

United Nations Peace Fund for Nepal (UNPFN)

Project Status Update

For the period of *April-June 2011*

1. Project Overview

Participating UN Organization(s):	OHCHR	UNPFN Project number:	UNPFN/E-2
		UNPBF Project number (if applicable):	UNPFN/NPL/B-3

UNPFN Cluster area:	E. Rights and Reconciliation
UNPFN Funding round Strategic Outcome:	
UNPBF Priority area (if applicable):	Conflict prevention and reconciliation
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:	Peace through Justice: Transitional Justice Project		
National Partners:	Government (MOPR), Civil Society Organisations and Human Rights Institutions		
Project start date:	1 September 2009	Original Project end date:	31 August 2010
Revised end date (if applicable):	31 August 2011	Anticipated total Project duration:	2 years

Total approved project budget:	US \$ 1,999,830		
Funds committed and spent to-date by the project:	US \$ 1,782,326.77	As % of approved budget:	89%
Funds spent to-date by the project:	US \$ 1,358,496.38	Project delivery rate:	68%

2. Description of project goal and strategy

The project goal is to support effective transitional justice mechanisms which will contribute to the stabilisation of the country and support a society built on respect for the rule of law and human rights. The strategy adopted to reach projects goal are summarised below:

- **Technical assistance to MoPR** - conduct effective preparations for establishing TJ Commissions and providing necessary work of the Commissions,
- **Technical assistance to TJ Commissions** - Technical assistance will be provided to the Truth and Reconciliation Commissions (TRC) and the Commission of Inquiry on Disappearances (COI-D) in both preparatory and functioning stages is key to the success of the TJ process. As it is not yet known when either of the two Commissions will be established by the Government, the project proposal provides a hypothetical time line, with the assumption that the COI-D will start functioning before the TRC.
- **Research and analysis on conflict-related violation of human rights and international humanitarian law** - Information is compiled regarding key defining events within the temporal jurisdictions of the respective Commissions and to undertake initial investigation to establish paradigmatic cases and initial evidence for key activities. This will enable the Commissions to focus their work as soon as they are established (in particular for the TRC) and avoid time is spent on duplicative efforts where information already exists.
- **Support to civil society and national human rights institutions** - Best practices from previous experience of transitional justice institutions show that a vital civil society is crucial for the success of a

TJ process. Although a vibrant civil society exists in Nepal, the discussions on transitional justice are just beginning to spread beyond Kathmandu and civil society throughout the country will need to be ready to respond to the challenges presented by the TJ mechanisms.

3. Overview of progress to-date against project outcomes

Project Outcome(s)	Progress: achievements/results/ outputs delivered to-date	% of planned
Draft bills on the Truth and Reconciliation Commission (TRC) and on Disappearances tabled in Legislature-Parliament.	Both the draft bills on TRC and Disappearances were approved by the cabinet and are tabled at Legislative Committee in the Legislature-Parliament. Support in drafting guidelines and bylaws to supplement the TJ bills is to be consulted with the MoPR for the modality and draft guidelines.	50%
Three regional, four cluster and three thematic consultations (gender, children and minority) held to discuss the draft TRC bill.	All the consultations completed and feedback on the bills provided. Central and regional consultations with victims' participation were held, which was conducted jointly with Accountability, Impunity and Rule of Law unit of the office and Reparations project.	95%
With the benefit of a Conflict Mapping Report, a Dataset of incidents and a Reference Archive, the MoPR is able to plan and conduct their transitional justice work effectively	The Mapping Team has developed a functional Dataset consisting of several thousand incidents containing an allegation of a serious violation of human rights or international humanitarian law and a Reference Archive consisting of over 25,000 documents. This has been placed in TJ Resource Centre	95%
Civil society organisations strengthened to provide appropriate support to victims and participants to the Commissions.	48 civil society organizations implemented 25 projects in 34 districts. Projects' deliverables are docudrama, publications, victims groups, information kit and several workshops and seminars.	70%
Transitional Justice Resource Centre (TJRC) established and used by victims, activists, government officials, politicians and general public.	Transitional Justice Resource Centre established and opened to public from 27 July 2011 onwards.	95%

4. Overview of project results, achievements and challenges in this quarter

The key immediate objectives of the project include:

4.1.1.1 the establishment of a Commission of Inquiry on Disappearances (COI-D) and a Truth and Reconciliation Commission (TRC) and their effective functioning;

4.1.1.2 Strengthening of civil society to provide appropriate support to victims and participants to the Commissions.

In this quarter of (April-June) 2011, the project team re-engaged with the Ministry of Peace and Reconstruction for the establishment of the TJRC. Office alteration, selection of NGO to run the TJRC and procurement of equipment are complete and the Resource Centre has been established. The sustainability of TJRC is seen as a challenge since PtJ has contracted an NGO named World Vision Advocacy Forum until August 2011. The probability of extension is envisaged until December 2011 and a strategy has to be developed for beyond 2011.

The TJ Reference Archive prepared by the project was set up in the TJ Resource Centre, which will be a useful tool for the upcoming TJ Commissions.

23 civil society projects completed their activities so far and are in the process of submitting their final reports to PtJ. Eight projects have sent their requests to Geneva for final payments. Since it is a time-consuming process to get the reports (narrative, financial and audit) from the grantees refined to a satisfactory level, PtJ organised a brief orientation programme to the partners on reporting. This has helped to accelerate the final payment procedure. However, delay in making the final payments to grantees by Geneva remains as a challenge to some

of the organisations that have already completed all the procedures.

