Informal Sector Service Centre

Explosive Remnants of War and Landmines in Nepal: Understanding the Threat

Situation analysis and recommendations for future action

December 2006

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Table of contents

Index of figures

Index of tables

Acronyms

AO	Abandoned Ordnance
AP	Anti-personnel
APF	Armed Police Force
AT	Anti-tank
AV	Anti-vehicle
CBO	Community-Based Organisation
CBR	Community-Based Rehabilitation
CCW	Convention on Prohibitions or Restrictions on the Use of Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects
CWIN	Child Workers in Nepal
CR	Central Development Region of Nepal
DPO	Disabled People's Organisation
ED	Explosive Device
EOD	Explosive Ordnance Disposal
ER	Eastern Development Region of Nepal
ERW	Explosive Remnants of War
FWR	Far-Western Development Region of Nepal
GICHD	Geneva International Centre for Humanitarian Demining
HI	Handicap International
ICBL	International Campaign to Ban Landmines
ICRC	International Committee of the Red Cross
IHL	International Humanitarian Law
IED	Improvised Explosive Device
IMAS	International Mine Action Standards
INGO	International Non-Governmental Organisation
INSEC	Informal Sector Service Centre
IO	International Organisation
KTM	Kathmandu
MA WG	Mine Action Working Group
MRE	Mine Risk Education
MRE WG	Mine Risk Education Working Group
MWR	Mid-Western Development Region of Nepal
NCBL	Campaign to Ban Landmines Nepal
NGO	Non-Governmental Organisation
NHRC	National Human Rights Commission
NRCS	Nepal Red Cross Society
PLA	People's Liberation Army (Maoist)
PwD	People with Disability
SF	Security Forces (Nepal Army and Armed Police Force)
UN	United Nations
UNICEF	United Nations Children's Fund
UNMAS	United Nations Mine Action Service
UN OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UXO	Unexploded Ordnance
VA	Victim Assistance
VDC	Village Development Committee
WR	Western Development Region of Nepal

Foreword on behalf of INSEC

Informal Sector Service Centre (INSEC) has been working in the field of human rights documenting, disseminating and advocacy for well over 15 years. With representatives in all the 75 districts of the country, five regional offices and nearly 50 partner organizations across the country, INSEC has a strong network for the collection of information on human rights violations. Its annual publication, “INSEC Human Rights Yearbook” is considered a testimony of the human rights situation in the country and a reliable source for all stakeholders, political parties, students and researchers. Its stance on several human rights issues including the fight for the liberation of bondage labourers or *Kamaiyas* in the western part of the country, and the fixing of minimum wage for the agriculture labourers has yielded positive and concrete results.

INSEC has always recognized the use of explosive devices in the conflict as a breach of humanitarian law. The indiscriminate nature of explosive devices has been a concern for the organization and thus was documented in the “Human Rights Yearbook”. INSEC has been documenting all the incidents that involve explosive devices as a part of human rights violations.

In recent years, the use of explosive devices in Nepal escalated making it one of the most affected countries by explosion related casualties in the world. The concern of the international community to tackle this problem necessitated the availability of reliable and comprehensive details about the incidents. Although INSEC had been recording the incidents for some time, given the technical nature of the problem and a lack of experience in this field, there were some shortcomings. It was thus realized that with some

outside help, INSEC could use its already existing network to establish an active surveillance system.

Handicap International Nepal is working in Nepal in the rehabilitation sector providing direct and indirect support to several organisations. HI expressed an interest in the information collected by the INSEC team to help organisations like themselves working in the field of victim assistance, as well as organisations working to educate the population about the dangers of explosive devices and those advocating to do away with the use and existence of explosive devices in Nepal. Thus, the INSEC Surveillance System came into place from June 2006. The System is now collecting and disseminating quality information on civilian victims of unintentional explosion.

The government and the Maoists signed a Peace Accord on November 21 raising hope of lasting peace. However, the signing of the Peace Accord will not stop the explosive remnants of war from inflicting injuries, sometimes fatal, on civilians. INSEC hopes the work carried out by INSEC staff will help the concerned agencies deal effectively with the problem.

Subodh Raj Pyakurel
INSEC Chairperson

Foreword on behalf of Handicap International

During 2005, Handicap International Nepal, through our project “Access to Physical Rehabilitation Services for People with Disabilities in the different regions of Nepal”, became aware of the need to have a better understanding of the situation regarding people wounded and disabled by victim-activated explosions of landmines and other remnants of the conflict.

Information like this can help better identify people injured by the explosions and in need of the services on offer at the physical rehabilitation centres run by our partner organisations and supported by our Rehabilitation project in each of the development regions of the country. In addition, it can also help identify actions that aim to prevent victim-activated explosive incidents and the disabilities that so often occur as a result.

The Informal Sector Service Centre in Nepal has, for several years, had a nationwide data collection system reporting on the Human Rights situation. It came to our attention that this system would be a good mechanism to provide detailed information about the explosions of landmines and other remnants of war, and the victims of these incidents.

INSEC’s data collection system, proved extremely reliable, efficient and helpful to us in our work. However, it soon became obvious that a permanent and more comprehensive system of surveillance and reporting on victim activated explosions, could easily be developed and maintained within INSEC’s structure and with limited additional means.

In June 2006, INSEC thus initiated an active surveillance system, the results of which are presented in this report. The system provides regular detailed reports on all the incidents

related to victim-activated explosions of landmines, unexploded ordnance and other improvised explosive devices, as well as the casualties and victims of these explosions. This has proved to be an invaluable source of essential information not only for all the organisations involved in the rehabilitation of people with physical disabilities victims of these explosions, but also for various stakeholders working on the prevention of casualties and damage caused by these explosive devices, legacies of the recent armed conflict in the country.

This publication which is directly based on the results of the surveillance system and previous media information comes perhaps at an opportune time for Nepal. It speaks to key stakeholders by:

- taking stock of and providing a real picture of the situation and the risks and threats posed by these explosive remnants of the conflict
- providing accurate and consistent information on the victims of these explosions; essential for the organisations and centres working in the field of physical rehabilitation, in order for them to best answer the needs of people with physical disabilities, direct victims of the conflict
- providing recommendations to all actors involved in the prevention and reduction of the risks posed by these legacies of the conflict, and to tackle the remaining, long-lasting threat to the civilian population

I believe that this publication will make an essential contribution to the current massive efforts jointly undertaken by a multitude of governmental and non-governmental actors working to reduce the remaining threats and danger resulting from the recent conflict and to mitigate the effect on victims.

Sincere congratulations to INSEC and its outstanding teams across the country for the tremendous work achieved during the last years that, from our initial limited request for basic data, finally led to this publication. Special thanks as well to the stakeholders involved in the fields of physical rehabilitation, disability, mine action and risk prevention who have inspired or directly supported this publication.

Jean-Bertrand Lebrun
Country Director, Nepal Programme, Handicap International

Executive summary

Nepal has one of the highest numbers of civilian casualties from victim-activated explosions in the world. From January to October 2006 the Informal Sector Service Centre (INSEC) registered 132 casualties (27 dead, 105 injured) in 79 incidents. This is almost as high as numbers recorded in 2005 by the United Nations Children's Fund (UNICEF) with 142 casualties (40 dead, 102 injured) registered in 47 incidents.

In the aftermath of the cease-fire of 26 April 2006, which ended a decade long conflict between the Communist Party of Nepal (Maoist) and the Nepal government, incidents from victim-activated explosions continued on an average of six per month.[1]

Nearly 90 percent of the incidents from victim-activated explosions stem from Improvised Explosive Devices (IEDs), mainly from Maoist fabricated "socket bombs" – improvised hand-grenades made from galvanized plumbing joints. Maoists did not use victim-activated landmines. They did, however, produce IEDs with anti-handling devices and booby-traps that can indiscriminately injure or kill.

The then Royal Nepal Army also produced IEDs from existing ordnance to arm its defensive perimeters as well as for aerial bombardments. In 2001/2002 it laid Anti-personnel landmines (AP mines) around 39 key positions using imported victim-activated landmines which are banned by more than 150 States party to the anti-personnel Mine Ban Treaty ("Ottawa Treaty"). These AP mines and unexploded

[1] Both sides in the conflict also used command-activated landmines or home-made copies of such devices. Casualties from command-activated explosions or intentional explosions are not part of this report as they result from deliberate targeting of an 'enemy' during ambushes and clashes.

IEDs, which mostly stemmed from aerial bombardments by the Army, caused some casualties.

Although mined areas are mapped, they are often not properly fenced and marked and the nearby population is often not properly informed of the risk. Nepal is not a signatory to the Ottawa Treaty or to other legally relevant frameworks. There are, however, promising signs in this respect. Following an advocacy initiative of the Ban Landmines Campaign Nepal (NCBL) after the cease-fire, nine political parties have signed a *Deed of Commitment* to abide by the Ottawa principles.

Since the cease-fire, one mined area has been cleared, IEDs are being removed from positions of the Security Forces (SF), and clash sites are also being cleared from unexploded devices. The Army's Explosive Ordnance Disposal (EOD) team is currently looking for proper training to speedily clear the remaining 38 mined areas. The Comprehensive Peace Agreement signed by both parties on 22 November 2006 declares in point 5.1.4 that "both sides shall assist each other to mark 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."[2]

Nepal has been listed by the Landmine Monitor as one of the three remaining countries in the world that produce victim-activated "Anti-personnel landmines". Even though this claim was made by the Nepal government itself, it is most likely that it refers to the production of improvised command-activated devices using ordnance from its stock such as mortar shells and Anti-vehicle mines. Full transparency on this issue as well as on available stockpiles should be provided as agreed in the Comprehensive Peace Agreement. This applies also to stockpiles in the possession of the Maoists, not only to booby-traps already planted. Maoist cadres should, for both humanitarian and confidence-building purposes, provide all available information on devices placed for subsequent ambushes, hidden caches and production facilities. This information would allow for surveying high-risk areas to prioritize rapid explosive ordnance disposal where needed. All IEDs should be immediately removed, AP mines should be cleared, and those areas that have been cleared should be handed over to the communities in a confidence-building measure. The 60 day time period as stipulated in the Peace Agreement for this, is perhaps overly optimistic given the many challenges involved.

Imprecise terminology about explosive devices used in Nepal and the circumstances leading to casualties (victim-activated explosion or not) has made data collection and the interpretation of data a particular challenge. To address this issue, UNICEF initiated a process to define a common terminology (in English and in Nepali), whilst also training journalists on the issue and analysing media-based surveillance. In late 2005, INSEC was approached to start active surveillance on civilian casualties from victim-activated explosions. INSEC staff, including data gatherers from all 75 districts, received training on the issue and on how to prepare monthly reports. Active surveillance started in June 2006. The information available on each incident is now much more reliable.

