



Transitioning Mine Action Programmes to National Ownership

Nepal

Geneva, March 2012



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ACRONYMS

AMMAA	Agreement on Monitoring of the Management of Arms and Armies	MRE	Mine Risk Education
APF	Armed Police Force	NA	Nepal Army
APMBC	Anti-Personnel Mine Ban Convention	NAMACC	Nepal Army Mine Action Coordination Centre
AVR	Armed Violence Reduction	NCBL	Nepal Campaign to Ban Landmines
BAC	Battle Area Clearance	NGO	Non-Governmental Organization
BCPR	Bureau of Crisis Prevention and Recovery	NMAA	National Mine Action Authority
CCW	Convention on Certain Conventional Weapons	NP	Nepal Police
CPA	Comprehensive Peace Accord	NPTF	Nepal Peace Trust Fund
CPN(M)	Communist Party of Nepal (Maoist)	NRCS	Nepal Red Cross Society
DAC	Development Assistance Committee	NSA	Non-State Actor
DDA	Department of Disarmament Affairs	OHCHR	Office of the High Commissioner for Human Rights
DoE	Department of Education	PPE	Personal Protective Equipment
DPKO	Department of Peacekeeping Operations (United Nations)	PRSP	Poverty Reduction Strategy Paper
EOD	Explosive Ordnance Disposal	QA	Quality Assurance
EPSP	Emergency Peace Support Project	QC	Quality Control
ERW	Explosive Remnants of War	QM	Quality Management
GICHD	Geneva International Centre for Humanitarian Demining	RC/HC	Resident Coordinator/Humanitarian Coordinator
GoN	Government of Nepal	SALW	Small Arms, Light Weapons
HI	Handicap International	SOP	Standing Operating Procedure
ICBL	International Campaign to Ban Landmines	UN	United Nations
ICRC	International Committee of the Red Cross	UNCT	United Nations Country Team
IDP	Internally Displaced Person	UNDP	United Nations Development Programme
IED	Improvised Explosive Device	UNHCR	United Nations High Commissioner for Refugees
IEDD	Improvised Explosive Device Disposal	UNICEF	United Nations Children's Fund
IMAS	International Mine Action Standards	UNMAS	United Nations Mine Action Service
IMSMA	Information Management System for Mine Action	UNMAT	United Nations Mine Action Team
INSEC	Informal Sector Services Centre	UNMIN	United Nations Mission in Nepal
MAC	Mine Action Centre	UNOPS	United Nations Office for Project Services
MACC	Mine Action Coordination Centre	UNPFN	United Nations Peace Fund for Nepal
MAJWG	Mine Action Joint Working Group	UNRCHCO	UN Resident and Humanitarian Coordinator Office
MAU	Mine Action Unit	UXO	Unexploded Ordnance
MDTF	Multi-Donor Trust Fund (United Nations)	VTF	Voluntary Trust Fund (for Mine Action)
MoPR	Ministry of Peace and Reconstruction		

EXECUTIVE SUMMARY

The 1996-2006 civil war between the Government of Nepal (GoN) and communist rebels left Nepal with a modest but widespread amount of contamination from landmines, explosive remnants of war (ERW) and improvised explosives devices (IED). In addition, there were significant stockpiles of IED, much of which rebel combatants were to assemble near to their cantonment areas as stipulated in the November 2006 Comprehensive Peace Accord (CPA). Among its other mandates, the UN Mission in Nepal (UNMIN) was asked to inventory these IED stockpiles and to support their destruction. This initiative was financed principally through the UN Peace Fund for Nepal (UNPFN).

The CPA also required the Nepal Army to mark and ‘excavate’ its anti-personnel minefields and IED fields within 60 days. It did not have the training or equipment to do this and turned to the UN plus some bilateral donors for assistance. Working under UNMIN, the UN Mine Action Service (UNMAS) initially arranged for training in minefield survey and clearance, explosive ordnance disposal (EOD) and IED disposal. In addition, building on its earlier work with local and international civil society (NGOs plus the Red Cross/Red Crescent movement) to support mine risk education (MRE) and the surveillance of mine/IED casualties, UNICEF was quick to provide 14,000 hazards signs so both the Army and rebels could make their mine/IED fields.

On its side, the Government of Nepal (GoN) established the Nepal Army Mine Action Coordination Centre (NAMACC) in late 2006 and, six months later, the inter-ministerial Mine Action Steering Committee and a Mine Action Technical Committee, both reporting via the new Ministry of Peace and Reconstruction (MoPR). Initially, these committees remained inactive, due in part to the difficulties the country’s political parties experienced in forming a stable government and implementing the more contentious provisions of the CPA.

The UN mine action programme expanded when responsibility for mine action was transferred from UNMIN to the UN Country Team in late 2008. Within two months, the UN Mine Action Team (UNMAT) and the Army agreed on a joint capacity development plan for NAMCC. This envisaged an expansion in the Army’s capacity for ‘humanitarian demining’¹ to four platoons, each working in accord with International Mine Action Standards (IMAS).

UN support to mine action again expanded in scale and scope in mid-2009 when the UNMAT received funding for (i) development of a mine action section within the MoPR, (ii) MRE, (iii) Victim Assistance, and (iv) development of quality management capacity within MoPR, as well as coordination of mine action activities and information plus attendance by MoPR personnel at international mine action events. In November 2009 a joint taskforce under the leadership of an Under Secretary at MoPR produced a Plan of Action for Mine Action.

¹ In mine action, ‘humanitarian’ generally means activities undertaken for the benefit of the general community, and not for military or purely commercial purposes.

This envisaged that the MoPR would house the national Mine Action Centre,² with the capacity to (among other things):

- Coordinate and make decisions regarding implementation of Mine Action activities
- Mobilise required resources
- Manage the Information System for Mine Action (IMSMA) database
- Manage QA/QC of cleared sites
- Manage National Guidelines for Safety Standards (NGSS)

Among the objectives in the taskforce report was “Nepal to sign APMBT [i.e. the Anti-Personnel Mine Ban Convention (APMBC)] within a realistic timeframe as determined by the Government of Nepal.”

Progress in developing capacities within MoPR was far less rapid or substantial than with NAMACC. The MoPR does serve as the conduit for funding of mine action from the Nepal Peace Trust Fund (NPTF) – a joint GoN-donor mechanism designed to help finance the implementation of CPA provisions.³ However, the Mine Action Section within the Ministry remained under-resourced and weak. Responsibility for information management and quality management remained with the Army rather than the MoPR.

The national Steering Committee (the NMAA) also has been weak. A draft national mine action strategy was completed in February 2011 and approved by the Technical Committee, but it has not been adopted by the Steering Committee. Similarly, National Technical Standards and Guidelines (NTSG) were prepared in July 2010 and adopted by the Technical Committee, but the Steering Committee did not meet to adopt these until March 2012. Mine action legislation was not even drafted.

In addition, although not listed explicitly as an objective in the UN project documents, it is clear the UN agencies involved (UNCT, UNMAS, UNICEF) devoted significant efforts to having Nepal sign the Ottawa Convention through discussions in Nepal, facilitating the attendance of Nepalese officials in international meetings on the Convention, and trying to facilitate a high-level mission by Prince Mired of Jordan – one of the champions of universalization. The GoN backed away from its initial agreement to the visit by Prince Mired and has not signed the Ottawa Convention or the other main conventional weapons disarmament instruments.

² The typical functional responsibilities of a national MAC are outlined in IMAS 02.10 – Guide for the establishment of a national mine action programme, available from www.mineactionstandards.org/international-standards/imas-in-english/list-of-imas/

³ See <http://mptf.undp.org/factsheet/project/00067441>. NPTF funding for mine action goes largely to the Department of Education, which provides mine risk education in the schools.

INTRODUCTION

SOCIAL, ECONOMIC AND POLITICAL CONTEXT

Nepal is a landlocked country situated between China and India. Just over 147,000 sq km in size, Nepal is divided into three main geographic zones: the “Terai” or flat river plain of the Ganges in the south; a central hill region; and the rugged Himalaya mountains in north. Its 30 million people are divided on ethnic, language and caste lines. Nepal’s political and, to an extent, economic difficulties stem largely from social exclusion and motivated the 1996-2006 civil war. Exclusion continues in spite of constitutional provisions stipulating equality.⁴

Textbox 1 – Nepal’s Civil War

The Civil War was launched in February 1996 by the Communist Party of Nepal (Maoist) – CPN(M). The stated aim was the overthrow of the monarchy and the establishment of a People’s Republic. The conflict claimed an estimated 15,000 lives and displaced up to 10 times that number.

Initially the Royal Nepal Army refused to be drawn into the insurgency, regarding it as an internal policing matter. However, following the breakdown of peace talks in 2001 and subsequent attacks by rebels on the army, the Army responded and the conflict escalated.

Frustrated by the inability of the government to defeat the rebels, in February 2005 King Gyanendra assumed direct control of power. This led to a united front between the CPN(M) and other anti-monarchy parties, followed by a general strike and demonstrations in Kathmandu that forced the King to reinstate Parliament and accept a ceremonial role.⁵ Both sides then announced ceasefires and entered peace negotiations, which culminated in the Comprehensive Peace Accord signed on 21 November 2006 by the Government of Nepal (GoN) and the Maoists.

Political difficulties have continued in spite of the Comprehensive Peace Accord (CPA) and the April 2008 election of a Constituent Assembly. Between 2008 and 2011 there were four different coalition governments.

Textbox 2 – The Comprehensive Peace Accord (CPA) and the UN Mission in Nepal

In addition to a complete cessation of hostilities, the parties to the CPA agreed on:

- the election of a Constituent Assembly
- stripping the King of political authority and nationalising royal property
- addressing social exclusion and eliminating the feudal system of land holdings
- forming a National Peace and Rehabilitation Commission, a Truth Commission, and a high-level Commission for State Restructuring

⁴ This declares that all citizens are “equal irrespective of religion, race, gender, caste, tribe or ideology” but also protects “traditional practices” that open the door to discrimination and exclusion. See World Bank and DFID, *Unequal Citizens: Gender, Caste and Ethnic Exclusion in Nepal*, 2006

⁵ In 2008, the Constituent Assembly abolished the monarchy.

- rehabilitation and social integration of people displaced during the insurgency
- Management of Arms and Armies provisions, including:⁶
 - cantonment of the Maoist forces in seven locations plus three satellite cantonments, with verification and monitoring to be provided by the UN
 - confinement of the Nepal Army (NA) to barracks⁷
 - locked storage of Maoist arms and ammunition – plus an equal amount by the NA – to be monitored by the UN

On 23 January 2007, UN Security Council Resolution 1740 established the United Nations Mission in Nepal (UNMIN) as a political mission⁸ to monitor the AMMAA, assist in the registration of combatants and their weapons, monitor the NA and CPA arrangements, provide support for the election of a Constituent Assembly and monitor the electoral process.

Armed violence incidents and casualties dropped significantly following the CPA, but continued violence by non-state armed groups, especially in the Terai region, has led to new use of improvised explosive devices (IED) and to new victims.

Textbox 3 – The emergence of non-state armed groups in the Terai⁹

The Terai comprises 20 districts along the southern border with India. It contains about half of Nepal's 30 million people and is often sub-divided into the plains (Madhesi) and the hill region (Pahadi). Madhesi activists want a single, powerful province with greater autonomy or outright secession. This leads to conflicts with groups in the region who do not want to be subsumed into a Madhesi-dominated province.

Madhesi grievances led to a mass protest movement in January 2007 (the *Andolan*), which led to violence against Pahadi communities, a surge of extortion against Pahadi families and threats to human rights workers. Non-state armed groups have emerged claiming to represent various ethnic and regional groups and sustaining themselves by extortion and other criminal activities.

Politically, Nepal still faces many challenges. Many of the provisions of the CPA remain unimplemented due to political rivalries. This has led to numerous and rapid cabinet changes and, at times, political gridlock. For example, the study team learned there have been at least nine different Ministers of Peace and Reconstruction since that Ministry was established in 2007. This is the Ministry that, supposedly, is responsible for mine action and the Minister is the Chair of the National Mine Action Steering Committee, which has rarely met. In such an environment, it is difficult to sustain issues such as mine action on the political agenda for long enough to resolve them.

The process of drafting a new Constitution appears to have exhausted the main political parties and the deadline has had to be extended a number of times. Agreement on a Constitution will require compromises on a range of contentious issues, including: federalism, the number of

⁶ These provisions were augmented by an Agreement on Monitoring of the Management of Arms and Armies (AMMAA) signed by the Government and the CPN(M) and witnessed by the UN on 28 Nov 2006.

⁷ However, the Army would continue to provide border security and protect strategic installations, etc.

⁸ This means UNMIN was a peacekeeping mission without peacekeeping forces.

⁹ Taken largely from Saferworld et al, *Armed Violence in the Terai*, Aug 2011.

provinces and the amount of power decentralised to them; the roles and authorities of the executive relative to parliament; and protections against discrimination on the basis of ethnic, caste or regional identity.

