Committee has been established for 1325 and 1820. The Working Group has decided to broaden its work to provide backstopping and support to the MoPR with training and orientation on 1325 Guidelines. PSWG members have also served in various NPTF clusters. Latest action on 1325 and 1820 has included i) development of a funding framework on 1325 and 1820; and ii) revision of the PSWG Guidelines on

1325. In addition, Finland has committed support to the UN Women project on implementation of 1325, with a budget of €1.3 million for 2012-2015. Future PSWG work will also include updating of the NAP Matrix on 1325 and 1820 and developing a policy and guidelines for victims of sexual violence. At times, the PSWG has served as a liaison between the civil society organisations and the government. PSWG work has influenced and been reflected in the UNSC Report (S/2009/362 of 15 July 2009). The Report has taken note of the i) assistance required in Nepal by the victims of conflict on the area of medical, psychosocial and socio-economic reintegration services; and ii) recommended states to strengthen national responses and services to victims of sexual violence.

Finland has been visible in the international fora on 1325, too. In February 2011, the Permanent Missions of Finland, Kenya and Nepal organised in New York a High-Level Breakfast Meeting for the Heads of Delegation to the UN Commission on Status of Women on “Security, development and gender: partners in implementing Resolution 1325 on women, peace and security“. The objective was to launch a study with the same name on the implementation of 1325. As Nepal was part of the study, the work on 1325 in Nepal has directly linked to Finland’s own National Action Plan of 1325, which covers development activities.

Finland has provided forensic expertise in examining a suspected mass grave of Maoist activists, who had disappeared from detention in the Royal Army Barracks in Kathmandu. Finland sent two experts to work with the national experts on the investigation. The visit was repeated in 2010.

Finnish constitutional system has been of interest to Nepal government. The constitution of Finland was discussed during Development Minister’s official visit to Nepal in 2008 and during the subsequent mission of the Prime Minister of Nepal to Helsinki. The Prime Minister of Nepal met with the President of the Supreme Administrative Court in Finland and with the President of the Parliamentary Committee on Foreign Affairs. Three high-level experts from the Constitutional Committee of Nepal visited Finland in 2009. Office of the Nepal President met with Finland’s Cabinet staff, the Parliamentary Ombudsman of Finland, Chancellor of Justice and Supreme Administration Court judges during visit to Finland in February 2010. These high-level meetings culminated in the visit of the President of the Supreme Administrative Court of Finland to Nepal.

These visits have had major impact. Nepal’s President Office requested IDEA to prepare a Manual or Guidelines on comparative experiences in different countries, including Finland. More high-level visits from the Office of the President of Finland and a follow-up visit by the President of the Supreme Administrative Court was requested to share Finland’s experiences. The President of Nepal also expressed interest in better understanding of the Ombudsman system in the Nordic countries; and a wish to learn more about the mandate of Chancellor of Justice in Finland. Information gained in Finland and by Finnish experts has been well used. For example, the

information that was given by the President of the Supreme Administrative Court of Finland resulted in Nepal choosing a judiciary, independent from the legislators.

Finland's assistance on constitution and in forensic analysis as well as in sharing experience on national governance are important in laying a foundation for subsequent inclusion of various social groups but social inclusion has not been an explicit focus in these activities.

3.2 Nepal Peace Trust Fund

There have been three major funds to promote peacebuilding in operation in Nepal: the World Bank Emergency Peace Support Project (EPSP), the United Nations Peace Fund for Nepal (UNPFN) and NPTF by the Nepal government. The UNPFN was established in 2007 to complement the government's NPTF fund with rapid and flexible responses and to coordinate UN efforts in Nepal. Denmark, Norway, UK and Switzerland contribute to both the UNPFN and the NPTF. Finland has supported only the NPTF, but it has indirectly assisted peacebuilding activities of UN through its major contribution (totalling US\$9.2 million) to the UN Peacebuilding Fund (PBF).

The Government of Nepal has coordinated and supported peacebuilding activities through NPTF, initially covering five areas or clusters, but later reducing them to four with infrastructure as a cross-cutting concern: i) Cantonment management, reintegration and rehabilitation (with food and essential services) of *Maoist combatants in Jhapa, Kailali, Surkhet, Rolpa, Nawalparasi, Chitwan and Sindhuli as well as in three smaller camps*; ii) assistance to rehabilitation of *internally-displaced people (IDPs) and conflict-affected persons and communities*; iii) strengthening *security and transitional justice* by mine clearing as well as promotion and strengthening peace and security; iv) support to Constituent Assembly, elections and peacebuilding initiatives at national and local levels. NPTF has been implemented with a network of approximately 275 line agencies in 75 districts. With such a wide network there is, in theory, a good opportunity and scope for mainstreaming any approaches and strategies that are developed. The administration and financial management has been a complex, cumbersome and time-consuming enterprise, challenging the donors to provide additional capacity support with external technical advisory services to improve management and fiscal administration. Some of these constraints, particularly on financial management, have continued.

According to the Joint Review of March 2012, CA and election work took 30 % and only 1/20 of funds were allocated to LPCs and work with the indigenous people. Conflict affected persons and communities have only been allocated 3.72 % of the approved budget. The break-up between different clusters based on the latest reports is given in Table 2.

Table 2 NPTF disbursement by clusters in 2007-2012.

Projects	Total Project Costs in USD Million	Percentage
Cluster 1: Cantonment management	69,46	39,62
Cluster 2: Conflict affected people and communities	6,53	3,72
Cluster 3: Security and transitional justice	26,99	15,40
Cluster 4: CA & Peacebuilding initiatives at national and local level	72,31	41,26
Total	175,29	100,00

Source: Gorman, Pokharel, Sharma, Banck & Pradhan 2012.

NPTF has also supported elections with three projects (initially earmarked by Finland) covering various activities: capacity development of electoral officials of Election Commission; deployment of election related officials for the election day; rapid delivery of shelter and basic services for cantonments to support elections; training over 250,000 electoral officials in all 75 districts; training 8500 volunteers and dissemination of materials and support to the CA Secretariat for public consultations.

NPTF is a government-owned programme, established in early 2007 to implement the CPA. Its second three-year phase is presently under implementation. The MoPR has overall execution responsibility, but projects financed under its Fund umbrella are implemented by various government agencies, including the Ministry of Physical Planning and Works, the Ministry of Health and Population, the Department of Urban Development and Building Construction, the Department of Roads, district administration offices, the Cantonment Management Central Coordinator's Office, and the National Election Commission. NPTF has financed projects on rehabilitating people affected by the conflict, including Maoist ex-combatants; election of the CA and other entities; management of cantonments; removal of land mines; and reconstruction of war-damaged public infrastructure. It has strengthened the rule of law. From 2010 onwards, NPTF has strengthened LPCs. It has also slowly started to facilitate participation of the civil society organisations in its projects.

NPTF has had inherent limitations on its work as it is a political body, and its work area is linked to the implementation of the CPA goals, many of which are yet to be operationalised. A challenge has come from the protracted political negotiations of peace process that has affected the functioning of the Fund. NPTF, therefore, cannot be delinked to forge a separate agenda on implementation of the CPA and bring additional issues, which are not included in the CPA. Nor can it implement issues, which are still under on-going negotiations and on which there is no political con-

sensus. Consensus building takes time and it tends to be reached only at the end of long processes. Yet, other agreed issues in the CPA could have been implemented by the NPTF and donors would have been able to demand them. The sub-evaluation has not been able to assess how much of such influence the donors have collectively used. Donor partners have had to face the delicate balance, too, between influence and respect for national ownership, allowing dynamics of political negotiations to involve all partners. Some of this challenge has been dealt professionally by Finland, by bringing in additional advisory services to facilitate negotiations on constitution and national governance.

NPTF has been financed by various donors, including Finland, but 75 % of the funds have come from the Nepal government. Finland has supported the Fund with €6.5 million since 2007, when the Fund was established (Table 3). Finland's financial support was first earmarked to the CA election support: educating voters and building the capacity of election officials. From 2008, onward Finland pooled its financial assistance with other donors i.e. Denmark, EU, Germany, Norway, Switzerland and UK. According to the Joint Financing Agreement this arrangement allowed "inclusive prioritization process to allocate the fund as per the need". In addition, other expectations set for the joint financing included that "respect for human rights, democratic principles, good governance and rule of law will form essential elements of agreement with principles of transparency and open dialogue." According to the NPTF programme document, unified donor coordination was expected to prevent emergence of gaps and duplication, particularly in funding, but also avoiding inconsistencies in policy advice.

Table 3 Financing of NPTF by donor group and Government of Nepal in 2007-2011.

Funding source	Commitment in US\$ million	% each donor vs. GoN	% DG vs. GoN
DFID	18,94	11	
Norway	10,88	6	
Switzerland	11,05	6	
Finland	7,90	4	
Denmark	5,21	3	
EU	7,75	4	
Germany	4,00	2	
Total DG	65,73		36
GoN	115,07	64	64
Grand Total	180,80	100	100

Source: Gorman *et al* 2012.

In spite of cumbersome procedures and slow response to immediate needs of people, NPTF has so far managed to disburse more than US\$100 million, about two-thirds from the Nepal government and the rest from Denmark, Norway, Switzerland, UK and Finland. Germany has recently begun funding the NPTF, and the European Commission is planning long-term support. (World Bank and the ADB could not join the Fund because the Fund is financed outside of the government budget). It remains unclear, how much influence donors can have when their combined financial support to the Fund is only 25 % compared with the 75% of the government, especially as earmarking is no more practiced.

Although the donors have actively supported NAP on 1325, NPTF has been slow in concretely addressing women's security and peacebuilding needs within its areas of work and projects. Although NPTF has recognised the importance of implementing UNSCR 1325, there has been a lack of earmarking funds for women's post-conflict needs (Torry, Rana, & Bhandra 2010). Two new projects may change the situation, in future.

3.3 International IDEA

International IDEA is an inter-governmental organisation with 27 government members from South and North. Finland joined IDEA in 1995. IDEA has been in Nepal since 2004. IDEA's mandate is to support democracy worldwide, in i) providing knowledge to democracy builders, ii) supporting policy development and carrying out analyses; and iii) supporting democracy reforms. It has a strong knowledge base with expertise on electoral processes; political parties, representation and participation; and on constitution building processes. In addition, it has knowledge on inclusive democracy, and gender and diversity issues. Another of its strengths is its capability for quick and easy access to expertise and experiences from other countries and regions.

There is a diverse constituency of international support for constitution building in Nepal, with Switzerland, Canada, the USA, Denmark and Germany all involved in various ways. Finland in partnership with Norway has given support through a €0.4 million grant to IDEA to cover the period of 2009 to 2012. Altogether 27 political parties have been involved in formulating the new constitution, with 601 delegates considering issues such as the precise nature of the federal system that will be created (e.g. whether it should be based on administrative units or ethnic homelands), measures to protect the rights of minorities, citizenship issues, and the choice of official languages (Caldecott *et al* 2012).