Mine action in Nepal, current situation and recommendations for future action

Mine action refers to a range of activities that are designed to address the issue of landmines and other Explosive Remnants of War (ERW). Not surprisingly, during the conflict in Nepal anything related to explosive devices was considered a sensitive issue. Highlighting the humanitarian dimension did however make it possible to develop some mine action activities, though the mine action sector is still in its infancy with very few dedicated full-time staff at this point in time.

[2] http://www.reliefweb.int/rw/RWB.NSF/db900SID/VBOL-6VSHK8?OpenDocument

Key findings based on INSEC surveillance (January to October 2006)[3]

- 132 people were killed or injured from victim-activated explosions in 79 incidents. Of the 132 casualties, 27 died (20%).
- An analysis by age and sex shows:
  - 58 percent of casualties were children (76 out of 132) under 18 years of age.
  - 70 percent of casualties were male, and 42 percent of casualties were boys.
- 79 incidents occurred in 71 communities in 45 districts of all five regions of Nepal. This resembles a very widespread contamination; it is not concentrated along a confrontation line or a border as in other countries.
- The main locations where explosions occur are 'home/village' (43%), 'road/path' (24%), 'farmland' (9%), and 'forest/jungle' (8%). Whereas incidents on 'road/path' show a marked tendency to decrease after the cease-fire, incidents occurring on 'farmland' and 'forest/jungle' have increased significantly since the cease-fire. While the former can be explained by the absence of any new booby-trapped roadblocks and clashes/ambushes, the latter is perhaps indicative of greater freedom of movement and increased use of the forests/jungles.
- Main risk-taking activities which led to the explosion are linked to deliberate tampering (38%) basically out of curiosity and only in one case linked to selling or bartering scrap metal. Forty four percent of the activities were part of livelihood activities making it difficult to mitigate the risk through mine risk education alone.

Since June 2006 (based only on active surveillance):

- 9 out of 39 survivors (23%) suffered upper limb amputations (fingers, hands, arm) including one individual who lost two limbs and three survivors who lost one eye each.
- A detailed analysis by socio-economic categories, possible thanks to the active surveillance of 45 casualties since June 2006, reveals:
  - 94 percent were from low and lowest economic status[4].
  - 82 percent of the adults were farmers and labourers.
  - 14 out of 17 adults (82%) were married with an average of 5.8 dependants.
  - 35 percent of adult casualties were illiterate at the time of the incident.
  - Only one out of 24 casualties of school going age was illiterate.
- 93 percent of casualties did not know the area was dangerous.
- 80 percent of casualties did not know the activity they were doing was dangerous.
- At least 92 percent of casualties had never received any sort of mine risk education.

As accepted internationally mine action comprises five main pillars:

- Advocacy
- Stockpile Destruction
- Mine Risk Education (MRE)
- Demining (mine surveying, marking and clearance)
- Victim Assistance (VA)

For this report, *coordination* and *data collection* are added as two crosscutting issues necessary as a basis for working on any of the five pillars. A brief description of the current situation and recommendations for each of the pillars and the crosscutting themes are presented below.

1. Coordination

To date, the Nepal government does not have a Mine Action Centre or a Mine Action Authority nor does it have any formal programme for dealing with mines and ERW. The only coordinating body in Nepal dealing with mine action-related topics is the informal "MRE Working

[3] Data January-May from INSEC media surveillance; data June-October from active surveillance.
[4] The Human Development Report 2005 reports that 37.7% of the population in Nepal live under USD 1 per day while 82.5% live under USD 2 per day. UNDP, New York, 2005, Table 3, p. 228.

Group" (MRE WG). It was initiated in 2004 when the United Nations (UN) Development Coordinator assigned UNICEF as the UN focal point for mine action in Nepal. In addition to this body, security officers from the United Nations and various aid organizations work in close cooperation and deal regularly with IED/mine related matters, particularly when providing security briefings to humanitarian staff and visitors. However, there is no coordination of MRE or VA activities on either a regional or district level. The MRE Working Group is perhaps best placed in this regard and hence should develop from a body that mainly exchanges information and develops common MRE materials, to one that plans and coordinates action.

Recommended key activities for coordination and strategic planning for the end of 2006 through to the end of 2007:

1. Develop an emergency response to new incidents and monitor its implementation
2. Develop coordinating mechanisms for mine action on a regional and district level where appropriate
3. Undertake stakeholder analysis and identify Mine Action Focal Points for each institution
4. Develop a preliminary Mine Action Strategy and Plan of Action and monitor its implementation
5. Inform humanitarian and development coordination meetings on mine action implementation and needs
6. Convene a national mine action strategy workshop, which may recommend creating a Nepal Mine Action Authority and a Nepal Mine Action Centre

2. Data collection

In order to plan and implement mine action it is essential to get an accurate and up-to-date picture of the suffering caused by explosive devices in Nepal, the risk-taking behaviour that leads to incidents, the type of ordnance involved and existing stocks, as well as the size of the area that has been contaminated.

Surveillance, or the ongoing collection and management of data, in this case about explosions, provides a lot of valuable information on many of these issues. However, data is lacking on the devices used, the exact locations where they were used, and on stockpiles. Comprehensive data prior to 2005 on People with Disability (PwD)[5] and the services they receive are not as yet available.[6]

Recommended key activities for data collection:

1. Continue active surveillance of ERW and landmine related incidents; cross-check data and publish monthly reports online
2. Continue analysing data from media-based surveillance from 2004 to end 2006 to assist mine action planning
3. Assess how to better obtain information on victims of explosions and the services they receive

3. Advocacy

For many years NCBL and the International Campaign to Ban Landmines (ICBL) have urged the Nepal government and the Maoists to refrain from using landmines and to sign up and adhere to legal instruments relevant for mine action, particularly the Ottawa Treaty or the *Deed of Commitment* by Geneva Call. Since 2004, Non Governmental Organisations (NGOs) for children's rights both national and international have joined this call. UNICEF, together with the Geneva International Centre for Humanitarian Demining (GICHD), conducted workshops in 2005 and 2006 for the Security Forces on the International Humanitarian Law, the Ottawa Treaty and the Convention on Certain Conventional Weapons (CCW). Advocacy is a central element of mine action as it contributes to the development of policies necessary to implement the other four mine action pillars.

[5] "Conflict victims" and "Victims of explosion" are the relevant categories used by government and NGOs in Nepal.
[6] A UNICEF study undertaken in 1999 is the latest comprehensive available report on PwD.

Recommended key activities for advocacy:

1. Monitor end of production of explosive devices by SF and People's Liberation Army (PLA)/Maoist Militia
2. Raise public awareness on the Ottawa Treaty and on the CCW and its Protocols, by developing materials on these legal instruments and by training stakeholders
3. Assist interim government to prepare a voluntary transparency report ahead of signing the Ottawa Treaty

4. Stockpile destruction

Full transparency on types and numbers of explosive ordnance stockpiled should be obtained including those stockpiles in the possession of the Armed Police Force (APF) and the Maoist militia. The identification of smaller caches of ammunition stored by the Maoists in houses or other places may prove difficult. Therefore, Maoist cadres and senior military should help create a climate where locals are willing to provide such information without having to fear reprisals of any sort.

Recommended key activities for stockpile destruction:

1. Include mine action in managing disarmament
2. Monitor declarations by SF and Maoists on the size and locations of their stockpiles
3. Assess whether Nepal needs technical assistance in identifying and destroying stockpiles

5. Mine Risk Education (MRE)

Neither the security forces nor Maoists have sufficiently warned the population or their own soldiers/militias about the risks that landmines and ERW pose. Since 2004, limited MRE has been provided to Nepal's communities[7] and a range of MRE tools have been developed, field-tested, produced and widely disseminated; an MRE emergency kit was developed by UNICEF. However, adequate training on how to use the existing MRE tools has not as yet been conducted. Without a doubt, the INGOs and NGOs providing MRE are experienced in the education sector. The question is whether the messages provided are consistent, technically correct, and whether safe behaviour relevant to the local context is being discussed during the MRE sessions.

More importantly, additional efforts are needed to better target those communities most at risk and to respond to recent explosions with emergency MRE. A large public campaign without support by trained MRE facilitators in the key affected districts could have negative implications. There is a risk to instil panic rather than increase awareness and caution. Care must be taken not to raise curiosity among children that can lead to the 'hunting' of explosive devices.

Recommended key activities for mine risk education:

1. Conduct Training of Trainers for NGOs willing to impart MRE, particularly on the use of existing MRE materials
2. Conduct emergency response MRE to all Village Development Committees (VDCs) suffering from an explosion within two weeks after the incident
3. Continue the nationwide radio-based MRE campaign and link it to MRE-facilitators in at least 20 of the most affected districts
4. Develop a training package for schools (teachers and child clubs) to test school-based MRE where appropriate; decide whether MRE should become part of the school curriculum
5. Test community-oriented MRE approaches and in most heavily affected areas community-based approaches
6. Set up a monitoring and evaluation system on a regional basis
7. Create additional MRE tools
8. Train MRE providers in surveying techniques and in community liaison

[7] MRE was mainly provided to school children by NGOs and the Nepal Red Cross Society (with the support of the International Committee of the Red Cross (ICRC)). Radio and TV spots have also been used.

6. Mine clearance/Explosive Ordnance Disposal

The Explosive Ordnance Disposal (EOD) unit of the Nepal Army's 14th Brigade has been trained by the British Army in EOD to international humanitarian standards. Training in demining is however lacking. It is not clear to what standard the People's Liberation Army is trained to deal with ERW. To date, there is no independent humanitarian mine clearance capacity in Nepal. Systematic surveying of contaminated areas has not been undertaken.

Recommended key activities for mine clearance/EOD:

1. Conduct mapping of all mine and ERW-contaminated and suspected areas
2. Fence and mark SF defensive perimeters according to international standards; brief local communities on the marking system and the threat from the mined areas
3. Continue clearing all clash sites and areas mined by security forces and officially hand over cleared areas to the communities
4. Provide follow-up to new incidents within one month, to dispose of additional explosive devices
5. Assess whether Nepal needs additional technical assistance in surveying and EOD
6. Train MRE/Community Liaison-providers in surveying techniques
7. Conduct impact survey of ERW-affected communities through integrated roving MRE/surveying teams

7. Victim Assistance (VA)

In Nepal, victims from explosions theoretically have access to free evacuation and to free medical treatment and rehabilitation. In reality however, people usually face serious challenges not only to get adequate first aid, but to find a telephone or even at times transportation to a place where evacuation to a health centre or hospital can be arranged. The medical treatment that is available in the bigger hospitals in Nepal is of good quality. Physical rehabilitation services have greatly improved in the past couple of years and it is hoped this trend continues. In addition, training in psychosocial counselling, which can help address the trauma resulting from an incident, has been provided by the NGO sector, on a community level, to a number of social workers and psychosocial counsellors. It is important that initiatives like this continue.