Nepal remains a very poor country with a per capita income of USD 1,160,¹⁰ and ranking 157th of 187 countries on the Human Development Index. Remarkably, during the civil war poverty levels fell from 42 per cent to 31 per cent in the eight years to 2003/04. This was driven largely by an increase in remittances from Nepalese working abroad (from 3 per cent of GDP to 12 per cent), but other contributing factors included rising agricultural wages, the expansion of roads and telecommunications, urbanisation and a fall in the dependency ratio due to a decline in fertility rates.

PEACEBUILDING EFFORTS

In February 2007, the GoN – with support from some development partners – set-up the Nepal Peace Trust Fund (NPTF) to support the implementation of the CPA and related agreements. That same month, a donor group agreed a Joint Financing Arrangement with the GoN for support to the NPTF.¹¹ These two pooled-funding arrangements proved to be important to the success of mine action in the country.

Textbox 4 – Nepal Peace Trust Fund (NPTF)

The NPTF had an original mandate to support the GoN in implementing the following key provisions from the CPA:

- Management of camps and reintegration of former combatants
- Rehabilitation of Internally Displaced People
- Election of the Constituent Assembly
- Strengthening law and order and police administration
- Support to the peace process

Subsequently, the mandate was expanded to include:

- Rehabilitation of conflict-affected people
- Mine action
- Reconstruction of public sector infrastructure damaged during the conflict

These activities are grouped into four clusters, each of which incorporates some reconstruction of infrastructure:

- Cluster 1: Cantonment Management and Rehabilitation of Combatants
- Cluster 2: Conflict Affected People and Communities
- Cluster 3: Security and Transitional Justice (which now includes mine action)
- Cluster 4: Constituent Assembly and Peace Building Initiatives (National and Local)

The NPTF is overseen by a Board of Directors, chaired by the Minister for Peace and Reconstruction, with the MoPR Secretary as member-secretary. The Board represents a broad

¹⁰ In Purchasing Power Parity terms.

¹¹ In 2009, the Board invited a representative from the main Maoist party – now called the Unified Communist Party of Nepal (Maoist) – as an observer to counter the perception that the main instrument for implementing the CPA was in the hands of one of the parties to the CPA.

political spectrum of stakeholders in the peace and transformation process and has responsibility for the strategic direction of the fund. The Fund is administered by a Peace Fund Secretariat (PFS) headed by a Joint Secretary of the MoPR, who is designated by the Ministry as the Director of the NPTF.

In Phase 1 (2007-2010), just over USD 104 million was contributed to the NPTF from the GoN (62 per cent) and donors (38 per cent). Phase 2 (also planned for three years) started in January 2010.

In April 2007, the GoN established the Ministry of Peace and Reconstruction (MoPR)¹² with a mandate to support peace-building efforts and reconstruction projects specifically focused in areas and on populations most affected by the conflict. MoPR serves as the main implementation mechanism for the NPTF and, therefore, the CPA.

With the NPTF in place to finance Government activities to implement the CPA, in March 2007 the UN established a complementary mechanism – the UN Peace Fund for Nepal (UNPFN) – to finance peace-building activities by the UN system. This was targeted to actions for which the UN had a comparative advantage due to, for example:¹³

- as an ‘impartial third party’, the UN is able to address issues that are too politically sensitive for national actors
- providing specialized (‘boutique’) expertise that does not exist in Nepal
- importing institutional capacity from existing UN programmes to reduce the need for national investments in institutional development a short-term peace-building nature
- leveraging additional financing from global and regional funding instruments

Textbox 5 – the UN Peace Fund for Nepal (UNPFN)

The UNPFN supports activities in four main areas, similar to the four clusters of the NPTF – cantonments/reintegration activities; elections/governance; security; and rights and reconciliation – as well as for ‘Quick Impact Projects’. It has common governance arrangements to those of the NPTF: overall guidance by the NPTF Board, in consultation with the Donor Group (DG) and instructions from its Executive Committee (chaired by RC/HC¹⁴ with one representative each from MoPR and the DG).

The governance structures of the two Funds are depicted below.

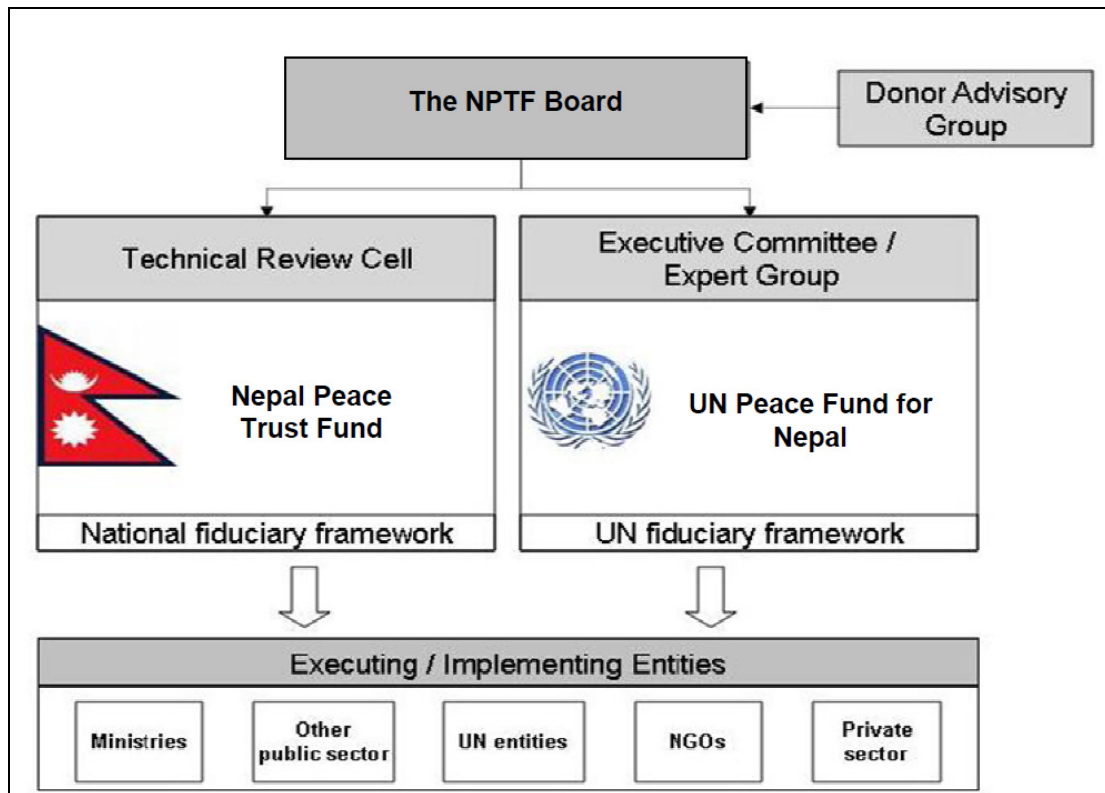
To 31 December 2010 the UNPFN had received USD 32.27 million in earmarked and non-earmarked donations. The United Nations Peacebuilding Fund (PBF)¹⁵ was the largest contributor (31 USD), just ahead of the U.K. (29 per cent) and Norway (25 per cent).

¹² This, essentially, replaced the Peace and Rehabilitation Commission agreed in the CPA.

¹³ A more complete list is provided in the Independent External Review of the UNPFN, p. 24.

¹⁴ The UNPFN originally came under UNMIN but, in January 2009, management of the Fund came under the Resident Coordinator/Humanitarian Coordinator (RC/HC).

¹⁵ UN PBF is a multi-year fund for post-conflict peace-building, “with the objective of ensuring the immediate release of resources needed to launch peace-building activities and the availability of appropriate financing for recovery.” It is supported by 50 donors and development agencies.



In addition to these ‘basket’ funding arrangements with their overlapping governance structures, other donors and the World Bank launched separate projects to support the implementation of the CPA. In most cases, the MoPR is the responsible ministry.

Textbox 6 – The World Bank’s Emergency Peace Support Project (EPSP)

In May 2008, the World Bank approved a USD 50 million grant for an Emergency Peace Support Project (EPSP). Originally designed to finance cash payments to Maoist militia in the cantonments and to conflict-affected people in the following categories:

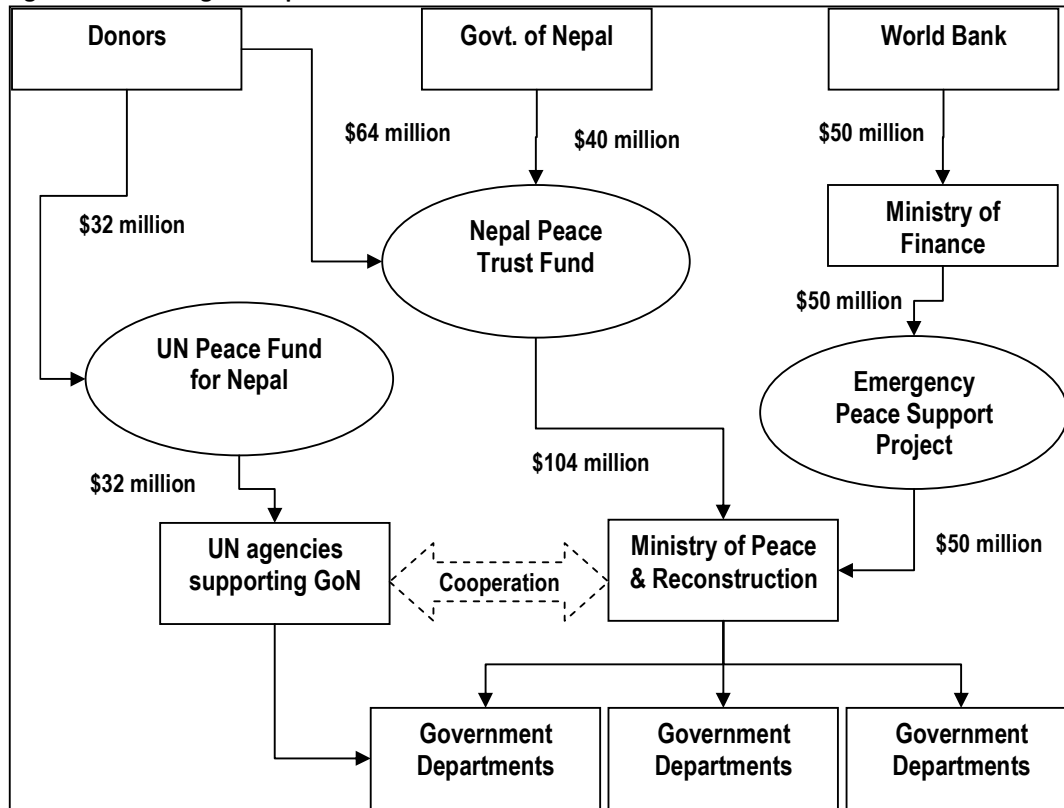
- widows
- families of the deceased
- families of the disappeared
- the disabled
- Internally Displaced Persons (IDP)
- those abducted
- orphans

In 2010 the project was substantially restructured. The plan to provide Maoist ex-combatants was dropped and replaced by new component designed to finance “skills and employability rehabilitation services” for conflict-affected people.¹⁶

¹⁶ This was due to “management concerns that the monthly payments made to Maoist ex-combatants ... might have been misused in a manner inconsistent with the project objective of consolidation of the peace process.” Therefore, the GoN budget absorbed these payments and the \$18.55 million in the EPSP budgeted for payments to ex-combatants was reprogrammed.

Therefore, by mid-2008, three large mechanisms were in place that eventually mobilised about USD 185 million in support of the implementation of the CPA – mainly via or in cooperation with the MoPR.

Figure 1 – Financing the Implementation of the CPA



LANDMINE AND OTHER ERW CONTAMINATION

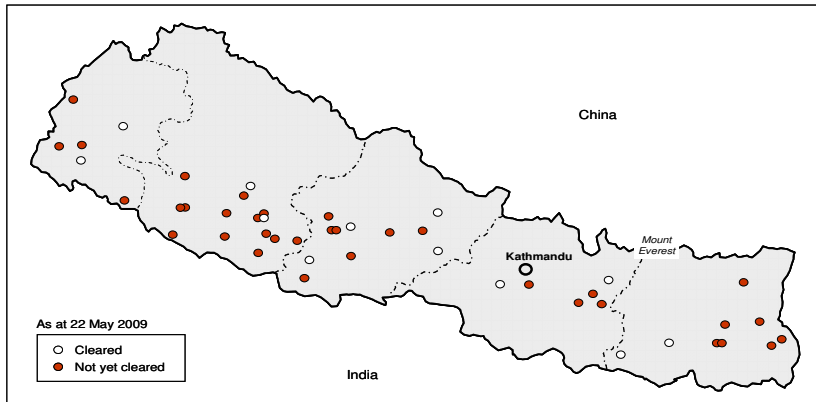
During the conflict, the Nepal Army (NA) used anti-personnel mines (AP mines), as well as IED, around military installations, police posts and infrastructure. The NA stated that it started using mines in 2002 and deployed an estimated 14,000 AP mines in 53 locations. The NA deployed mines in most locations in accordance with military doctrine, and mapped and recorded 43 out of the 53 minefields.

In addition to AP mines the NA, Armed Police Force (APF)¹⁷ and Nepal Police (NP) deployed command detonated IEDs. The NA used such devices in 275 locations. The APF reportedly deployed command-detonated IEDs in 200 locations and the Nepal Police in another 47 locations. As well, Army use of mortars and other projectiles resulted in limited contamination from unexploded ordnance (UXO). The difficult and often inaccessible terrain would be a complicating factor for demining.

