

United Nations Peace Fund for Nepal (UNPFN) Project Status Update

For the period of *April- June 2011* ¹

1. Project Overview

Participating UN Organization(s):	International Organization for Migration (IOM)	UNPFN Project number:	UNPFN/E-4
	Office of the High Commissioner for Human Rights (OHCHR)	UNPBF Project number (if applicable):	UNPFB/NPL/E-1

UNPFN Cluster area:	E. Rights and reconciliation
UNPFN Funding round Strategic Outcome:	Delivery of successful reparations program and consolidation of the Nepal peace process
UNPBF Priority area (if applicable):	PBF Nepal Priority Area 1: Strengthening State Capacity for Sustaining Peace
UNPBF PMP Result and indicator (if applicable):	Result 1: Security sector reforms and judiciary systems put in place and providing services and goods at the national and local level that reinforce the Rule of Law (RoL)
	Indicator 1.2 RoL: # of PBF supported programmes where communities use transitional justice systems to resolve conflicts/disputes without recourse to violence ensuring respect of Human Rights of women and girls in particular

Project Title:	Fairness and Efficiency in Reparations to Conflict-Affected Persons		
National Partners ²:	Ministry of Peace and Reconstruction		
Project start date ³:	1 April 2010	Original Project end date ⁴:	31 July 2011
Revised end date (if applicable) ⁵:	31 December 2011	Anticipated total Project duration:	21 Months

Total approved project budget:	USD 1,017,583 (IOM: USD 737,662; OHCHR: USD 279,922)		
Funds committed and spent to-date by the project ⁶:	USD 833,575	As % of approved budget:	82%
Funds spent to-date by the project ⁷:	USD 690,601	Project delivery rate ⁸:	68%

2. Description of project goal and strategy ⁹

The goal of the project is to strengthen the peace process through the drafting of a reparations policy compliant with international norms and standards and feasible in the Nepal context and by establishing effective and transparent mechanisms to provide reparations to the victims of the armed conflict. The project will design an outreach strategy and implementation plan, a strategy for the collection and registration of victims and beneficiaries data, process flows and Standard Operating Procedures (SOPs) for the processing of victims' claims for pilot Employment and Self Employment Services (ESES) programme of the Ministry of Peace and Reconstruction (MoPR). The process flows, SOP's and tools for ESES programme developed will be tested in 12 districts to assess their adequacy and identify the areas for further improvement for adoption in for future reparations programme.

3. Overview of progress to-date against project outcomes		
Project Outcome(s) ¹⁰	Progress: achievements/results/ outputs delivered to-date ¹¹	% of planned ¹²
Government has effective and transparent structures and procedures in place to implement reparations program	1. Development of Reparations Policy in line with International Human Rights Principles	45%
	2. Map existing interim relief mechanisms and develop a set of concrete recommendations for improving their delivery, processing and reporting.	100%
	3. Design an outreach strategy (including an outreach implementation plan)	65%
	4. Design a comprehensive strategy for the collection and registration of victims and beneficiaries data, including the development of a victim and beneficiary data collected standard.	45%
	5. Design process- flows and standard operating procedures for the processing of victims' reparations claim and the provision of reparation benefits.	50%
	6. Testing of the administration mechanism for Employment / Self Employment Services Programme in twelve pilot Districts	25%

