

National Seminar
on
Civil Military (Security) Relation in Nepal
2068 (2012)

Organized by:
Nepal Retired Police Organization

Supported by:
Friedrich Ebert-Stiftung-Nepal

By:
Dr. Chuda Bahadur Shrestha

Introduction

Nepal Retired Police Organization (NRPO) and Saugat Legal Research Consultancy (SLRC) have jointly organized one day “*National Seminar on Civil Military (Security) Relation in Nepal*” on April 12, 2012 (*Chaitra 30, 2068*), Thursday, in Kathmandu, Nepal. This is the sixth seminar supported by Friedrich-Ebert-Stiftung (FES)-Nepal which was founded in 1925 in Germany.

Seminar was divided into two phases: inauguration and paper presentation along with floor discussions and recommendations. Participants were; leaders of various political parties, professors, high ranking officials ((retired and serving) from Nepal Army (NA), Nepal Police (NP), Armed Police Force (APF), National Investigation Department (NID-Intelligence Service) including various officials of the government of Nepal. Also presented in the seminar were members of non governmental organizations (NGOs), journalists, academicians, representation of National Security Council along with concerned stakeholders of the society. Altogether 135 participants attended in the program.

Opening Ceremony:

Dr. Chuda Bahadur Shrestha (SSP, Retd.), Nepal Police, Senior Vice President, *Nepal Retired Police Organization* (NRPO) welcomed the dignitaries and participants with objective highlights of the program. He thanked FES-Nepal for supporting NRPO to organize annual seminars of this kind with the objective of improving civil-security relations and rebuild post-conflict peace activities in the country.

Mr. Dev Raj Dahal, Head of FES-Nepal, Scholar and Political Scientist, welcomed the participants on behalf of FES and emphasized on “The Reasons of State:; Rethinking National Security Strategy of Nepal” in the changed context. He stated that the right to self-defense is the core of a national security strategy which is also accepted by international law. He further highlighted the importance of persevering state sovereignty, national interest, institutional development and accountable stakeholders to promote national security and achieve the goals of good governance. He argued that though Nepal, one of the 17th oldest nations of the world, occupies a central part of Asian geopolitics between two advanced technological super-states- China in the north and India in the east, south and west; it could not benefit. Nepal remained weak and fragile due to a lack of democratic political culture of many of its public officials

adding that even political leaders lack strong ethics of duties to public service. Therefore, he urged to develop responsive and accountable state actors to create environment for security, political and economic stabilization, rectify the defects of its democracy, bring new constitution within the time frame, distribution of peace dividends to the Nepali people with mutual appreciation of all the stakeholders of the nation. He set links between national security and public security adding that in a security vacuum it is difficult to organize democracy, development and peace.

Chief Guest and the chairperson of opening ceremony, Mr. Dil Bahadur (DB) Lama, Inspector General of Police (Retd) and the President of *Nepal Retired Police Organization* highlighted the importance of the seminar on civil military (security) relation in the context of current security and political situation of Nepal. He stressed on the need of collaborative efforts, support and co-operation among the serving and retired security persons including other government agencies for maintaining peace, security and the development of Nepal. He extended gratitude towards FES-Nepal for providing support in organizing such National Seminars from the past 6 years (2007-2012) and hoped for its continuation in future.

Paper Presentation and Discussion:

There were four sessions in the seminar. First session was Chaired by Professor Dr. Shishir Subba, (Retd) Head of the Central Department of Psychology and Assistant Dean of Faculties of Humanities and Social Sciences, Tribhuvan University, Kirtipur. As a Chair, Dr. Subba, congratulated the presenter for bringing out the veiled psychological issues and the wellbeing of the security forces of Nepal and the national stress post-conflict nation facing. This is the first paper that has attempted to address the importance of psychological wellbeing of the security forces of Nepal. Dr. Subba further suggested that this paper will provide a room for future concern and in-depth study on the psychological issues of all stressful professionals along with security forces.

Clinical Psychologist, Ms. Chetana Lokshum, presented a paper on "*Importance of Psychological Wellbeing in Security Forces*," focusing on psychology and its branches, health, mental health, history of trauma (related to security forces), psychological wellbeing and mental health situation in Nepal. Ms. Lokshum highlighted research based cases related to stress and

management aspect that have been experienced by different security personnel (army, police) with the reference of American Soldiers exposed in Afghanistan and Iraq war.

