

NEPAL



ICRC / AR, 2012

EXPENDITURE (IN KCHF)

Protection	1,046
Assistance	1,261
Prevention	1,123
Cooperation with National Societies	438
General	-

► **3,868**

of which: Overheads 236

IMPLEMENTATION RATE

Expenditure/yearly budget	88%
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PERSONNEL

Expatriates	8
National staff (daily workers not included)	68

KEY POINTS

In 2012, the ICRC:

- ▶ with its partners, reviewed, in one district, the pilot phase of a comprehensive project to address the needs of families of missing persons, where a marked improvement was noted in the beneficiaries' quality of life
- ▶ helped relevant agencies resolve/prevent cases of missing persons by contributing to the drafting of guidelines on exhumations and human remains management and to building the Armed Police Force's (APF) forensic capacity
- ▶ with the Nepal Red Cross Society, boosted national emergency response capacities by training some 450 volunteers and APF personnel in first aid and by supporting the integration of volunteers into district disaster-response teams
- ▶ conducted dissemination sessions on internationally recognized policing standards for senior APF officers and, for the first time, for district officers at the invitation of the Judicial Service Training Centre

The ICRC initially worked in Nepal out of its regional delegation in New Delhi, opening a delegation in Kathmandu in 2001. Since the May 2006 agreement between the government and the Communist Party of Nepal-Maoist, the ICRC has focused on: clarifying the fate of missing persons and supporting their families; taking action on behalf of people deprived of their freedom; promoting full compliance with IHL; and improving medical care for the wounded. It works closely with the Nepal Red Cross Society.

CONTEXT

Although the integration of members of the Maoist People's Liberation Army (PLA) into the Nepalese Army was nearly complete, progress in Nepal's long-stalled peace process remained slow. The country stayed mired in a constitutional and political crisis after its major political parties failed to agree on contentious issues related to the drafting of the constitution, such as the country's future form of government and federal structure, prior to its May 2012 deadline. This led to the dissolution of the Constituent Assembly, such that, pending new elections, Nepal had no legislative body or parliament.

Prior to the political crisis, the parliament's legislative committee decided to merge two bills related to transitional justice mechanisms, namely the Truth and Reconciliation Commission and the Commission of Inquiry on Disappearances, to create a single commission with broad provisions for pardon, giving rise to concerns over prevailing impunity. As the political crisis unfolded, the prospects of the unified bill and other legislation being adopted became uncertain.

Nationwide protests and strikes or exacerbated local tensions occasionally degenerated into violent confrontations between protesters and security forces or between groups with conflicting demands, particularly in the far west but also in the Terai region. Bomb blasts, along with other incidents involving explosive remnants of war (ERW) from past conflict or explosive devices linked to criminality, also affected public life in many parts of the country.

ICRC ACTION AND RESULTS

Together with the Nepal Red Cross Society, its main partner, the ICRC assisted people suffering the residual effects of the past armed conflict, while monitoring the humanitarian situation and responding to the needs of people affected by ongoing unrest. In this regard, the National Society received ICRC financial, technical and material support and training to boost its capacities and pursue organizational development activities.

The ICRC kept up its comprehensive efforts to help clarify the fate of some 1,400 persons missing in connection with the past conflict. With the National Society, it collected and verified further information on missing persons from their families and submitted the information to the former parties to the conflict. It reminded authorities of the importance of addressing the needs of the families, including through interim relief benefits, and of establishing a national mechanism to resolve the issue.

Main figures and indicators	PROTECTION	Total		
CIVILIANS (residents, IDPs, returnees, etc.)				
Red Cross messages (RCMs)			UAMs/SCs*	
RCMs collected		4		
RCMs distributed		60		
Names published in the media		1,401		
Names published on the ICRC family-links website		1,401		
Tracing requests, including cases of missing persons			Women	Minors
People for whom a tracing request was newly registered		35	4	7
People located (tracing cases closed positively)		63		
Tracing cases still being handled at the end of the reporting period (people)		1,404	95	148
Documents				
People to whom travel documents were issued		27		
PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)				
Restoring family links				
RCMs collected		9		
RCMs distributed		3		
People to whom a detention attestation was issued		17		

* Unaccompanied minors/separated children

The ICRC worked with the National Society and local NGOs in helping relatives of missing persons meet their needs for information and support. Trained National Society volunteers served as primary contacts with the families and updated them on relevant developments and available government benefits. The National Society/ICRC empowered relatives of missing persons and other volunteers to facilitate peer support groups to help them cope with their situation. With training and livelihood input from ICRC partners, the families improved their economic situation, enabling them to assist other vulnerable people. Support to the National Network of Families of Disappeared and Missing (NEFAD) helped ensure that families were represented in discussions on the issue. The ICRC helped the authorities strengthen their forensic capacities, increasing the likelihood of bodies being identified and thus providing some people with answers as to their relatives' fate.