¹⁷ This was created by the Government in 2001 in response to the insurgency.

The Maoists had limited access to commercially manufactured arms and instead resorted to the manufacture of IED. The most common device was a “socket bomb” (improvised hand grenades) crafted from plumbing joints. Bombs were also made from pipe, buckets, pressure cookers etc. The fusing mechanisms of these devices were often unreliable and affected by environmental conditions.

Figure 2 – Location of minefields



Together, this contamination from NA, APF, NP and Maoist use of explosive devices created moderate but widespread contamination. Data from the Informal Sector Services Centre (INSEC) showed that

accidents took place in 60 of the 75 districts in Nepal in the 2004-2006 period, with most accidents the result of IEDs.

Textbox 7 – Informal Sector Services Centre (INSEC)

Established in 1988 as the Informal Sector Research Centre, in 1990 INSEC started a human rights programme with a network of representatives in each of Nepal’s 75 districts. INSEC began working with UNICEF in 2005 to monitor the recruitment and use of child soldiers. The following year it was approached by Handicap International (HI) and UNICEF to establish an ‘active’ surveillance system for victim-activated explosions and casualties.¹⁸

Whenever an explosion affecting civilians occurs, INSEC sends a representative to investigate. Data collected at the district level, usually from the survivor, relatives or witnesses of the accident, is sent to INSEC Regional and Central Offices, and then transferred to victim assistance agencies and other members of the mine action community. Data are entered into a database (an Excel workbook).

After each incident, a ‘flash report’ which updates the overall injury data and provides the details of the latest incident is published through the INSEC website and the MAJWG. The aim of this document is to generate an immediate and coordinated response (victim assistance, MRE, marking and IEDD if necessary).

Data are analysed and summarised in a bi-monthly report, which is disseminated through the Mine Action Joint Working Group (MAJWG). Casualties from victim-activated explosions,

¹⁸ The Nepal Campaign to Ban Landmines (NCBL) had been collecting mine/IED casualty statistics since 1998. It relied on ‘passive’ surveillance of secondary sources – principally, media reports – and other organisations believed the data to be inaccurate.

intentional explosions and, from 2010, other forms of armed violence (including small arms & light weapons – SALW) are reported separately.

The continued violence in the Terai has led to contamination by socket bombs and similar devices, but on a smaller scale than during the Insurgency. There has been a worrying increase of incidents in recent months, along with some suggestion that the use of these devices by militant groups is becoming more sophisticated.

The number of casualties from victim-activated explosions has been declining since 2006, but the number of incidents has not been falling as rapidly because smaller devices (e.g. those in the Terai) account for a larger share of the accidents. In 2011, half the total accidents were caused by ‘new’ devices (i.e. made since the CPA).

Figure 3 – The most affected districts

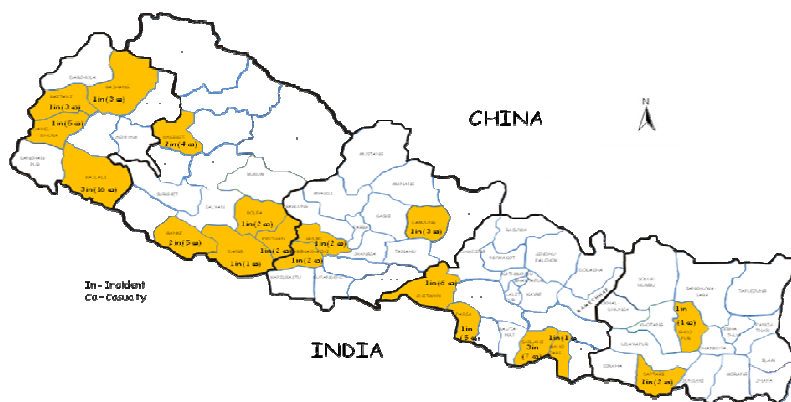
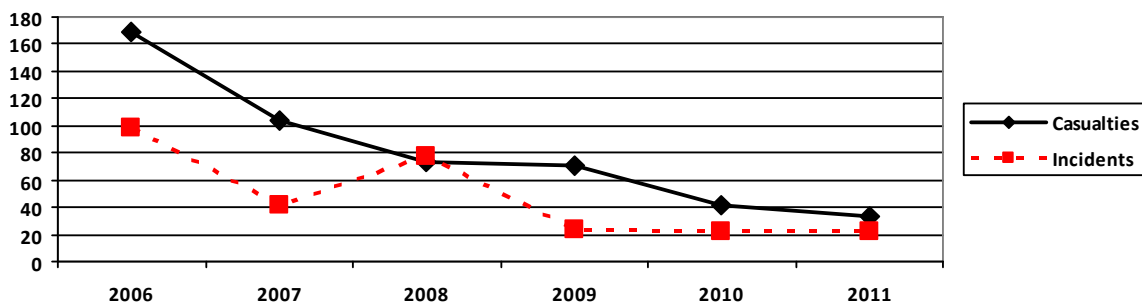
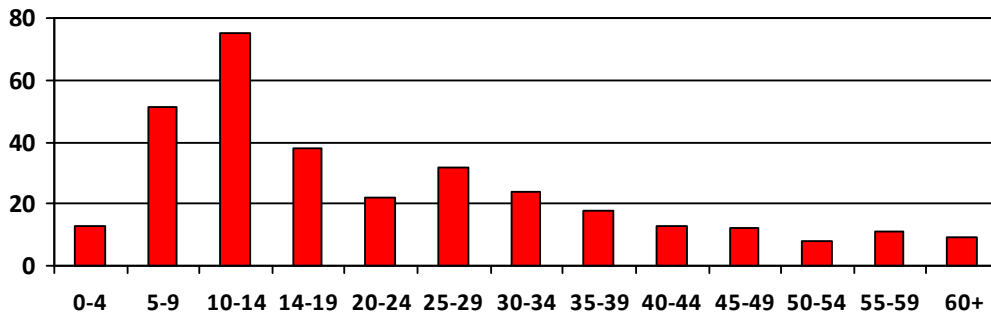


Figure 4 – Victim-activated casualties and incidents



Since the CPA, only 5 per cent of accidents have been the result of landmines; almost 80 per cent were due to IED. Children – particularly boys between 5-19 years old – suffer the majority of casualties.

Figure 5 – Casualties by age quintile



About 40 per cent of all casualties are boys, followed by men (29 per cent), women (17 per cent) and girls (14 per cent).

HISTORY OF THE MINE ACTION PROGRAMME

MINE ACTION BEFORE THE CPA

The first mine action activities in Nepal were initiated by the Nepal Campaign to Ban Landmines (NCBL) in 1995. It focussed initially on advocacy and awareness at the political level and with district officials. NCBL started data collection of victims in 1998, leading eventually to the admission by the Nepal Army in 2003 that it had laid landmines.

In November 2004, UNICEF assumed the role of the United Nations focal point organization for Mine Action in Nepal. UNICEF established a national Mine Risk Education (MRE) Working Group, eventually comprising 16 international and national NGOs as well as the Nepal Red Cross Society (NRCS) and ICRC. In 2006, the group became the Mine Action Joint Working Group (MAJWG), acting as a coordination body for MRE, advocacy, victim assistance and accident/casualty surveillance systems. After UNMIN and UNMAS became directly involved in Nepal, the MAJWG also covered demining.

Textbox 8 – UNICEF support to mine action in Nepal

In 2006, UNICEF and Handicap International enlisted a local NGO – INSEC – to establish an enhanced surveillance system for victim-activated explosions. This provided credible evidence on the numbers of accidents and casualties, which confirmed both the extent of the problem and trends over time.

Immediately after the CPA, UNICEF offered both sides of the conflict good quality, 'made in Nepal' hazard signs designed to international standards. Soon, UNICEF had provided 14,000 hazard signs to mark all known mine/IED fields and storage areas. This was a rapid, practical¹⁹ and cost-effective initiative that enhanced safety and reinforced the understanding among combatants that they had a responsibility to protect civilians from the mines and IED.

In late 2008, UNICEF agreed with UNMAS to establish the UN Mine Action Team (UNMAT) in Nepal. This brought together all the organisations involved in mine action including, critically, the three security forces.

UNICEF seized this opportunity to provide MRE training for almost 19,000 personnel in the APF and NP, as well as the training of almost 200 'master MRE trainers' and the provision of improved materials.²⁰ In addition to enhancing the security of NP and APF personnel, this provided a point-of-entry to broaden the network of MRE 'focal points' beyond local NGOs and the Red Cross to include members of the security forces. To date, 430 people have received supplemental training as focal points, also arranged by UNICEF.

¹⁹ Fortunately, Nepalese did not steal the signs, as has been the case in some other countries.

²⁰ Coordinated by UNICEF, the many organisations involved in MRE have developed a common MRE curriculum and use common materials.

MINE ACTION SINCE THE CPA

REQUIREMENTS EMERGING FROM THE CPA

Clear mandates for stockpile destruction and demining emerged from the CPA and subordinate agreements. Paragraph 5.1.4 of the CPA stated that *“Both sides shall assist each other to mark the landmines and booby-traps used during the time of armed conflict by providing necessary information within 30 days and defuse and excavate it within 60 days.”*

Section 2 of the Agreement on Monitoring of the Management of Arms and Armies (AMMAA) stated *“The parties will provide maps and sketches showing current dispositions, including:* (2) Minefields, landmines, unexploded ordnance, standard explosives, improvised explosive devices and exact location of such items;”²¹

AMMAA paragraph 4.1.2 – Weapons storage and control stated *“The parties agree upon the safe storage of all Maoist army weapons and ammunition, in the seven main cantonment areas under UN monitoring...Unsuitable devices will be destroyed immediately. Stable devices will be stored safely and under 24-hour armed guard. The parties, in consultation with the UN, will determine a timeline and process for the later destruction of all improvised explosive devices.”*

As required in the AMMAA, IEDs used by the Maoist army were collected at designated areas at each of the seven main cantonment sites.

CAPACITIES PRESENT IN NEPAL

The provisions in the CPA relating to landmines and IEDs clearly far exceeded the demining and EOD/IED disposal capacities extant in the country. The Nepal Army (NA) had the most capacity, but even it lacked the training and equipment needed to clear the minefields.

Given the increasing use of IEDs during the civil war, in August 2002 the NA established the EOD Holding Unit, responsible for the search and disposal of IEDs. The EOD Unit included 15 EOD/Improvised Explosive Device Disposal (IEDD) teams deployed at six regional bases throughout the country.

In December 2006 the GoN established the Nepal Army Mine Action Coordination Centre (NAMACC) within the grounds of the EOD Holding Unit in Kathmandu to assume responsibility for ‘humanitarian demining’²² and related mine action tasks. The NA received equipment from the British and Swiss Governments including mine detectors and robotic equipment for bomb disposal. Eight NA personnel received training in Kenya, while five NA engineers trained in operations management in South-Lebanon, funded through the UNDP.

The Armed Police Force (APF) and, to a lesser degree, the Nepal Police also had EOD capacity, but have played a secondary role in the demining programme.

²¹ This is also stipulated in section 4.2.2 Commander Responsibilities.

²² In the mine action field, ‘humanitarian demining’ is best understood as any demining that is not for military or purely commercial end use.

Early in 2007, the GoN became an integral part of the MAJWG with NA, APF, NP and MoPR all participating actively.

Textbox 9 – The Armed Police Force (APF)

The APF was created in 2001 in response to the growing Maoist insurgency. During the conflict, it used command controlled IEDs to protect its facilities and handled many of the bomb disposal tasks during the insurgency. Over 200 APF personnel have had training in India or the U.S. in EOD/IED disposal and MRE. The APF participated in some training from the UN as well.

The APF reports that it has disposed of over 3,000 devices, starting shortly after the CPA. However, it has never received modern mine detection and bomb disposal equipment. Accordingly, a policy has recently been agreed between the ministries of Home Affairs and Defence that the Police will contact the NA to respond to IEDs and UXO, and the APF will get involved only if, for some reason, the Army cannot respond in a timely manner.

In 2010, UNICEF agreed a joint plan with the APF to train 75 MRE ‘master trainers’ through three Regional Training-of-Trainers workshops. The APF has been active in MRE since then. The master trainers subsequently trained thousands of APF personnel who, in turn, have delivered MRE in a number of communities in mine/IED-affected areas.

Textbox 10 – The Nepal Police (NP) and Mine Action

During the insurgency, NP had a special unit to emplace mines and IEDs around police facilities and police forces would carry explosives into conflicts. Since the CPA, the main NP mine action responsibility has been providing first response to reports from the public of explosive devices or accidents. When devices are found, police are trained to contact the Army, make the area safe, but avoid handling the device.

The Police also have a Bomb Disposal Team; part of a larger Special Police Task Force that responds to a variety of assignments for which most personnel lack training. These personnel (700+) have received training locally or in either India or the US. They are trained to defuse devices if the Army’s response will be delayed or if public security requires immediate action.

In 2010, UNICEF agreed with NP to train 120 MRE master trainers from the 25 most affected districts and provide them with MRE materials. These in turn have provided MRE for their own personnel (over 14,000 received training and MRE materials) and for the public (c. 11,000).