Constitution was one of the topics discussed in 2008 during the official visit of the Minister for Foreign Affairs of Finland in Nepal. An identification report around the same time recommended working with the International IDEA on constitution building. Finland started to finance IDEA from end of 2009 onwards through the project "Supporting Constitution Building in Nepal". The objective was to constitute

14 Information Centres in all 14 regions or administrative zones for dissemination and consultation on the CA with public and civil society organisations. The second phase of the project started in beginning of 2011 and was entitled “Supporting Nepal’s Constitution Building and Implementation: Realizing the Promise of Social Inclusion and Accountability.”

Finland made a wise choice in starting to work with the IDEA, at least for two reasons. First, *inclusive* constitution building is at the centre of the implicit change and peacebuilding “theory” of the IDEA, visible in the following statement:

“Constitution building is a key component of democratization and conflict management in divided societies. IDEA supports inclusive and participatory constitution-building processes that are nationally owned, sustainable, gender sensitive and prevent conflict.”

Second, over the years, several comparative advantages of IDEA have come to the fore. These include:

- Trust among constituents and stakeholders
- Credibility of IDEA
- Politically neutral agenda
- Thorough understanding of the Nepali political process
- Flexibility to respond to changing situations, yet remaining relevant
- Working at various levels with influential players, networks and public
- Close collaboration with key institutions such as CA Secretariat, political parties, Constitutional Committee and various other high-level Committees
- Low-key working style
- Small and responsive organisation, keeping bureaucratic red-tape to the minimum
- Sensitivity to the needs of its stakeholders
- Demand-driven and with participatory approach
- Sensitive to ownership and key sovereignty issues
- Strategic partnership with credible institutions such as the National Law Society

During the first phase, Finland has financed a separate sub-project “Supporting Constitution Building in Nepal: Implementation of Rights, Oversight and Accountability Mechanisms of the New Constitution in the Making” within a larger programme “Support Constitution Building in Nepal”, financed by Norway. In the constitution process, IDEA has also collaborated with the UNDP and the International Foundation for Electoral Systems (IFES). It has been able to increase additional activities with Finland’s financial assistance. They have included: orientation programs for CA members; dialogue sessions between political parties; two comparative discussion papers; study visits and support to CA Women’s Caucus. The project focused on developing the pillar of inclusion as its overarching theme.

The project has involved an integrated approach to accountability, addressing constitutional rights, institutions of judicial review, and political legitimacy of the institutional framework. The objectives have included:

1. Building capacity of key political actors in Nepal's constitution making process to become aware of comparative processes related to a) accountability institutions such as Ombudsman and judicial implementation, and oversight mechanisms e.g. Supreme Court or Constitutional Court; b) system of government - relationship between Head of State, government and legislations;
2. Initiating and deepening dialogue among key political actors towards building consensus on these constitutional issues.

Activities have included orientation programs; dialogues between political parties with Finnish and IDEA representatives as resource persons, representatives of judiciary and CA members; CA debates; preparing discussion papers; study tours to Finland and vice versa as well as to Indonesia, and support to Women's Caucus.

The anticipated results for the first phase included: i) Informed political decisions in preparation of the CA with establishment of oversight and monitoring institutions; ii) establishment of constitutional provisions which define relationships between Head of State and other institutions as well as a well-equipped Presidential Office; and iii) gender to be put at the centre of CA agenda.

The key challenge for implementation was whether CA can design constitution that will realize its reform agenda in practice, making the CA a living and vibrant document that is used for effective governance and by the people to improve their lives. Another challenge, noted by IDEA relates to the influence of women and vulnerable groups. The Constitution writing process during the past two years has become exclusionary, with three major parties taking over the process and excluding representatives of indigenous peoples and women. In the Assembly, women were excluded from important decisions. Important decision-making and final decisions were left to informal discussions between senior party leaders outside the CA processes, without public consultations and hearings. Old mind-set that few can decide for many is being readopted (Rikkilä Tamang 2012; Rana 2012).

The overall objective for the second phase, which started in 2011 and will continue till end 2012, has been to support consolidation of democracy through process of writing, negotiating and implementing the new constitution, as well as through enhanced electoral management. The activities have included:

- Assistance to CA, Public Outreach Committee and CA members in finalising Constitution
- Technical inputs to Constitution, drafting process through commentary notes and sharing comparative experiences
- Support to CA's Women's Caucus and Indigenous People's Caucus
- Facilitation of dialogue among key political actors for consensus on contentious political issues
- Creating spaces for political parties to share results of constitution making process

- Building capacity of the Election Commission on selected aspects of election administration as well as updating design and implementation of the Electoral Dispute Resolution Mechanism
- Supporting Constitutional design which accommodates diversity with special emphasis on affirmative action and language policies
- Supporting the role of the legislature in implementing the new Constitution
- Building the capacity of the electoral management bodies to carry out next elections in a professional manner and managing possible disputes.

As there had been much support on capacity building during the first phase, the plan for the second phase was to carry out tough negotiations over constitution and to do intense drafting, with IDEA providing the platform and expert advice for negotiations. Once the final Constitution was drafted and enacted, the next challenge would be to implement the Constitution. The critical questions that were posed for this phase included:

- Will the Constitution reflect Jana Andolan II (the next People's Movement)?
- Will it nurture peace and consensus and reach excluded groups?
- Will second round of public consultations curb negative perceptions on the process?
- Can CA design a Constitution that works as a reform agenda, and mobilise resources needed for its implementation?
- Will fair and peaceful elections be organised?

This second phase, taking place during the first year after the elections, was considered by IDEA to be very critical: Mechanisms would be quickly required to implement Constitution, manage transition and to accommodate diversity. A special question posed for this particular stage was how to effectively respond to problems of socio-economic marginalisation and exclusion while avoiding deepening and reinforcing the caste system and exclusive ethnic politics.

The results set for strategic objectives in the second phase included:

1. Strengthened capacity of the Constitutional Committee, the Public Outreach Committee and CA members for finalising the Constitution with incorporation of public views;
2. CA Women Caucus and Indigenous Peoples' Caucus finalised in dialogue with the civil society;
3. Political compromise and consensus reached on contentious constitutional issues;
4. Strengthened capacity of the Election Commission to run fair elections and support design of Electoral Dispute Resolution Mechanism.

3.4 Alliance for Peace

AfP was established as an NGO in 2002 to work on political party reforms. The objective was to democratise student and youth wings of political parties. AfP has been supported by USAID, UK, Finland and Denmark as well as by IDEA and DEMO Finland. UN has also provided technical assistance and resource support to human rights trainings through OHCHR Nepal.

All parties have faced problems in the process of intra-party democracy and have sometimes issued nominations instead of organising fair elections. Political Youth Wings have also tended to share the same undemocratic culture, lacking democratic processes. In the past, the youth wings of the parties have functioned as violent forces and one of them has now been closed. Youth can be considered among vulnerable groups, too, requiring social inclusion efforts.

In Nepal, 27 percentage of population in 2001 consisted of the youth (age group 15 to 29). They mostly lived on rural areas (83 %), but 40 per cent of the urban population consisted of the youth. Officially, 11.4 per cent were officially unemployed in 2001. Since underemployment is more common in rural societies of South Asia, it can be expected that many more are underemployed. Youth from the marginalised communities are double discriminated, thrice if they are girls. The Government has drafted a National Youth Policy and it has established a separate Ministry to look after the youth i.e. the Ministry of Youth and Sports. At least one project financed by the NPTF has also targeted the youth.

Finland initiated funding to the Alliance for Peace in July 2009 and signed a MoU in April 2010 with two partners i.e. Danida Hugou and MS Nepal (A Danida -supported INGO which later merged with the Action Aid) for co-financing AfP for three years. Among the three, Finland has been the biggest funder with 7 million NRS (€70,000 per year), compared with Danida Hugou (NRS5.2 million) and Action Aid (NRS2 million). The objective of the programme has been to assist empowerment of the Nepalese youth and students (defined initially as age group 18 to 35, later revised as 18 to 40) towards a more democratic and peaceful country. The intention has been to establish 14 district level and one central level Youth Peace Dialogue Center. The operational plan of the project has had five strategic areas of intervention:

- Democratisation of the political youth and student wings
- Promotion of human rights and transitional justice
- Conflict transformation
- Constitution building
- Institutional strengthening of the AfP Nepal, its partner organisations and youth peace dialogue centres.

AfP's implicit change and conflict theory can be seen in its strategic programme framework:

“Post conflict recovery entails the struggle for power, which generates human passions that are liable to challenge peace and stability. Every building block of democracy can also contain the seeds of violence. Political parties can focus on fighting each other rather than pursuing the broader interests of society. Transitional processes involving major changes in the power structure and a major reshuffling of the social order are also conducive to violence. Constitution can be imposed on unwilling minorities without their participation.”

Project activities have included advocacy, research, lobbying, institutional development and empowerment of the youth. Youth have been trained as Peace Ambassadors to collaborate with the Youth Peace Dialogue Centers, and to help create Youth Peace Networks. Crosscutting concerns e.g. gender mainstreaming, social inclusion and conflict sensitive approaches have been touched during implementation.

3.5 Human rights and social inclusion: OHCHR and NHRC

3.5.1 Introduction

Social exclusion occurs when groups are excluded from their rights or entitlements as citizens, including rights to attain a certain standard of living and to participate in society as *equals*. Therefore, including excluded people in marginal economic positions, with access to marginal resources, in poor quality jobs and with less influence is form of exclusion. Realisation of human rights in practice is at the centre of social inclusion agenda. Social inclusion takes place when it is i) guaranteed in the Constitution, ii) when human rights are institutionalized in well-functioning human rights bodies, rights-based policies, legislations and iii) when inclusive processes are practiced and rights (economic, social and cultural) realised in daily lives of people. For this reason alone, the assistance given by Finland to strengthen national human rights institutions, justice with human rights and human rights processes, has contributed to social inclusion. Through its financial support to OHCHR and NHRC, Finland has been part of the efforts to strengthen economic, social and cultural rights. These rights, being universal, must not contribute to new discriminations. With their universality, human rights contribute directly and indirectly also to social cohesion.

Social cohesion is at the centre of the CPA, yet it has not received sufficient attention during the implementation of various programs. Nor is contribution of the practice of human rights to social cohesion well understood. If justice and equity concerns are not part of social inclusion, the hierarchy of power will only turn upside down and other forms of inequality can develop. Respect for economic, social and cultural rights, on the other hand, would put all members of society on an equal footing.

3.5.2 OHCHR

OHCHR in Nepal played a very important role in ending the conflict and supporting sustainable peace by focusing on ending human rights violations. OHCHR monitored human rights provisions of the CPA and helped to operationalise the protection

cluster. During the conflict, its work led to the end of the conflict-related “disappearances” by the Army. It acted in an important role for preventive influence on curbing abuses by the Maoists, too. OHCHR also helped HRDs to carry out their work. In addition, it promoted public dialogue on human rights to continue in spite of efforts to suppress it.

OHCHR paid special attention to incorporation of the economic, social and cultural rights in the constitution. It was active in analysing discrimination. OHCHR indicated where improvements needed to be made on: i) ending discrimination and inequalities; ii) ending impunity for past and on-going HR violations; iii) addressing State’s obligations to protect human rights of population to life, liberty and security; and on iv) coherent program to strengthen and reform security forces and administration of justice. In 2010, the OHCHR released a report on alleged and uninvestigated extra-judicial killings by the security forces in the Terai, entitled “Investigating Allegations of Extra-Judicial Killing in the Terai (2008-2010)”.