To facilitate access to timely and adequate treatment for people injured during unrest, the ICRC provided ad hoc support to hospitals and helped the National Society improve its emergency response capacity. It supported the National Society's first-aid and ambulance services, including the integration of volunteers into district disaster-response teams, as well as its efforts to train the police and other first-responders in first aid and human remains management. The National Society/ICRC strove to stop the obstruction and vandalism of ambulances through round-table discussions with relevant stakeholders and promotional campaigns. To prevent further casualties resulting from mines/ERW, the National Society conducted mine-risk education sessions in vulnerable communities.

Disabled people, including those injured during the past conflict, received appropriate care at two ICRC-supported physical rehabilitation centres.

Although political instability slowed progress in IHL implementation, the ICRC carried on, as much as possible, with its dialogue on IHL-related issues with the authorities, the armed and police forces and civil society. It supported the national IHL committee in consulting with relevant bodies on IHL treaties. It formed a working relationship with the Judicial Service Training Centre to help it train district officers responsible for maintaining peace and order, and helped the Armed Police Force (APF) promote internationally recognized policing standards among its officers. The ICRC facilitated

the participation of government and armed forces representatives in IHL training courses and conferences. It promoted IHL in academic circles by providing lecturers with materials and sponsoring student competitions, and encouraged the media to report on IHL issues and National Society/ICRC activities.

The ICRC coordinated its activities with those of other Movement partners and other humanitarian organizations, including on matters concerning contingency planning for disasters, in order to identify unmet needs, maximize impact and avoid duplication.

CIVILIANS

Prevailing political uncertainty and the region's susceptibility to natural disaster prompted the ICRC to remind the authorities of their obligation to meet the basic needs of affected communities and to ensure people did not go unaccounted for. With ICRC support, the Nepalese Red Cross boosted its own emergency and disaster response capacities, demonstrated by the integration of 100 of its trained volunteers into district disaster-response teams and its distribution of blankets and other essential household items to some 5,600 earthquake-affected victims in eastern Nepal. Coordination with humanitarian organizations focused on contingency planning.

Families of missing persons supported in their search for answers

More than five years since the end of the conflict, families were still seeking some 1,400 missing relatives. National Society/ICRC teams continued to collect and verify additional information on missing persons from their families and submitted it to the former parties to the conflict (APF, Nepal Army, PLA) with the aim of clarifying their fate. To this end, 30 new cases of missing persons were registered, 26 cases were reopened, and 10 people were found alive. An updated list was published on the ICRC's family-links website (familylinks.icrc.org) in August. Work began on an ICRC report summarizing 10 years of learning and progress on the missing persons issue in Nepal.

As primary contact with the families of the missing, the Nepalese Red Cross trained about 70 district focal points to coordinate with some 250 volunteers, who visited the families regularly, informed them of any developments concerning the fate of their relatives, facilitated access to government assistance and compiled findings from all participating districts.

Main figures and indicators	ASSISTANCE	Total	Women	Children
CIVILIANS (residents, IDPs, returnees, etc.)¹				
Economic security, water and habitat (in some cases provided within a protection or cooperation programme)				
Essential household items	Beneficiaries	5,718	51%	
Cash	Beneficiaries	699	36%	27%
WOUNDED AND SICK				
Hospitals				
Hospitals supported	Structures	39		
	<i>of which provided data</i>	2		
Patients whose hospital treatment has been paid for by the ICRC	Patients	31		
Admissions	Patients	42	1	8
	<i>of whom weapon-wounded</i>	39	1	8
	<i>(including by mines or explosive remnants of war)</i>	31		
	<i>of whom other surgical cases</i>	3		
First aid				
First-aid posts supported	Structures	10		
	<i>of which provided data</i>	10		
Wounded patients treated	Patients	2,637		
Physical rehabilitation				
Centres supported	Structures	2		
Patients receiving services	Patients	1,303	315	102
New patients fitted with prostheses	Patients	134	25	11
Prostheses delivered	Units	150	28	12
	<i>of which for victims of mines or explosive remnants of war</i>	19		
New patients fitted with orthoses	Patients	79	16	23
Orthoses delivered	Units	108	19	36
Number of patients receiving physiotherapy	Patients	223	45	28
Crutches delivered	Units	275		
Wheelchairs delivered	Units	172		

1. Owing to operational and management constraints, figures presented in this table and in the narrative part of this report may not reflect all activities carried out during the reporting period

Families receive psychological and social support

While waiting for answers as to the whereabouts of their relatives, 741 families (4,399 individuals) of missing persons in 16 districts received psychological, legal, social and economic support through a comprehensive project begun in 2010 with the National Society and eight partner NGOs, which received ICRC technical assistance and material/financial support to help them implement and sustain the project.