In a parallel development HI and UNICEF enlisted INSEC to establish its active surveillance system for accidents and victims (see Textbox 7). This provided credible evidence on the numbers of accidents and casualties, confirming both the extent and trends of the problem.

THE UNMIN RESPONSE (2007-08)

Security Council Resolution 1740 (2007) of 23 January 2007 established the United Nations Mission in Nepal (UNMIN) to, among other responsibilities, “...monitor the management of arms and armies, including the cantonment of Maoist combatants and their arms and munitions, including improvised explosive devices.” UNMIN immediately established a Mine Action Unit (MAU) to discharge some of these responsibilities.

The Report of the Secretary-General on Nepal's request for UN assistance recommended the establishment of a MAU within UNMIN Headquarters, with the objectives to:

- provide UNMIN with technical advice with respect to mine/IED/ERW problems
- register and process information on explosive devices provided by the CPA Parties
- assist in developing plans and procedures for the safe and timely destruction of all IEDs
- conduct mine/IED/ERW related accident investigations.

While the disposal of IED stocks and the clearance of Nepal Army minefields was the responsibility of the parties to the CPA, in view of the security risks UNMIN worked with the Maoist army in the management and demolition of improvised devices. The MAU undertook preliminary assessments of the main cantonment sites in February and March 2007, and the UN engaged a consultant to elaborate a concept of operations and outline a short and medium term strategy for mine action. The short- and medium-term objectives in the consultant's report²³ went well beyond the requirements stemming from the CPA and reflected the broad consensus which had emerged within the mine action community that national programmes are best organised as an integrated endeavour, combining the five 'pillars' of mine action: Demining; Stockpile Destruction; MRE; Victim Assistance; and Advocacy.

Regardless, the initial UNMIN mine action project focused narrowly on the stockpile management and destruction requirements stemming from the CPA. UNMAS prepared a proposal to the UNPFN for a USD 1.43 million project that was approved by the UNPFN Executive Committee on 3 April 2007 (the first UNPFN project to be approved).

To implement the project, UNOPS engaged the firm ArmorGroup in April 2007 for six months, in the first instance, to provide technical advice to the Maoist combatants on the safe storage and destruction of all ERW stored at cantonment sites. ArmorGroup first assessed all the IEDs in storage (over 52,000 items). Over 97 per cent of these were deemed too dangerous to store and were slated for destruction in a cooperative process between the Maoists and UNMIN/ArmorGroup.²⁴

The UNPFN-funded project was subsequently extended to 31 December 2007 (with a budget increase of c. USD 235,000), with provision "to address the long-term problems of landmines and explosive remnants of war by providing training to the NA to allow it to undertake mine clearance as per international humanitarian standards." This expanded the scope of the project to include the demining pillar.

In June 2007, the project received a second, USD 539,000 extension to train the NA in (i) minefield verification and mapping²⁵ and (ii) MRE (expanding the project's scope to include the MRE pillar), as well as to continue technical support to NA clearance teams.

²³ Cipièrè, Michel, Mine Action Support to the UN Mission in Nepal, Mar 2007.

²⁴ This set of activities is well covered in Cranfield University's evaluation of UNMAT in mid-2009, p. 11.

²⁵ ArmorGroup was also to verify all minefields. In November 2007, however, NA notified the MAU that access to most of the minefields will not be granted due to security concerns. As a solution to this access problem, ArmorGroup provided training to NA personnel in minefield reconnaissance, thereby developing additional capacity within the Army.

EMERGING INSTITUTIONAL ARCHITECTURE

Acting on advice from UN mine action personnel, the Cabinet issued a decision in July 2007 that established MoPR as the focal point for mine action. It also created:

- a Mine Action Steering Committee, chaired by the Minister for Peace and Reconstruction with representatives from the ministries of Defence, Home Affairs, Foreign Affairs, and Education and Sports plus observers from the CPN(M), UNMIN and three civil society organisations
- a Mine Action Technical Committee, chaired by the Secretary of MoPR with members from Defence, Home Affairs, NA and CPN(M)

However, these committees existed solely on paper for some time. The Steering Committee met briefly in October 2009 and the Technical Committee did not meet until early 2010. As well, the GoN did not initiate action to (i) draft mine action legislation, (ii) accede to the APMBC, or (iii) develop a strategy for the national mine action programme. In addition, the MoPR itself was viewed at the time as (in the words of one informant) ‘an empty shell’ – with limited capacity to discharge its mine action mandate.

An UNMAT assessment mission in late 2007 expressed concerns that the demining programme remained overly centred on the security forces, with a blurring of the boundary between humanitarian demining and military operations. The assessment team was also critical of the institutional architecture, observing *“It appears that the mechanism as it is now formed with a Steering Committee and Technical Committee in the MoPR and the NAMACC in the Army has a level of redundancy in the MoPR, a disconnect between the Steering Committee and its intended operational capacity in the NAMACC and a lack of separation between the executive level in the NAMACC to oversee operations and the actual implementing clearance units themselves.”*²⁶ It recommended:

- That the Government should reformulate the policy level Steering Committee with a Committee in MoPR headed at the Ministerial level with associated Ministries represented at the Deputy Minister level.
- Not to renew the Technical Committee for Mine Action within the Ministry of Peace and Reconstruction...[rather]...create a distinct mine capacity from within the Nepal Army engineers (currently designated as the NAMACC) dedicated to humanitarian and developmental activities to be formally seconded to the MoPR, and accountable to MoPR for the duration of operations. (Brady et al, p.23)

The UNMAT assessment team also noted the weaknesses in Victim Assistance.

Textbox 11 – Victim Assistance in Nepal

While the APMBC and (even more so) the Convention on Cluster Munitions (CCM) establish clear mandates for States Parties to provide a range of services (emergency treatment; medical care; physical rehabilitation; and psycho-social and economic reintegration) to victims of anti-personnel landmine and cluster munitions, the mine action field has long recognised that such victim assistance efforts should be incorporated into broader programmes addressing the needs

²⁶ Brady et al, Report from the UN Inter-Agency Mine Action Assessment Mission to Nepal, UNMAS, 2008

of all those with disabilities.

In Nepal, physical rehabilitation centres are supported by HI (five regional and three satellite centres, catering to all persons with disabilities) and ICRC (one centre in Pokhara, plus support to the Nepal Army Rehabilitation Centre, both open to all victims of war). Various NGOs provide Victim Assistance by helping mine/ERW or other victims of conflict get to one of these centres.

However, as the UNMAT assessment team observed, “The lack of effective coordination [for disability programmes] at the government level with responsibility distributed among three ministries has led to major gaps in the provision of services geographically and in terms of covering the entire spectrum of victim assistance services.” (Brady et al, p. 19) In recognition of this problem, the MAJWG endorsed work by HI to prepare a Guide to Victim Assistance services available in Nepal, which was commissioned by UNICEF and delivered in late 2009.

The recommendations from the UN assessment mission did not lead to any changes in the institutional architecture. Demining remained the sole responsibility of the NA and the GoN did not attempt to build mine action planning, coordination and oversight capacity within MoPR.

REALIGNMENT (2009)

The original UNMIN mandate extended to 23 January 2009 but in December 2008 Nepal requested a six-month extension, which the UN Security Council approved subject to a reduction in the size of the mission. Part of the agreed reduction was for the UN Country Team (UNCT) to assume the responsibility for mine action from UNMIN. UNMAS recruited a new team for the UNPFN-funded mine action project which, together with the mine action cell of UNICEF, formed the UNMAT in Nepal. With the support of the UNCT, the objective of the project was broadened to include more support to the government; specifically to the MoPR as the government focal point for mine action.

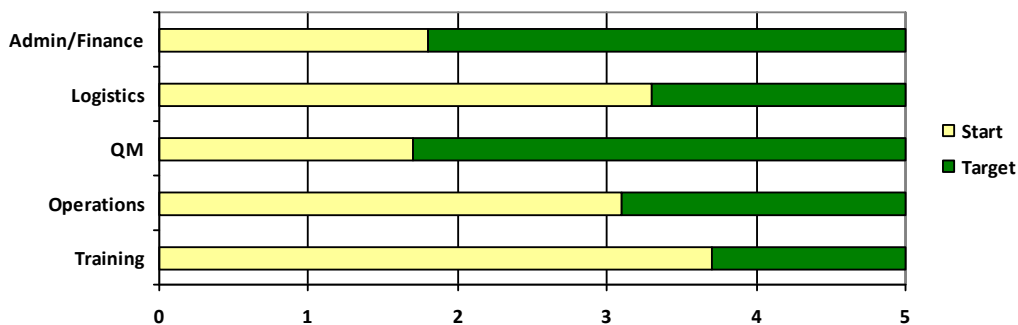
Plans for Support for Capacity Development in NAMACC

Working with the NA, in February 2009 UNMAT agreed a joint capacity development plan for NAMACC. This envisaged support for NAMACC’s vision – *By 2010, the Nepalese Army Mine Action Coordination Centre will develop a Mine Action and IEDD capacity to International Standards* – through the development of functional capabilities in the following areas:

- training
- demining operations in Nepal and as part of Peacekeeping Operations
- survey
- clearance
- EOD/IEDD
- MRE
- Quality Management (QM)
- Information Management²⁷
- Logistics/Procurement
- Administration & Finance

²⁷ No concrete targets were set for Information Management.

Figure 6 – Capacity development challenge by function²⁸



For mine/IED field operations, the plan envisaged NAMACC fielding two platoons until March 2010, then three platoons until December 2010, and four by 2011. Until the end of 2011, UNMAT would be responsible for accreditation, coaching, mentoring and monitoring of clearance (quality assurance – (QA)) with external quality control (QC). After 2010, UNMAT would continue monitoring, but would reduce its presence and leave QA and QC to NAMACC. UNMAT would continue support for a period for fundraising, external relations, etc.

The NA was also active in MRE and, more broadly, community liaison. Hundreds officers received full training in MRE and UNICEF provided the Army with MRE material.

Plans for Work with MoPR

In June 2009, funding for the “Strengthening Mine Action Activities” was approved by the Nepal Peace Trust Fund. This MoPR-led project had funds for (i) development of a mine action section within the MoPR, (ii) MRE, (iii) Victim Assistance, and (iv) development of quality management capacity within MoPR, as well as coordination of mine action activities and information and attendance by MoPR personnel at international mine action events.

In spite of the approval of this project, progress with MoPR was slower than with NAMACC because, initially, the Ministry lacked a dedicated mine action unit. In October 2009 however, the National Steering Committee appointed a Taskforce to draft a Plan of Action for Mine Action under the leadership of an Under Secretary at MoPR (who then assumed responsibility for the mine action section within the Ministry). The Taskforce submitted the draft Plan of Action for 2009-2011 in November 2009. This identified a number of gaps, including the lack of:

- a strong inter-ministerial coordination system
- a dedicated mine action unit within MoPR, as well as a plan to develop MoPR’s capacity to discharge its responsibility as the national focal point
- a legal framework to clarify who controls data, quality management, and so on
- national mine action standards
- a centralised database that could support the work of the entire mine action community
- adequate coordination, including for MRE and victim assistance

²⁸ Scoring was on a simple 5-point scale: 1= No evidence of relevant capacity, 2= Anecdotal evidence of capacity, 3= Partially developed capacity, 4=Widespread but not comprehensive evidence of capacity, 5- Fully developed capacity

The vision for MoPR was that, within six months, it would function as the national Mine Action Centre,²⁹ with the capacity to:

- Provide advice to Mine Action Steering Committee (MASC) and Technical Committee
- Coordinate mine action activities to ensure coverage of areas and functions
- Make decisions regarding implementation of mine action activities
- Mobilise the required resources
- Manage the Information System for Mine Action (IMSMA) database
- Manage QA and QC of cleared sites
- Conduct boards of inquiry following demining accidents
- Manage NGSS
- Conduct post clearance survey (i.e. to assess socio-economic benefits)
- Establish and implement a gender plan
- Advocate for mine action with all interested parties
- Publicise mine action activities and conduct external relations

With these plans agreed to work with both MoPR (as a national MAC) and NAMACC (as the demining operator), the UNPFN-funded project clearly extended beyond the mandates stemming from the CPA, embarking explicitly on a project to ensure a sustainable capacities in both MoPR and NAMACC for the residual threat.