Not only were various issues identified by the OHCHR, but with its support, legislation and policy frameworks were put in place to address some of the identified concerns, including legislation to redress untouchability of the *Dalits*; signing of the UN Convention on the Rights of Persons with Disabilities as well as of the UN Convention on the Rights of Indigenous Peoples. With the assistance of the OHCHR, the HIV/AIDS national policy was also revised. In September 2010, OHCHR’s monitoring during the *bandhs* was of great importance in safeguarding individuals, even saving lives.

OHCHR received funding worth of 3 million Euros from Finland for the period of 2005 - 2010. Finland seconded a Junior Professional Officer to the OHCHR Nepal Office for 2010-2011, as well. Finland thus became one among the many donors, who funded OHCHR. Others included Canada, Denmark, the European Commission, France, Germany, Norway, Switzerland, UK and USA.

Finland supported OHCHR in building the capacity of the NHRC in human rights case investigations and in general situation monitoring. Finland did not support direct GESI work of the OHCHR. It was supported by the UN through its UNDAF framework. There, UN provided support to establish inclusive civil society networks, such as Caste-based Discrimination Elimination Network to fight caste-based discrimination in the Far Western region, resulting in ground-breaking verdicts by the district court in two discrimination cases in Baitadi (United Nations Country Team 2011).

OHCHR office was closed down end of 2011. Earlier its six field offices had faced the same fate. OHCHR activities have been evaluated several times by the EU in 2008 and subsequently by the UK (Mahony & Nash 2010) and Norway (Vigeland & Sharma 2010). The high value of OHCHR’s work to improve rights of the *Dalits* as well as strengthening the Economic, Cultural and Social Rights (ESCR) - also appreciated by the Nepalese community and civil society organisations - has been recognised in the evaluations (Vigeland & Sharma 2010). OHCHR was monitoring an incomplete and

potentially volatile political process. In spite of its good work in addressing immediate human rights abuses and building the low human rights capacity of national system, it not only built alliances in the country but was also seen as a threat and a rival. Finland together with the EU countries and other donors lobbied hard with the Government to retain OCHCR in Nepal. After closing, pending matters of the OHCHR were transferred to the NHRC.

3.5.3 NHRC

NHRC was established on 26 May 2000 as a national human rights organisation under the 1997 Human Rights Commission Act. The 2007 Interim Constitution of Nepal provided for its continuation, thus elevating its status to that of a Constitutional Body.

In addition to the NHRC, other national human rights institutions in Nepal include the Nepal Women's Commission (NWC) and the National Dalit Commission (NDC). There is a National Human Rights Institution, too, the role of which is to serve as a watchdog over state organs of justice. It, however, lacks the power and independent constituency to force a government lacking in political will to fulfil its human rights obligations. There is no indigenous people's (*Janajatis*) commission as yet. Establishment of the National Commission on *Janajatis* has been proposed by the Asian Indigenous Tribal Peoples Network and it had been endorsed by the OHCHR. It has been included in the demands of the *Janajatis*. A model law for this Commission has already been drafted.

Finland granted NHRC US\$0.156 million in 2001 and US\$0.189 million in 2005 (Caldecott *et al* 2012). The focus of the first phase was to support NHRC to fulfil its mandates of protecting and promoting human rights. During the first phase, the Commission was set up as a constitutional body with regional and district offices for monitoring human rights situation across the country.

A contribution of US\$ 0.5 million was made to NHRC for the second phase capacity-building project, administered by the UNDP in 2009-2011. In addition to Finland, other donors included Denmark, Switzerland and UK. Parallel financing was provided by the OCHCR. The objective of the second phase was to build the capacity of NHRC to promote and protect socio-economic, political and civil rights, and to oppose caste, gender, ethnic and religion-based discrimination. More specifically, the Commission was strengthened to:

1. Collect and process human rights cases, hold public hearings and implement case-wise recommendations
2. Educate and raise awareness about human rights amongst the general public, government officials and Constitution Assembly members
3. Audit government programmes
4. Review discriminatory laws and monitor the implementation of Nepal's international human rights treaty obligations
5. Help to build a national network of human rights protection.

Progress has included:

- Altogether 570 cases were recommended to the Government, of which less serious human rights violation cases have been implemented;
- By 17 July 2011 total of 5498 cases were monitored and investigated, including 105 on women's rights, 59 on disabled people's rights and 37 on racial discrimination;
- Several cases of complaints were investigated and remains of victims exhumed with technical assistance from Finland on two occasions;
- Outreach to civil society on protection (investigation and processing cases of alleged violations) was strengthened;
- Ten discriminatory laws were reviewed, including legislation on disabled people;
- User Guide on ESCR indicators and Guidelines on social inclusion was prepared;
- Advocacy programs on caste discrimination, women's rights and the rights of senior citizens;
- NHRC contributed to the stakeholder submissions with the Dalit Commission and Women's Caucus for the UN Universal Periodic Review (UPR) of Human Rights.

In spite of these milestones, The National Human Rights Commission has struggled with various challenges. One of the biggest challenges facing the Commission has come from the government's failure to fully implement many and most serious recommendations made by the Commission. The two transitional justice committees have also remained pending. The issuance of the new NHRC Act has put the independence of the NHRC under threat. The Act runs contrary to the spirit of the constitution as well as to the Paris Principles. It also contains procedural flaws that threaten to undermine the protection of human rights, especially of the poor, illiterate and those living in distant villages. It requires all cases to be filed within six months, ignoring the fact that it takes time by the victims to be able to launch their complaints. Some other countries, like Ethiopia, have incorporated into their constitutions a provision stating that violations of international laws, such as torture and enforced disappearances, will not be bound by a statute of limitations (Abrahams 2012).

A serious backtracking on transitional justice has become visible. In April, party leaders agreed to increase the future commission's power to grant amnesties for all types of crimes even without the consent of victims. Reportedly, political party leaders ordered the arduous task of withdrawing the existing two transitional justice bills from the Legislative Committee, and then to introduce a new bill drafted by the Law Ministry (UN RCHCO 2012).

4 EVALUATION FINDINGS

4.1 Relevance

Projects assisted by Finland have been very relevant to inclusive peacebuilding. Donor support has been instrumental in responding to a massive peacebuilding challenge in Nepal. Quick response to instability and security challenges was required. Democratic and inclusive elections can be considered an inoculation against future conflicts, as well.

NPTF programme has delivered part of the CPA commitments. It has prioritised on stabilising the conflict by supporting elections, building infrastructure, strengthening security, reintegrating the Maoist combatants and providing assistance to the conflict-affected. Yet, the programme could have been more relevant, had it given more prominence in implementation to other clusters of the NPTF. This concern has also been expressed by the Embassy of Finland during the implementation, resulting in subsequent reduction of infrastructure project budget. Another concern expressed by Finland has related to insufficient focus on people's needs, a concern which still remains to be fully addressed by the NPTF. At the same time, both the field survey and the projects documents have confirmed that the conflict-affected and vulnerable people have appreciated reconstruction of infrastructure, although they resented for not being consulted in the selection and implementation of the NPTF projects. They also complained of the selection processes, which have favoured some people with party affiliations and lead to some unjustified beneficiary selections. Another concern has related to one-sided attention on physical losses, ignoring personal suffering and psychological traumas of the people. During the field survey, district development officials and civil society members shared their views also on lack of needs-based and bottom-up planning. According to one official in Dolakha, "plan comes together with the funds released from the centre." Questions were also raised on suitability of short-term project modality when building peace and whether causes of conflict were adequately addressed.

The mandate and expertise of **IDEA** have been very relevant to Nepal, and will continue to be so, in addressing future challenges that will come from the new constitution processes and new elections. IDEA's consultative and client-sensitive working modality has helped to address causes relevant to marginalised and vulnerable sections of population.

AfP project has been highly relevant, too, with youth as a target group and with an objective to build the capacity of the youth for constructive involvement and meaningful influence within parties. Relevancy was also noted by an earlier evaluation of Demo which also included their support to AfP (Hällhag & Sjöberg 2009). If the needs of the youth are ignored by a hierarchical and patriarchal society, young people can become a threat to social cohesion and rupture inter-generational solidarity,

as well. Unfortunately, youth had been marginalised in subsequent peace talks and negotiations, only to be able to use their voices on the streets. Therefore, the objective of the project to build inclusive and constructive peacebuilding roles for the youth is well-justified.

4.2 Effectiveness

Effectiveness of social inclusion activities in the project has been mixed. **NPTF** has been effective in launching 41 projects, covering areas such as election support, cantonment assistance, compensations to former combatants, IDPs and conflict affected, infrastructure and on improving security. Work on elections has been effective, with elections conducted peacefully. At the same time, while 9.5 million people out of expected 11.1 million Nepali citizens have been registered in the digital voter list and a very high number of women (81.9%) have become aware of the digital voter list, only 46.6 % (status November 2011) have updated their name in the list (as a result of lack of citizenship certificate, lack of support by family members and inaccessibility of EC camps in villages). The Fund has recognised this problem and plans to address it, in future. Various barriers have also prevented effectiveness of programs, designed to assist conflict-affected people. The application, identification, approval and relief distribution procedures have been complex and lengthy. They have been cost-effective to the government, but costly to the people. About 37 per cent of conflict affected people have spent more than NRs 5000 on application process. Documentation requirements have been found to be inconvenient for illiterate people who have no certificates and who reside in distant and inaccessible locations. In addition, around 64 per cent of people have had to wait more than a year to get benefits. Disability, resulting from conflict, has also been difficult to prove with the existing procedures. People, too have questioned effectiveness of some assistance, such as effectiveness of financial compensations in curing deep conflict wounds: *“Compensation? What is a real compensation? Can a raped woman be compensated ever?!”* Effectiveness of LPCs supported by the NPTF has been mixed: LPC have in some cases cost-efficiently facilitated selection of conflict-affected beneficiaries. In other cases, LPC involvement has led to the biases in conflict victim selection. Problems have come from unclear mandates, lack of resources and management styles.

The **IDEA** project management has had clear goals with carefully planned activities that have led to results. It has had a change-theory behind its activities. It has identified challenges and adapted to the changes recognised in its operational environment. Unique technical assistance has been provided by the IDEA, non-comparable to many other institutions, working on constitution processes. While others provide advice *for* the CA and its members, IDEA provided technical advice *with* the CA as per CA's request. Other successful strategies have included: i) Client-sensitivity in IDEA's work approaches with “closed doors” and “non-binding rules” that has allowed free expression and exchange of opinions; and ii) the nexus between political consensus, peace process and constitution building.

The **AfP** has reportedly been guided by the theory of change by Carol Weiss, but the effectiveness of this technical instrument has not been analysed in its progress reports that were available to the sub-evaluation team. Ideally, the change concept of Weiss consists of a systematic model, where programme inputs are described and outcomes listed. The methodology would have assisted in making activities more effective in producing results (Weiss 1997).

4.3 Efficiency

Efficiency has varied from project to project and over the years.