She also mentioned similar stressful situations that have been experienced by the armed forces of the European countries and the Indian army and police in course of their line of responsibilities during war. So far in Nepal, during and after a decade-long Maoist Armed Conflict, several researches have been conducted on psychosocial problems and trauma recovery to the people who have either witnessed or undergone stressful situation. But till the date, there is not a single research ever been conducted focusing with stressful condition of security forces of Nepal.

Ms. Lokshum urges that security forces of any country are in stressful situation having many psychological problems and trauma that in turn needs a mechanism of addressing them with a holistic approach. Hence in conclusion she mentioned that there must be a periodic research on psychological wellbeing, establishment of psychosocial counseling centers, yoga, medication, Care for Care Givers with stress management packages in various units of security forces.

Floor Discussion:

Altogether 12 people shared their views and put forwarded their queries. Among them, Joint Secretary (Retd) Government of Nepal, Mr. Shambhu Rana suggested that there must be a mechanism of hearing grievances in the security forces with periodic individual and institutional stress management programs. Education Secretary (Retd) Government of Nepal, Mr. Shankar Pandey, suggested that there is a need of national policy and guidance in strengthening psychological wellbeing in security forces that ultimately augments the organizational efficiency. Major General (Retd) Rajendra Thapa, Nepal Army mentioned necessity of psychological intervention in the force giving examples of how even small incident can create a fear which later on hamper daily functioning of a person. Colonel, Dhruva Kumar Shah, Nepal Army, suggested the need of introducing programs such as yoga, healing, reconciliation, meditation including stress management in the security forces. Additional Inspector General of Police (Retd) Mr. Roop Sagar Moktan shared there must be post retirement career planning in the security forces.

Senior Superintendent of Police (SSP) Shiva Lamichhane has forwarded his opinion that over work and institutional hierarchical system also creates stress that has to be managed through

various institutional reforms, moderating behavior and counseling measures. Similarly, SSP Jaya B. Chand, Nepal Police also stressed on bridging the gap between police and people in strengthening better cooperation for security service delivery.

Shivaram Krishna K.C., Administrative Staff College, shared that organizational working environment also impacts an individuals performance on duty as they are exposed to various circumstances and have to handle multiple grievances of citizens every day. Finally presenter Ms. Chetana Lokshum and the Chairperson Prof. Dr. Shishir Subba responded the quarries with closing remarks of the First Session.

Chairperson of the Second session was Home Secretary (Retd), Mr. Ananta Raj Pandey, Government of Nepal. He gave his view on the contemporary security situation of Nepal with some of his own past experiences. Mr. Pandey also appreciated the paper presenter AIGP (Retd), Mr. Rajendra Bahadur Singh for his commendable performance during his past police career.

Paper presenter AIGP (Retd) Mr. Rajendra Bahadur Singh, Nepal Police, presented paper on, *"Nepal's Current Public Security Scenarios and Areas of Improvements."* Mr. Singh has highlighted historical perspective of Nepal Police and its mandate to preserve internal peace, maintain law and order, protect life and property of the citizens and internal security of the country. He referred that Nepal Police was always made to serve the interests of ruling government right from the democratic revolution 1950, students movement 1980, peoples' movement 1990, civil servant revolt 1992, *Madan Bhandari* and *Jivraj Asrit's* death revolt in 1995, Maoist Peoples' war (*Jana Yudha*) 1996 to 2006 and present 2011-12 bulldozer operation (in the name of road widen). So far, Nepal Police has been continuously used as a tool of repression by the ruling regime which inflicted their public image of impartial institutions dedicated to protect public interest.

Mr. Singh stated that Police has a vital role to play during the post conflict situation but immediately after the post conflict governments started to de-establish and demoralized Nepal Police along with National Investigation Department (NID-Intelligence Service) and Armed Police Force.

Some of the examples he cited are;

- Firstly, GP Koirala headed government sacked the then Nepal Police, Armed Police and NID chief including few senior officers without any reason appointing very weak personality as a Chief of Nepal Police; moreover he was not even in leadership row.
- Massive political interfere started on different internal sectors of police; recruitment, promotion, placement and transfer. Professionalism, ethics, norms, integrity, discipline command and control has been destroyed through excessive interfere. Organization became complete de-establish.
- Criminalization of politics also started. Corruption is also a chronic and extremely serious practices imbedded in police department after post conflict constituted government.
- Sudan Scandal is one of the most horrible example where the then ruling government misused police department for their benefit. Due to Sudan Scandal, three Retd. Inspector Generals of Police (2006-2010) are facing corruption charges. Hence Nepal Police image has been very badly damaged nationally and internationally.