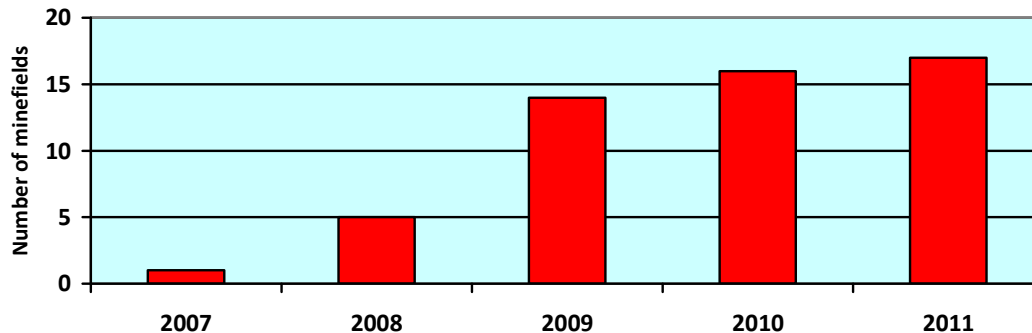
IMPLEMENTING CAPACITY DEVELOPMENT SUPPORT (2009-2011)

Support to the NAMACC Capacity Development Plan

In the main, implementation of the capacity development plan with NAMACC went according to plan and it completed successfully by 31 December 2010. Three weeks later, NAMACC fielded its fourth demining platoon. Since then, mine/IED field clearance operations, as well as EOD/IEDD response activities, have continued successfully. The last of the 53 minefields was cleared in June 2011 and, by the time of the mission, only six IED fields remained. (NAMACC said these would be completed before May 2012.) In addition, the most recent mission by the GICHD's Information Management section in November 2011 reported favourably on NAMACC's use and maintenance of IMSMA for contamination and demining data.³⁰

²⁹ The typical functional responsibilities of a national MAC are outlined in IMAS 02.10 – Guide for the establishment of a national mine action programme, available from www.mineactionstandards.org/international-standards/imas-in-english/list-of-imas/

³⁰ Aurora Martinez, Back to Office Report – NAMACC, November 2011.

Figure 7 – Minefield clearance by year

The Nepal Army has received mine action funding both via the NPTF-funded “Strengthening Mine Action Activities” project (approximately USD 50,000 for vehicles in 2010-11) and through the regular GoN budget (approximately USD 50,000 for clearance of mine/IED fields in 2010-11). With the completion of the clearance of mine/IED fields, this supplementary financing for mine action will decline. Regardless, the Army believes it can sustain its capacity for IED disposal and it hopes to contribute demining and EOD/IEDD personnel for future peacekeeping operations.

Support to MoPR Capacity

Progress in developing capacities within MoPR was far less rapid or substantial than with NAMACC. One issue was the broad overlaps in the roles envisaged for NAMACC (agreed in February 2009) and for the mine action section in MoPR (as per the Plan of Action issued nine-months later in November 2009). For example, both entities were to have responsibilities relating to information management and QM. Such overlap is not unusual: it is good practice, for instance, for a national operator to have its own database of contamination and demining, and have responsibility for ‘internal QM’, while the national mine action database³¹ and ‘external QM’ responsibilities reside with the MAC. However, if the national authority does not provide policy guidance on the precise division of responsibilities, the rivalries that naturally exist between a MAC and an operator often lead to conflict or stalemate.

In terms of developing capacity within the MoPR, stalemate is what resulted in Nepal. A mine action section was established in the Ministry, but it remained small and under-resourced.³² The Under Secretary in charge of this section did begin to chair the MAJWG (which remained the primary mechanism for coordination) by August 2010, but the section never sought to take responsibility for information management or QM, leaving these with NAMACC.

A draft national mine action strategy was completed in February 2011 and approved by the Technical Committee, but it has not been adopted by the Steering Committee. Similarly, NTSG

³¹ The national database might also include, for example, data on MRE activities, accidents and victims.

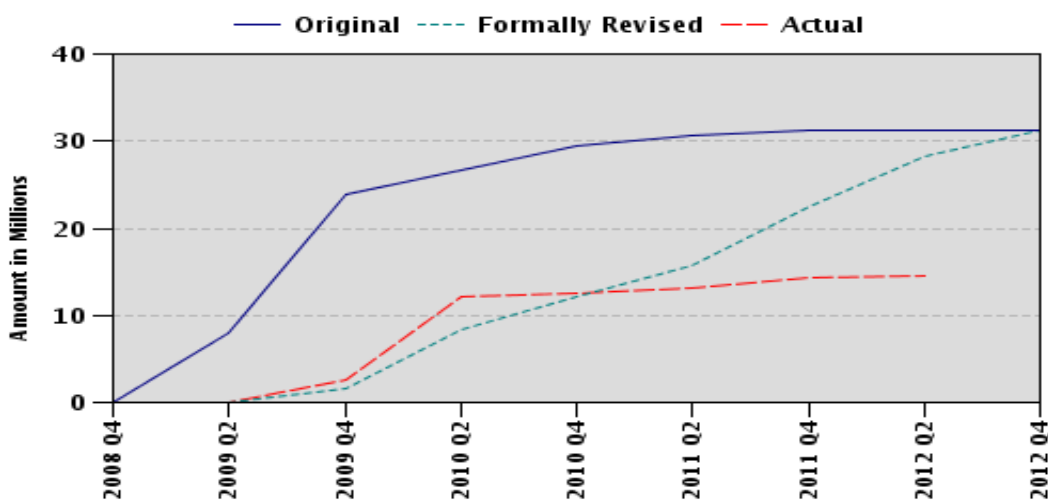
³² At the November 2010 UNPFN Meeting it was reported that a three-person Mine Action Section had been established in MoPR. It seems however that only two personnel – an Under-Secretary and an officer – have been appointed and neither of these work full time on mine action.

were prepared in mid-2010 and adopted by the Technical Committee, but not by the Steering Committee until March 2012. Mine action legislation was not even drafted.³³

Without responsibility for the information management and QM functions, MoPR was not in a position to exercise oversight of the Army’s demining activities. As well, a number of people expressed their concern that the MoPR now appears to have little interest in convening the MAJWG, which has worked so well to promote coordination among all mine action organisations and to bridge the gap between civilian and security sector actors.

This inattention in recent months appears to stem from other demands on the time of the Under Secretary of the Mine Action Section, who seems to be working mainly on the World Bank-funded Emergency Peace Support Project. Implementation of this USD 50 million project has not been progressing as planned, with disbursements lagging seriously behind even the revised plan from June 2011. The Bank has another review planned in March 2012 to confirm whether the project should close in June, with almost half the grant left undisbursed.

Figure 8 – Emergency Peace Support Project disbursement plans and actual disbursements³⁴



Progress in Mine Risk Education

On the other hand, good progress continued in MRE (funded in the main, via UNICEF,³⁵ international NGOs, the Red Cross movement and, more recently, the NPTF). UNICEF had been proactive and started the MRE Working Group comprising local and international NGOs plus the Red Cross movement, before the CPA. With HI, it also enlisted INSEC to start ‘active’ victim surveillance. When UNMAS became involved to support UNMIN, it began chairing a larger

³³ Part of the reason for the delay was that no functioning government was in place on a number of occasions.

³⁴ The graph shows disbursements in ‘Special Drawing Rights’ (SDRs – an artificial currency unit used by the International Monetary Fund to account for its funds, which are made-up of many different national currencies). The budget of SDR 31.3 million is equivalent to \$50million.

³⁵ Since 2004, approximately \$1 million has come via UNICEF for its MRE work in Nepal. On a couple of occasions, the UNPFN-funded project provided some funding for MRE activities, but this has been modest.

coordinating committee – the MAJWG – that embraced demining and, critically, representatives from the three security forces. In 2011, the Department of Education became an active participant in the MAJWG.

UNICEF seized this opportunity to provide MRE training for almost 19,000 personnel in the APF and NP, as well as the training of ‘master MRE trainers’ and the provision of improved materials.³⁶ In addition to enhancing the security of NP and APF personnel, this provided a point-of-entry to broaden the network of MRE ‘focal points’ beyond local NGOs and the Red Cross to include members of the security forces. To date, 430 people have received supplemental training as focal points, arranged by UNICEF.

Currently, there are focal points in 68 out of the 75 districts, as well as ‘global focal points’ in the Kathmandu headquarters of the participating organisations. This network – coordinated through the MAJWG – provides coverage wherever there is need for ‘emergency’ MRE, which provides quick response by MRE focal points to any accident or reported mine/IED.

In the past two years, this responsive system has been complemented by ‘systematic’ MRE (via the Department of Education [DoE] plus periodic media campaigns) and community-based MRE (via Local Peace Committees – LPCs). For example, LPCs in 43 districts received about USD 1,900 each to conduct 30 MRE sessions per district, with 35 people in each session. The DoE programme reaches even larger numbers of school-age children; the age group most at risk.

Textbox 12 – Department of Education (DoE) and Systematic MRE

Drawing on about USD 25,000 in funding per year provided by the NPTF via MoPR, plus support from UNICEF, the DoE has been providing MRE via schools in conflict-affected districts. Starting with the 20 most affected districts, DoE received materials and training for MRE master trainers from UNICEF. The master trainers then trained DoE resource persons who, in turn, trained over 1,300 teachers. In 2009-10, the resource persons and teachers delivered a one period MRE session for each class in over 1,000 schools. This was repeated in 2010-11, in some cases reaching different schools.

The target in 2011-12 is to reach the 30 most-affected districts, then 50 in 2012-13. In addition, risk education has been incorporated in the peace education curriculum for Grade 6.

The direct delivery of MRE has been complemented by periodic media campaigns (seven national campaigns since 2007). For example, during six weeks in 2010 two MRE public service announcements were broadcast through television and radio stations in six languages, reaching millions of listeners.

MRE in Nepal is seen generally as a success. The November 2011 report by an external monitor of the NPTF observed that a “High level of public awareness exists in mine-risk areas on mine threats” but that “the fear of mines has not been completely eradicated from the minds of the

³⁶ Coordinated by UNICEF and, since 2010, by the MoPR: the many organisations involved in MRE have developed a common MRE curriculum and use common materials.

people.” It recommended that the MRE programmes be continued and widened until incidences of explosions are significantly minimized.³⁷

Advocacy

Although the UNPFN-funded project did not state that having Nepal sign the APMBBC was an explicit objective, the plan of action issued by the Mine Action Taskforce in late 2009 did have as its fifth objective: *Nepal to sign APMBT within a realistic timeframe as determined by the Government of Nepal*. As well, the UN agencies and a number of the key donors to the NPTF or directly to mine action in Nepal clearly encouraged the GoN to sign the Convention. The UN also was supportive when mine action NGOs undertook advocacy initiatives.³⁸ The UN also facilitated the attendance of Nepali officials at Meetings of States Parties and the second Review Conference for the APMBBC in Cartagena.

The Government did take steps that suggested the matter was under consideration (e.g. setting-up taskforces to examine the issue), and a number of ministers and political parties have publically stated that Nepal should accede to the APMBBC. However, the Army is opposed and various ministers have said that Nepal should not sign because India and China have not.

The UN also worked hard to facilitate a high-level mission by Prince Mired of Jordan – a strong advocate for universalization.³⁹ While the GoN initially agreed to a visit, it subsequently reversed this decision. Despite repeated efforts – most recently in connection with the June 2011 ceremony to declare Nepal mine free – the GoN ultimately did not agree to the visit.

The GoN’s non-adherence to the APMBBC has been offset in part by the commitment to mine action by both sides to the conflict. The NA cleared all minefields – a noteworthy and somewhat paradoxical achievement given only 16 States Parties have completed their APMBBC obligation to clear all known mined areas. From that perspective, advocacy for international humanitarian law has not been a complete failure as the safety of population has been improved. Similarly, some of the key provisions of amended Protocol II and Protocol V of the Convention of Conventional Weapons (CCW) are reflected in the CPA. As a result, Nepal’s current mine/ERW policy is in line with most CCW provisions.

³⁷ Scott Wilson Nepal Pvt. Ltd., External Monitoring of Nepal Peace Trust Fund, pp 18-19.

³⁸ For example, in January 2011 the NCBL organized a workshop on the Nepal and the Mine Ban Convention, chaired by the Minister of Peace and Reconstruction with presentations by the three security forces, the Ministry of Foreign Affairs, UNICEF, the ICBL, and NCBL.

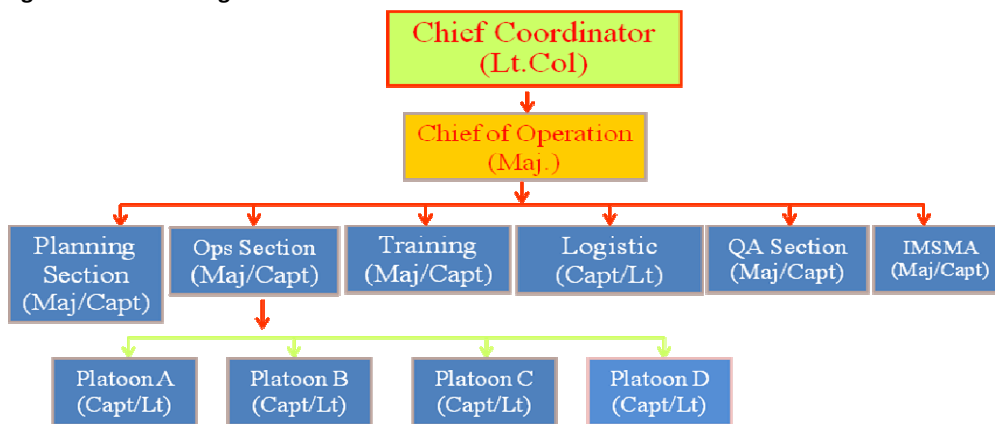
³⁹ Prince Mirad was the President of the 8th Meeting of States Parties to the APMBBC and, since then, has been a high-profile advocate for universalization.