Under the project, some 30 family members, supported by 40 volunteers, trained to become facilitators of 116 specialized groups of mothers, wives or fathers, helping the families cope with their situation through peer support. Over 150 relatives received professional psychological care, while 23 individuals, including 8 mentally ill, had their travel costs covered so they could receive free treatment at government hospitals. Some 400 families revived or improved their income-generating capacities via training, exposure visits, business grants and/or productive inputs from ICRC partners. Around 500 families spread the positive benefits of the project by donating the offspring of the animals they had received to economically vulnerable women in their communities.

In Bardiya district, a review at the conclusion of the project's two-year pilot phase showed a marked improvement in the lives of the beneficiaries (266 families). The project had enabled them to form social networks that helped them combat the social/cultural stigma attached to their status and enhanced their ability to function at individual, family and community level.

The holding of public commemorative events, the staging of street theatre, and the formation of solidarity networks to mobilize external resources in the districts helped foster communities'

understanding of the issue of missing persons and address the social stigma suffered by the families. With ICRC support, NEFAD continued to develop stronger representation in various regions of the country.

Families applying for financial support under the government's interim relief programme benefited from the extended deadline set by the Ministry of Peace and Reconciliation at the ICRC's request. Thus, 128 families and 33 individuals detained as minors during the conflict applied for relief, with National Society/ICRC guidance; to date, 1,234 of the 1,400 families had received government relief. Regrettably, owing to lack of funds, children of missing persons and/or those orphaned as a result of the conflict could not regularly access government-allocated scholarships and assistance.

With the constitutional and political crisis, there was little progress on the pending bill addressing the issue of missing persons and the needs of their families (see *Authorities*).

Human remains management boosted

The authorities received ICRC input to help them facilitate future exhumations and ensure that people did not go unaccounted for. Though there was still no legal framework for exhumations, the National Human Rights Commission drafted guidelines on the conduct of such. Similarly, the Ministry of Home Affairs adopted national guidelines on human remains management, which were applied and demonstrated, using ICRC material and technical support, by two forensic pathologists in the examination and documentation of 13 unidentified bodies after a flash flood in the Kaski district. Additionally, some 150 APF personnel and over 250 National Society volunteers from vulnerable areas of the

country studied human remains management at National Society/ICRC training sessions, while a government specialist learnt more about the handling of ante/post-mortem data at a course in Geneva, Switzerland.

Dispersed relatives stay in touch

Over 220 National Society volunteers from nine districts reinforced their skills in restoring family links at various training sessions. The exchange of RCMs, submission of tracing requests, and family visits enabled separated family members in Nepal and abroad, in particular Bhutanese refugees and their relatives detained in Bhutan (see *New Delhi*), to restore and maintain contact. Two Nepalese ex-detainees with mental health needs returned home from Bangladesh with ICRC support.

A total of 1,242 people in eight districts benefited from National Society mine-risk education sessions following incidents involving or reports of the presence of unexploded devices (see *Context*), while many others learnt more through a National Society-produced basic safety message which aired on radio. The insights gained from National Society mine-risk education activities since 2005 were compiled in a booklet published with ICRC assistance.

PEOPLE DEPRIVED OF THEIR FREEDOM

Individuals arrested in relation to current situations of violence and unrest were usually released after a few days and received lawyers' visits facilitated by the ICRC. Persons detained in 15 police stations in the country benefited from improved access to legal services and family visits in premises rehabilitated/constructed under a joint project with the authorities and a local NGO.

Seventeen former detainees gained access to government benefits after receiving detention attestations from the ICRC.

WOUNDED AND SICK

The provision of health services, particularly first aid for people injured during violence, remained constrained by poverty and poor infrastructure. To help counter this, 285 volunteers in 12 districts and 168 APF personnel in 7 districts upgraded their first-aid skills with the help of National Society instructors. The National Society maintained/repairs its ambulance services with ICRC support. Some 2,600 people injured during unrest received treatment from 10 first-aid teams funded and equipped by the ICRC.

While transporting patients injured during civil unrest or by improvised explosive devices (IED) to hospital, 10 ambulances, including 4 belonging to the National Society, suffered obstruction and damage. Bilateral contacts with relevant individuals/groups, round-tables with all stakeholders, and jingles aired in five local languages on radio stations in 71 districts helped increase awareness of the obligation to allow the free movement of ambulances. National Society branches and district ambulance management committees coordinated on the systematic monitoring of ambulance misuse and the provision of first-aid training to ambulance drivers.

Ad hoc donations of supplies helped 39 hospitals provide medical/surgical care to people wounded during unrest or explosions, as well as other patients. Additionally, 31 patients received financial assistance to cover their treatment costs.

Over 60 health specialists in the emergency departments of 53 hospitals honed their skills in handling and managing trauma cases through a specialized course. Four ICRC-trained instructors at the Kathmandu University Hospital delivered the same course to 40 interns.