The **NPTF** has acted swiftly on security and infrastructure needs. LPCs have been established. Compensations have been made available. It has, however, faced problems on financial management, slow reimbursements, inadequate requirements, opaque planning of operations and biases in project selection. Part of the problem has come from the operational environment. Government has been hampered by working in a politically volatile environment where negotiations have been an on-going process. Plans have been amended, staff turn-over has been high, management structures have changed and administration capacity has been low. The donors, including Finland, have responded to this challenge by strengthening the government capacity through hiring of external monitors. The German national development cooperation organisation GIZ has provided technical advice services to the government on program management and EU on financial management. It has been time-consuming for donors, who at the same time have had to struggle with different priorities among themselves. Most of the administration problems have been solved, but weak financial management and inadequate reporting continue. Other set of constraints have come from the complex decentralised project implementation with many implementers.

IDEA project has been run efficiently. Only during the first phase, the project reporting was mixed: activities were included among the outcomes and indicators were missing. This was amended for the second phase.

AfP project has suffered from reporting. There has been a weak reporting system that has not linked project activities to results. The conduct of joint evaluations has not been very efficient either. The second Joint Annual Review failed to follow-up and report on the progress regarding the observations and the recommendations made in the first Review.

4.4 Coherence and coordination, cooperation

The peacebuilding programme of Finland has been in line with the CPA, GoN policies as well as Finland's Development Policies and Programmes. The projects supported by Finland complemented each other. The synergy could have improved, had there been an assessment of the present post-conflict situation and development of

a clear peacebuilding strategy operationalizing the CPA. Neither the CPA - a political agreement - nor the Utstein- and UN -driven Peace and Development Strategy can provide sufficient pragmatic guidance with a road-map and milestones for implementation.

NPTF cluster topics have been in line with the CPA, but only partially. Nor has NPTF fully implemented the Nepal Peace and Development Strategy 2010–2015 or the Nepal government's TYIP for FY2008-2010, both of which emphasized social integration and inclusive development as the basis for economic and social transformation of the country. TYIP's primary objective is to reduce poverty, improve services in the social sector, create employment, restructure and rehabilitate infrastructure damaged during the conflict. One of the aims is to establish peace while envisaging quick delivery of tangible benefits to the rural poor through increases in targeted programmes for vulnerable groups and women. The draft Approach Paper to TYIP 2010-2013 continues on the earlier tracks and envisions a society where there will be no legal, social, cultural, lingual, religious, economic, gender, racial or any other kind of discrimination and where social exclusion is eliminated. NPTF is, of course, not the only institution involved in this task, but it has not fully actualised its own mandate either around these objectives.

When NPTF was designed, it was in line with Finland's 2004 development policy which emphasised efforts to stabilise conflicts. Thereafter, Finland's subsequent development policies have given more attention to rights-based development as well as to social inclusion of vulnerable people. The Fund has also been, in principle, in line with Finland's National Action Plan on 1325 for 2012 - 2016, central themes of which are conflict prevention, crisis management, and strengthening, protecting and safeguarding the human rights of women and girls. The NAP applies to Finland's development partner countries, too. The 1325 alignment has not been fully implemented so far. The field visits revealed that local women are not yet sufficiently aware of the government commitments and obligations under its NAP on 1325 and 1820. Nor have funds been allocated to women's security and peace building needs. Some improvements have been made by strengthening the Gender Focal Points in the Fund and in the Ministry as well as by establishing two new projects to implement UNSCRs 1325 and 1820.

NPTF has had several coordination bodies, varying from the Donor Advisory Group in which Finland has been a member, to a NPTF Steering Committee where one revolving donor representative member. The NPTF Donor Advisory Group has met biannually: in April to review the work plan and budget for the next fiscal year, and in November to review performance in the previous fiscal year. Between these meetings, donors have met with MoPR every two months to review progress and to discuss issues arising from implementation.

Cooperation has been part of **IDEA's** work goals and strategy of social inclusion. Projects have promoted cooperation between various political parties as well as with civil society and population at large, including excluded people. In addition, IDEA has

cooperated and coordinated its activities with Finland, by arranging high-level expertise from Finland as well as arranging study tours between Finland and Nepal. It has also shared its own practices and experiences on institutions in the political governance. The model for coordination has been highly context-sensitive.

AfP has organised strategic partnership meetings. Under the project, AfP has trained youth as Peace Ambassadors, who will collaborate with Youth Peace Dialogue Centers and create Youth Peace Networks.

4.5 Coverage

The geographic coverage has varied with various types of activities. Elections were supported all over the country. A project on “Voter Education Programme for CA Election” covered 3915 Village Development Committees and 58 Municipalities. It was executed by the Election Commission of Nepal with objectives “to ensure that all eligible voters, including marginalized communities, women and other vulnerable groups have sufficient access to information on electoral processes”. Cantonment assistance has concentrated on the areas where the cantonments are located, but there has been a beneficial spill-over effect of services to neighbouring households and communities. LPCs have been supported in 74 districts. There are indications in the project reports that some activities in more distant and inaccessible locations have been left out. This is alarming, taking into consideration that the conflict started and was able to incubate in distant locations rarely visited by the government officials.

There have been targeted NPTF projects: Radio campaign for minorities; project by the Government’s National Foundation for Development of Indigenous Nationalities (NFDIN) as well as Dialogue on the Indigenous Nationalities Rights; a foreseen youth program; Social Programme for the IDPs; Rehabilitation Centres for the conflict-affected; and a project on Engendering Conflict Transformation and Peace Building Process: Implementing NAP 1325 and 1820” to empower conflict affected women and girls.

In line with the CPA, **NPTF** has had provisions for social inclusion and the rights of women and children. According to the project documents, NPTF should have covered the following groups: Maoist combatants, IDPs, conflict-affected persons and communities, indigenous people, disabled, youth, children and women. IDPs should include: (i) children, orphans, elderly persons, conflict affected women, widows; ii) single-headed households or child-headed households; iii) persons with disabilities; iv) dwindling or marginalized groups; and v) IDPs with particular risks.

According to the feed-back by people during the field visits and project reports, there have been some gaps in the coverage: i) many conflict affected people are yet to be compensated; ii) compensations have not always reached the right people and some non-eligible people have received compensations while eligible ones have been excluded; iii) some people known by their nicknames during insurgency have not been

identified; iv) barriers exist for the poor, disabled, elderly, illiterate and the geographically remote people to manage application procedures and to get benefits; v) many people lack citizenship certificates; vi) there are difficulties in proving conflict-related crimes such as kidnapping and rape; vii) undervaluation of properties has led to insufficient compensations; viii) cumbersome procedures prevent processing of applications; and ix) some categories such as “counter Maoist groups” have been unduly excluded from compensations.

The coverage has been patchy for various reasons: funds have been lacking, compensations have been inadequate or there have been major delays. This has been confirmed both in the project documents and during the field survey. In addition, funds have not been used in a balanced way. Most funds have gone to cantonments and infrastructure. Sufficient funds have not been available for the conflict victims.

Coverage by specific vulnerable groups has been difficult to assess, because disaggregated data has not been collected, in spite of the recommendations made by 2010 project evaluation and in the draft M & E Manual. An external consultant has started to collect some socially disaggregated data through social audits, but he has not been able to separate Fund impacts from other programs that are active on the same locations.

IDEA project has had wide coverage because of its nature, supporting elections and constitution building processes that have had to reach all over the country. Information centres have been established in all 14 zones of Nepal for dissemination. CA members have organised discussion sessions in the centres with attendance of about 40,000 people. There has been some doubt, whether these centres have been as efficient as hoped, because of a huge gap between the registered voters and those lacking election papers. According to the sub-evaluation, the problem relates to the general weaknesses in certificate access systems, and does not result from the lack of access to information.

AfP activities have reached wide geographic area. In 2010, AfP had 102 members and 21 partnership organisations in Bajhang, Bara, Bardiya, Dhading, Dolakha, Gorkha, Humla, Kailali, Kanchanpur, Kapilvastu, Nowakot, Palpa, Rolpa, Rukum, Rupandehi, Sarlahi, Solukhumbu, Sunsari, Syangja and Tanahun. It has established 14 district level and one central level Youth Peace Dialogue centres. Leadership training has been provided to 100 *Dalit*, *Janajati* and other marginalised group members of Political Youth Wings and student organisations. No exact data, however, has been made available on the gender and ethnic distribution of the youth.

4.6 Participation and local ownership

The **NPTF** programme document states that one of the expected benefits of the Fund is to assist in “improving social cohesion and including previously excluded groups within the peace process (Para 90).” In addition, it will aim to “promote an ac-

tive participation of women and other discriminated groups in the design and implementation of activities funded through the Trust Fund” and “results will have to be achieved through consultative and participatory strategies to address social inclusion.” Unfortunately, these commitments have not been followed in the Fund Rules. As a result and in practice, the Fund has not felt sufficient need to include such concerns in the project documents, indicating: how exactly they plan to address social inclusion with consultation and participatory strategies; how they will improve social cohesion; how the concerns of women and discriminated groups will be included in design and implementation; and how different groups will benefit from the projects. Nor are there participatory initiatives in design and implementation of projects and in cluster management, monitoring and appraisals. Cluster projects should have been designed based on the needs of the conflict-affected people, and in consultation with civil society and women’s groups. Needs assessments have consisted only of desk studies, reflecting the views of administration and implementing agencies, not of conflict-affected people. Some improvements on gender can be expected, however, from the two new projects “Engendering Conflict Transformation and Peace Building Process: Implementing NAP 1325 and 1820” as well as “Strengthening the Local Peace Committees by a project “Peace from the Bottom-Up.”

NPTF project reports, have documented lack of satisfaction by people on top-down design and implementation of projects as well as on lack of local consultation. People have complained of the lack of local ownership, for example, in the construction processes. Construction Committees, when established, have not been representative, transparent or accountable to the local communities. Even local officials have, at times, been kept at dark, as indicated by one interviewee during the field survey:

“We do not know how the money is disbursed. It seems that a relation of someone plays a vital role in allocating resources rather than (distribution being based on) justice as most people are ignorant of the process.”

In general, there has been a limited role by the conflict-affected and vulnerable people and the civil society organisations to monitor eligibility processes and monitoring outcomes. They have also lacked information on compensation, processes and eligibility.

IDEA project approach has been participatory and it has promoted wide local ownership. Expert draft of Constitution was prepared in a highly transparent and participatory way, consulting various social groups throughout the country. As a result, it has been fully owned by the CA and representatives of vulnerable social groups, including women. **AfP** has involved youth from the various political parties as well students as participants of its activities.

4.7 Sustainability and impact

In spite of various constraints, reported above, the sub-evaluation team believes that Finland, together with its partners, has made positive impact on peace. Joint Government/Donor Review of the NPTF in February 2012 concluded that “compared to other peace processes around the world, 5 years of political negotiation with no retreat to the open armed conflict of the 1996 - 2006 period can be viewed as something of a unique success story.” Finland with other donors has been part of laying a sustainable groundwork for the peace by the projects it has supported. Urgent work has addressed security, resettlement, democratic institution and reparation concerns. Finland has provided high-level advice to democratic institution building. Through IDEA project, Finland’s technical advice and exchange of experiences between Finland and Nepal has resulted in choice of Judiciary independent from the legislators.