Socio-economic reintegration or at least financial compensation appears to be the primary concern for survivors or the family members of a fatal casualty. Survivors want to continue their education or daily activities as before the incident, they want to contribute to the family income (at times as the main breadwinner) and they want to be able to participate in sports and community affairs. Inclusive approaches to Community-Based Rehabilitation (CBR) that can help in this regard, do exist in some of Nepal's communities but definitely not in all.

Recommended key activities for victim assistance:

1. Provide support for new victims of explosions on quick rescue and medical support free of cost; ensure family members of deceased receive compensation
2. Assess how to obtain information on the services received by both new and old victims of explosions
3. Study available services for People with Disability and existing Disabled People's Organizations (DPOs), identify gaps, recommend future action/improved coordination for VA
4. Raise awareness on needs of victims of explosions with non mine action service providers for inclusion in development programmes

In conclusion, the level of incidents from ERW and landmines justifies a "full blown", well targeted and appropriately designed mine action programme in Nepal.

1

Introduction

Explosive devices are still claiming victims in Nepal six months after the cease-fire of 26 April 2006 declared by the Communist Party of Nepal (Maoist) and reciprocated by the Nepal government on 3 May 2006. Does Nepal have a landmine problem? How many casualties are there? Who is getting injured and killed? Men or women, boys or girls? Where do people come into contact with explosive devices? Doing what? And did they know that they were doing something dangerous?

This report aims to address these important questions by presenting the results of a system of media and active surveillance on incidents of victim-activated explosions from January to October 2006. Explosive devices used during the 10 years of armed conflict in Nepal (1996-2006) included Improvised Explosive Devices (IEDs), military ordnance such as mortar shells as well as landmines. When the Royal Nepal Army entered into the conflict in 2001/2002, it laid Anti-personnel landmines as defensive perimeters. This included the use of victim-activated landmines which are banned by more than 150 States party to the Anti-personnel Mine-Ban Treaty (also known as Ottawa Treaty as this is where it was first signed on 3 December 1997). The overwhelming majority of victim-activated incidents that injure and kill civilians in Nepal, however, result from unexploded and abandoned Improvised Explosive Devices manufactured by the Maoists.

Both sides in the conflict also used command-activated landmines or home-made copies of such devices. Casualties from command-activated explosions or intentional explosions are not part of this report as they result from deliberate targeting of an 'enemy' during ambushes and clashes. From a humanitarian point of view these incidents

cannot be easily prevented. Incidents from victim-activated explosions can, however, be prevented through well targeted mine action programmes that rely on accurate data for their design and implementation. The data presented in this report provides an in-depth analysis of the current situation in relation to victim-activated explosions in Nepal. The report draws conclusions based on the data as well as on interactions with an array of key stakeholders in Nepal.

Chapter 2 explains the methodology used by INSEC in its media and active surveillance systems that have been in place since January 2006 and June 2006 respectively. The main results of the surveillance systems are analysed in chapter 3 which provides an overview of the current threat explosive devices pose for ordinary people in Nepal.

Mine Action is a specialised field of humanitarian and development aid that aims to address the problem of landmines and explosive remnants of war. The Comprehensive Peace Agreement signed in November 2006 has perhaps created new opportunities for mine action which is still in its infancy in Nepal. Chapter 4 describes mine action activities that aim to respond to this specific threat in Nepal while Chapter 5 presents recommendations for the future.

2

INSEC surveillance methodology

Surveillance, in the public health approach, is the ongoing and systematic collection, analysis, interpretation, and dissemination of health-related data essential to planning, implementation, and evaluation of public health practice. Surveillance may be "active" or "passive", depending on the needs and resources.

In active surveillance, injury cases are sought out and investigated; injured persons are interviewed and followed up. It usually requires large expenditure of human and financial resources.

In passive surveillance, relevant information is collected in the course of doing other routine tasks. That is to say, the generation of data is not necessarily the primary function of the system that yields the data.

Source: Holder Y, Peden M, Krug E et al (Eds), *Injury surveillance guidelines,* Geneva, World Health Organisation, 2001, p. 11.

This report presents results of two types of surveillance: "passive" surveillance based on media reports, and "active" surveillance conducted in all 75 districts of Nepal. The data presented in this report is from January to October 2006.

2.1 Case definition

In order to provide reliable information about a specific subject, we need to define precisely the target population.

A civilian casualty of a victim-activated explosion is described by the following sets of inclusive and exclusive criteria:

Inclusive criteria

- Civilians injured or killed when they activated an Explosive Device (ED) unknowingly, or without the intention to harm, hurt or terrorize. These EDs are:
  - Improvised Explosive Devices (IEDs) including booby-trap
  - Anti-personnel Mines
  - Other ED

- Civilian casualties who were close to an ED activated by an animal or by natural causes (lightning, heat, landslide)
- Civilian casualties who were close to those who activated the ED (bystanders)
- Civilian bystanders affected by explosions due to ED manufacturing, transport or storage
- Civilians who were forced by the Security Forces - or the Maoists - to defuse or remove ED

Exclusive criteria

- Security Forces or Maoist combatants in any situation
- Persons belonging to a militia in any situation (e.g. vigilante groups)
- Victims using the ED for criminal purposes
- Victims of command-detonated explosions (attack, demolition of infrastructure) including bombs activated by timer
- Victims of hurled socket bombs, artillery bombardment, aerial bombing, rocket attacks or any other sort of direct launched devices
- Persons who fell victim to direct or stray bullets
- Victims with minor physical injuries (not needing medical treatment)
- Any other persons not meeting the inclusive criteria as set out above

Mine: a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle

Anti-personnel mine (AP Mine): a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons

Anti-tank/Anti-vehicle mine (AT/AV Mine): a mine designed to be exploded by the presence, proximity or contact of a vehicle

Improvised Explosive Device (IED): a home-made explosive device usually manually placed and designed to injure, kill or terrorise. This definition includes booby-traps using explosive

Booby-trap: an explosive or non-explosive device, or other material, deliberately placed to cause casualties when an apparently harmless object is disturbed or a normally safe act is performed

Unexploded Ordnance (UXO): an explosive ordnance that has been primed, fused, armed or otherwise prepared for use or used. It may have been fired, dropped, launched or projected yet remains unexploded either through malfunction or design or for any other reasons

Abandoned Ordnance (AO): an explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under control of the party that left it behind or dumped it. Abandoned explosive ordnance may or may not have been primed, fused, armed or otherwise prepared for use.

Explosive Remnants of War (ERW): Unexploded Ordnance (UXO) and Abandoned Explosive Ordnance (AO)

Sources:
International Mine Action Standards (IMAS) 04.10, *Glossary of mine action terms, definitions and abbreviations,* Second edition 2003 [http://www.mineactionstandards.org]
United Nations/CARE (2005), *Landmine and Explosive Remnants of War Safety Handbook,* Second Edition, New York

Due to terminology issues, there has been a lot of confusion in Nepal, between victim-activated explosions and attacks by one or other conflicting party. The term "unintentional explosion" has been used widely in Nepal to describe victim-activated explosions, in opposition to "intentional explosions" used to describe attacks, ambushes and other command-detonated explosions. The distinction between "unintentional" and "intentional" only appeared in 2005, thanks notably to the work provided by the MRE Working Group convened by UNICEF. However, "unintentional" still creates some confusion, as people may understand it as the deliberate activation of an explosive device that resulted in unexpected effects (i.e. civilian bystanders being injured or killed). The term "victim-activated", which is self-explanatory, will therefore be used in this report.

2.2 Media surveillance

2.2.1 Overview

The information presented in this report for the period January to May 2006 is based solely on media surveillance conducted by INSEC. The methodology is based on a model of surveillance initially developed by UNICEF that relies on media reports.

The media surveillance used for this report was strictly limited to victim-activated explosions resulting in civilian casualties, as defined above (see 2.1), and was based on analysis of INSEC's own articles from its reporters in the field as well as other media sources as collected by UNICEF.

The compilation of INSEC Online articles with these other media sources allowed information to be crosschecked and completed in order to form a complete and more reliable picture on each incident and casualty. In cases of data discrepancies between sources, the most realistic data was selected.

Sources included:

- INSEC Online articles in English
- INSEC Online articles in Nepali
- UNICEF media reports

INSEC Online articles (English and Nepali)

The Informal Sector Service Centre has been working in the human rights sector, for the last 17 years, and has 50 partner organisations at the local level in 50 districts. It has five regional offices in each development region and has deputed 75 human rights reporters, one in each district.

Each INSEC district reporter, called a district representative, collects information on human rights violations that affect civilians, including victims of explosions whether intentional or victim-activated and then writes a news article that is transferred first to the INSEC Regional Office and finally to the INSEC Central Office in Kathmandu. Articles are reviewed, often translated in English, and then published on the INSEC Website (http://www.inseconline.org). One advantage of INSEC Online is that each incident may be reported in Nepali, in English, or in both languages. As a result, by combining both Nepali and English articles, a large number of explosions resulting in civilian casualties were identified and documented for the period from January to May 2006.

UNICEF media Reports

In order to ensure as many incidents as possible were recorded, INSEC also reviewed the various news articles collected and disseminated by UNICEF whose media reports draw on a number of sources including:

- Nepal News
- The Kathmandu Post
- Kantipur Online
- The Himalayan Times
- RSS (National News Service)
- Reliefweb
- Gorkhapatra.org
- News.xinhuanet.com
- News.bbc.co.uk

- Eians.com
- News.yahoo.com
- Samay National Weekly
- Agence France Presse
- Newkerala.com

Incidents were then selected according to the set of criteria defining a civilian casualty of victim-activated explosions, as described above. Data about each incident and casualty was then entered into an Excel worksheet for analysis.

2.2.2 Coverage

Given the fact that INSEC district representatives report from all 75 districts of Nepal and that the information was crosschecked with many other media sources, the media surveillance has a national coverage.

2.2.3 Range of information

The INSEC Online articles and other media sources usually provided a basic set of data including:

- date of incident
- name of district
- name of Village Development Committee (VDC)
- name of the casualties
- age (or child/adult)
- sex
- status (Civilian, Security Force personnel or Maoist)
- consequences of the explosion (killed or injured).

For 48 out of 50 incidents, the type of Explosive Device (Improvised Explosive Device, landmine or other munitions) could be deducted from the article.