4. Overview of project results, achievements and challenges in this quarter ¹³
<p>The project has three major outputs to be achieved during project period of 21 months. The inputs described below are used to track major project progress over the period of the last quarter.</p> <p>Output 1: Comprehensive Policy on Reparations</p> <p>Outputs in forms of guidance notes, op-eds, internal memoranda, etc. have been developed to ensure compliance of Nepal's reparations policy with international norms and standards. These outputs have been shared with a variety of stakeholders, including lawmakers, Government officials, victims groups, CSOs and INGOs, and donor agencies. They also form the "thinking through" of key problems in the formulation of the policy, as well as the basis for a small publication series intended to clarify concepts and advance public fluency in the basic terms of reparations and of transitional justice more broadly. In addition, research focusing on gender and reparations, the right to truth (R2T), vetting, and memorialisation is now well under way.</p> <p>OHCHR participated in numerous consultations in Kathmandu with CSOs and convened regional consultations in Nepalgunj (4 to 6 April), for Mid and Far Western Region, in Biratnagar (3 to 5 May), for Eastern Region, and in Dhulikhel (19 to 21 May), for Central and Western Region in which, in addition to discussing the draft transitional justice legislation, internationally established principles and best practices of reparations were shared and victims were invited to share their expectations of the reparations policy being developed. Comparable post-conflict situations reveal that consulting victims during policy formulation is absolutely necessary if that policy is to provide "victim satisfaction", as articulated in the UN's <i>Basic Principles</i> (GA Res 60/147) . Over 150 victims from around 55 districts of Eastern, Western, Central, Mid Western and Far Western Nepal participated. The consultation process culminated in a public meeting in Kathmandu (14 to 15 June) in which victim representatives shared their concerns on provisions in the transitional justice bills, including those pertaining to reparations, with senior public and political party officials.</p> <p>OHCHR has also been actively consulting with, among others, members of the parliament-legislature working on the transitional justice bills, providing technical assistance and sharing best practices as well as lessons learned in comparable contexts. Ensuring these bills comply with international norms and standards will be crucial to the formulation of a reparations policy that goes beyond compensation to incorporate "victim satisfaction" through truth recovery, accountability, assurances of non-repetition and memorialization.</p> <p>The project organized a study visit to Colombia and Morocco for MoPR officials in mid-May, providing them with exposure to the various principles and practices of reparations, as well as their implementation developed in these two contexts. The purpose of the trip was to review and observe the reparations program and processes being implemented in the two countries with the aim of informing the process, design, development and</p>

implementation mechanisms of the reparations/relief programs being designed or implemented in Nepal. A joint project and MoPR workshop is being planned to share the learning/ findings of the trip

Output 2: Capacity of the Relief and Rehabilitation Unit (RRU) and twelve selected District Administration Offices enhanced to support reparations programmes:

A joint IOM-RRU Rapid Capacity Assessment of the unit was conducted in this quarter. This will form the basis of the capacity building strategy following the extension of the RRU mandate. The project has submitted a project revision request to UNPFN to adjust the above output to include working with the Relief and Rehabilitation Division for the roll out of the Employment/Self-Employment Services (ESES) Programme to Conflict Victims being piloted in 12 districts. The project will engage key central and regional staff in programme implementation training, as well as foster sensitivity in dealing with victims of human rights violations. Mechanisms developed and tested under this programme will be directly relevant for the wider reparations programme.

Output 3: Processes, Guidelines, Standard Operating Procedures (SOPs), forms, procedures for various reparations benefits prepared:

In order to achieve Output 2 and 3, the following activities were conducted.

a. Outreach strategy (including gender perspectives) and implementation aims to maximize the participation of conflict victims.

As part of the above regional consultations, the project consulted with victims on their experiences and expectations for an outreach strategy and implementation plan. Outreach consultation helped to understand the needs of different categories of conflict victims which should be taken into consideration for developing an effective outreach strategy and implementation plan. During the consultations, the victims also provided a set of recommendations to the GoN regarding enhancement of outreach strategy. The project is in the process of developing a short publication on recommendations for an outreach strategy based on victims' feedback. The draft copy of outreach strategy is being planned for early July.