Rapid assistance by the **NPTF** in support of cantonments has contributed to the stability. Relief provisions delivered to the IDPs have also been helpful. Strengthened government’s security systems at the sub-district level have been appreciated by people, especially by women, enabling their mobility to engage with economic and trading activities. Other impacts in the cantonments have included peaceful coexistence of male and female combatants; cordial relations between neighbours and combatants in sharing of limited resources; and essential and basic services (health care, electricity and roads) to cantonments - delivered at basic level - also benefiting cantonment’s neighbouring communities. Construction of police posts with women’s cells has contributed to more female-friendly environment and increased confidence of people. Although experience with the LPCs in 75 districts has been mixed, some of them, especially in Khotang, Nawalparasi, Jhapa, Banke and in Dhankuta have made major contributions to maintenance and management of local peace.

Other impacts have been made on the area of political inclusion and also - although to lesser degree - on social inclusion. **Political inclusion** has been promoted in all three projects. Finland together with its donor partners, has played an active role in promoting inclusive peace. This has included encouraging broad political party participation in the running of the **NPTF**. **NPTF** and **IDEA** have contributed to running of peaceful, well-managed and inclusive CA elections. The efforts of the **AfP** have helped to include youth to political processes. Impact has been made in improving individual influencing capacity and bringing some topics important for the youth to the table of senior party leaders. The project has also provided a platform for youth trainings on the Guidelines on Do No Harm; Theories of Change; Alternative Dispute Resolution; and Mediation and Appreciative Inquiry. Although not well reported, some impacts have been noted on the reduction of conflict in the districts such as Bardiya.

Vulnerable people, including women have become more vocal. During the NPTF social audits, women have made a number of demands (education support to grandchildren, effective rehabilitation packages without complicated procedures and delays,

identification of the genuine conflict-affected, adequate compensations to reflect real loss and injury, income-generating activities and vocational training instead of paltry money, people's participation in the construction committees, participatory processes, and establishment of justice system for people).

IDEA has not only strengthened inclusive democracy but also promoted social inclusion of various vulnerable and marginal groups and women. It contributed to fair and peaceful elections, inclusive CA and a political agenda shared by the *Janajatis*, *Dalits* and other vulnerable groups as well as women. IDEA's work on Women's Caucus has ensured proportionate representation in all state institutions; constitutional status of women's commissions; equal pay for equal work as well as equal rights to inheritance and property; special reservation for women in education, health and employment. Gender Auditing Tool was established to assess the first draft of the Constitution. Commitments in the draft Constitution included ending of any kind of discrimination based on gender, ensuring proportional representation of women and with a strong emphasis on reproductive right.

Some degree of sustainability has also been endorsed by the people during the field survey. The respondents opined that the donors had made some lasting positive impacts, even if at small scale, in the lives of poor and marginalised victims and women. LPCs, on which mixed reports were given, were considered moderately successful in a) settling reconciliation and conflicts and restoring a more sustainable culture of peace in localities, b) providing some link to local government and c) operating with cost-efficiency.

Finland contributed to building the capacity of the NHRC to process human rights cases, review discriminatory laws, hold public hearings and advocate on discrimination and human rights violations.

Donors have been more critical, with apprehensions that some impacts on people may be short-lived; particularly when involving compensation packages as "paying-for-peace" without broad-based rehabilitation, livelihood support and skills training. Finland has addressed this concern and has subsequently provided technical assistance and funding to a new comprehensive UN Women project to support broad-based livelihoods and other support in line with commitments made in the NAP on 1325.

Future challenges for sustainability will come from the local government, once local elections have been held and local political structure established in the districts to replace interim local governance arrangements. Another concern relates to lack of institutionalized link between local/district level development realities and national policy making. Project evaluation reports (especially Duncan, Hansen, Reichert & Awasthi 2010) have noted a weakness of feedback and communication between the local level and the centre. In view of this sub-evaluation, establishment of this link would be important for resolving local-level systemic problems.

5 CONCLUSIONS

5.1 The strategy and approach

Strategic analyses

Finland's peace programme was justified. It involved financial assistance (totalling €10,6 million) to projects of NPTF, IDEA, AfP, OHRC and NHRC together with high-level advisory services and technical assistance. The strategic choice of pooled funds enlarged the scope of activities, helped to avoid duplication of work and avoided sending mixed signals to the government. The multidimensional approach addressed multiple causes of conflict through projects by different types of stakeholders, required for complex peace processes. Although impact is hard to attribute to individual donors in multi-actor interventions, Finland contributed to major peace impacts: peace was established; peaceful elections were held; Interim Constitution with mandate on Social Inclusion and Gender was established with reservations for gender, youth and excluded groups in the CA; non-discriminatory laws and national policies were established and amended; NAP on 1325 and 1820 was put in place; Women's Caucus was established; human rights institutions and operations were strengthened; sense of security of the people, including women was increased; and some compensations were delivered. LPCs were formed and a few effectively maintained peace. The programme was in line with the policies of the Government of Nepal and Finland, most importantly with the CPA. Yet, it did not fully realise the commitments of the CPA or of the NPTF, for example, on social cohesion and participatory processes. This mainly resulted from the fact the operations were not guided by a peace-building strategy and a post-conflict analysis. Only 3.72 % of the NPTF funds were utilised for women, the conflict affected and vulnerable people in spite of the national Gender Budgeting requirement and commitments made in the NAP 1325. Part of the NPTF funds was not distributed to eligible people. More balanced cluster distribution of funds would have contributed to better assistance of the post-conflict needs of people. Finland managed to influence some use of the cluster funds. The influence of the donors' may have been limited taken into consideration that they contributed only 25 % of funds to the NPTF.

Accountability

The eligibility criteria and their application have not been clear to the conflict-affected people, who have not only complained of the lack of transparency in the process but also that some vulnerable categories of people have been neglected in compensation packages. These include the victims of sexual violence and people suffering from conflict-related psychological traumas.

Training and capacity building

The evaluation observed that many awareness and training programmes were not clearly linked to project results and to CPA commitments, which those results should

serve. The analysis of steps leading to change (chains of change) and transformation required for peacebuilding (change theory) was mostly missing.

5.2 Implementation

Guidance and guidelines

The objective of social inclusion was part of all projects, but its systematic application – through impact assessment and guidelines - to peacebuilding in line with the CPA mandate was missing. Peace and Conflict Impact Assessment (PCIA) is normally carried out in the beginning of the project to anticipate potential impacts on various vulnerable groups and to integrate their concerns into planning and into regular reporting on progress, making adjustments when required. The evaluation mission was also not able to locate do-no-harm guidelines of Finland for its sectoral programs.

Addressing systemic barriers

The evaluation found two sets of systemic barriers influencing the delivery of results: barriers relating to inherent vulnerability characteristics of groups of people and clientelist patronage system. It was found that most vulnerable people if illiterate, elderly, disabled or without funds and/or residing in remote locations faced major problems in accessing certificates, services and filing applications for benefits. They found it difficult to fulfil eligibility criteria and/or process applications. The application procedures were complicated, cumbersome and with unrealistic requirements. In addition, daughters-in-laws and female widows could lack freedom of movement or became stigmatized when applying for compensations as a result of deceased husband (“blood money”). The second barrier related to the targeting of beneficiaries: some of the eligible people had not been reached, not just because of inadequacies in targeting mechanisms, but because of political interventions. In the districts, people complained that people who were close to politically influential people were selected even when not qualified. The phenomenon of patronage has been widely reported in the research literature on Nepalese social system.

Securing livelihoods

The conflict-affected people expressed interest in getting longer-term assistance to build their livelihoods while also getting assistance to their conflict-related needs. Donors too had expressed their concerns on unsustainability of compensation schemes that consist of “paying-for-peace” packages without broad-based rehabilitation, livelihood support and skills training. Some categories of most vulnerable e.g. widows, disabled and female/child-headed households also require various technical and capacity building support without which they are not able to manage their lives.

Monitoring and follow-up

Projects involved a number of groups, including Maoist combatants, IDPs, conflict-affected persons and communities, indigenous people, *Dalits*, disabled, youth, children and women. Among the IDPs, reference (without exact numbers) was made to

children, orphans, elderly persons, conflict-affected women, widows, marginalised communities and IDPs with particular risks. The evaluation found that the monitoring systems in all projects lacked use of baselines as well as gender and socially disaggregated data. In spite of commitment made in its mandate, NPTF also lacked participatory initiatives in design and implementation of projects as well as cluster management, monitoring and appraisals. There was top-down design and implementation of projects in NPTF schemes without consulting people. Some collection of feed-back had been initiated lately in the project villages. People complained of lack of information and influence on projects. The field investigation revealed that they also lacked information on government programmes such as NAP 1325. Participation was also found to be an issue of affirmative action and reservation of seats, as influence of selected representatives in the CA and the LPCs remained mostly marginal.

6 LESSONS LEARNED

There are many lessons, but most important for this evaluation are those that improve social inclusion processes, and have wider relevance and reveal systemic patterns and barriers that influence – negatively or positively – social inclusion outcomes in peace-building and development. Three of such lessons that require more attention, in future, have been observed: i) **positive role of culture in peace-building and for social cohesion**; ii) **systemic barriers in targeting** when distributing services and benefits; and iii) **social system of patronage** with clientelist practices.

The evaluation noted many cultural values and practices that promote and strengthen co-operation, but cultural resources have been completely neglected in peace-building programs. Culture is just seen as negative discriminatory practices. Yet, there are positive indigenous values that relate to sense of justice and harmony as (e.g. *surachit mabhusus garnu* (to feel secure), *aadar* (respect), *samman* (honor), and *samaan byavahar* (equal behaviour or treatment). Indigenous conflict mediation such as *mukhiya* and *mabato* were also reported on section 2.3.2.

Targeting, eligibility criteria and application processes have not taken sufficient note of the fact that vulnerable people and marginal groups have inherent characteristics that prevent or hamper them from accessing benefits of government programs. Social exclusion is not just about being ignored and forgotten. Inclusion is not just about simply adding a group into a program. There are inherent vulnerabilities that need to be addressed, in order to facilitate and realise people's inclusion. Such vulnerabilities are at the root of their social, economic and cultural exclusion. In interviews, people referred to them. They mentioned illiteracy and subsequent lack of information, and inability to respond to literate queries and getting information. They spoke of remote locations, lack of funds to travel to offices, social constraints for free movements of women, and stigmatised attitudes when monetary compensations (perceived as

“blood money”) have been offered to female widows and daughter-in-laws as a result of demise of their husbands.

In Nepal as in many other countries, social systems constitute “invisible paths” in a network of social obligations, according to which, power and resources flow. Patronage is such a social system that influences resource flow in the villages and districts in Nepal. Although belonging to an earlier feudal state, it still persists and exists along modern institutions (Bhatta 2012). It has supporters and incentives that keep it in place. The system is known by villagers and as long as it remains and continues reproducing inequalities and injustices and violates human rights, peace will not be on a sustainable base.