People with disabilities improve their mobility

Amputees, including mine/IED victims, enjoyed improved mobility after being fitted with artificial limbs produced with ICRC-donated materials at the Nepal Army's Yerahiti National Rehabilitation Centre and the Green Pastures Hospital and Rehabilitation Centre in Pokhara. Patients disabled as a result of the past conflict received free treatment, while the transport costs of 325 people undergoing treatment were covered by the ICRC. To ensure the continued quality of services, three technicians from both centres undertook formal schooling abroad, while others received on-the-job training.

Both centres lent technical support at a camp held in Butwal, southern Nepal, to provide follow-up care to 117 disabled patients, who benefited from free consultations, repairs to their devices and/or referrals for new/replacement devices.

Discussions with vocational training providers in Rupandehi district explored the possibility of people with disabilities enrolling in their training programmes free of charge.

AUTHORITIES

The situation in the country hampered government efforts to implement IHL at national level. As much as was possible, the national IHL committee consulted with relevant government bodies on a draft Geneva Conventions Act, while work on an official Nepalese translation of the 1949 Geneva Conventions continued. Officials discussed the Hague Convention on Cultural Property at a briefing organized with the Ministry of Culture, which had previously agreed to consider the IHL committee's recommendation to accede to the convention. To further stimulate interest in IHL implementation, the national IHL committee drafted a handbook for parliamentarians and civilian authorities, with National Society/ICRC support.

Ministry representatives and senior government officials also enhanced their knowledge of IHL, including issues covered by the Health Care in Danger project, at ICRC-supported briefings in Nepal, such as those organized by the Ministry of Law and Justice and the Institute of Foreign Affairs, and at teaching seminars and conferences abroad (see *Iran, Islamic Republic of, New Delhi and Sri Lanka*). For the first time, the Judicial Service Training Centre invited the ICRC to share information on the use of force and code of conduct for law enforcement officials with 30 chief district officers.

The prospects of the adoption of a unified bill on disappearances and on truth and reconciliation remained uncertain in the given political environment. No progress was made regarding a stand-alone Red Cross Act to strengthen the National Society's legal status.

ARMED FORCES AND OTHER BEARERS OF WEAPONS

Through dialogue with the ICRC, military and police forces received information on the Movement's mandate and activities and were encouraged to integrate IHL and international human rights law into their doctrine, training and operations.

Meetings with the chief of staff of the Nepal Army focused on enhancing mutual understanding and fostering cooperation on the IHL-related activities of the army's Human Rights Directorate. No briefings on IHL principles and the Movement could take place for Nepali peacekeeping troops.

The Ministry of Home Affairs decided to review the ICRC's involvement with the APF, putting most programmes on hold. Nevertheless, with ICRC assistance, the APF trained 24 senior officers in internationally recognized policing standards and briefed 150 others in general sessions.

Meanwhile, various military and police officials learnt more about IHL at seminars abroad, including teaching sessions in Bhutan and Sri Lanka (see *Authorities*) and in San Remo. Foreign defence attachés in the country also learnt about IHL in meetings with the ICRC.

CIVIL SOCIETY

Public awareness of humanitarian issues and Movement activities remained essential given Nepal's potential for unrest. Thus, the National Society received training and support to help it disseminate humanitarian principles and promote the Movement through a variety of communication materials/channels, including round-table discussions with influential stakeholders, a weekly radio programme and the nationwide airing of ambulance jingles in Nepalese and local languages.

Journalists drew on National Society/ICRC briefings and press releases for their stories, including on the relevance of emergency room trauma courses and activities benefiting families of missing persons. Sixteen journalists gained further skills in humanitarian reporting at a two-day workshop organized with the National Society, the International Federation and the BBC. Human rights organizations enhanced their programmes with ICRC resources and input.

Law faculties received relevant materials, while 16 lecturers attended a seminar to enhance IHL teaching. Students of law and conflict studies gained a greater understanding of IHL and Movement activities through periodic ICRC presentations. They tested their knowledge at national and regional moot court competitions.

RED CROSS AND RED CRESCENT MOVEMENT

The Nepalese Red Cross remained the ICRC's key operational partner and received training and support in strengthening its capacities in the areas of restoring family links, human remains management, emergency preparedness and response, and mine-risk education (see *Civilians*).

With security fragile in many parts of Nepal, National Society staff and volunteers received training in the Safer Access approach, which also helped to strengthen public perception of the National Society at local and national level. Despite the lack of progress in strengthening their legal status (see *Authorities*), organizational development activities (a review of its constitution, the creation of a gender and inclusion department, workshops addressing the needs of less-developed chapters) accompanied strategic and structural changes within the National Society.

All components of the Movement met regularly to exchange information and ensure effective coordination of activities.