The corrupt actions of Nepali political players with criminalization of politics have exacerbated the growth of corruption in police. Briefcase culture has developed at all level of police personnel that as long as they pleased political patrons, they are free to do whatever they wanted, regardless of whether it is illegal or immoral. Hence, Mr. Singh has suggested that to make accountable and responsible security organization, Community based Policing has to be strengthened that allows the police and the community to work closely together in creative ways to solve the problems of crime, physical and social disorder and the overall quality of life in the community. Further he put forward the need of police people partnership for decentralization of police activities.

Floor Discussion:

There are altogether 10 participants who raised concern. Joint Secretary (Retd) Government of Nepal, Mr. Shambhu Rana suggested that for the improvement of law and order, security, peace and good governance in the country, Nepali political leaders must have strong will and vision like Mr. Nitish Kumar, Chief Minister of Bihar, India.

AIGP, (Retd) Mr. Roop Sagar Moktan opined that due to the non-existence of elected local government since 2002 to present 2012, it is difficult to implement police-public partnership programs. Pradeep Nath Pyakurel (Director of Local Development Training Institute, Retd),

suggested to find out the understanding of police-people perception and conduct periodic interactions and public hearing program. This will ultimately bridge the communication gap between police and public. Deputy Inspector General of Police (DIGP) Narayan Sharma Acharya, suggested that police needs dynamic leadership with modern technologies and instruments. He also put forwarded his idea to avoid politicization of police. DIGP Parshuram Khatri opined that the present pathetic demoralized and de-motivating scenarios should be replaced by boosting moral and motivation for upcoming generation of Nepal Police by giving them more autonomy, incentives and professional training. SSP, Ram Kumar Poudel, Armed Police Force (APF) suggested that there must be media liaison program in the security forces so as to minimize the mistrust and misconception between security forces and ordinary people.

Colonel, Dhruva Kumar Shah, Nepal Army also gave his view on the need of discovering the citizens' attitudes and expectation towards the security organizations through continuous interaction programs like this. Roles of each other should be highlighted in nation-building.

Major General (Retd) Rajendra Thapa has opined that massive political interference has hampered the daily functions of police hence solution lies in the minimization of interference. At the same time he also suggested that police should improve the complaint that related to non-registration First Information Report (FIR) of any crime. Social activist Gyanendra Prasad Adhikari, put forwarded his concern whether the security forces are working according to their prescribed working mandate or not. He thinks that this may play an important part in forming security personnel image. Environmentalist Dr. Jaya Kumar Gurung asked the forum how many members in the security forces have positive attitude towards the general people and their dedication towards the service.

Presenter AIGP (Retd) Mr. Rajendra Bahadur Singh and the Chairperson Mr. Anantaraj Pandey responded the quarries with closing remarks of the Second Session.

Chairperson of the Third session, Lieutenant General (Retd) Sadip Bahadur Shah, Nepal Army highlighted on contemporary stages of civil military relation and political scenarios of Nepal. General Shah also made appreciable remarks to the presenter Colonel (Retd) Ratindra Khatri during his Nepal army career as well as the paper he has presented.

Paper presenter Colonel (Retd) Ratindra Khatri presented paper on, "Current Stages of Civil Military Relations: Prospects for Reform."

Col. Khatri presented paper under the broad sub-heading; *Introduction, Background, Purpose of Democratic Civil Control, Current Stage of Civil Military Relation (CMR) in Nepal, Challenges of CMR, Various Issues affecting CMR, Necessity of Better CMR in Nepal, Prospects of Reform, Recommendations, and Conclusion with References*. In introduction, Col. Khatri has briefly touched upon the current stage of Civil-Military Relation especially after the post-monarchical period of 2006 to 2012. In the background, he pointed out CMR in 11 points along with the historical perspective of military in different phases; right from the unification King Prithivi Narayan Shah, Rana Regime up to the former King Gyanendra Bir Bikram Shah period. He stated that Nepal Army has always strictly abided the constitution and has been loyal towards the nation and ruling head of the state or the government and people.

King Prithivi Narayan Shah and afterwards, Nepal Army functioned as nation builders and unification campaign. During those days, rulers directly controlled the military force and used military means to run the country even in peace time. Nepal was divided into various military zones and Army Generals from Rana family, exercised the power to rule in their designated areas command. Army Chief was considered as the next inline to become the Prime-Minister. Col. Khatri has also highlighted on current stage of civil military relation, its challenges as well as various issues affecting on it. He further put forwarded some recommendation in improving Civil-Military Relations.