2.2.4 Limitations of media surveillance

As Nepal was in serious political turmoil during the four first months of 2006, under-reporting of incidents is expected due, in part, to the special focus on human rights violations and the political events, by INSEC and other media respectively. The figures presented in this document for the period from January to May 2006 are therefore to be taken as minimum values.

In addition, the information was provided by INSEC staff and journalists who, at the time, did not have the technical knowledge to accurately describe the type of device involved, and who may have exaggerated the description of the incident.

Further, since most of the reporting occurred immediately after an incident, some of the more seriously injured casualties may have died from their injuries after the publication of the article meaning there may be some under reporting of fatalities.

2.3 Active surveillance

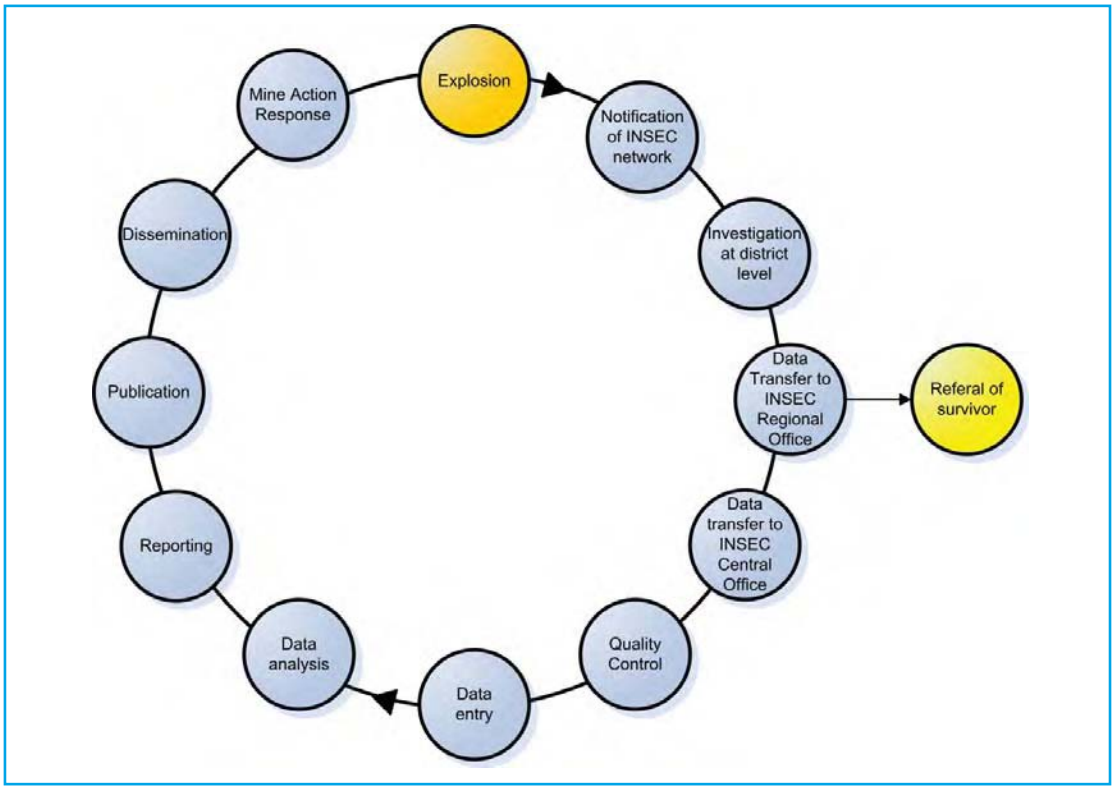
2.3.1 Overview

The information presented in this report for the period June to October 2006 is based on an active surveillance system on civilian casualties of victim-activated explosions initiated by INSEC in June 2006. The System is depicted in Figure 1. INSEC trained its district representatives in data collection on incidents, identification of explosive devices, interview techniques, safe behaviour and referral of survivors.

Whenever an explosion affecting civilians occurs, INSEC is notified by one of its informers, partner organisations or the media, and sends one of its district representatives to investigate. Incident data collected at the district level, usually from the survivor, relatives or witnesses of the incident, is sent to INSEC Regional and Central Offices using a specific form[8], and then transferred to Victim Assistance agencies whenever needed.

[8] The form used by INSEC district representatives to collect data on incidents can be found in English in annex 1.

FIGURE 1: Data flow chart of INSEC active surveillance



Data is checked for consistency at the central level, and then entered into an Excel worksheet. Every two months, quality control field visits are organised to meet survivors and informers, in order to check that the data was collected in an exhaustive and reliable way. A regular quality control ensures that collected data is true, complete and accurate. Between June and October 2006, field visits confirmed the data on 17 (38%) of the 45 casualties recorded by the active surveillance system.

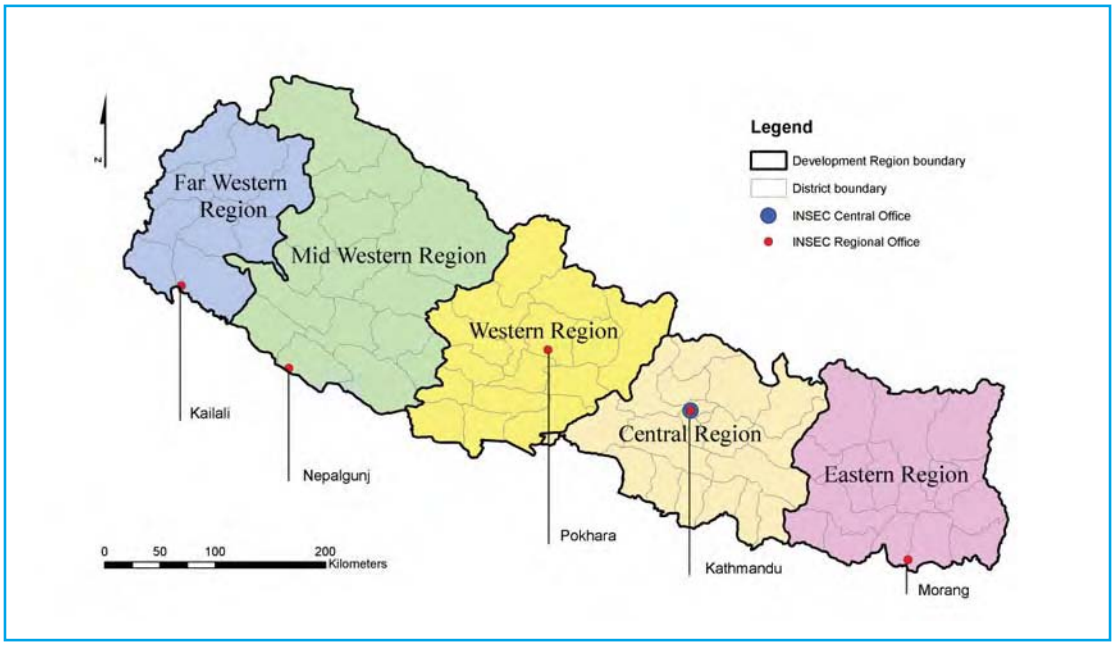
Information is analysed in Excel and summarised in a bi-monthly report, which is disseminated through the Mine Risk Education Working Group (see 4.1). INSEC reports can also be downloaded from the INSEC Website in English[9] and in Nepali.[10]

2.3.2 Coverage

As INSEC has district representatives in each of the 75 districts of Nepal, the active surveillance System covers the whole country. Each of the five regional offices of INSEC acts as an intermediary between the district representatives and the INSEC Central Office in Kathmandu (Figure 2). The Regional Office notify the district representatives, ensure the follow up in data collection and assist in the transfer of data to the central level.

[9] http://www.inseconline.org/minereport.php
[10] http://www.inseconline.org/Nepali/minereport.php

FIGURE 2: INSEC Central and Regional Offices in Nepal



2.3.3 Range of information

A wide range of information is collected by INSEC district representatives from the survivors, sources close to them, or witnesses of the incident. Data collected can be grouped into the following main categories:

- date of incident
- location of incident
- type of explosive device causing the incident
- circumstance of the incident
- profile of the casualty
- description of injuries or details of death
- level of awareness of the casualty
- description of data source

During the five months of active surveillance, INSEC district representatives collected data on 45 civilian victims. Table 1 shows the source of data between June and October 2006. The low rate of victim interviews and the high rate of family/ relatives interviews are due to the fact that INSEC usually conduct interviews within days after the incident, when the casualty is still shocked or under treatment. Another reason is that the casualties are often young children who may be intimidated by the interviewer, especially after a shocking experience.

Table 1: Source of data for active surveillance (June-October 2006)

Source Description	Total	Total (%)
Family members	13	29%
Locals	11	24%
Relatives	10	22%
Victim	7	16%
Witnesses	4	9%
Total	**45**	**100%**

2.3.4 Limitations

There is a risk of under-reporting especially if an incident occurs in a remote area, unnoticed by media or INSEC's extended network of partner organisations. In light of this, the figures presented in this report are therefore taken to be the minimal figures, comprising all the confirmed cases.

Given that data is usually collected a day or two after an incident, the death rate may be higher than reported as some casualties may die as a result of their injuries after the incident was reported.

It is also important to note that the situation in Nepal has changed dramatically since May 2006. This has to be taken into consideration when comparing the media surveillance from January to May and the active surveillance from June to October.

Table 2: Comparison between media surveillance and active surveillance

	Media surveillance	Active surveillance
Period	January-May 2006	June-October 2006
Dataset	Limited dataset	Extended dataset
Crosscheck	N/A	Systematic
Quality control	Low	Regular field visits
Accuracy of data	Low	High
Collector	Untrained INSEC staff and local journalists	INSEC staff trained in Mine Action and surveillance
Sources	Indirect (police, army, local authorities)	Direct (victim, family, witnesses)
Context	Clashes and attacks during 4 out of the 5 months	Only conducted after the cease-fire of 26 April 2006

The media surveillance covers four months of conflict when there were daily clashes between Maoists and Security Forces, and when transport, storage and new contamination by explosive devices were frequent. The active surveillance covers the period after the cease-fire when the situation in relation to explosive devices changed, with possibly less contamination, and no new booby-traps planted by the Maoists. In addition, the activity of the civilian population probably normalised after the cease-fire, with more freedom of movement, including increased access to forests and jungle[11], creating a potentially higher risk of encountering unexploded or abandoned ordnance.

2.4 Conclusion

Even though the active surveillance requires extended human and financial resources, the efficiency of this system and the quality of the information collected is much better. Table 2 summarises the two surveillance methodologies and their limitations.

The two datasets are different; data has been collected by different people with different levels of training and is drawn from different sources. As a result, only a small set of information may be analysed regularly throughout the year, such as the number of incidents and casualties by month, the region and district where the incident occurred, the age and sex of the casualties and the death rate. Nevertheless, comparison is useful to understand trends throughout the year and to see how the threat changed after the cease-fire.