7 RECOMMENDATIONS

The following recommendations are offered to strengthen design and implementation of inclusive peacebuilding programs or projects, in future. Several of these recommendations have more general applicability:

7.1 The strategy and approach

Strategic analyses

1. **In order to strengthen synergy and sustainable results of peace, all major peacebuilding programs and projects need to be based on a comprehensive post-conflict-analysis.** The analysis needs to be a “living document”, revised on a regular basis to reflect the changes in the post-conflict environment. The analysis should be done by the **donors, collectively**. It should involve a systematic study of the profile, causes, actors and dynamics of conflict in order to understand the dynamics of programme/project interventions in an evolving context. It should analyse new causes, triggers, spoilers as well as emerging political, economic, social and ecological challenges. It should also review existing socio-cultural and (changing) institutional capacities for building peace and develop a change theory. The key task would be to address new risks and challenges as well as take advantages of emerging opportunities. A set of conflict-sensitive indicators also need to be developed to a) monitor and measure project/program changes in the context over time against established baselines; and b) address early warning signals that could affect project/programme delivery.
2. While inclusive institutions with affirmative action and mandates for participation have been established, practices still lag behind. For this reason, **exclusive**

practices need to be tackled by strengthening quality of participation in institutions by establishing clear roles for the participation and influence for women and vulnerable groups and strengthening their capacity.

3. To avoid just focusing on problems, the donors should encourage governments and other organisations to analyse, document and widely share good practices and best fits, even elements that work. They should harvest innovations that start small and can appear as individual success. As significant change may come from qualitative shifts, also to harvest and report on such changes. Successful “peace builders” could be recognised with awards and media attention.
4. In order to overcome potential divisive tendencies by various social groups and communities, the donors should encourage the government to complement social inclusion efforts with social cohesion strategies which promote shared sense of identity and common destiny and assist nation building, strengthen resilience in societies and tap socio-cultural reconciliation resources in societies and communities ; assist transition from “clients” to “citizens”; and help to overcome divisive tendencies that can become potential causes for conflict. Social cohesion strategies should also include endogenous cultural practices and values that promote cooperation.
5. In order to strengthen the implementation of the NAP commitments on women’s security and peacebuilding needs on the UNSCR 1325 and 1820, national commitment on Gender Responsive Budgeting in all government supported projects need to be respected.

Accountability and transparency

6. In view of the fact that war related sexual violence and trauma are not yet sufficiently acknowledged in redress and compensations, the government should be encouraged by the donors to include victims of sexual violence as well as victims of both genders suffering of psychological trauma in the compensation packages for conflict-affected people.

Training and capacity building

7. Since too many awareness and training programs concentrate just on producing activities, the donors should encourage the governments and the CSOs to develop chains of change (change theory) and link any training and capacity building to concrete results that are part results of the CPA and/or peace and post-conflict policies.

7.2 Implementation

Guidance and guidelines

8. Taking into consideration that in a post-conflict environment, all sector programs can impact peace or raise tensions that could lead to open conflicts, donors and the government need to develop effective and pragmatic do-no-harm sectoral guidelines to guide their development programming, in line with the OECD Guidelines on International Engagement in Fragile States (2011).
9. In order to better manage inadvertent effects that could hamper peace-building, each development project should carry out a **Peace and Conflict Impact Assessment (PCIA)**. PCIA should anticipate and evaluate the potential and actual peace building and peace inhibiting impact of a project. The assessment should pay special attention to impact of project deliveries – whether of resources or social assets to communities – as they would change power relations and spark conflict (CIDA has developed such PCIA Guidelines in 2004).

Addressing systemic barriers

10. In view of the most vulnerable (e.g. widows, daughter-in-laws, elderly, disabled, poor female-heads of households, illiterate, poor, those living in distant locations and Muslim women etc.) experiencing problems in accessing certificates, services and making applications because of lack information, money, security and free movement or stigmatised attitudes (such as, perception of compensations as “blood money” by female widows), **program/project interventions and benefit mechanisms should develop programme interventions** (such as improved delivery systems revising rules and procedures) **that target systemic and embedded social, economic, financial, amenity and information barriers to social inclusion by most vulnerable. Gender barriers, too that affect implementation of projects (women’s lack of property rights including land, lack of access to and control over major agricultural resources, subjugated position of daughter-in-laws in families, stereotypical labour market positions, reproductive role etc.) need to be addressed too. In addition, there is a need to reflect constraints coming from the regional, ethnic, age and gender illiteracy gaps in Nepal when implementing programs.**
11. In view of old socio-political systems, such as client-based patronage networks, that continue to influence results of development, democracy and peacebuilding efforts, the functioning of the patronage system requires that i) the phenomenon is carefully analysed in a given sector; ii) multi-stakeholder and community based accountability bodies are es-

established to improve targeting and advice eligibility criteria and monitor distribution of services and benefits; iii) results are assessed against disaggregated data and iv) biased results are prevented by developing new incentives that promote fairness and democratic processes.

Securing livelihoods

12. Since the conflict-affected people and vulnerable groups have expressed interest in getting longer-term assistance to build their livelihoods, comprehensive and holistic programs that combine livelihoods, counselling and civic training should be included in NPTF and other programs, especially targeting widows, disabled and female/child heads of household. There is a need to support projects that target specific peace-related needs, as identified by women, vulnerable groups and socially excluded and involve civil society and community-based organisations in their implementation.

Regular, disaggregated monitoring and follow-up

13. Gender and socially disaggregated data related to project impacts on various social and vulnerable group, are missing. **Donors should strengthen evidence-based peacebuilding results by demanding that all projects/programmes collect baseline data and monitor results with data disaggregated by sex, age, caste and ethnicity.**
14. In order to strengthen more transparent, effective and fair compensation and targeting, **donors should assist the government to establish accountability institutions and mechanisms with multi-stakeholders and representatives of vulnerable people to plan as well as monitor delivery of services and resources.**
15. Since active participation and role of influence does not automatically follow from reservation of seats to women and marginalised groups, **quality of inclusive participation and meaningful influence (not tokenism), need to become explicit tasks for development, quality monitored and progress reported on a regular basis by the government and other project/programme implementors.** Participatory processes should be used in all programs, particularly in **identifying the needs of the conflict-affected and vulnerable people.**

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THE EVALUATION TEAM

Anita Kelles-Viitanen is a Finnish Social Anthropologist, who has done development related fieldwork in Sri Lanka and Sudan. She has worked as Senior Specialist on Women's Employment, Senior Gender Adviser and Chief Technical Advisor in ILO from 1984 - 1995 covering Bangladesh, India, Nepal, Pakistan and Sri Lanka; as Manager of Social Development Division of the Asian Development Bank from 1995 - 2002 (in charge of Gender, Indigenous Peoples, Participation as well as Social Safeguards, Social Inclusion and Social Impact Analysis); and as a Policy Coordinator on Mainstreaming of Innovation in Rural Development in IFAD from 2005 - 2006. She is presently working as Consultant and Director of the Socio-Cultural Value Consulting Company. She has led and participated in consultancies in Nepal, Bosnia, Kosovo, Kenya, Malaysia, Sudan, Uganda, Bangladesh, Sri Lanka, Thailand and Peru with the Government of Finland, ILO, IFAD, the World Bank, UNDP and UN Women.

Shobha Gautam is a Nepalese professional with more than 20 years of progressive experience in regional and national non-governmental organizations, covering research, training and capacity building as well as lobbying and advocacy for woman's empowerment, child rights, gender equality and youth development. She has conducted field work in Nepal, studying impact of the civil war on women and children, as well as on security and human rights issues. In 2000, Ms Gautam founded the Institute of Human Rights Communication (IHRICON), a human rights organisation to advocate on behalf of disempowered individuals and groups in Nepalese society. Since 2000, IHRICON has been extensively working on the issues of violence against women, peace and security and small arms as well as monitored and analysed human rights issues in the media. Shobha Gautam has also founded and coordinated the activities of the South Asia Peace Alliance (SAPA) where she provided training on gender sensitivity as a means of promoting sustainable peace and development. She has conducted a series of interaction programs to identify security issues within communities and to build local capacity with the local authorities. She has worked as Consultant with DFID, OXFAM and the Saferworld. From 2010 to 2011, Shobha Gautam was a member of three technical committees tasked in preparing the National Plan of Action (NAP) as part of the Government of Nepal and Peace Support Working Group (PSWG). She prepared the National Plan of Action (NAP) on UN Security Council Resolutions 1325 and 1820 with the support of the Government of Nepal. She has visited more than 20 countries including Canada, UK, Brazil, USA and Pakistan.

ANNEX 1: TERMS OF REFERENCE

Nepal, a Finnish Sub-evaluation Contribution to the Joint international Evaluation of Support to Peacebuilding in the Country

1. Background

The cooperation between Finland and Nepal dates back to the 1980s. Nepal has remained one of the principal development cooperation partner countries of Finland ever since. Participation in the multi-faceted peacebuilding processes in Nepal has been one of the sectors of the cooperation programme. Finland remained in Nepal also during the ten years of civil strife and war, and maintained active dialogue with the government. A recent evaluation of Finland's country programme in Nepal during the last decade gives credit to Finland's positive role and active participation in the peace process and in the furtherance of respect of good governance practices, human rights, the rights of women and the ethnic minorities, and in the integration of former soldier into civil society.

Finland's participation in the multi-actor peace building efforts was guided by a strategic vision that only through improving the lives and livelihoods of the vulnerable people in the country, a lasting peace in the society could be achieved. A strategic choice was made to join other donors in actions which were aimed at calming the conflict, negotiation of agreements on ground-rules of governance, and promoting mutual respect and reducing oppression, exploitation and suffering.

This was made happen through participation in a number of multi-actor and multi-donor initiatives, including support to the government's Nepal Peace Trust Fund (NPTF) which provides resources for managing camps, reintegrating former combatants, rehabilitating displaced people, organising elections, strengthening the rule of law to enable the peace process. Finland also supported the constitution-building through the Institute for Democracy and Electoral Assistance (International IDEA). The office of the High Commissioner of Human rights (OHCHR) was another co-operating institution in Nepal, to address violation of human rights and discrimination issues, to strengthen human rights institutions and civil society, accountability and impunity. In the area of human rights and rule of law, the National Human Rights Commission (NHRC) received support. This is the institution that seeks to address in practical terms the violation of human rights and find remedial action to the situation. The Utstein group was another important forum. The objective of this group was to promote the mainstreaming of peace-building and advance peace-sensitive approaches within all bilateral, ODA-supported interventions and with the civil society interventions. At the level of support to civil society players, the Local Cooperation Funds (PYM) administered by the Finnish embassy in Kathmandu, were also important vehicles to render additional support to the active participation of local civil society or-

ganizations and groups in the advancement of the societal peace-building process. After the civil war, in response of the UN Security Council resolutions 1325 of 2000 and 1820 of 2008, a process of National Action Plan on Women, Peace and Security (NAP) was launched in Nepal. Finland contributed actively to NAP through the participation of the staff of the Finnish Embassy in Katmandu in the Peace Support Working Group, which included a number of other donors (Australia, Canada, Denmark, the EC, France, Germany, Japan, Norway, Switzerland, the UK and the USA, and the World Bank, Asian Development Bank, IDEA and a number of UN entities).