TRANSITION TO NATIONAL OWNERSHIP

CURRENT CAPABILITIES

NAMACC is now a capable national operator with four demining platoons that work in compliance with IMAS and the capacity for operational planning, information management, training, logistics and internal QM. Its personnel are financed through the normal budget and the additional costs associated with field deployments can be covered by the NPTF. The NA hopes to deploy demining platoons on future UN Peacekeeping Missions.

Figure 9 – Current organisation chart of the NAMACC



In addition, the EOD Holding Unit manages a number of Bomb Disposal units throughout Nepal.

A number of other organisations, including the Nepal Police and the Armed Police Force, have the capacity to deliver MRE, and the Ministry of Education is engaged in the delivery of ‘systematic MRE’ via schools and Local Peace Committees. In addition, a number of APF personnel have EOD/IEDD skills, but the APF lacks adequate equipment. Regardless, the APF still harbours an interest in assuming the responsibility for EOD/IEDD response.

There are a number of facilities to provide medical, prosthetic and physiotherapy services to mine/ERW victims, but victim assistance remains largely dependent on international support and is not yet seen as part of a broader disability assistance programme as this does not yet exist in Nepal.⁴⁰ However, in 2010/11 the MoPR mine action section included explicit assistance provisions for victims of IEDs and landmines in the ‘*governmental compensation guidelines for the victims of the conflict*’.

The MoPR does not have the capacity to function as a national MAC. It has no capacity in operations planning, information management or external QM, and gives no indication that it seeks to develop such capabilities. It can convene the MAJWG for coordination purposes, but it has not done so in recent months.

⁴⁰ Nepal ratified the Convention on the Rights of Persons with Disabilities in May 2010.

WHAT WORKED

STRATEGY AND PROGRAMME DESIGN

The initial mine action engagements of the UN agencies in Nepal were relevant (i.e. soundly conceived given the prevailing needs and opportunities) and the projects were designed appropriately. UNICEF began first, building on the work of NCBL which won recognition that a mine/IED problem had emerged in Nepal and was growing. Given the majority of the civilian victims in Nepal have been children, it was appropriate that UNICEF took an early leading role. Its decisions to enlist INSEC in 'active' victim surveillance (in partnership with HI) and to convene the MRE working group were strategic, cost-effective, and provided a firm foundation for a broader mine action programme when the opportunity for expansion emerged. As well, UNICEF's offer to both parties to the conflict of signs to mark mine/IED hazards was a useful step at an opportune moment.

The original UNMAS advice to UNMIN was also well-conceived and appropriately designed. The initial activities focussed tightly on the mandates stemming from the CPA and AMMAA. The decision to engage a firm to work with the Maoist forces on the IEDs held in-and-around the cantonments proved to be appropriate in terms of getting personnel in place very rapidly. In this, the availability of some funds via the UNMIN regular budget, and the quick agreement by UNDP to provide additional funding, were important facilitating factors.

IMPLEMENTATION

In most respects – and certainly in terms of operations (stockpile management and disposal, demining and MRE) – implementation of UN support to mine action in Nepal went very well. UNMAS seized opportunities as they emerged for expanding the scope of the project – first with the Army (for minefield clearance and MRE) and, subsequently, with civilian authorities; principally, the MoPR. In this UNMAS was aided by two facilitating factors. First, the UNDP proved to be rapid and flexible in approving appropriate sums for extending the IEDD/EOD project and for expanding its scope to capitalise on emerging opportunities.

Second, UNICEF had prepared the ground well. The decisions to provide early assistance to both sides of the conflict (e.g. the hazards signs) and expand the MRE working group into the MAJWG were sound, in part because these bolstered trust and secured the active participation of the security forces within a broader mine action programme.

With the end of the original UNMIN mandate looming, UNMAS and UNICEF decided to form the UNMAT. Unlike the experience in some other countries, the UNMAT mechanism worked well. Undoubtedly, the personalities of the individuals involved were important to this success: by all accounts, UNMAS and UNICEF personnel worked well together. A contributing factor, perhaps, was that the contamination problem was manageable and being addressed in the main by the Army. This meant that demining and MRE – hence UNMAS and UNICEF – were on a more equal footing than has often been the case.

UNICEF also earned the respect it was accorded. It had laid the foundation for the UNMAT and its MRE activities were both successful and well-supported by the mine action actors, including the three security forces. Since 2011, the mine action section in MoPR has planned, initiated,

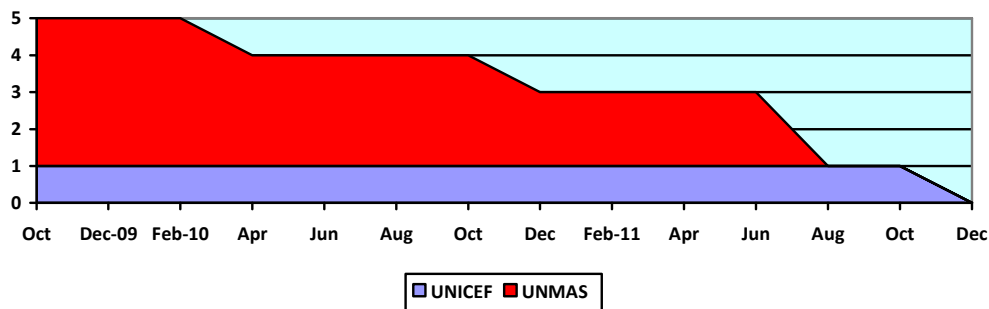
led, and funded the main MRE activities in Nepal by sub-contracting MRE in 30 districts through the Department of Education and in 43 districts through Local Peace Committees. This is the first GoN-driven MRE project, with minimum input from UNICEF.

UNICEF personnel – both international and national – also provided continuity. One irritant to the UNCT was rapid turnover in the UNMAS Programme Manager position. Although the gap was twice filled by one of the UNMAS personnel already present in Nepal,⁴¹ such changeovers can still be disruptive and it was fortunate to have UNICEF personnel on hand who had a deep understanding of the mine action programme and who commanded the respect of both governmental and non-governmental organisations involved in mine action, including the security forces.

For its part, UNMAS support to the capacity development efforts of NAMACC, and the Army’s Engineering Brigade more generally, was extremely successful. NAMACC achieved its target of clearing all 53 minefields some six months ahead of its deadline, and will soon complete the clearance of the remaining IED fields. The NA plans to maintain its four demining platoons as well as its EOD response units, in part because the NA hopes to field demining personnel on future peacekeeping missions.

In addition to having been effective in achieving most of the objectives, UN delivery appears to have been efficient. In particular, international staffing was comparatively modest (four UNMAS and one UNICEF), and size of the international team was reduced as milestones were attained.

Figure 10 – International staffing levels⁴²



The UN agencies involved in mine action also made useful inroads on gender issues. From the start of cooperation with the NA, UN personnel advocated that the Army include women in its mine action activities. A number of female deminers were, in fact, trained and at least two of these were promoted to site supervisor level (a captain) for demining.

⁴¹ The Programme Officer assumed the position of Programme Manager after the incumbent departed in April 2010. When she departed in December 2010, the Senior Technical Advisor remained in his role until the minefield clearance was completed in June 2011. Thereafter, the UNICEF Mine Action Officer assumed the role of senior UNMAT officer until he left in December 2011.

⁴² Not depicted on the graph are breaks in the presence of the UNICEF international mine action advisor. The gaps were October 2009–April 2010 and from January–April 2011.

The mine action field has, for some time and in the main, ensured that sex and age-disaggregated data are collected when relevant (for example, for victims and participants in MRE). This has been the case in Nepal as well, and the UN agencies undoubtedly deserve some of the credit for this. Gender and social inclusion issues are also addressed appropriately in the NTSG.

WHAT DID NOT FULLY WORK

Two of the main objectives of the UN support programme have not been achieved.⁴³ Firstly, the Mine Action Section in MoPR has not developed into a civilian Mine Action Centre capable of coordination and oversight of a national mine action programme, including those services delivered by the security forces. Although the Plan of Action issued by the Mine Action Taskforce in late 2009 stated that MoPR would develop capacity for mine action information management and QM, the Ministry has not sought to do so.

Secondly, the Steering Committee for Mine Action has met only rarely and has not adopted the national mine action strategy.

There is also a concern among many representatives from UN agencies and NGOs that the MoPR has not been sufficiently active in terms of coordination, and that the Mine Action Section may not continue to convene the MAJWG.⁴⁴ Most mine action actors continue to view the MAJWG as an important mechanism, in part because it provides a means for obtaining information that otherwise would not be forthcoming from the Army and other security forces.

In addition, although it was not listed explicitly as an objective in the UN project documents,⁴⁵ it is clear the UN agencies involved (UN Resident and Humanitarian Coordination Office, UNMAS, UNICEF) – as well as a number of key donors – hoped Nepal would sign the APMBC. They devoted significant efforts to make this happen through discussions in Nepal, facilitating the attendance of Nepalese officials in international meetings on the Convention, and trying to facilitate a high-level mission. In the end, and despite repeated efforts, the GoN did not agree to the mission and has not signed the APMBC or the other main disarmament conventions governing conventional weapons.

ARE THE CAPACITIES SUSTAINABLE?

CAPACITY GAPS

Nepal still lacks the institutional architecture for a national mine action programme under civilian coordination and oversight. In addition, it has not ratified the APMBC or the other

⁴³ In a strict sense, the target to eliminate mine casualties by 2011 was not achieved, as there were two casualties from landmines in 2011. Regardless, all minefields have now been cleared, so this objective has been achieved for the future and is not discussed in this section.

⁴⁴ It is important to note that most mine action stakeholders stated that the individual heading the Mine Action section in MoPR was very capable. The failure was institutional rather than individual.

⁴⁵ The Terms of Reference for this evaluation also states one of the objectives of the programme was for “Nepal to comply with the Anti-Personnel Mine Ban Treaty and the Convention on Certain Conventional Weapons.” Countries can comply (and, arguably, Nepal has done so for the main provisions) without signing or acceding to the Treaty. As well, the Plan of Action issued by the Mine Action Taskforce in late 2009 did have as fifth objective: *Nepal to sign APMBC within a realistic timeframe as determined by the Government of Nepal.*

conventional weapons disarmament conventions, or adopted mine action legislation. On the other hand, thanks to the efforts of the Army (especially), APF and NP, Nepal is mine-free and there is both the capacity and commitment to complete the clearance of the remaining IED fields and respond to reports of ERW/IED and accidents with both disposal and MRE assets.

Given Nepal's success in eliminating its mine problem and its capacities for MRE and EOD/IEDD response, does the weakness in the capacity and commitment of civilian mine action institutions constitute a problem? In the view of the study team, the answer is yes. Of course, this is far from the major problem Nepal faces at this juncture, but rectifying it would cost little and, if not rectified, the problems are likely to grow over time.

One concern relates to information management. NAMACC has IMSMA and adequately trained personnel to maintain it. However, it only enters data on contamination and its own demining activities. INSEC continues to maintain a separate database covering both victim-activated explosions and casualties from intentional explosions. These data would be more securely maintained on IMSMA, but the Army says it has no mandate to track victims. This may be true in a strict sense, but the Army would have a mandate to track reports of explosive devices, accidents and (especially) intentional explosions, which provide essential information on requirements, trends and priorities for the EOD response teams. Given the on-going conflicts in the Terai, the importance of accurate, complete and timely data on explosive devices and accidents should not be undervalued. The Army could have an accident and explosive devices surveillance system that would produce the data on casualties as a by-product.

However, even if the Army adopted this solution, the lack of civilian oversight and the recent dormancy of the MAJWG would mean requests for information from NAMACC might have to go through the Army's chain of command; likely to prove a daunting process. This would make it more difficult for civilian mine action organisations to obtain the information they required for MRE response and victim assistance.

All parties recognise that INSEC's victim surveillance system is a temporary solution and view the maintenance of such a system as a government responsibility. Given the indifference on the part of the Army, plans are to transfer accident surveillance responsibility to the Nepal Police. On the surface, this makes sense. The Police are present almost everywhere, even in remote areas, and for many communities police constables are the governmental 'frontline' staff dealing with security issues. As well, the Police say they already collect such data. The task of obtaining information from them would normally be less difficult than via the Army's chain of command. Unfortunately, all such information collected now by the Police is compiled and analysed by the Anti-Terrorism Unit. Typically, such units are not forthcoming with requests for data from civilian organisations, so this may not be an ideal solution in practice.

UNICEF plans to continue support to mine action (chiefly, MRE) but at a reduced level.⁴⁶ The Ministry of Education also is committed to continuing its modest programme of systematic MRE. Regardless, there is the reasonable concern that the MRE system could degrade from neglect unless some government agency takes responsibility for coordinating the many actors involved.

⁴⁶ From a staffing level of three full time personnel in late 2011 (two national and one international), UNICEF is allocating two national officers at 75% time in 2012 and 50% time in 2013.

The Mine Action Section in MoPR has shown some willingness to do this, but unless its overall role in mine action is bolstered, it is unclear how long support will last for a section focussing on a limited aspect of mine action.

For these reasons, the appropriate institutional solution remains a Mine Action Section within the MoPR that reports to an inter-ministerial committee. The Section has shown willingness to play a coordination role for MRE, but the MoPR should seek to build its capacity to plan and coordinate the national mine action programme overall. However, there appears to be no champion within the MoPR for this role.