[11] The terms 'Forest' and 'Jungle' are used interchangeably in Nepal.

3

Understanding the threat

The effective implementation of mine action requires first a global understanding of the threat based on relevant and reliable information essential to plan activities correctly and to focus on the most affected areas and population at risk. This chapter provides an in-depth analysis of the data collected in 2006 by INSEC with its media surveillance and its active surveillance.

3.1 Number of incidents and casualties

An incident, in this specific context, is a victim-activated explosion (see section 2.1) that results in one or more civilian casualties (either killed or injured).

Between January and October 2006, and as shown in Table 3, a total of 79 incidents resulting in 132 civilian casualties were recorded by INSEC. Data for January-May is based on media surveillance, while data for June-October is based on active surveillance. These figures are minimal values, as some incidents may have gone unreported, especially in remote, isolated villages.

The highest number of incidents occurred in February with 17 explosions that resulted in 28 casualties. On average there were 11 incidents with 17 casualties per month before the cease-fire , and six incidents with 11 casualties per month after the cease-fire[12]. Each incident has an average of two casualties (i.e. the civilian who unintentionally activated the device and one bystander).

[12] This value of 11 incidents/month should be treated with care as the peak value of incidents in February has a strong impact on the overall average of incidents prior to the cease-fire.

Table 3: Number of incidents and casualties by month (January-October 2006)[13]

Month	Incidents	Injured	Killed	Casualties	Remarks
January	**6**	5	3	**8**	
February	**17**	19	9	**28**	
March	**10**	17	2	**19**	
April	**9**	10	4	**14**	Cease-fire by Maoists on 26/04/2006[14]
May	**8**	15	3	**18**	Cease-fire by government on 03/05/2006
June	**11**	13	2	**15**	Active surveillance starts on 1/06/2006
July	**3**	6	1	**7**	
August	**7**	9		**9**	
September	**4**	6		**6**	
October	**4**	5	3	**8**	
Total	**79**	**105**	**27**	**132**	

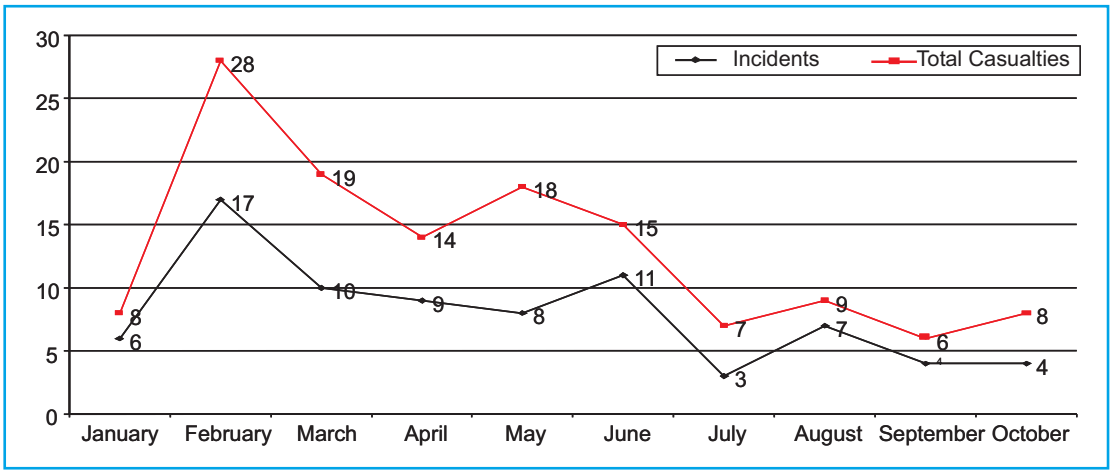
There is a trend towards a reduction in the number of incidents and casualties from February-October as depicted in Figure 3. One factor that can explain this is the cease-fire signed at the end of April 2006 between the government and the Maoists and the subsequent Code of Conduct that includes non-use of landmines and "ambushes".[15] Since then, it appears that no more command-activated or booby-trapped devices were planted by the Maoists, and no more clashes occurred between the two conflicting parties, thereby reducing the risk of unintentional activation by civilians in the aftermath of a clash.

3.2 Location of incidents

Between January and October 2006, all five Development Regions of Nepal were affected by victim-activated explosions resulting in civilian casualties. As shown in Table 4, the most affected regions were the Mid-Western Region and the Central Development Region.

Incidents were reported in 45 districts of Nepal (60% of the 75 districts of Nepal) over the 10 months from January to October 2006. As shown in Annex 2, the five most affected districts were Kailali (Far Western

Figure 3: Number of incidents and casualties by month (January-October 2006)



[13] Data for January-May is based on INSEC media surveillance, while data for June-October is based on active surveillance.
[14] As the declaration of cease-fire by the Maoists and the government are on different dates, data analysis in this report will consider the middle of this interval as the unique date of cease-fire (30 April 2006).
[15] In Nepal, the term "ambush" often refers to an attack using command-detonated explosive devices.

Table 4: Incidents and casualties per region (January-October 2006)

Region	Incidents	Injured	Killed	Total
Far Western	**10**	15	6	**21**
Mid Western	**22**	26	9	**35**
Western	**13**	15	6	**21**
Central	**21**	33	3	**36**
Eastern	**13**	16	3	**19**
Total	**79**	**105**	**27**	**132**

Region), Kavre (Central Region), Rupandehi (Western Region), Dhanusa (Central Region) and Morang (Eastern Region). In 2005, UNICEF recorded incidents in 29 districts; seven of which were not affected in 2006.[16] From January 2005 to October 2006, 52 districts (69%) were affected.[17]

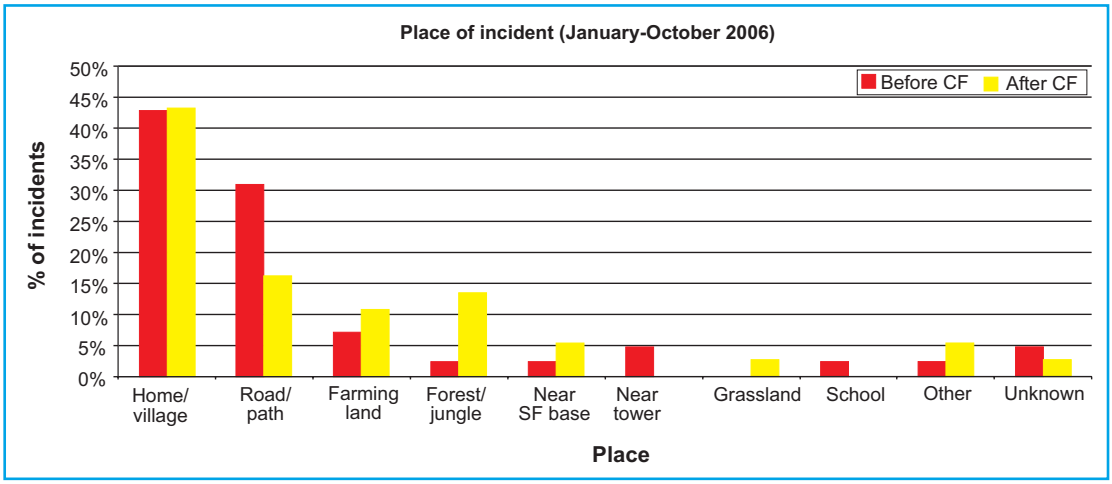
The geographical extent of the problem caused by these explosions can be seen on the map of incidents (Annex 3) and the map of casualties (Annex 4). The most affected districts are generally located in the southern part of the country, called the "Terai", which is a lowland farming area with a high density of population.

Incidents were reported in at least 71 administrative divisions (64 VDCs and seven Municipalities) throughout Nepal.[18] There is a widespread contamination, unlike in many countries where the problem is concentrated along a confrontation line or a border. Two Municipalities (Dhanghadi in Kailali District, and Janakpur in Dhanusa District) and one VDC (Devadaha in Rupandehi District) were affected by two successive incidents during these 10 months. All the other VDCs and Municipalities reported one incident during the same period.

As shown in Figure 4 and Table 5, the highest percentage of incidents occurred in the 'home or village'.[19] This is true both before and after the cease-fire. It has generally been the case that civilians, especially children, bring explosive devices from the surrounding area to their home, and then start tampering with the device. Incidents also occurred in villages when civilians came across unexploded or abandoned devices following a clash between the SF and the Maoists. In addition, civilian houses have been used by Maoists to store explosive devices.

The next highest location is on 'roads/paths' due mostly to the presence of booby-trapped roadblocks planted in early 2006 by

FIGURE 4: Percentage of incidents by place, before and after the cease-fire (January-October 2006)



[16] Namely, Kanchanpur, Dadeldhura and Bajura (FWR), Gorkha (WR), Parsa and Ramechap (CR), and Siraha (ER).
[17] By 23 November 2006 one more district was affected, Therhathum (ER), putting the total number of affected districts so far in 2006 to 46.
[18] Nepal is divided into approximately 4200 VDCs and Municipalities.
[19] The media surveillance does not differentiate between "Home" and "Village", while the active surveillance allows this distinction. In order to analyse this information throughout the year, both locations have been aggregated for this report. It is however important to note that the active surveillance shows that 12 out of 29 incidents (41%) between June and October 2006 happened at home, while only 1 out of 29 (3%) happened in the village.

Table 5: Place of incident before and after the cease-fire (January-October 2006)

Place	Incidents			Incidents (%)		
	Before Cease-fire	After Cease-fire	Total	Before Cease-fire	After Cease-fire	Total
Home/village	18	16	34	43%	43%	43%
Road/path	13	6	19	31%	16%	24%
Farming land	3	4	7	7%	11%	9%
Forest/jungle	1	5	6	2%	14%	8%
Near SF base	1	2	3	2%	5%	4%
Near tower	2	0	2	5%	0%	3%
Grassland	0	1	1	0%	3%	1%
School	1	0	1	2%	0%	1%
Other	1	2	3	2%	5%	4%
Unknown	2	1	3	5%	3%	4%
Total	**42**	**37**	**79**	**100%**	**100%**	**100%**

the Maoists to enforce their travel ban. Incidents also occur when civilians come across abandoned or unexploded ordnance on a former clash or ambush site, or explosive devices lost during transportation. Incidents on 'roads/paths' have decreased considerably since the cease-fire.[20]

'Farming land' is the third highest location of incidents. Civilians working the land can come across devices which have been abandoned or hidden in the field, or left over from a clash either in the field or nearby. One incident occurred when a farmer came across an unexploded mortar shell that had been dropped from a Nepal Army helicopter.

