

Local Peace Council and its Procedure-2006

Whereas, the epoch-making peoples' movement 2006 and the Proclamation of the House of Representatives adopted on May 18, 2006 have reinstated the fact that the source of the entire state is the Nepali people and the sovereignty and state powers of Nepal is inherent only in Nepali people;

Whereas, it is expedient to strengthen the peace process to establish a sustainable peace in the country by bringing into practice the spirit and ideals of the 12-points Agreement concluded between the political parties and the CPN (Maoists) in the past and the subsequent 25-points Ceasefire Code of Conduct on May 26, 2006, and also 8 points Agreement;

Whereas, it is necessary to create a full democratic environment at the local level through the participation of all sides, the following "Local Peace Council and its Procedure-2006" has been brought into effect.

1. Name, Definition and Commencement

- 1.1 "Local Peace Council" means the peace councils formed at district level, and includes also the peace councils formed at the local levels as per the need to uphold peace.
- 1.2 These procedures are referred as "Local Peace Council and its Procedure-2006".
- 1.3 The Local Peace Council shall be referred as "Council" in short.
- 1.4 These Procedures shall come into effect, at once.

2. Objective

- 2.1 To institutionalize the peace process from the very local level.
- 2.2 To reinstate a sustainable peace by ensuring mutual understanding and reconciliation among the victims of the conflict.
- 2.3 To encourage to provide relief to the displaced persons by conflict; to return their properties; to rehabilitate them; and to make the devastated infrastructures reconstructed by reinstating a sustainable peace in participation of all sides.
- 2.4 To provide institutional contribution for the peaceful transformation of the ongoing conflict in the country.
- 2.5 To build up the public opinion to constitute a peaceful democratic political environment.

3. Formation of the Council

- 3.1 A district level Peace Council shall be formed in districts.
- 3.2 The Council shall be formed at the initiatives of the district level all-party mechanism.
- 3.3 The Local Peace Council shall be inclusive in nature with the representation of Seven Political Parties that are in Government, other parties having representation in the parliament, women, professional organizations, civil society, social organization, indigenous and ethnic groups, disabled persons, Dalits, Madeshi and the victims of the conflict as well. Moreover, representatives of the CPN (Maoists) shall also be included on the basis of consensus.
- 3.4 The local administration shall provide the necessary support in the work and activities of the council.
- 3.5 The Council shall consist 15 to 21 members, including a Coordinator.
- 3.6 The Council members shall select one coordinator from among themselves.

3.7 Parties may send another representative in case the designated representative is unable to be present.

4. Functions, Duties and Powers of the Council

- 4.1 To develop culture of peace by creating an environment of understanding and reconciliation in society.
- 4.2 To settle the disputes including the political, social and cultural disputes raised at the local level through the policy of peaceful coexistence and reconciliation.
- 4.3 To provide the necessary support to get a success in the work of peace negotiations, election for constituent assembly and reconstruction.
- 4.4 To attempt not to spread any dispute around in one's own area.
- 4.5 To launch publicity campaign to create public opinion in favor of peace and democracy.
- 4.6 To assist in creating an environment that allows unrestricted enjoyment of human rights and fundamental rights.
- 4.7 To take necessary initiatives to rehabilitate the victims of the conflict and the displaced persons by the conflict to their own places and to return their seized properties.
- 4.8 To monitor implementation aspects of the 25-points Code of Conduct for Ceasefire reached between the Government of Nepal and the CPN (Maoists) at local level. To make resolution at the local level of the problems those are seen during the monitoring. To bring the problems of grave nature to the knowledge of the Peace Committee seen in the course of monitoring.

5. Working Process:

- 5.1 The councils, while performing the assigned duties to them, shall act considering various aspect such as co-existence, good-faith, understanding and emotional integrity of society in mind as their ideals.
- 5.2 The councils shall adopt the measures like all party and participatory discussions and dialogue as their working procedures.

6. Procedure of the meeting

- 6.1 The meeting of the Council shall generally, be held once in every fifteen days provided that, it may hold more times as per the need.
- 6.2 The coordinator of the council shall call the meeting of the council.
- 6.3 The decisions of the meeting of the council shall be authenticated by the coordinator.

7. Communicating the information

- 7.1 The Council shall inform its decisions to concerned parties, peace council and the Peace Secretariat. Moreover, it shall also communicate such information to the local administration as per the need.
- 7.2 If any grave incident of violation of the code of conduct is found the council shall immediately inform to the Peace Committee through the Peace Secretariat. Moreover, such information shall also be sent to the National Monitoring Committee on Code of Conduct for Ceasefire through the Peace Secretariat.

8. Office Management

- 8.1 To run the office of the Council, one non-gazetted first class staff to the office secretary and one peon shall be provided by the local

administration.

- 8.2 The staff assigned on deputation in the office of the council shall be provided fifty percent amount of their basic salary as allowance. Such expenses shall be allocated by the Peace Secretariat having managed in budget provision.
- 8.3 The Peace Secretariat shall sanction Rs.5, 000 in one installment in every month to each council for stationary and miscellaneous cost for running the office.
- 8.4 The local administration shall set up the office of the Council in the premises of the District Development Committee or the other government offices or the public building.

9. Role of the Local Administration

- 9.1 The local administration shall provide necessary coordination and support in formation, and promotion of the Council and implementation of the decisions taken by it.
- 9.2 The local administration shall not make any interference in the works and activities of the Council.

10 Relation with the Peace Committee

The Peace Committee may issue directions to the Council on the matters that are considered to be necessary. The Council shall implement such directions of the Committee.

11. Relation with the National Monitoring Committee on Code of Conduct for Ceasefire

- 11.1 The Council and the National Monitoring Committee on Code of Conduct for Ceasefire shall assist each other in their respective works. The Council, in this process, shall work coordinating with the Committee.
- 11.2 The Council and the National Monitoring Committee shall assist each other by exchanging the necessary information.

12 Autonomy of the Council

- 12.1 The Council shall be free to perform its business within its terms of reference.
- 12.2 The Peace Secretariat shall work as its liaison agency.

13. Dissolution

The Government of Nepal may in the recommendation of the Peace Committee, dissolve any council.

14. Miscellaneous

The Secretariat may, to enhance the working capacity and effectiveness of council, if necessary, launch the capacity building programs of the council in the support of the donor agencies, also.