As well, even with commitment on the part of the Ministry, some modest level of assistance would be required to develop the requisite capacities in, at least, Information Management and QM. Donors who are, for the most part, States Parties to the APMBC might well balk at providing more funding to a country that has spurned their previous efforts to sign the Convention, particularly if there is no mine action champion in MoPR who would bolster confidence that more assistance would lead to results.

Further, given the success of the Nepal Army in clearing the mine/IED fields and maintaining a response capacity for EOD/IED disposal, the explosives contamination problem is now modest, lowering the likelihood of donor support on humanitarian grounds.

ADDRESSING THE GAPS

Short-term measures

The study team recommends that the relevant UN agencies, plus the international and national mine action NGOs and the Red Cross movement, continue with the planned, modest support for mine action. In addition, the UNCT should:

- maintain a 'Watching Brief' on Government commitment to mine action
- work to embed mine action concerns and capabilities within one or (better) both of the following programmes:
- Armed Violence Reduction (AVR)
- Disability Assistance

Given the modest scale of the explosives contamination in Nepal today, and with the continuing conflicts in parts of the country, mine action is a natural fit within both AVR and disability programming. As is the case elsewhere in South Asia, explosives are a weapon of choice for non-state armed groups; indeed, the distinction between mine action and AVR seems strained given the nature of violence in the Terai. Mine action organisations in Nepal have developed a number of capabilities (e.g. an accident and victim surveillance system; nation-wide networks of well-trained personnel for risk education) that would be a boon to a future AVR programme. Conversely, AVR's traditional strength in policy research and policy dialogue is precisely what the mine action community will need in the coming years to keep mine action from slipping entirely off the political agenda.

Similarly, the linkages and common interests between the mine action and disability programming communities are strong. Mine action has long since recognised that assistance

programmes catering exclusively for victims of landmine, cluster munitions, and UXO are neither justified nor sustainable. At the same time, most in the mine action community endorse the obligations in the APMBC and the CCM to provide victim assistance. The result is that relatively well-funded mine action programmes often ‘jump start’ broader disability programmes in countries affected by conflict: organisations receive mine action funding and build their facilities in parts of the country which are affected by mines and ERW, but these facilities cater to all persons with disabilities and, eventually, become part of a national disability programme.

Again, mine action capabilities in accident and victim surveillance, and the nation-wide networks of well-trained personnel for risk education, are assets for disability programmes. As well, the disability assistance community typically is a strong supporter of the APMBC and the CCM because of the strong victim assistance obligations contained in those instruments.⁴⁷ A number of the leading international actors in disability assistance, such as ICRC and HI, are also active members of the mine action community. Indeed, the relative dormancy of the MoPR means that HI and other civil society members of the MAJWG may feel free to engage more actively in advocacy for Nepal to sign at least one of the principal disarmament conventions.⁴⁸

From the UN perspective, UNICEF is the natural choice to serve as lead agency in Nepal for mine action. It still has an experienced two-person mine action unit. Although the work plan is for them to work only 75 per cent time on mine action in 2012 and 50 per cent in 2013, their other duties include both disability programming and AVR.

Continued oversight from the RC’s office would still be required to ensure a ‘one UN’ response as commitments grow to disability programmes (which is likely) and AVR programmes (possibly), in part because other UN agencies will assume leading roles (WHO for disability; UNDP/BCPR for AVR).⁴⁹

Medium-term considerations

Once Nepal adopts a new Constitution and completes its elections, security policy is likely to be a priority for the new government. This could usher in security sector reform. For example, in most countries with a federal constitution, the responsibility for normal policing would lie with the provincial level. Assuming this happens in Nepal, it would create the opportunity to convert the Armed Police Force into the federal government’s policing service.

The role of the Nepal Army would also be examined in any security policy review by a new government. It is possible the Army mandate will be more tightly focussed on its primary responsibility of national security against external threats, leaving more responsibility for internal security with the APF. Should reform move in that direction, there would be implications for which of the security services has responsibility for EOD/IEDD response.

⁴⁷ Nepal ratified the Convention on the Rights of Persons with Disabilities in 2010.

⁴⁸ The GoN might be more comfortable signing the CCW as both China and India are High Contracting Parties to the CCW and Nepal’s current policy with respect to mines/ERW is consistent with the relevant CCW protocols.

⁴⁹ Disabled persons comprise one of the ‘client groups’ in the new UN Development Assistance Framework.

Likely, a security policy review would also touch upon the issue of conventional weapons disarmament and, of course, regional security. It would then be natural to consider whether anti-personnel landmines are an appropriate and credible weapon system for Nepal today. Regardless, the issue of conventional weapons disarmament will be higher on the political agenda than it has been since the CPA.

The likelihood of a security policy review in the medium-term adds weight to the recommendation that the UNCT maintain a watching brief on mine action and the opportunities to promote universalization of the APMBC.

CONCLUSIONS

ACHIEVEMENTS IN TRANSITIONING TO NATIONAL OWNERSHIP

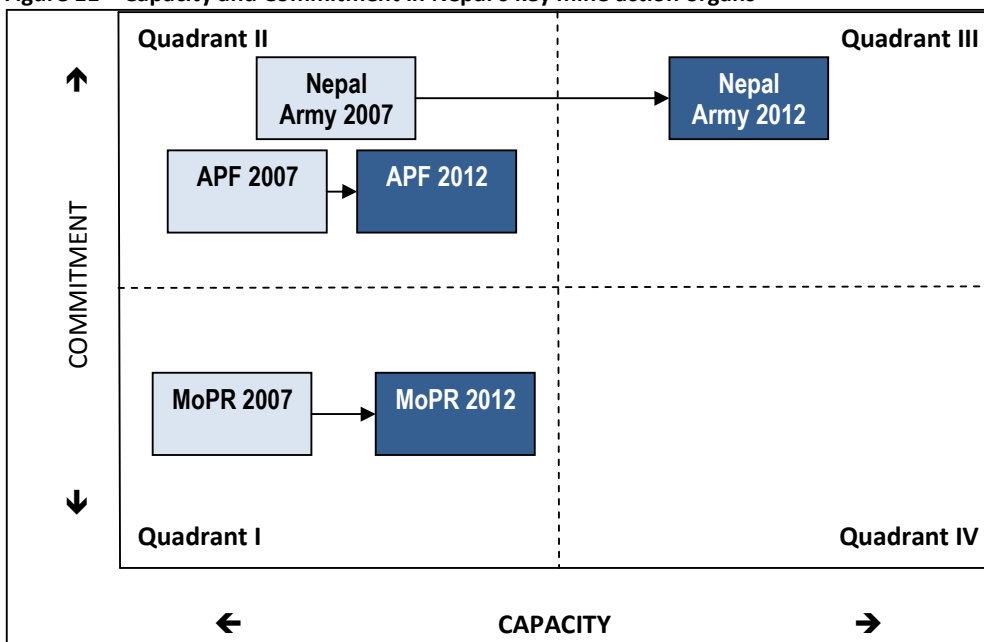
The likelihood that transition will succeed can be understood, in part at least, as a function of (i) capacity and (ii) the commitment.

Progress in Nepal towards national ownership is depicted in Figure 11. The Nepal Army was highly committed from the start. It sought international assistance, developed plans for its capacity development, and succeeded in building significant capacity. It seems likely to sustain that capacity as it hopes to deploy demining units on international peacekeeping missions.

MoPR started with much less commitment. At one point it did work with UN advisors to develop an Action Plan, which indicated areas for capacity development, but the Ministry took few steps to develop its own capacities (e.g. by appointing more people to the Mine Action Section or requesting IMSMA and information management training).

The Armed Police Force had some capacity in EOD/IEDD, and has shown commitment to further enhance its capacities, but it has received only modest amounts of support, chiefly for MRE.

Figure 11 – Capacity and Commitment in Nepal’s key mine action organs



From this record, the following conclusions can be drawn for Nepal, which could serve as useful hypotheses for other case studies.

- With commitment and outside support, the necessary capacities can be developed (the Nepal Army case)

- Without commitment, capacity development is unlikely to achieve much even if outside support is available (the MoPR case)
- With commitment but without much outside support, capacity development is unlikely to achieve much (the APF case)

KEY FACTORS

FACILITATING FACTORS

The Nepal case illustrates the importance of a number of factors – or clusters of factors – that facilitate capacity development.

Funding

The UNPFN proved to be rapid and flexible funding mechanism, approving the several extensions of the IEDD/EOD project and for expanding its scope to capitalise on emerging opportunities. In addition, the NPTF was able to provide adequate funding for Government units (Nepal Army; ministries of Education and Peace and Reconstruction). The fact that these two trust funds share the same governance structure meant that the necessary coordination was achieved more easily.

Clear and worthwhile target

The contamination problem was recognised as a problem by both sides to the conflict. It was highlighted in the CPA and, therefore, clearly aligned to the broader peace-building and reconstruction goals. The extent of the contamination was reasonably well defined and seen as manageable.

Feasibility

The combination of a modest problem and adequate, flexible funding, allowed UN agencies and their national counterparts to plan with some assurance to completion.

Trust

UNICEF prepared the ground well. Its decisions to provide early assistance to both sides of the conflict (e.g. the hazards signs) and expand the MRE Working Group into the MAJWG were sound, in part because these bolstered trust and secured the active participation by the security forces within a broader mine action programme.

For its part, UNMAS restricted its role to the engagement of a commercial firm to assist both the Nepal Army and the Maoist forces, and expanded its presence in response to clear requests for additional assistance (mainly by the Army). Again, the assurance of adequate funding meant that UNMAS was willing to respond quickly to the invitation to expand its role.

People

Undoubtedly, the personalities of the individuals involved were important to success. By all accounts, UNMAS and UNICEF personnel worked well together. UNICEF personnel – both international and national – also provided continuity.

CRITICAL SUCCESS FACTORS

Which factors are more than simply facilitating but, rather, are critical for success? The study team would point to national commitment. But that raises two inter-related questions:

- what is the measure of success?
- which national officials?

If success is framed in terms of national capacity to achieve a clear and achievable objective (say, reaching impact-free status when faced with modest amounts of contamination), commitment by the senior officials of a national operator, acceptable to the government,⁵⁰ appears adequate. In the case of Nepal, the Army had this commitment and the endorsement of the Government.⁵¹

Conversely, if success is to be measured in terms of national ownership, a greater level of commitment is necessary. Commitment from the Government is critical for success.

LESSONS LEARNT

A number of lessons emerge from the Nepal programme. Most of these are not new to mine action or to the broader fields of post-conflict recovery and development, and need no elaboration other than to list them:

- start with the local context/avoid blueprint solutions
- do not downplay the value of good interpersonal relationships
- continuity of key personnel is necessary as ‘institutional memory’ is never adequate
- with commitment from national authorities/local actors, support for capacity development is generally successful; without such commitment, support for capacity development is like ‘pushing on a string’
- facilitating factors such as adequate and flexible funding are not sufficient to achieve success, but may be necessary for success

The experience in Nepal also suggests two lessons specific to mine action that should be promoted elsewhere:

- initiate MA before the end of the conflict – at least MRE, victim assistance and advocacy, plus a coordination mechanism
- establish an accident and injury surveillance system as soon as possible

Without these initiatives, the UN and other mine action stakeholders (both domestic and international) may not have succeeded in having mine action strongly reflected in the CPA and AMMAA.

Another clear lesson from Nepal that deserves highlighting because it has not been the case everywhere: the UNMAT mechanism can work effectively. At least four factors that contributed were:

⁵⁰ In many and perhaps most mine-affected countries, commitment by a local NGO would not be endorsed by the national government, unless the NGO was a front for the politically-powerful (i.e. not a true NGO).

⁵¹ The APF had commitment, but not the Government endorsement.

- the willingness of each of the agencies to focus on their areas of comparative advantage
- the relatively modest demining component coupled with a mature MRE programme meant the operational 'mix' was conducive to a collegial style of management
- the fact that Nepal did not represent a large-scale and dire emergency in which a command-and-control approach to management may be necessary in the initial 'campaign phase' of the programme (and which may prove difficult to transition from as normalcy emerges)
- the UNHCRCO mechanism

A final lesson merits mention: the strategic approach of the UN Mine Action programme for Nepal is appropriate for conflict and post-conflict environments. In brief, start small with concrete and feasible objectives (points-of-entry), then expand the scale and scope of the programme as opportunities arise. Along the way, small initiatives might be started to encourage national authorities/local actors to raise their ambitions. Some of these ultimately may prove infeasible, but modest costs represent acceptable risks and the initiatives that work can deliver substantial benefits.⁵² But 'big bets' on initiatives that require sustained commitment from national authorities should be avoided in volatile situations.

⁵² This is sometimes referred to as the 'venture capital' model of development. Venture capitalists make a portfolio of small investments in a number of start-up firms. They expect the majority of the firms will go bankrupt, but a few will earn substantial profits and more than repay the losses. The analogy is only partial. The market quickly rewards firms that introduce new goods and services for which there is demand. In general, the aid industry and, more broadly, governments have not proved to be as adept in (i) identifying 'winners' and, just as importantly, (ii) killing-off 'losers' so resources are freed for the successful initiatives.