Incidents in 'forests/jungle' and 'grassland' appear to be on the increase due perhaps to greater freedom of movement in these areas after the cease-fire. There may be still a considerable number of unexploded or abandoned devices left after a clash, hidden or planted by the Maoists during the conflict.

Incidents have also occurred near SF bases and repeater towers, as these areas are usually surrounded by minefields and/or defensive IEDs. In addition, these places were frequently attacked by the Maoists and as a result there is a possible contamination by unexploded and abandoned devices. Incidents in these locations may increase if SF bases are abandoned without proper clearance of the surrounding defensive minefields and IEDs.

Some incidents occurred near schools, which were the site of some violent clashes between the SF and the Maoists. Schools were also sometimes used as workshops by the Maoists to assemble explosive devices. As a result, some explosive devices or detonators may have been abandoned in or near to school grounds.

The cease-fire has impacted somewhat on the frequency and location of incidents. However, the home or village is still the place where most incidents occur (43% of total). Incidents have however, significantly decreased on roads/paths (from 31% to 16% of total). In the aftermath of the cease-fire incidents are increasing in the forests and jungle (from 2% to 14% of total).

3.3 Circumstances of the incidents

An incident, as defined in this report, is a victim-activated explosion resulting in civilian casualties. It is the result of three main factors: the presence of an explosive device, the presence of a civilian and the possibility of the civilian adopting risky

[20] Although UNICEF's study on victim-activated explosions in 2005 used slightly different criteria for locations "Highway/Road" and "House or nearby" still claimed the two highest

behaviour with the device. The result of the incident is that the civilian is injured or killed when the explosive device is unintentionally detonated.

In order to better understand the threat posed by the explosive devices, it is necessary to first present the main types of explosive devices found in Nepal.

3.3.1 Typology of Explosive Devices

INSEC uses a typology initially developed by UNICEF Nepal and based on the technical description of the explosive device, with three main categories:

- Improvised Explosive Device
- Anti-personnel landmine
- Other Explosive Device

An *Improvised Explosive Device* (IED) is defined as a home-made explosive device, usually placed or thrown manually and designed to injure, kill or terrorise. This definition includes booby-traps that use explosives. For Nepal, unexploded or abandoned IEDs are included in this category as it is not possible to identify whether the device has been planted on purpose, or is abandoned or unexploded. The most common types of IEDs in Nepal include the socket bomb (improvised hand grenade made from galvanised plumbing joints, shown in Figure 5), the pressure-cooker bomb (Figure 6), the pipe bomb (Figure 7) and the "sutali" bomb (made of cloth and string, shown in Figure 8).

An *Anti-personnel landmine* (AP Mine) is an explosive device placed under, on or near the ground and designed to be exploded by the presence, proximity or contact of a person. Anti-personnel landmines are usually divided into three categories[21]: blast mines (for example, the PMD-6 "shoebox" mine shown in Figure 9), omni-directional fragmentation mines (for example, the POM-Z, or stake mine, shown in Figure 10) and directional fragmentation mines

FIGURE 5: Socket bomb

FIGURE 6: Pressure-cooker bomb

FIGURE 7: Pipe bomb

FIGURE 8: Sutali bomb

FIGURE 9: PMD-6 Blast Mine

[21] A fourth category is the bounding fragmentation mine, which is not used in Nepal.

FIGURE 10: POM-Z "stake mine"

FIGURE 12: Mortar Shell

(for example, the M-18 "Claymore" Mine as shown in Figure 11).

Other Explosive Devices, in this specific context, are limited to factory-made explosive munitions which are either unexploded or abandoned, such as mortar shells (Figure 12), artillery shells, hand grenades, cartridges and detonators. An Unexploded Ordnance (UXO) is a device

FIGURE 11: M-18 "Claymore" Mine

which has been fired, dropped, thrown or launched but failed to detonate as intended. An Abandoned Ordnance (AO) is a device which has not been used and which is no longer under the control of those that left it behind or dumped it.

3.3.2 Type of Explosive Devices causing incidents

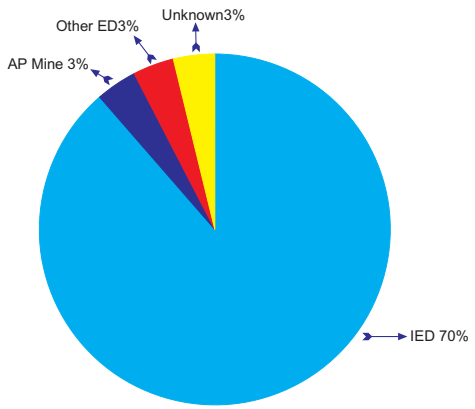
In the media surveillance, whenever an explosive device was described as "unattended", "abandoned" or a "stray bomb" of Maoist origin, it was interpreted as an IED as, unlike the Security Forces, the Maoists use Improvised Explosive Devices as a primary weapon. The media surveillance reports that 88 percent of incidents were caused by suspected IEDs. This interpretation has been confirmed by the active surveillance, which reports that 90 percent of incidents are caused by IEDs.

As shown in Table 6, almost all the incidents (89%) resulting in civilian casualties are caused by Improvised Explosive Devices. It is assumed that most of these IEDs have been manufactured by the Maoists to be used against the Security Forces. The devices later caused incidents having been

Table 6: Number of Incidents by type of Explosive Device, before and after the cease-fire (January-October 2006)

Type of Explosive Device	Incidents			Incidents (%)		
	Before Cease-fire	After Cease-fire	Total	Before Cease-fire	After Cease-fire	Total
IED	37	33	70	88%	89%	89%
AP Mine	2	1	3	5%	3%	4%
Other ED	1	2	3	2%	5%	4%
Unknown	2	1	3	5%	3%	4%
Total	**42**	**37**	**79**	**100%**	**100%**	**100%**

FIGURE 13: Number of incidents by type of Explosive Device (January-October 2006)



As of the end of 2006, abandoned and unexploded IEDs pose the biggest threat to civilians in Nepal, accounting for almost 90 percent of victim-activated explosions resulting in civilian casualties.

either abandoned, unexploded after a clash or, more rarely, planted and designed to be victim-activated.

Incidents caused by confirmed Anti-personnel mines are much more limited (4% of total). They have usually occurred near bases of Security Forces and repeater towers surrounded by defensive minefields.

Three incidents were caused by Other Explosive Devices (4% of total): Two by mortar shells dropped from SF helicopters but which failed to detonate on impact, and one suspected detonator of unknown origin.

Even though it is clear that incidents are mainly caused by IEDs, it is often difficult to get more information about the devices themselves. Being improvised, devices may have different shapes, colour and size. Some devices, however, are frequent enough to be easily identified and even have a specific name, such as socket bombs, pipe bombs, pressure-cooker bombs, bucket bombs and sutali bombs. Table 7 details the incidents involving these IEDs and other devices both before and after the cease-fire.

The media surveillance rarely detailed the names of devices since the sources did not include this information. At that time, INSEC district representatives and journalists were not properly trained in the correct terminology. With the active surveillance, all INSEC district representatives have been trained in identifying a large number of devices, meaning that data concerning the name of devices is now more reliable.[22] This is reflected by the lower number of unknown IEDs for this period (32% as compared to 50% before), and the higher number of specific IEDs identified.

As explained earlier, the cease-fire and associated Code of Conduct has had a positive impact on the use of explosive devices. For example, after the cease-fire there were no more incidents caused by booby-trapped roadblocks.

Table 7: Incidents by Explosive Device, before and after cease-fire (January-October 2006)

Type of Device	Name of Device	Incidents			Incidents (%)		
		Before Cease-fire	After Cease-fire	Total	Before Cease-fire	After Cease-fire	Total
IED	Socket Bomb	11	13	**24**	26%	35%	**30%**
	Booby-trapped roadblock	5	0	**5**	12%	0%	**6%**
	Sutali Bomb	0	2	**2**	0%	5%	**3%**
	Pipe Bomb	0	1	**1**	0%	3%	**1%**
	SF Defensive IED	0	1	**1**	0%	3%	**1%**
	Other	0	4	**4**	0%	11%	**5%**
	Unknown	21	12	**33**	50%	32%	**42%**
Mine	Claymore Mine	0	1	**1**	0%	3%	**1%**
	Unknown	2	0	**2**	5%	0%	**3%**
Other ED	Detonator	0	1	**1**	0%	3%	**1%**
	Mortar Shell	1	1	**2**	2%	3%	**3%**
Unknown	Unknown	2	1	**3**	5%	3%	**4%**
Total		**42**	**37**	**79**	**100%**	**100%**	**100%**

[22] UNICEF provided training to the Federation of Nepalese Journalists (FNJ) in the first half of 2006, see section 4.5.

3.3.3 Activity of casualties at the time of incident

To better understand the circumstances that led to the activation of an explosive device, it is necessary to investigate carefully the incident and collect data from different sources, especially the survivors and witnesses of the explosion. For these reasons, only the data collected through INSEC active surveillance (45 casualties) is analysed in this section. It is not feasible to extend these results to the whole year, as the situation changed after the cease-fire from 26 April 2006 making comparison difficult.

Figure 14 shows the number of child and adult casualties by activity at the time of incident. The main risky activity for children and adults is 'handling the device for playing or by curiosity'. The second 'risky' activity for both is 'travelling' as they were usually travelling when someone else activated the device.[23] The two following risky activities are 'striking/throwing the explosive device' or 'watching someone tampering with the device', activities that mainly concern children.[24]

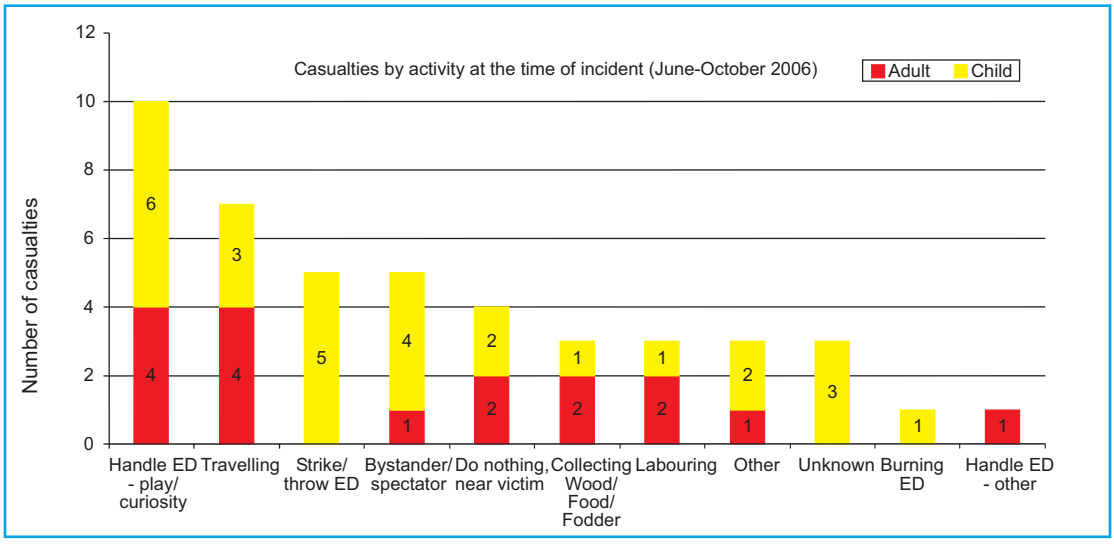
In Table 8, the activities are divided into two sets. The first set groups five activities where curiosity and recklessness resulted in people getting injured or killed by the explosive device. Risky behaviour such as this, accounting for 49% of the casualties, could have been mitigated through effective Risk Education of the population.

