



nepal

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.

EXPENDITURE (IN KCHF)

Protection	1,289
Assistance	3,091
Prevention	1,280
Cooperation with National Societies	868
General	-

► **6,528**

of which: Overheads 398

IMPLEMENTATION RATE

Expenditure/yearly budget	85%
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PERSONNEL

14	expatriates
99	national staff (daily workers not included)

KEY POINTS

In 2009, the ICRC:

- published a study on the needs of the families of missing persons in Nepal, making recommendations to the authorities on how to address them
- provided input on the issue of missing persons into draft legislation on the investigation of disappearances, which was then approved by the cabinet
- helped meet the needs of people wounded in unrest by supporting the National Society's first-aid and ambulance services and improving conditions in hospitals
- with the National Society, boosted the income of 7,571 vulnerable people affected by the former conflict through micro-economic initiatives
- with the Nepalese Army, set up a new physical rehabilitation centre accessible to both civilian and military patients

CONTEXT

Little progress was made in Nepal's peace process in 2009. Power struggles between political parties persisted, hampering the government's efforts to fulfil its basic obligations. In May, the Maoist-led government dismissed the chief of army staff, General Rukmangat Katuwal, leading to protests from other elements in the government. The president then reinstated the general, and the prime minister resigned. Madhav Kumar Nepal was appointed the new prime minister, but political parties disagreed over the allocation of ministerial responsibilities. Regular street demonstrations blocked the proceedings of the constituent assembly and parliament. The process of writing the constitution was delayed. Major initiatives envisaged in the peace agreement and interim constitution, including the establishment of a truth and reconciliation commission and a commission on missing persons, had yet to take shape. Members of the Nepalese Army and the Maoist People's Liberation Army (PLA) remained in their quartering areas.

Sporadic intercommunal and interreligious violence and nationwide strikes continued. In the eastern and central Terai region, a number of political and sometimes armed groups were demanding more rights for the Madhesi population living in the area, and violent clashes erupted periodically. Other minority groups also organized demonstrations, seeking recognition from the government.

MAIN FIGURES AND INDICATORS

	Total		Total	Women	Children	
PEOPLE DEPRIVED OF THEIR FREEDOM (All categories/all statuses)		CIVILIANS (residents, IDPs, returnees, etc.)				
Detainees visited	1,585	<i>Economic security, water and habitat</i>				
Number of visits carried out	10	Food	Beneficiaries	240	29%	51%
Number of places of detention visited	9		<i>of whom IDPs</i>	240		
RESTORING FAMILY LINKS		PEOPLE DEPRIVED OF THEIR FREEDOM				
<i>Red Cross messages (RCMs) and reunifications</i>		<i>Economic security, water and habitat</i>				
RCMs collected	273	Essential household items	Beneficiaries	755	32%	45%
RCMs distributed	150	Agricultural and veterinary inputs and micro-economic initiatives				
<i>Tracing requests, including cases of missing persons</i>		Beneficiaries				
People for whom a tracing request was newly registered	93	PEOPLE DEPRIVED OF THEIR FREEDOM				
<i>of whom women</i>	6	<i>Economic security, water and habitat</i>				
<i>of whom minors at the time of disappearance</i>	13	Water and habitat activities	Beneficiaries	1,176		
Tracing cases closed positively (persons located)	23	WOUNDED AND SICK				
Tracing cases still being handled at 31 December 2009 (people)	1,365	Hospitals supported	Structures	9		
<i>of whom women</i>	89	Water and habitat activities				
<i>of whom minors at the time of disappearance</i>	153	Number of beds				
DOCUMENTS ISSUED		<i>Physical rehabilitation</i>				
People to whom travel documents were issued	20	Patients receiving services	Patients	1,156	277	106
People to whom a detention attestation was issued	45	Prostheses delivered	Units	114	26	5
		Orthoses delivered	Units	94	19	32

ICRC ACTION AND RESULTS

The ICRC continued to deal with the residual effects of the past armed conflict, while responding to the needs of people affected by current unrest. Most activities were conducted jointly with the Nepal Red Cross Society, whose capacities were boosted through ICRC financial, technical and material support and training. During the unrest and political instability, the ICRC was able to travel freely and its staff worked safely throughout the country.

Efforts were pursued on several fronts to help families clarify the whereabouts of relatives still unaccounted for in connection with the past conflict. The ICRC made representations to the authorities, the armed and security forces and the PLA on behalf of the families and conducted a study to better inform the authorities of the families' needs. It also provided technical input into draft legislation on the investigation of disappearances and built the capacities of several institutions carrying out forensic work. The families of missing persons were among vulnerable households who benefited from micro-economic projects to help them increase their income.