ANNEXES

ANNEX 1 – TERMS OF REFERENCE: KEY ISSUES TO BE COVERED IN COUNTRY CASE STUDIES

1. Introduction (1 page)

- Very brief introduction to the country (location, key socio-economic indicators, etc)
- Origin, nature and scope of the mine/ERW contamination problem

2. Overview of the National Mine Action Programme (2 pages)

- When was the programme first established and how?
- What international and national actors have been involved, and how has the programme evolved?
- Have the UN Gender Guidelines for mine action programmes been followed? If not, why?

3. History of external support (5 pages)

- Roles been played by UN agencies involved in mine action, and how these roles have evolved
- Review capacity development in mine action including:
 - The core functional capabilities of a mine action programme⁵³
 - Assessing capacity development needs
 - Developing a capacity development plan
 - Managing a capacity development process
 - Integration into national structures and institutions

4. Current status of the National Mine Action Programme (3 pages)

- Critically review the need for, nature and extent of capacity development in key aspects of mine action, including national programme management, technical capabilities, and both financial and organisational sustainability

5. Transition to national ownership (7 pages)

- At what point was the decision taken to transition to national ownership? How and on what basis was the time-line agreed? What was the reason(s) for the decision?
- Critically assess the process of transitioning different components of a mine action programme from a UN-supported or managed to nationally managed
 - a. Defining and agreeing a sound estimate for the expected residual contamination. How is “residual contamination” defined, and on what basis?
 - b. Defining and agreeing the capacities required to address the residual contamination over the long term
 - c. Planning and implementing a transition from a UN-supported or managed programme to national ownership
 - d. Capturing change – what plans are in place for monitoring and evaluating with the conclusion of UN support to national programming? How do these plans

⁵³ See IMAS 2.10

relate to national programme and management and to UN accountability requirements?

- e. Sustainability – Are resources for mine action provided from national budgets? Are mine action structures embedded in national institutions? Does legislation underpin their legitimacy?
- Examine issues facing more mature mine action programmes, such as:
 - The development of high-level capacities for planning and management/coordination, resource mobilisation, etc.
 - Good governance of the programme, including accountability, transparency, equal opportunities, and responsiveness, and
 - Sustaining the programme, including local ownership and financing capacity (external resource mobilisation and national financing)

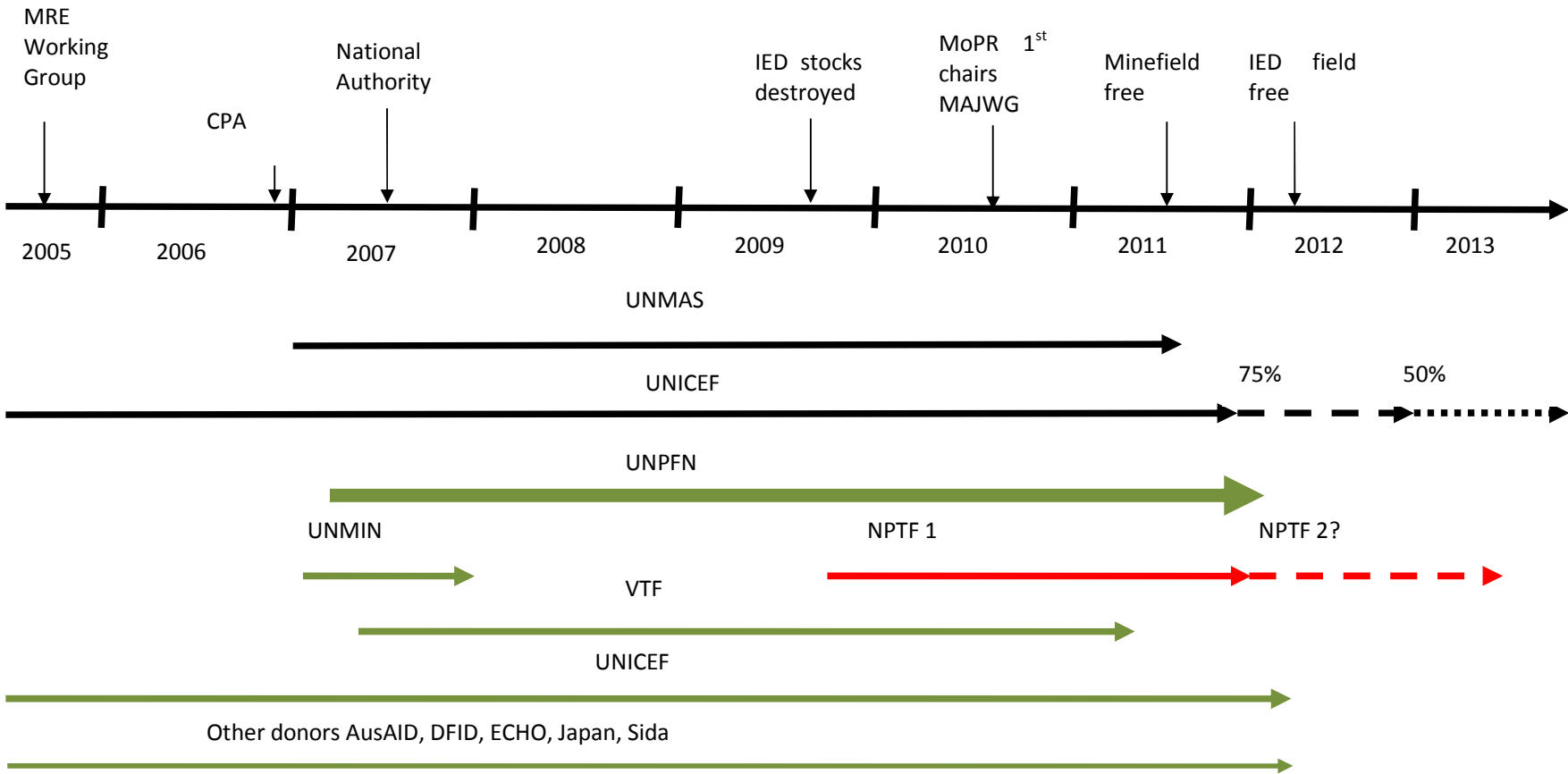
6. Key findings and lessons learnt (2 pages)

ANNEX 2 – ITINERARY AND PERSONS MET

Date	Person	Position/Organisation		
In advance of the mission				
Via Telephone	Stephen Robinson	UNMAS	Former Director, UNMAT Nepal	
	Patrick Tillet		Former Programme Officer, UNMAS New York	
Sunday, 29 Jan 2012 – Ted Paterson (TP) & Abigail Hartley (AH) arrive in Kathmandu				
30 Jan	Team meeting – TP, AH and Prabin Chitrikar (PC)			
31 Jan	Robert Piper	United Nations	Resident & Humanitarian Coordinator	
	Patrick Lach Fergusson		Peace-Building Advisor	
	Danee Luhar	UNICEF	Child Protection Officer, Mine Action	
	Krishna Subedi		Armed Violence Monitoring Officer	
1 Feb	Bijaya Gauttam	INSEC	Executive Director	
	Prashannata Wasti		Programme Coordinator	
2 Feb	Bri.Gen. Dhanidas Karki	Nepal Army Mine Action Coordination Centre (NAMACC) at EOD Holding Unit	Director, Engineering Directorate	
	Col. Krishna M. Neupane		Deputy Director, Engineering Directorate	
	Lt. Col. Yam P. Dhakal		Commander, EOD Holding Unit	
	Lt. Col. Tek J. Dhamala			
	Lt. Col. Nabin Siwal		Commander, Kali Prasad Battalion	
	Maj. Manoj Gurung		Chief of Ops, EOD Holding Unit	
	Maj. Rohit Shrestha		IMSMA Officer, EOD Holding Unit	
	Maj. Ramjoty Bohara			
	Capt. Roshan Thapa			
	Capt. Dikshya Rajbhandari			
	Lt. Bashu Dev Pangen			
	Bomb disposal equipment display and minefield demonstration – EOD Holding Unit			
	Meghnath Sharma		Dept. of Education	Planning Officer, Programme & Budget Section
	Umesh Prasad Dhakal		Nepal Red Cross Society	Executive Director
Krishna Hari Koirala		Program Manager, Mine Action		
Jerome Fontana		Deputy Head of Delegation		
Brian Veal	ICRC	Cooperation Delegate		
Binisha Shrestha		Cooperation Officer		
3 Feb	Shaligram Sharma	MoPR	Under Secretary (Head of Mine Action Management Section)	
	Departure of Abigail Hartley			
Saturday-Sunday, 4-5 February				
6 Feb	Sangay (Amina) Bomzan	Handicap International	Deputy Country Director	
	Christine Smerdon		Disability Coordinator	
	Kiran Wagle		Project Manager, Advocacy	
	Juliet Wattebot O'Brien	DFID Nepal	Peacebuilding Adviser	
	Anders Gardelin	UNDSS	Field Security Coordinator (FSCO)	

Date	Person	Position/Organisation	
	Ashok Rana		Local Security Assistant
7 Feb	Purna Shova Chitrakar	NCBL	Coordinator
	Thakur Mohan Shrestha	Armed Police Force (APF)	Additional Inspector General of APF
	Ram Saran Paudel		Senior Superintendent of APF
	Bhishma Prasai	Nepal Police (NP)	Additional Inspector General of Police
	Kedar Rijal		Superintendent of Police, Special Task Force
8 Feb	Work on debriefing & report		
9 Feb	Robert Piper	United Nations	Resident & Humanitarian Coordinator
	Patrick Fergusson		Peace-Building Advisor
	Anne-Sophie LE BEUX		Programme Specialist UN Peace Fund for Nepal
	Hanaa Singer	UNICEF	UNICEF Representative
	Danee Luhar		Child Protection Officer, Mine Action
	Krishna Subedi		Armed Violence Monitoring Officer
	Afra A. Al-Ahmadi	World Bank	Senior Human Development Specialist
10 Feb	Aleksander Micic	UNRCPD	Deputy Director
	Julia Knittel		Associate Political Affairs Officer
	Michael Brown	UNDP (PBRU)	Head, Peace Building and Recovery Unit
	Departure of Ted Paterson		
Post-mission			
16 Feb (via tele-phone)	Stephen Robinson		Former Director, UNMAT Nepal
	Hugues Laurence		Former Technical Advisor, UNICEF Nepal
	Justin Brady		Acting Director, UNMAS

ANNEX 3 – TIMELINE OF UN SUPPORT TO MINE ACTION IN NEPAL



ANNEX 4 – LIST OF DOCUMENTS CONSULTED

UN and other Official Documents

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Brady, Justin, Hugues Laurence, Katrine Hoyer, Maria-Elena Arias, and Patrick Tillet, *Report from the UN Inter-Agency Mine Action Assessment Mission to Nepal*, UNMAS, Jan 2008

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Cipière, Michel, Mine Action Support to the United Nations Mission in Nepal, UNMAS, Mar 2007

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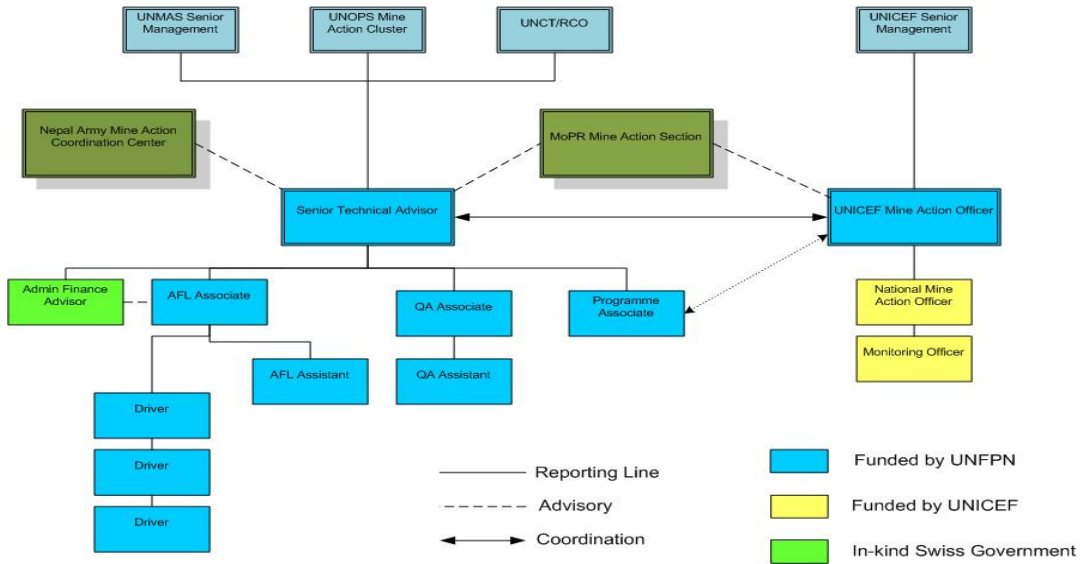
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ANNEX 5 – UNMAT ORGANISATION

UN MINE ACTION TEAM NEPAL – Organigramme as of 01 January 2011- July 2011 DRAFT



UN MINE ACTION TEAM NEPAL – Organigramme August 2011 – December 2011
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