The six remaining activities, accounting for 44 percent of the casualties, are mainly livelihood activities, more difficult to prevent, as such activities are usually not considered to be dangerous or risky ('Unknown' make up the remaining 7%).

As can be seen in Table 8 and Figure 14, children are more prone than adults to tampering with the explosive device, or to actively look at someone tampering with the device (57% for children against 35% for adults). In countries with a contamination by Unexploded or Abandoned Ordnance it is well known that children are particularly curious when they find such explosive devices.

As can be seen in Table 9, almost half of the casualties (49%) activated the explosive device themselves. Twenty seven percent of casualties were close to the person activating the device. There are a few incidents where there was no way to determine who or what activated the

FIGURE 14: Casualties by activity at the time of incident (June-October 2006)



[23] Only one of these seven casualties activated the device while stepping on it. The six other casualties (two incidents with three casualties each) were caught in the blast radius of explosive devices but did not activate the devices themselves.

[24] UNICEF's study on victim-activated explosions in 2005 used different criteria for activities. "Tampering/Playing" and "Removing obstacles" claimed the two highest results by casualties while "Collecting wood, fodder, food" came third. UNICEF, New Victim-Activated Explosions, Nepal 2005, (Update), 8 March 2006, p. 7.

Table 8: Casualties by activity at the time of incident (June-October 2006)

	Activity	Casualties			Casualties (%)		
		Child	Adult	Total	Child	Adult	Total
Curiosity	Handle ED - play/ curiosity	6	4	10	21%	24%	22%
	Strike/ throw ED	5		5	18%	0%	11%
	Bystander/ spectator[25]	4	1	5	14%	6%	11%
	Burning ED	1		1	4%	0%	2%
	Handle ED - other		1	1	0%	6%	2%
	Sub-total	16	6	22	57%	35%	49%
Livelihood	Travelling	3	4	7	11%	24%	16%
	Do nothing, near victim	2	2	4	7%	12%	9%
	Collecting Wood/ Food/ Fodder	1	2	3	4%	12%	7%
	Labouring	1	2	3	4%	12%	7%
	Other[26]	2	1	3	7%	6%	7%
	Sub-total	9	11	20	32%	65%	44%
	Unknown	3		3	11%	0%	7%
	Total	**28**	**17**	**45**	**100%**	**100%**	**100%**

Table 9: Cause of activation of the explosive device (June-October 2006)

Who activated the device	Child	Adult	Total	Total (%)
Casualty	14	8	22	49%
Someone else	9	3	12	27%
Other[27]	2	1	3	7%
Unknown	3	5	8	18%
Total	**28**	**17**	**45**	**100%**

device as the circumstances are confusing. It is however possible to rule out the scenario of an attack or a crime, as for these specific incidents there was no strategic interest, no claim by the army or the Maoists, or any other reason that the explosion was intentional. In previous years it was reported that animals activated a device and the herders got injured or killed as a consequence. No such incident was recorded in 2006.

3.3.4 Death rate

Twenty percent of the victims of explosions died as a result of the lethal injuries they sustained in the explosion (Table 10). This death rate has to be considered as a minimal value as some casualties may have

Table 10: Consequence of the incidents (January-October 2006)

Consequence	Casualties	%
Injured	105	80%
Killed	27	20%
Total	132	100%

died after the interview with INSEC usually conducted within two days of the incident.[28]

3.3.5 Description of injuries

Once an explosive device is detonated, injuries may result from the blast and/or the fragmentation of the device. Improvised Explosive Devices such as socket bombs, pipe bombs and pressure-cooker bombs, are designed to inflict lethal injuries by projecting metal fragments at high speed. Claymore mines and stake mines (POM-Z type) use the same principle. Devices such as the sutali bomb (IED) and the PMD-6 blast mine, which are not made of metal casing, primarily inflict blast injuries and burns.

Due to the type of explosive devices in Nepal and the activity of the casualties at

[25] The active surveillance differentiates between the casualties who were looking at someone else tampering with the device (bystander/spectator), and the casualties who were in the blast radius without being aware of the presence of the device (do nothing, near victim).

[26] A civilian was injured by a Claymore mine activated by lightning, while two children were injured as an explosive device stored in their house exploded due to very hot weather.

[27] One device was activated by a lightning strike injuring one person, while another device was apparently activated by hot weather injuring two people.

[28] Two weeks is usually considered as the standard time interval to calculate the death rate for casualties of explosions. However, due to poor communication and inaccessibility of the areas where the incidents occurred, it can be difficult to ensure follow-up of the

Blast injuries may result in broken bones, traumatic amputation of limbs, flesh torn off, and flesh riddled with debris. The heat generated by the combustion of the explosive may also result in serious burns and blindness. The sound from the blast may also cause deafness.

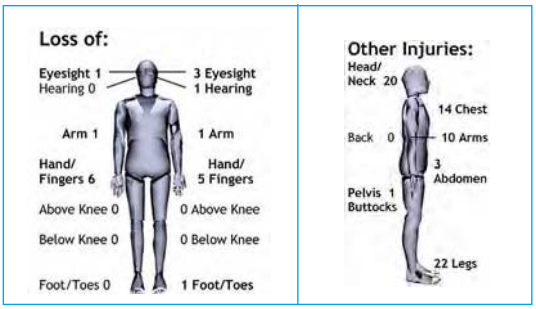
Shrapnel injuries (fragments) are usually serious and deep lesions on tissues, organs and bones, potentially fatal in the upper half of the body (head, chest and abdomen) and mutilating on the bottom half of the body.

Source: Handicap International (HI), *Anti-personnel Mines, A study by Jean-Pierre Ferey*, Lyon, 2003

the time of incident, injuries mainly result in traumatic amputation of the upper limbs and shrapnel injuries covering the whole body. Figure 15 shows the type of injuries sustained and the number of casualties who presented these injuries, whether they survived or not.

Of 39 survivors registered since June 2006, nine (23%) suffered upper limb amputations (fingers, hands, arm) including one individual who lost two limbs. Three other victims lost one eye each.

FIGURE 15: Type of injuries sustained by the casualties (June-October 2006)[29]



In terms of amputation, the most frequent injuries are finger, hand and arm traumatic amputations (11 casualties out of 45), due mostly to the fact that the casualty was handling the explosive device at the time of detonation. Four victims also lost an eye and one lost hearing. One victim reportedly lost toes after being hit by fragments.

More frequently, casualties suffered from shrapnel injuries and burns to the face, chest, arms and legs. Shrapnel injuries to vital organs (head, chest and abdomen) resulted in the death of six casualties. None of the casualties between June and October received back injuries indicating perhaps, that all of the casualties were facing the explosive device at the time of incident.

3.4 Profile of civilian casualties

3.4.1 Age and sex of casualties

As the age and sex of the casualties are usually reported in the media, it is possible to analyse this information throughout the year. Only the gender of two casualties, reported in the media to be children, could not be determined.

As seen in Table 11 and Figure 16, 58 percent of the casualties during the 10 first months of 2006 were children (under 18 years old). This rate of child casualties is amongst the highest in countries affected by Explosive Remnants of War.[30] Seventy percent of the casualties were male.

As seen in Table 12, men represent 28 percent of the civilian casualties, while women represent 14 percent. Men are more likely than women to handle explosive devices or remove roadblocks.

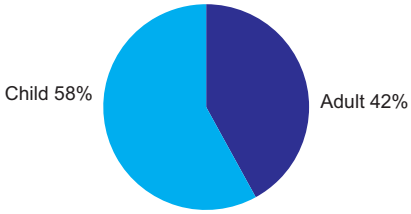
As seen in Figure 18, almost half of the casualties (48%) are between five and 19 years old. This distribution of casualties as depicted in Figure 17 with a peak in the teenage age group is typical of a contamination by unexploded and abandoned ordnance (including IEDs),

Table 11: Casualties by age and sex (January-October 2006)

	Male	Female	Unknown	Total	Total (%)
Child	56	18	2	76	58%
Adult	37	19		56	42%
Total	93	37	2	132	100%
Total(%)	**70%**	**28%**	**2%**	**100%**	

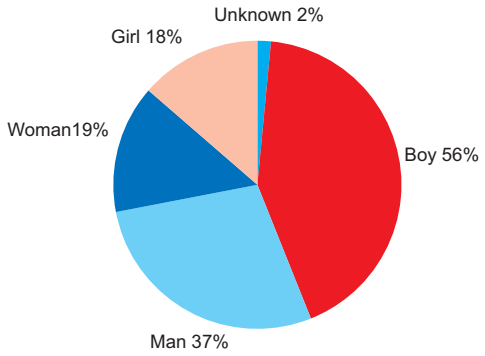
[29] The human body representation comes from the Information Management System for Mine Action (IMSMA) form developed by GICHD (http://www.gichd.ch/).
[30] Landmine Monitor Reports and UNICEF Nepal, New Victim-Activated Explosions, Nepal 2005 (Update), 8 March 2006.

FIGURE 16: Proportion of child and adult casualties (June-October 2006)



The proportion of child casualties in Nepal (58%) is among the highest in countries affected by explosive remnants of war. Similarly, in 2005, UNICEF reported that 56 percent of the civilian casualties of victim-activated explosions in Nepal were children.[31]

FIGURE 17: Casualties by age and sex (January-October 2006)



Boys represent 42 percent of the civilian casualties in Nepal. The fact that boys are more prone to find, tamper and activate explosive devices is well known and observed in many other countries with UXO and IED contamination.