2. Recent evaluation initiatives

2.1. *Evaluation of the Finnish-Nepalese co-operation programme 2002-2011*

A recent evaluation of the Finland-Nepal country programme has been published (Caldecott, Hawkes, Bajracharya & Lounela 2012: *Evaluation of the Country Programme between Finland and Nepal*. Evaluation report 2012:2). It looked at the different constituencies of the country programme from a strategic level, but did not go deeper in the details to study the achievements of each of the interventions contained in the programme. Overall, the evaluation concluded that the strategic relevance of the Finnish cooperation programme was good. It also praised the wise choices that Finland had made in joining multi-donor and multi-actor initiatives to promote peace and stability and at the same time, promote the important issues in the Finnish development policy, those including, respect of human rights, the rights of the most vulnerable and the poor.

2.2. *The Danish-led International evaluation of the support to the peace process in Nepal 2006-2011*

In the fall of 2011 Denmark had initiated an evaluation of the Danish support to the peace process in Nepal, covering the years of 2006-2011. The terms of reference of this evaluation recognized from the outset of the process that there are several donors who might have coinciding interests, and that it would be economic use of resources to join interests in this evaluation. In February 2012, Finland decided to join the process, since peace-building and peace and development are important policy goals of the Finnish foreign policy and development policy. The peace, security and development nexus is also recognized as one of the central issues in the new development policy of Finland, published in February 2012.

The terms of reference of this evaluation define the overall rational of the evaluation being that it will look at the individual peace processes individually so that it will focus mainly on management, coordination and operationalization issues of the various supported instruments. An important point is also to look at the interplay of the various initiatives and to explore how the Nepalese people have experienced the international and national efforts.

3. The Finnish sub-evaluation contribution to the Danish-led international evaluation

As mentioned above, the evaluation of the country programme between Finland and Nepal was conducted rather at the strategic level, not at the stakeholder level in the remote areas of Nepal. As the peace, security and poverty nexus is a central element in the current development policy of Finland, the wider evaluation led by Denmark was considered an opportune opening to go deeper into this theme than was done in the country programme evaluation. In subsequent discussions between the Danish Ministry for Foreign Affairs' evaluation office, the Embassy of Finland in Kathmandu and the Finnish Ministry for Foreign Affairs development evaluation (EVA-11), it was concluded that a supplement to the wider evaluation could be conducted in such a way that a separate small team of one international and one Nepalese expert would carry out a parallel examination (hereafter referred to as "sub-evaluation") of the different peace building efforts at the level of individual affected people, in particular women, families, ethnic minorities, and rural communities away from the capital city of Kathmandu. In this way the sub-evaluation could contribute to the purpose of the wider evaluation led by Denmark (hereafter referred to as the "main evaluation") with views and experiences from remote areas affected by the conflict. The sub-evaluation could also contribute to the views of how the Security Council resolutions 1325 and 1820 have been implemented through the peace-building efforts supported by the donor community, including Finland.

3.1. The Scope of the Finnish Sub-evaluation

The evaluators will acquaint themselves with the documentation on the subject of support to the peace building in Nepal, with particular reference to the Finnish contribution within the context of the overall efforts of the multi-actor and multi-donor programmes.

The sub-evaluation will include a field trip to Nepal, which will coincide with the field trip of the major evaluation team of the Danish -led initiative. The field trip will take place from 30.04 to 18.05.2012.

The field trip of the Finnish sub-theme will include interviews in the capital city of Nepal, but the major work will be done in the districts identified in consultation with the main evaluation team and the Embassy of Finland in Kathmandu to meet with individuals and respective societies affected in one way or another by the civil war. Of particular interest to the Finnish sub-theme is the inclusion and role of women, ethnic minorities and other vulnerable groups in the peace process, taking into account the Security Council resolutions 1325 of 2000, and 1820 of 2008. Also the question of measures and specific activities launched, and by whom, to ensure inclusion of all those affected by the civil war should be explored. The data that is gathered will be disaggregated according to the categories of target groups of this sub-evaluation.

The scope defined in the terms of reference of the main evaluation will offer further guidance to the Finnish sub-evaluation. However, the major focus and interest in this sub-evaluation is the contribution of Finland, yet, with the understanding that quite frequently, the contribution of one single donor in a multi-donor approach is difficult to identify.

3.2. Approach

The overall approach is that this specific sub-evaluation will contribute to a dual purpose,

1) to offer a perspective of inclusion of rural societies and their members, in particular women, vulnerable groups, and individuals that have been affected by the civil strife, to the overall evaluation on the Danish-led evaluation of donor support through a number of instruments to the peace building process in Nepal; and

2) to Finland, it will produce information on specific angles on the issue of inclusiveness of women, ethnic minorities and vulnerable groups in the peace building in Nepal, from a specific dimension of rural societies. In view of the focus of the Nepal UNWomen project to implement the national action plan for 1325 (which Finland is supporting) on local communities and women affected by conflict, the evaluation will provide information of present status, results and limitations of the interventions carried out so far.

The sub-evaluation will observe, to the extent feasible and possible, the evaluation issues as spelled out in the terms of reference of the main evaluation. The questions of the main evaluation will be extrapolated, as appropriate, to the scope of this sub-evaluation.

However, the sub-evaluation will be an independent effort, which will be performed in tandem with the main evaluation, and the results of which will be offered to the main evaluation as a focused contribution to inclusion issues at the community and special groups levels.

3.3. Evaluation criteria

The sub-evaluation will utilize the same criteria as the international Danish –led evaluation, namely those of the OECD/DAC (*relevance, effectiveness, efficiency, sustainability and impact*). The sub-evaluation should also address the critical issues of *coordination, coherence and cooperation*, extrapolated particularly to the local level actions. The sub-evaluation team may also devise other evaluation criteria, should they consider them relevant and necessary in their examination of the subject.

3.3.1. Relevance

Extrapolate, in general terms, the evaluation questions expressed in section 4.1., of the terms of reference of the main evaluation, to the situation of Finland's contribution and to the scope of this sub-evaluation.

Moreover, specifically examine, whether the Finnish decisions to support the various peace building initiatives were based on a thorough understanding of how these initiatives contributed to the inclusiveness of women, ethnic minorities and the most vulnerable groups and their societies, away from the capital city district and sphere of influence.

Have the initiatives in which Finland has been a partner been based on a wider understanding of the multi-dimensional nature of conflict resolution and peace-building in the context of societal development and its economic, cultural, human rights, equality, and security dimensions?

Can any clearly expressed needs for support be identified from the level of the communities? If yes, how have these needs been addressed through action programmes?

Have the peace-building initiatives collectively been felt beneficial among these people and communities? If yes – how? If no – why? Has any of the initiatives been more relevant than others and why? Can any best or worst practices be identified or particular achievements in terms of mechanisms of inclusion or in other terms?

3.3.2. Effectiveness

The questions of the terms of reference of the main evaluation, in section 4.2., refers. These questions should be extrapolated to the level of individuals and communities, and they should examine how the different peace-building and human rights support initiatives that Finland has participated in, have extended their intended benefits to the level of the target groups of this sub-evaluation. There is little possibility of attributing these benefits to Finnish contributions which have been delivered among other donors, but an overall effectiveness of the contribution might be possible to examine, and the success or failure of the contribution to be assessed at the level of strategic choices and overall level in regard of the communities and the specific groups targeted by this sub-evaluation.

Have the approaches and the instruments that have been supported been planned in such a way that benefits could be anticipated at the level of individuals, with particular reference to women, ethnic minorities and the most vulnerable in the communities. What has been the role of the societies themselves in seeking support, and mechanisms of inclusion of communities and their individual members the process?

3.3.3. Efficiency

The questions of the terms of reference of the main evaluation, in section 4.3., refers. An overall estimation of the cost-efficiency should be examined of the way the Finnish support was rendered in terms of efficient use of available financial and human resources, strategic choice of instruments, and in terms of securing the flow of benefits to the target groups?

3.3.4. Coherence and coordination, co-operation

The questions of the terms of reference of the main evaluation, in section, 4.4. refers. Has there been any mechanism of dialogue between the government and the local community levels, to convey the aspirations and needs of the communities and individuals or their representative groups to the decision-makers. Have any of the expressed needs been heard or acted upon?

3.3.5. Sustainability and impact

The questions of the main terms of reference in section 4.5. refers

Is it possible to identify any signs or expressions of ownership of the peace building process at the society level, and at the level of individual people, women, vulnerable groups, affected by the civil strife?

Can any success or failure aspects be identified in the efforts of inclusion of communities and their representative organizations, individuals and special groups, such as ethnic minorities, and other vulnerable groups in the society? Or, has there been any focused process of inclusion? Can the societal level representatives, including women, identify those features that have been conducive to ownership and sustainability of the peace-building efforts at the community level? What are the key factors contributing to inclusion? Can gaps in our understanding of what works, what does not work be identified?

Are there any discernible impacts, positive, negative, direct or indirect, of the peace-building activities at the local or at the individual or special group's level?

3.4. Methodology

The methodology will include a thorough document analyses, preparation of an evaluation matrix or plan to open up the evaluation questions and issues into more fine-tuned research questions, to identify indicators and sources of information. In the sections above on the criteria, some extrapolation of the evaluation questions of the main evaluation has been done. The evaluation team of this sub-evaluation should use its expertise and experience to turn the questions of the main evaluation, when appropriate, into specific questions fitted in the scope of this sub-evaluation. Not all of the main evaluation questions need to be addressed at the level that this sub-evaluation.

The evaluators should consider preparing a questionnaire or a set of questions –tool, which they would utilize in the interviews to ensure triangulation of the results to the same questions from different sources. Counterfactual methods could also be used as the analytical tool in the consideration and analysis of the results.

Ultimately, there should be a clear factual trail presented in the report, from findings, through conclusions to recommendations. The findings, conclusions and recommendations should be kept concise, limited in number and actionable and to the extent possible disaggregated between the different groups examined.

3.5. Sub-evaluation process

Sections:

Document and field studies: This sub-evaluation is divided into two sections between two evaluators: 1) the desk study of documents constitutes one section and 2) the field study constitutes the other section. Both of these sections will be performed by separate experts, the one performing the desk study will be working in Finland, and the expert whose responsibility is the performance of the field phase, will be working in Nepal. The two experts will be in contact with each other through electronic means. It is important the two experts get in contact with each other prior to the field phase for the expert working in Nepal to benefit from the preliminary document analyses simultaneously going on in Finland.

Steps of the sub-evaluation:

Inception step: An inception note is required to be prepared by both sections of the sub-evaluation. It will interpret the contents of this terms of reference into practice: how the sub-evaluation will be done, in the field level and as for the desk phase and state clearly, what is possible, and what are the limitations and areas not included in this sub-evaluation?

The inception note will include an evaluation matrix or plan, which breaks down the evaluation questions into specific research questions relevant to this sub-evaluation. The inception notes should identify the methodologies that the respective experts intend to employ in the performance of their respective sections of the sub-evaluation. Both qualitative and quantitative methodologies should be used, whenever appropriate and possible.