The project is also developing an outreach strategy and implementation plan for MoPR's new ESES, which will be piloted in 12 districts of Nepal. The outreach strategy, implementation plan and materials developed for the ESES programme will be tested and then adapted for a future wider reparations programme following the formulation of the reparations policy.

b. Recommendation and Guidelines on the process of collection of victim and beneficiary information

The project is providing concrete support to MoPR with the process of collection of victims and their families' information for the ESES Programme. The World Bank funded Management Information System (MIS) which includes a comprehensive conflict victim database is currently being rolled out. IOM is liaising with the World Bank to ensure that the database layout incorporates detailed information about victims and beneficiary and avoids duplication of information. MIS development is also crucial as it will be essential for future reparations programme.

c. Recommendation and Guidelines on the processing of the reparation claim and delivery of reparations benefits

IOM conducted capacity assessment of the RRU of MoPR as a part of technical support to the ministry. IOM along with RRU staff went for a joint field trip to Kapilbastu and Panchthar districts to gather primary information in relation to capacity assessment of RRU. The final report will be released by the end of June 2011. The findings would contribute to a concept note being developed by RRU to enhance the capacity of the unit and identify needs for a similar unit under a full reparations programme.

In coordination with Under Privileged Children Education Programme (UNEP) and Local Peace Committees, RRU conducted trainings for conflict victims and their families in 7 districts in Nepal. This is a separate programme for the conflict victims to the World Bank funded Employment / Self Employment Service Programme. This small scale training of RRU provides a good opportunity for IOM for lesson learnt and foresee implementation challenges of Employment/ Self Employment Services and provide recommendations for better implementation of the programme.

5. Progress against key indicators in the UNPFN Monitoring and Evaluation Framework ¹⁴					
UNPFN PRIORITY CLUSTER E. Rights and reconciliation					
Intermediate Objective: Supported effective and inclusive transitional justice, information and services to the conflict affected					
(if applicable) UNPBF PMP Result: Result 1: Security sector reforms and judiciary systems put in place and providing services and goods at the national and local level that reinforce the Rule of Law (RoL)					
Indicator: Indicator 1.2 RoL: # of PBF supported programmes where communities use transitional justice systems to resolve conflicts/disputes without recourse to violence ensuring respect of Human Rights of women and girls in particular					
Strategic Outcome	Contributing Outputs	Verifiable Indicators	Baseline (by year)	Milestones and Target (by year)	Current / Final Status
8. The GoN has the capacity to put in place effective and transparent structures / procedures for reparations to the victims of the armed conflict	Comprehensive GoN policy on reparations prepared Capacity of the Relief and Rehabilitation Unit and three selected District Administration Offices enhanced to support reparation programs Processes, guidelines SOPs, forms, procedures for various reparations benefits prepared and	8.1 Disaggregated data on # of conflict victims with access to reparation programs improved, including data on access of most vulnerable such as female victims	8.1 Disaggregated data currently unavailable. Total beneficiary data under all categories not yet compiled. (Mapping Exercise Aug 2010)	8.1 Data system on total beneficiaries of interim relief disaggregated by gender, victim and relief categories developed (Feb 2011)	8.1 MoPR is currently developing a comprehensive MIS to include detailed disaggregated information of conflict victims receiving benefits under the current interim relief program - essential for a future reparations programme. The project is liaising with the MIS consultants to ensure conflict victims database and ESES components of the MIS includes information on all victim groups, including the most vulnerable women and children - 60% complete
		8.2 Appeals/grievance mechanism developed for the reparation programs	8.2 Public and transparent grievance function not built into interim relief mechanism (Mapping Exercise Aug 2010)	8.2 Recommendations for grievance function established with appropriate procedures developed (Feb 2011)	8.2 Assurances from MoPR to assist with the development of appeals/ grievance mechanism for the ESES interim relief programme being piloted by MoPR in 12 districts in 2011/12, which will be relevant for the future reparations program (see project revision). The first draft of the SOP for the grievance mechanism under the ESES programme will be shared with MoPR in July – 50% complete
		8.3 Reparation Policy prepared and submitted to the MoPR inline with international human rights	8.3 No reparations policy exists (Jul 2010)	8.3 Reparation Policy prepared and submitted to MoPR (Jun 2011)	Following the consultations with Kathmandu based CSO's and with victims groups from about 55 of Nepal's 75 districts,

Comment [aslb1]: Reference to revision added to keep track of project progress.