The ICRC supported the National Society's first-aid activities and ambulance service and provided hospitals with supplies to ensure that victims of violence received the medical attention they required. A series of round-tables involving a range of stakeholders sought to prevent the obstruction and vandalism of ambulances during unrest. Conditions in hospitals improved after the ICRC carried out repairs to water and sanitation infrastructure and trained staff in infection control.

Delegates visited detainees to check on their treatment and living conditions, following up with confidential reports to the authorities. The Nepalese Red Cross, with ICRC support, trained detainees and guards in basic first aid to improve prison health care, and ICRC engineers upgraded water, sanitation and kitchen facilities, including through the installation of biogas systems.

After wrapping up its water, sanitation and habitat activities in prisons and hospitals, the ICRC prepared technical reports on the

work undertaken and handed over full responsibility for future such work and for the upkeep of the facilities to the authorities.

The ICRC continued to support physical rehabilitation services at the Green Pastures Hospital by training prosthetic/orthotic technicians. Following the signing of a memorandum of understanding between the Nepalese Army and the ICRC outlining support to the Aerahiti National Rehabilitation Centre, the ICRC fully equipped the centre and began training technicians, enabling them to start treating civilians and military patients. In parallel, with ICRC support, the National Society continued to educate people in ways to reduce the risk of mine accidents.

Work on the ratification and implementation of IHL treaties slowed owing to the political instability. However, the ICRC and the government jointly organized the first South Asian Conference on IHL. Members of the armed and security forces received support in raising awareness of IHL and/or international human rights law among their ranks. Influential members of civil society, such as journalists, university lecturers and representatives of trade unions, as well as representatives of student unions and youth wings of political parties, attended other ICRC events that aimed to improve knowledge of and respect for humanitarian principles.

The ICRC continued to coordinate its activities with those of Movement partners, other humanitarian agencies operating in the country and local human rights organizations, in order to maximize impact, identify unmet needs and avoid duplication.

CIVILIANS

While violence relating to the armed conflict had ended in 2006, various disturbances and violent incidents still occurred. Victims of ethnic clashes in March received a two-week food ration, along with clothing, tarpaulins and essential household items, distributed by the National Society and the ICRC, to help them cope following damage to their property.

These and other people affected by violence raised their concerns with the ICRC. To follow up allegations of abuses against civilians, delegates made confidential representations to the parties said to be responsible, urging them to take corrective action and prevent any recurrence. The authorities were also encouraged to ensure that victims of the past armed conflict or their families received the recognition and compensation due to them, in line with government policy.

- ▶ 240 people (28 households) received food
- ▶ 755 people (135 households) received essential household items

Civilians in isolated villages and former conflict areas continued to benefit from improvements to water supply infrastructure made between 2004 and 2008. ICRC/National Society engineers returned to check that everything was still functioning satisfactorily and to prepare technical reports for the authorities ahead of the handover of responsibility for such projects at the end of the year.

Civilians helped to look for their relatives

Bhutanese refugees in Nepal were able to maintain contact with relatives detained in Bhutan (see *New Delhi*) using RCMs. With a view to improving services, National Society staff received training in all aspects of restoring family links, including dealing with tracing requests and the issue of missing persons.

More than 1,300 families were still seeking missing relatives. On the basis of information collected from the families, cases of missing persons were submitted to the authorities concerned with the aim of clarifying their fate. An updated list was published on the website www.familylinks.icrc.org. No new information was forthcoming, however; the political instability was not conducive to systematic dialogue. The ICRC kept in touch with other organizations involved in the issue of missing persons during regular coordination meetings.

Although, following ICRC representations, the government had begun providing interim relief payments to some families of missing persons, its official definition of conflict victims did not include missing persons, which prevented their families from accessing further support mechanisms. The plight of the families was stressed in detail to the authorities in an ICRC study on their psychological, economic and legal needs. The government was encouraged to create an independent body to supervise all activities to clarify the fate of the missing, to adopt relevant legal provisions (see *Authorities*) and reparation policies, and to ensure that families had access to appropriate assistance.

Representatives of family associations had the opportunity to share their concerns with the Ministry of Peace and Reconstruction at an ICRC-organized conference. The meeting led the family associations to form a national network to strengthen their campaign. Later in the year, the Ministry of Peace and Reconstruction and the Ministry of Education undertook to provide scholarships to the children of missing persons.

Owing to Nepal's vulnerability to natural disasters, representatives of the Home Affairs and Health Ministries, the armed and security forces and the National Society received training in the proper management of human remains, to aid identification and thus prevent people from becoming unaccounted for. Similarly, to promote best practices in the exhumation of human remains, forensic specialists, archaeologists, and laboratory technicians from organizations likely to be involved in exhumations also attended ICRC training.