The two evaluation experts contracted to this sub-evaluation, will need to agree between themselves on modalities of work and on the way that they will collect data and perform the analyses so as to have mutual compatibility of the methodologies and comparability of the results of the two sections.

Document study step: The expert working in Finland will perform a thorough perusal of the relevant documentation provided to her. She will also identify in the course of her examination possible gaps in the documentation and place requests for them to EVA-11 and the Embassy of Finland in Kathmandu.

Field study step: While understanding that particularly the team member responsible for the field section of this sub-evaluation, need to jump into a “train that is moving” in respect of the effort to time the independent field trip of this sub-evaluation to take place at least partly parallel to the main evaluation.

The expert working in Nepal and performing the field trip should endeavour to accomplish a review of the major document material before the commencement of the actual field step. It would be useful to the ground level work of the expert, if she produced a short note on the major findings of the initial document study, in response to

the questions and research questions of the evaluation matrix or evaluation plan (inception note). Such a paper should identify the specific dimensions of each question that needs to be examined in the field, issues to be validated or gaps in the information that need to be examined in the field. The desk study at the field level would focus on identifying those geographic areas and locations that the sub-evaluation would visit. These locations should be checked against the plans of the main evaluation.

The field trip will take place from 30.04. to 18.05.2012, and be coordinated with the main evaluation and the embassy of Finland in Kathmandu, although the sub-evaluation will remain independent and may also differ from the dates given above for the sake of practicalities, access and availability of suitable interlocuteurs.

The interviewees in the field level will include those constituting the focus groups of this sub-evaluation (women, ethnic minorities, vulnerable groups, communities) will also need to interview the official level, including authorities, village leaders, members of organizations working in this field and in this sector. The interviews will also include authorities in Kathmandu for better understanding the expectations of the national levels of the peace building processes that have been supported by external donors, including Finland. At every level, it is important to try to get a comprehensive picture of the expectations and needs, versus the activities that have reached these levels, the reasons for possible successes and failures. One of the important dimensions of this sub-evaluation is the implementation of the UN security council resolutions 1325 and 1820. Thus questions shall be included in the interviews on this issue as well, what has been implemented, what has not, why and what could be done? These issues need to be included in the field trip inception plan.

The embassy will keep EVA-11 and the expert working in Finland informed of the progress and process in the field level of this sub-evaluation.

Presentation of field trip results: After the field trip, the sub-evaluation expert is required to present the major findings from the field trip, both to the Embassy of Finland in Kathmandu. They will also provide a power point supported short report to EVA-11 distributed to the expert in Finland as well. One day is also reserved for debriefing discussions with the UNWomen in Kathmandu.

Amalgamation of results:

Combining the final results: The expert working in Finland, has the ultimate responsibility to produce the final report. It amalgamates the document study analyses with the field phase results and analyses, and produces the final combined results, conclusions and recommendations.

Presentation of the overall results of the sub-evaluation: The team of the two experts of this sub-evaluation are responsible to EVA-11 for the quality of their work and reporting.

All deliverables produced by the sub-evaluation by either of the experts must be ac-

cepted by EVA-11. The release of the respective budget allocations are be tied to the acceptance of the deliverables by EVA-11. EVA-11 will issue the acceptance of the reports in writing. The payment posts shall be established in the contracts pertinent to this sub-evaluation.

3.6. *Quality of deliverables*

All written deliverables spelled out in the above sections will be of high quality, concise and informative, written in clear language. The deliverables will have a logical and clear structure. All deliverables shall be in English and submitted to EVA-11 in word format, and the final report also in pdf format with a covering letter from the contracting consultants.

It is important that the final report is written in clear language which is understandable also to an informed layman reader interested in this topic.

The final report of this sub-evaluation, upon decision by EVA-11, may be published in the evaluation report series. The instructions to authors of evaluation reports of the Ministry would need to be observed in the finalisation of the product. References will need to be carefully checked and used where appropriate. Documents consulted must be presented in a separate list. Acronyms and abbreviations must be used as instructed in the instructions to authors. List of people interviewed must be provided.

3.7. *Expertise required*

The sub-evaluation team must be well familiar with the country context of Nepal and with the subject matter of this sub-evaluation.

The sub-evaluation requires two senior level experts with credible evaluation and/or research experience and at 10 to 15 years of working experience, including significant experience in working in the community level, in women in development, peace and conflict situations, equality and social inclusiveness issues and vulnerability. Both experts will have experience of working in multi-cultural environments and with international organizations one way or another.

The experts are experienced in qualitative and quantitative research and evaluation methodologies. Both experts have fluency in oral and written English language and ability to produce good quality written products. One of the experts should have fluency in Finnish language and the one performing the field phase, will be fluent also in oral and written Nepali. Part of the document material will be in these languages.

3.8. *Budget*

The total budget available to this sub-review task is + VAT 23% when appropriate. This budget cannot be exceeded.

3.9. Total duration of the sub-review

The entire task will be performed in the period of 01.04.-15.07.2012.

3.10. Mandate

The team of the sub-evaluation have no authority to act on behalf of the Finnish Government or any third party.

3.11. Appended documentation

The quality grid which combines the quality assurance criteria of the OECD/DAC and the EU Commission are appended herewith for a tool for the evaluators to be used in the process of evaluations and in the assurance of the quality of the products. The EU Commission's separate quality assurance grid is also appended also for the same purposes.

For the finalization of the final report of the evaluation the instructions to authors of the evaluation reports are appended. It would be strongly advisable for the experts when starting the writing of the deliverables, to adopt the instructions to the authors from the very beginning as the style of their writing.

Helsinki 16.04.2012

Aira Päivöke
Director

ANNEX 2: PEOPLE INTERVIEWED

Available by request to the Ministry for Foreign Affairs of Finland.

ANNEX 3: SUB-EVALUATION MATRIX

Evaluation Criteria	Key Question	Additional Questions	Sources of Information	Indicators
Relevance	What has guided selection of project/programme activities?	<ul style="list-style-type: none"> • Has there been a conflict assessment, base-line survey or any other activity for selection? • Which “theories” of change have been used? • How have projects/programs aligned with GoN and GoF policies? • Have projects responded to root causes of conflict as identified by people? • How they addressed multi-dimensional nature of building peace? • Is there flexibility in responding to evolving situations and new emerging needs? • What factors (strategies, policies, activities etc.) could have made the support more relevant? 	Review of project/program documents, baseline data; review of field observations, comparisons with GoN and GoF peacebuilding and development policies	Selection criteria, assumptions on drivers of change, use of change indicators, NAP on 1325 and 1820

Effectiveness	To what extent targeted results as set in program documents have been reached?	<ul style="list-style-type: none"> • How has peacebuilding been phased? • What have been the main factors of benefits reaching or not reaching to target groups? • Have approaches and instruments been designed to reach people and target groups? • What processes of desired change have been initiated in the communities and at national level? • Have social inclusion efforts used existing government strategies and institutions? • How equitable are the results? • What factors could have improved effectiveness? 	Review of program documents, evaluations and baseline surveys, field observations	Phasing, constraints and efforts to solve them, lists of community-driven programs, statements of GESI operationalisation, equity results from earlier evaluations, field observations
Efficiency	How well and economically were interventions used to generate results?	<ul style="list-style-type: none"> • How effective and timely were support mechanisms (decision making, administration monitoring)? • How efficiently were resources used to reach target groups? • How effectively have evaluations and assessments been used? • What factors could have improved efficiency? • Have views of people been incorporated into action? • Have observed gaps and risks been promptly addressed? 	Review of program documents, evaluations, budget sheets, monitoring sheets, minutes of meetings, field observations	Statements made in monitoring reports and evaluations and donor assessments, budget expenditures, people's views incorporated into operation of programs, plans and policies, risk assessments

Coherence and coordination, co-operation	How consistent have the peacebuilding interventions and programs been in the larger peacebuilding policy context?	<ul style="list-style-type: none"> • How is work coordinated between government and donors/Finland, between donors and with other stakeholders? • Is there a coherent peace strategy in Finland supported programs? • Is there a two-way influence between GoN and communities? • Have links between national and local level peacebuilding been institutionalised? • Any links to NAP 1325 and GESI policy? • Are there complementarities or overlaps with social inclusion efforts of NPTF, EPSP and UNPFEN? • How can coordination of social inclusion be strengthened in peacebuilding? 	Monitoring and progress reports, donor statements and minutes of meetings, assessments and evaluations, field observations, comparisons with NAP 1325 and GESI policy goals	Types and frequency of coordination meetings at various levels and between various stakeholders, identification of coordination weaknesses and efforts to correct them, explicit statements to 1325 and social inclusion policy, interventions to streamline NPTF, UNPFEN and EPSP
Coverage	How extensive and justified is the coverage of programmes?	<ul style="list-style-type: none"> • Which regions are covered and why? • Which social groups are covered and why? • Which of the conflict-affected are covered and why? • Participation of social groups in different pillars of peacebuilding programs under review? • Have some social groups been preferred or omitted and why? • What is the funding distribution to the conflict-affected, women and other vulnerable groups? 	Review of program and progress documents, evaluations, budget sheets, monitoring sheets, minutes of meetings, field observations	List of regions and prioritisation justifications, disaggregated data or list of included groups and conflict affected as well as women in different peacebuilding programs under review, prioritisation criteria, criteria established for inclusion (social inclusiveness, intergroup fairness, degree of conflict-affliction, gender-balance and/or any other)

Participa- tion and lo- cal owner- ship	In which activi- ties the commu- nities have partic- ipated and how?	<ul style="list-style-type: none"> • Have communities and their needs been involved in planning and implementing programs under review? • What criteria of selection have been used? • Are people seen as resources or as recipients of project interventions? • Have local peace capacities been used and how? • Has traditional resilience and reconciliation, and cultural modes of collaboration been tapped? • Are peoples visions of future tapped? • Have the communities been able to initiate their own peacebuilding activities? 	Review of program documents, evaluations, monitoring sheets, minutes of meetings, field observations	List of consulted communities, degree of participation in different phases of programs (information sharing, consultation with or without alternatives, participatory consultations with footprints on plans, institutionalised consultation bodies), list of people's needs, list of traditional cultural capital
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Sustainability and Impact	<p>What are the intended and unintended impacts of peacebuilding programs that benefit communities and people and how have negative impacts been addressed?</p>	<ul style="list-style-type: none"> • Have key indicators of success been established and addressed? • Have positive peacebuilding processes been initiated? • What impact has been made on people's lives? • Are there signs of ownership for peace building? • Are there early signs on long-term peace dividends? • Have successful project experiences been integrated to government policies and plans? • Have plans been adjusted to respond to new risks and changing operational context? • Have bridges been built across groups and have inter-group cooperation developed? • What sustainability mechanisms have been established at local level? • What has been Finland's value addition to peace building? • How to strengthen self-sustaining peace? 	<p>Review of program documents, evaluations, monitoring sheets, baseline data, reports on consultations, field observations</p>	<p>Success indicators, best practices, adopted interventions and policy components, revised plans, examples of cultural and social peacebuilding capital, cooperative institutions, efforts for social cohesion,</p>
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ANNEX 4: MAP OF NEPAL



Source: Merriam-Webster-Com

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