Finally, he concluded his presentation with the need of healthy and effective relation between civilian and military components with complying basic democratic norms. Col. Khatri also cited, *"theory and politics of civil military relations,"* of Samuel P. Huntington by stating that army has to be under the elected democratic government, but army should be more dignified and professional institution whilst maintaining apolitical identity as symbol of unity of the country.

Floor Discussion:

Government Officer (Retd), Mr. Surya Bahadur Manandhar gave his view by saying that army institution must be transparent and accountable to the people and government. Joint Secretary (Retd) Government of Nepal, Mr. Shambhu Rana opined that political leaders should follow the norms of the democratic values and good governance otherwise there will be misunderstanding between elected civilian and army. He cited the example of Indian Defense Ministry and Army Chief General BK Singh clash due to the failures of political leadership.

Major General (Retd) Rajendra Thapa, Nepal Army said that Nepal Army is always performing their duties and responsibilities under the constitution and government directives. But he is concerned of the misinterpretation concept of civil military relations in Nepal especially after 2006. Police SSP Jaya Bahadur Chand, felt that there has been lot of improvement in civil military relation in the contemporary time. SSP Kiwahang Rai, Intelligence Department (NID), stated that intelligence is also one of the important organizations of security agencies hence; there is a need of better collaborative intelligence system among the stakeholders for the strengthening of civil military relation. At the end, Chairperson Lt. General Sadip Bahadur Shah and presenter Col. Ratindra Khatri responded accordingly to the queries and recommendations. In the final or the fourth session, Chairperson was Prof. Ananda Aditya, Chair, Pragya Foundation and Chelsea International Academy reflected on historical security perspective of Nepal, glorious images of Gorkhas (11 Victoria Cross recipient during the II world war). He said that Nepal as the oldest and independent nation in the world, we should be proud of our culture and heritage, to preserve the glorified history we should celebrate 250 years of anniversary in 2018. Prof. Aditya also commented that politics should be guided by three principles; *Dharma, Karma and Sewa*. He further suggested that integration of Maoist Combatants should be managed taking into the consideration of national interest.

Paper presenter Lt. Colonel (Retd) Mr. Ek Bahadur K.C, Nepal Army, presented paper on, "Prospects and Challenges of Maoist Army Combatants Integration in Nepalese Army."

Lt. Col K.C. has mentioned that the total 45 combatant integration programs have been implemented between 1945 -2004 out of them 23 are in African Continent. He stated that in Nepali context, the term of integration is understood as a process of integration of qualified Maoist combatants into the security components such as the Nepal Army as per the Agreement on Monitoring of the Management of Arms and Armies (AMMAA), December 8, 2006. He has cited several examples of successful and unsuccessful instances of army integration in relation to Nepal's contemporary situation. He also suggested that Maoist Combatants integration is one of the areas of peace process and post conflict peace building activities. Hence Lt. Col. Suggested that integration has to be dealt politically with sensitivity taking into the consideration of future prospects and risk factors as well.

Floor Discussion:

Major General (Retd) Rajendra Thapa, Nepal Army opined that integration should be made under the prevailing norms of the army where all integrated persons would be the member of security force. Hence there is not a question of Maoist Combatants representation in the army.

Captain PJ Shah, Nepal Airlines, forwarded his view by saying that Nepal is in deep political crisis where no system is in proper function, hence all the activities of peace process that has to be monitored and observe by civil society actors and democratic norms should not be trampled in the name of transitional politics. Chairperson Prof. Anand Aditya and presenter Lt. Col. Ek Bahadur K.C. concluded the forth and last session with remarks and clarification. Finally IGP (Retd) D.B. Lama closed the one day national seminar on Civil Military (Security) Relation and thanked the participants and FES-Nepal.

Feedback and Conclusion:

- ❖ Seminars as these will work as a bridge to fill up the gap between civil and military/security relation during this transitional stage of the country and will provide inputs to national Security Draft Bill in the parliament. Seminars of such type help in improving ties between security agencies and politicians and civil society.
- ❖ Seminar was able to sensitize security personnel, political leaders, concerned stakeholders and members of civil society to understand the importance of psychological wellbeing of security forces and their holistic management. By implication, it also applies to ex-Maoist combatants and their families.
- ❖ Seminar helped to recognize the role of Nepalese Army right from the state building of Nepal and its contribution in home and abroad for maintaining peace, security and development.
- ❖ Seminar also helped to clarify the concept Civil Military (Security) Relations and prospects and challenges of integration of Maoist Combatants in Nepal Army. Participants viewed that the interaction between retired and serving security agencies help share the experiences on handling various types of conflicts and land Nepal into civil peace.