	tested	standards			an outline for the framework on the reparation policy was drafted, that highlighted obstacles to a policy compliant with international principles. A number of lesser documents (memoranda, briefings) have been developed in response to these challenges are currently being integrated into the policy framework. For example, preliminary analyses of stakeholders understanding of reparations revealed some conceptual confusion around the term, which had been used chiefly to refer to compensation as well as, at time, to interim relief measures – thus omitting the measures articulated in human rights law and essential UN documents, such as verification of facts and memorialisation, that may be instituted to provide victims with “satisfaction”.
1.		8.4 SOPs, guidelines, standards and forms for various reparation benefits prepared	8.4 No SOPs; unclear guidelines, standard, forms; inconsistencies in implementation of interim relief programme (Mapping Exercise Aug 2010)	8.4 SOPs, guidelines, standards, forms for various reparation benefits prepared (Feb 2011); standard processes with monitoring mechanisms and compliance functions developed for pilot districts. (Jul 2011)	8.4 The project will develop SOP, guidelines regarding reparations processing, process flows and forms required for providing range of reparations benefits will be shared with MoPR for comments and endorsement. This has been done for interim relief and once the details of the reparations policy are developed, these procedural tools can be further developed – 50% complete
2.		8.5 MoPR and twelve selected pilot districts have trained staffs (including sensitization on UNSCR 1325 and 1820) and necessary infrastructure to implement ESES and reparation programs	8.5 No training; minimal infrastructure (Jun 2010)	8.5 20 MoPR staff and 15 district staff trained in pilot districts; necessary infrastructure (hardware and software) in place (May 2011)	8.5 The project will train staff involved in the pilot ESES Programme (project revision) on tools and processes at national level and in 12 districts starting in August and include elements of the draft reparations policy (including sensitization on 1325 and 1820) as well as specific tools and implementation requirements for the ESES programme – 25% complete

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		8.6 Improved outreach strategy to victims developed for MoPR	8.6 Ad-hoc district and national radio broadcasts and limited posters (Jun 2010)	8.6 National outreach strategy and implementation plan developed (Dec 2011)	8.6 Draft outreach strategy and implementation plan for ESES shared by July. Regional victim consultations on outreach conducted during April and May to consolidate the process. 2-4 pager publication on outreach strategy planned by the first week of July 2011. The first draft of the outreach strategy and implementation plan will be shared with MoPR and other stakeholder in early July – 60% complete
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¹ Insert the months for the quarter covered by this update (e.g. January to March 2011)

² 'National partners' refers to your key counterparts in project implementation (line Ministries, CSOs etc.). This does not include contractors or project beneficiaries.

³ The project start date should be the date of the first transfer of funds from the MDTF Office.

⁴ Insert the originally approved end date for the project.

⁵ If the project has been revised/extended, include the new revised end date.

⁶ Give total accumulated figure of both spent and committed funds from the start of the project.

⁷ Give total accumulated figure of disbursed funds from start of the project.

⁸ 'Project delivery rate' is a percentage showing how much funds have been spent in comparison to the total approved budget (delivery rate = total funds spent to-date x 100% / total approved budget).

⁹ Insert a brief overall description of what the project is about (5 lines max) – this should remain the same throughout the project.

¹⁰ Insert the higher-level project specific outcomes as defined in the project document.

¹¹ Insert the brief details of accumulated achievements made to-date supporting the project's outcomes.

¹² Insert an assessment of progress in percentage-terms that the project has made towards its target outcome.

¹³ Provide a brief overview of specific activities, outputs, and results that were achieved in this quarter only and to what extent the output delivery contributes to the outcome achievements. The Project should highlight any key issues (e.g. lesson learned, challenges compromising project implementation, what has been planned and what has been achieved etc.) that arose during this quarter, as well highlight any foreseen issues that may arise in the coming period and how this challenges will be addressed.

¹⁴ Please insert and update the "current/final" column to show progress on indicators and in comparison with targets. If modifications are needed, please contact the UNPFN Support Office.