5. Progress against key indicators in the UNPFN Monitoring and Evaluation Framework

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 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

Strategic Outcome	Contributing Outputs	Verifiable Indicators	Baseline (by year)	Milestones and Target (by year)	Current / Final Status
7. The GoN has the capacity to meet CPA commitments to establish functioning transitional justice (TJ) mechanisms of the Truth and Reconciliation Commission (TRC) and Commission of Inquiry on Disappearance (COI-D) in line with international human rights standards	Legislation adopted for the establishment of COI-D and TRC with wide consultation and in line with international human rights standards Capacity on TJ issues increased amongst MoPR and other key government staff	7.1 TRC and Col-D bill revised, tabled and adopted that are in compliance with HR standards	7.1 No TRC and Col-D bills (2009) Draft TRC and Col-D bills (2010)	7.1 TRC and Col-D bills drafted (2010) TRC and Col-D bills passed (2011)	7.1 Support in drafting guidelines and bylaws to supplement the TJ bills is in a consultative process with MoPR for the modality and draft guidelines.
	Enhanced capacity of COI-D and TRC staff, commissioners and systems during the start-up phase Report, dataset and reference archive prepared from a mapping exercise of the conflict-related human rights and international humanitarian law violations	7.2 # of consultations on the TRC bill organised by MoPR involving victims from remote villages, marginalized groups, women and children	7.2 0 (2009) 10 (2010)	7.2 10 (2010) 3 (2011)	7.2 All the consultations completed and feedback on the bills provided. Central and regional consultations with victims' participation were held, which was conducted jointly with Accountability, Impunity and Rule of Law unit of the office and Reparations project.
	Trainings and capacity building activities on TJ conducted by civil society and I/NGOs at the local level and promotional materials on TJ produced / disseminated	7.3 # of GoN staff trained on and exposed to TJ mechanisms and issues	7.3 Not known (2009) 3 (2010)	7.3 3 (2010) 5 (2011)	7 High 5 High-level officials of the Ministry of Peace and Reconstruction (MoPR) visited South Africa in July 2010 to deepen their understanding on TRC process; best practices and lessons learnt. This led to more interest in establishing TJ resource centre and its sustainability; understanding

	Civil society organisations, victims' groups and national institutions enabled to support key activities of TRC and COI-D				on TJ widened and more enthusiasm for peace process build up.
		7.4 # of commissioners and staff of the COI-D and TRC trained and office equipment provided	7.4 0 (2009) 0 (2010)	7.4 0 (2010)	7.3 COI-D not established yet. However, preparatory work underway.
	Increase in understanding of and advocacy for Transitional Justice mechanisms at the local and national levels	7.5 A mapping report, a dataset and a reference archive	7.5 0 (2009) 3 drafts (2010)	7.5 3 drafts (2010) 3 final versions (2011)	7.4 A functional Dataset consisting of several thousand incidents containing an allegation of a serious violation of human rights or international humanitarian law and a Reference Archive consisting of over 25,000 documents developed.
		7.6 # of awareness raising orientations conducted by CSOs at the local level and number of IEC materials on TJ produced at the national level	7.6 Not known (2009) 161(2010)	7.6 161 (2010) 6 (2011)	7.6 26 projects - 24 awarded grants to CSOs in 2009-2011 to work on transitional justice issues in Nepal ¹ . All 25 projects have completed their activities. They are in a process of submitting final reports. These projects have contributed to raising public awareness of transitional justice concepts, dilemmas and possible strategies for victims' participation in TJ processes by producing a series of television talk shows on accountability, a docudrama on TJ, radio programmes with 7 local FM stations, organizing street drama performances at 56 locations, preparing profiles of conflict victims in two districts, organizing

¹ Two hundred seventy-six victims groups and civil society organizations had applied for funding and grants were given to 48 organizations to implement 25 projects.

					<p>167 orientations on TJ at the local level, and by distributing information kits to conflict victims in 73 districts of the country.</p> <p>Three projects produced awareness materials on transitional justice: docudrama on transitional justice, book on conflict victims' cases, training manual on transitional justice; Judges' Society Nepal (JSN) is compilation and analysis of 15 Supreme Court judgments related to transitional justice for public awareness.</p>
		7.7 # of victim document exercises carried out	7.7 0 (2009) 2 (2010)	7.7 2 (2010) 2 (2011)	7.7 Transitional Justice Resource Centre established and Conflict victims profile will be used by scholars, CSOs and general public for their research, knowledge generating purpose and talk programmes organised by TJRC
		7.8 # of psychosocial counsellors trained by CSOs	7.8 0 (2009) 7 (2010)	7.8 39 (2010)	7.8 20 local human rights defenders were trained as psychosocial counsellors. 300 conflict victims participated in the counselling session.
		7.9 # of victims organised in groups and networks at the local level	7.9 0 (2009) 10,207 in 207 groups	7.9 10,207 (2010)	7.9 More than 10,207 conflict victims have been organized in groups and networks in 26 districts of the country.
		7.10 # of victims groups and CSOs using the TJ Resource Centre for discussions and advocacy on transitional	7.11 0 (2010)	7.10 1 TJRC established and 5 organisations use it (2011)	7.10 TJRC established and opened for public from 27 July onwards. Steering committee has been formed to steer TJRC comprising a member of MOPR, OHCHR and

		justice			TJRC managing partner organisation. More than 100 people visited the centre within a month including 13 Victims, 92 TJ activists, 12 Students and 2 Lawyers. 4 conflict victims got membership of the centre.
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