- ▶ 265 RCMs collected from and 150 RCMs distributed to civilians
- ▶ new tracing requests registered for 93 people (6 women; 13 minors at the time of disappearance); 23 people located; 1,365 people (89 women; 153 minors at the time of disappearance) still being sought
- ▶ 20 people issued with an ICRC travel document

Conflict victims regain some self-sufficiency

Vulnerable households affected by the past conflict or by ongoing disturbances, more than half of which were families whose breadwinner had been killed or was missing, received grants to help them restore their livelihoods through, for example, farming, animal husbandry or small businesses such as grocery stores. They also underwent training in skills that would increase the likelihood of their projects succeeding, such as bookkeeping. Beneficiaries were assisted in forging links with local service providers and other organizations working in similar areas to help with troubleshooting and ensure the sustainability of the projects. A final review of the three-year ICRC/National Society programme showed that the revenue generated contributed an average of 30% to the beneficiaries' monthly household income and that 95% of the projects were continuing beyond the end of ICRC/National Society involvement.

In addition to learning on the job, National Society staff and volunteers received training in assessment, implementation and monitoring to enable them to run similar projects on their own in the future.

- ▶ 7,571 people (1,298 households) benefited from micro-economic initiatives

PEOPLE DEPRIVED OF THEIR FREEDOM

Almost all those held in relation to the conflict had been released, but a handful of such detainees remained in custody. They received visits, carried out in accordance with the ICRC's standard working procedures, from delegates, who checked on their treatment and living conditions. Delegates then shared their findings and any recommendations in confidential reports to the relevant authorities. Detainees were able to keep in touch with their families using RCMs, and former detainees received detention certificates, on request, so that they might apply for the government assistance due to conflict victims.

- ▶ 1,585 detainees visited during 10 visits to 9 places of detention
- ▶ 8 RCMs collected from detainees
- ▶ 45 detention certificates issued to former detainees or their families

Detainees' living conditions improve

To enhance detainees' health care, prison personnel and inmates acting as health workers were trained in first aid by the Nepalese Red Cross, with ICRC support.

Recurrent health problems in prisons often stemmed from ill-adapted infrastructure. Wood smoke in insufficiently ventilated premises caused respiratory problems and the absence or poor maintenance of septic tanks posed major risks to public health. Detainees benefited from better living conditions as a result of work carried out with local expert partners: environmentally friendly biogas plants offered a solution to human excreta disposal

and improved cooking conditions by reducing firewood consumption. Smokeless stoves with increased fuel efficiency were also installed. Detainee health and hygiene in two prisons in the Terai also received a boost from an increased number of toilets and a more reliable water supply for cooking, bathing and washing clothes.

A report on completed ICRC water, sanitation and habitat projects in prisons was submitted to the prison authorities in preparation for the handover of responsibility for such projects at the end of 2009. To boost their capacities to effect further improvements, they underwent ICRC-led training in water, sanitation, hygiene and habitat standards in prisons. Participants discussed the possibility of piloting administrative reforms and developing national guidelines on prison infrastructure.

With a view to mobilizing further support, the National Human Rights Commission sought input from a wide range of actors, including the ICRC, for the preparation of a public document listing the work still to be done in places of detention.

- 1,176 detainees benefited from water/sanitation/habitat projects

WOUNDED AND SICK

Victims of violence and unrest required urgent medical attention. National Society first-aid trainers underwent training to upgrade their skills and went on to train police officers, journalists and National Society action teams. More than 1,000 people received first aid administered by the National Society using ICRC supplies.

Ambulance services were often hampered during strikes and demonstrations. At seven ICRC-supported round-tables, organized by the National Society, the authorities, representatives of political parties and ethnic groups, the traffic police, ambulance providers and National Society volunteers discussed the use and misuse of ambulances. Fifteen vandalized National Society ambulances were repaired by the ICRC.

Nine hospitals providing care to weapon-wounded people received supplies. Thanks to ICRC interventions, 183 injured people were treated free of charge. Urgent repairs to three hospitals were carried out and staff trained in infection control. Subsequent monitoring revealed improved practices such as the use of disposable rubber gloves, systematic sterilization of equipment and daily cleaning of wards and toilets. Doctors honed their skills during ICRC-run surgical training.

- 3 hospitals (155 beds) benefited from water/sanitation/habitat projects

The Nepalese Army and the ICRC signed an agreement specifying that all Nepalese people irrespective of their class, community or political affiliation had equal access to physical rehabilitation at the Aerahiti National Rehabilitation Centre. As of June, amputees, including mine victims, were fitted with artificial limbs by technicians coached full-time by an ICRC expatriate at the prosthetic/orthotic workshop, which had been fully equipped by the ICRC.

Disabled patients at the Green Pastures Hospital and Rehabilitation Centre had their treatment and transport costs covered by the ICRC and benefited from the skills of technicians trained by the ICRC during a series of stints at the hospital. ICRC-sponsored students of prosthetics/orthotics continued their training in Cambodia.

- 1,156 patients (including 277 women and 106 children) received services at 2 ICRC-supported physical rehabilitation centres
- 110 new patients (including 25 women and 5 children) fitted with prostheses and 85 (including 19 women and 27 children) fitted with orthoses
- 114 prostheses (including 26 for women and 5 for children; 16 for mine victims), 94 orthoses (including 19 for women and 32 for children) and 191 crutches delivered

AUTHORITIES

Political uncertainty was not conducive to in-depth discussions between the authorities and the ICRC on IHL implementation. The frequent changes of government officials required the ICRC to re-establish contacts each time. Future government officials learnt about IHL and the Movement during ICRC presentations at the Nepal Administrative Staff College, which agreed to incorporate IHL into its course for new recruits. Local authorities and community leaders were briefed on ICRC/National Society activities with a view to obtaining their backing.

The planned study on the compatibility of Nepalese law with the 1949 Geneva Conventions was not undertaken. However, the national IHL committee, in which the ICRC had observer status, committed to drafting legislation on those treaties. The ICRC stressed the importance of complementing this work by acceding to the 1977 Additional Protocols and other IHL instruments.

The Ministry of Peace and Reconstruction asked the ICRC to comment on draft legislation on the investigation of disappearances, subsequently amending it to include not only forced disappearances but also cases of people missing in relation to the conflict. The cabinet then approved the bill. Furthermore, the Ministry of Law, Justice and Parliamentary Affairs and the ICRC discussed incorporating war crimes and emblem protection into Nepal's penal code. The Nepalese Red Cross and the ICRC considered options for future dialogue with the authorities on clarifying the National Society's legal status, to be pursued in a more stable political climate. Constituent assembly committees were encouraged to incorporate IHL into the new constitution.

The authorities, with ICRC support, organized the first South Asian Conference on IHL in Kathmandu. Representatives of 10 countries exchanged experiences of operating national IHL committees and the steps taken by their governments to implement IHL. Senior Nepalese government officials attended other IHL meetings abroad.

ARMED FORCES AND OTHER BEARERS OF WEAPONS

The Nepalese Army's IHL Core Group, co-chaired by the adjutant general and the ICRC, continued to oversee the integration of IHL into the force's doctrine, training and operations in line with an order issued by the chief of army staff in 2008. Senior officers, including the adjutant general, were sponsored to attend advanced courses abroad, while officers brushed up their IHL knowledge at ICRC-run seminars or benefited from ICRC participation in army courses. Instructors used ICRC-donated materials and IT equipment and continued work on an IHL manual and training video with ICRC technical support. Troops departing on peace-keeping missions were briefed on IHL and on ICRC activities in their prospective places of deployment.

Members of the PLA, as a separate force, also learnt about IHL during ICRC presentations for its leadership and for troops in quartering areas.

Nepal's Armed Police Force, responsible for maintaining public order, received ICRC support for its efforts to train troops in IHL and international human rights law. Instructors attended ICRC presentations as part of their training courses.

Army and police troops already stationed in the field and other weapon bearers in the Terai attended presentations, conducted in their place of deployment, on IHL, international human rights law and the neutral, impartial and independent nature of Movement activities.

CIVIL SOCIETY

Using ICRC briefings and press releases, journalists produced articles raising public awareness of IHL-related issues. Influential members of civil society and human rights organizations learnt more about such topics during ICRC-run events or by inviting the ICRC to their own. Representatives of trade unions, student unions and the youth wings of political parties attended a first ICRC round-table that aimed to highlight humanitarian issues, build mutual understanding and ensure support for ICRC/National Society activities, particularly during unrest.

Tribhuvan University and Kathmandu Law School continued to teach IHL. In support of these efforts, lecturers attended a regional IHL meeting and a seminar on recent IHL developments and received reference materials. Students at those universities and at the College of Journalism and Mass Communication attended ICRC presentations. A team of law students tested their IHL skills at a regional moot court competition in Bangladesh.

Although no progress was made in including chapters on the Movement in school textbooks, children were given comics in Nepali describing the history of the Movement.

RED CROSS AND RED CRESCENT MOVEMENT

The Nepalese Red Cross remained the ICRC's key operational partner, providing first aid to the weapon-wounded and jointly implementing activities to boost civilians' economic security, improve water supply and sanitation, and restore family links. In addition to receiving technical, material and training support in these fields, the National Society drew on ICRC support for its other activities. Staff were trained in the Safer Access approach and use of electronic mapping software to enhance the National Society's emergency response capacities. To help reduce mine accidents, volunteers were trained in mine-risk education; more than 14,000 people then attended their sessions. Training in IHL promotion also enabled the National Society to raise public awareness of humanitarian issues.

Movement components in Nepal attended regular coordination meetings.