FIGURE 18: Casualties by age group and sex (January-October 2006)[32]

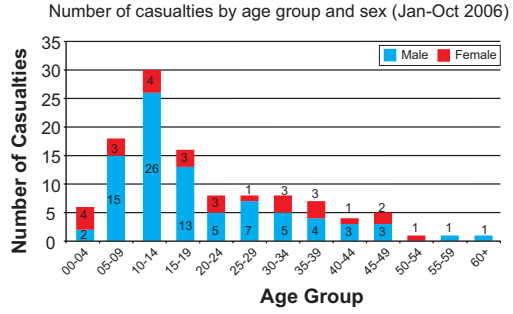


Table 12: Number of injured and killed by age and sex (January-October 2006)

Age and sex	Injured	Killed	Total	%
Boy	47	9	56	42%
Man	29	8	37	28%
Woman	15	4	19	14%
Girl	12	6	18	14%
Unknown	2		2	2%
Total	**105**	**27**	**132**	**100%**

where children and young teenagers are especially at risk due to their curiosity. Female casualties are represented more or less equally in all age groups. Unlike with boys there is no indication that girls are more at risk than adult women.

3.4.2 Economic status

The economic status of the casualties was assessed by INSEC district representatives during the interview with the victims, their family or neighbours. It does not rely on a strict set of criteria and depends somewhat on the individual skills/knowledge of the interviewer.[33] Therefore, it has to be considered as a rough estimate. As shown in Table 13 almost all casualties have been assessed as belonging to the 'lowest' and 'low' economic status (94%), which implies that the majority of casualties will most likely be unable to afford medical treatment or evacuation to the closest medical facility.[34]

Table 13: Economic status of civilian casualties (June-October 2006)

Economic status	Total	Total (%)
Lowest	21	47%
Low	21	47%
Middle	2	4%
Unknown	1	2%
Total	45	100%

3.4.3 Literacy

In terms of literacy, globally 71% of the casualties were literate in Nepali (Table 14). Only one child out of 24 in schooling age

[31] UNICEF, New Victim-Activated Explosions, Nepal 2005, (Update), 8 March 2006, p. 4.
[32] Data for 113 casualties only, as data on age or sex was missing for 21 casualties.
[33] Assessment of the economic status relies on the house, clothing, ownership of land and cattle, employment, etc.
[34] The Human Development Report 2005 reports that 37.7% of the population in Nepal live under USD 1 per day while 82.5% live under USD 2 per day. UNDP, New York, 2005, Table 3, p. 228.

Table 14: Literacy of casualties by age (June-October 2006)

Literate	Child		Adult		Total	
	Casualties	%	Casualties	%	Casualties	%
Yes	22	79%	10	59%	32	71%
No	6	21%	6	35%	12	27%
Unknown		0%	1	6%	1	2%
Total	**28**	**100%**	**17**	**100%**	**45**	**100%**

was not literate. However, 35% of the adult casualties were illiterate.

3.4.4 Occupation

In terms of occupation prior to the incident (Table 15), the majority of children of school going age (22 out of 25) were attending school (two were working and one had dropped out of school). The majority of the adult casualties were either farmers (41% of adults) or labourers (41% of adults). One adult casualty was running a business, another one was a teacher and no information was available for one. Three casualties were infants.

It is important to note, that the active surveillance does not differentiate between local residents and returnees, comprising both Internally Displaced People (IDP) and refugees. In total, 100,000 to 250,000 people in Nepal are said to be displaced within Nepal as a result of the conflict.[35] An estimated 1.5 to 2 million Nepalese are living in India – mainly as economic migrants - who may well return in the aftermath of the conflict. Internationally, returnees are considered to be more at risk as they are not so familiar with the local threats.

3.4.5 Marital status and dependants

Fourteen adult casualties (82% of the total adult casualties) were married (Table 16). Based on the active surveillance, each married adult casualty has an average of 5.8 dependents (spouse, children or other family members) meaning that one incident can have serious and far reaching socio-economic implications that affect a large number of people.

3.4.6 Prior knowledge of the risks

As seen in Table 17, 93 percent of all casualties (children and adults), were not aware that the area where they found the device was dangerous.

Table 15: Occupation of casualties prior to incident (June-October 2006)

Occupation	Child	Adult	Total	Total (%)
Student	22		22	49%
Farmer	1	7	8	18%
Labourer	1	7	8	18%
None	4		4	9%
Business		1	1	2%
Teacher		1	1	2%
Unknown		1	1	2%
Total	28	17	45	100%

Table 16: Marital status of casualties (June-October 2006)

Marital	Child	Adult	Total	Total(%)
Student	22		22	49%
Farmer	1	7	8	18%
Labourer	1	7	8	18%
None	4		4	9%
Business		1	1	2%
Teacher		1	1	2%
Unknown		1	1	2%
Total	28	17	45	100%

[35] OCHA, *Nepal Thematic Report, Issue No. 1, The Internally Displaced Persons: Current Status*, 6 September 2006, Kathmandu.

Table 17: Knowledge of casualties about the danger of the area

Know area was dangerous?	Child	Adult	Total	Total (%)
No	28	14	42	93%
Yes		2	2	4%
Unknown		1	1	2%
Total	28	17	45	100%

Furthermore, 80 percent of the casualties did not know that the activity they were doing at the time of incident was dangerous (Table 18). Some people (16%) knew about the danger but still activated the device. These people include: three civilians who brought an explosive device to a soldier, who informed them about the danger but then inadvertently dropped the device; a boy who carried a socket bomb for some time but then decided to throw it away; a woman who handled an explosive device in a house she was cleaning; and a man who opened a suspicious parcel he found.

As shown in Table 19, none of the casualties between June and October 2006 reported that they benefited from MRE campaigns. This might indicate that the current MRE campaigns in Nepal are not well targeted in terms of population (age, sex, etc) and area, or perhaps that the coverage is limited.[36]

Table 18: Knowledge of casualties concerning the danger of their activity(June-October 2006)

Know activity was dangerous?	Child	Adult	Total	Total (%)
No	24	12	36	80%
Yes	3	4	7	16%
Unknown	1	1	2	4%
Total	28	17	45	100%

Table 19: Number of casualties who received MRE before their incident (June-October 2006)

Received MRE prior to incident?	Child	Adult	Total	Total (%)
No	26	16	42	93%
Unknown	2	1	3	7%
Total	28	17	45	100%

[36] The coverage in this case is the proportion of the population at risk who actually benefited from the MRE campaign.

4

Mine action in Nepal

Mine action refers to a range of activities designed to address the issue of landmines and other Explosive Remnants of War (ERW).[37] It aims for "a world free of the threat of landmines and ERW, where individuals and communities can live in a safe environment conducive to development and where the needs of mine and ERW victims are met and they are fully integrated into their societies."[38]

As accepted internationally, mine action comprises five main pillars:

- Advocacy
- Stockpile Destruction
- Mine Risk Education (MRE)
- Demining (Mine Surveying, Marking and Clearance)
- Victim Assistance (VA)

For this report, *coordination* and *data collection* are added as two crosscutting issues necessary as a basis for working on any of the five pillars and therefore presented first.

4.1 Coordination

In most mine/ERW-affected countries a National Mine Action Authority operates on an inter-ministerial level and provides strategic guidance for policy development. A Mine Action Centre (MAC) on the other hand manages and coordinates, on a day to day basis, the implementation of a National Mine Action Plan or a National Mine Action Programme.

[37] Obviously landmines could also be classified as explosive remnants of war. However, as there is a distinct legislature on mines (Ottawa and CCW Protocol II) ERW by definition exclude landmines.
[38] UN, Mine Action and Effective Coordination: The United Nations Inter-Agency Policy, 6 June 2005.

Experience from other countries has shown that a MAC reporting to a civilian authority is the best way to reach communities most in need where the socio-economic impact from mines/ERW is highest and movement is restricted due to mines/ERW.

To date, Nepal's government does not have a Mine Action Authority nor does it have any formal programme for dealing with mines and ERW. The only coordinating body in Nepal dealing with mine action-related topics is the informal "MRE Working Group" (MRE WG) convened by UNICEF. It was initiated in 2004 when the United Nations (UN) Development Coordinator assigned UNICEF as the UN focal point for mine action in Nepal. The MRE Working Group currently comprises about 15 members from UN, international and national NGOs and International Committee of the Red Cross (ICRC)/Nepal Red Cross Society (NRCS). It meets on a monthly basis. To date, it serves more for exchanging updates and developing common MRE materials than for planning and coordinating action.[39] A series of workshops conducted by UNICEF jointly with GICHD covered, among other issues, strategic planning and included the key members of the MRE WG. In November 2006 a new name "Mine Action Working Group" was proposed to allow for a more comprehensive approach and consequently a wider spectrum of participants.[40]

Right now, there is no coordination of MRE or VA activities on either a regional or district level. The creation of a first regional Mine Action Group is however under way in Nepalgunj for the Far Western and Mid Western Region, led by the UNICEF Field Office.

Security officers from UN and various aid organisations have been dealing regularly with Improvised Explosive Devices (IED)/ mine related matters, particularly in providing security briefings to humanitarian staff and visitors. The UN Department for Safety and Security in Nepal, the Risk Management Office[41] , Swiss Agency for Development and Cooperation and World Vision are agencies working in close cooperation. This cooperation, however, does not necessarily extend to the members of the MRE WG.

In December 2005 the UN Mine Action Service (UNMAS) undertook an assessment mission to ascertain whether explosive devices posed a threat to humanitarian operations in Nepal. The mission concluded: "In most cases, the standard security procedures in effect throughout the country will largely negate the limited threats that exist. However, there are specific incidents or scenarios where the risk can become elevated […], i.e. road blockages, missions to post-engagement localities, meeting with Maoist groups, house-to-house or local monitoring meetings, defensive perimeters around military and other potentially mined sites, airfields, and proximity to government and official buildings at night time."[42]

4.2 Data collection

In order to plan and implement mine action it is essential to get an accurate and up-to-date picture of the damage explosive devices cause in Nepal, the risk-taking behaviour that leads to incidents, the type of ordnance involved and existing stocks, as well as the size of the area that has been contaminated (casualty and incident data, ammunition and Dangerous Areas reports).

Mine action interventions require information on the following:

- "Mine victims", particularly from those who suffered from a victim-activated explosion as this type of incident can be prevented or at least the risk mitigated

[39] UNICEF, Minutes of the MRE Working Group Meeting, various dates, Lalitpur.
[40] Pending a query by email to all members of the Group the new name will most likely be adopted. For future activities of the Group the name Mine Action Working Group (MA WG) is used throughout this document.
[41] RMO is a joint initiative by the German Technical Cooperation (GTZ) and the (British) Department for International Development (DFID) in Nepal.
[42] UNMAS, John Flanagan, Mission Report, UN Mine Action Service (UNMAS) field mission (4-9 December 2005), 7 April 2006. UNMAS is the coordinating body for Mine Action within the United Nations; it is part of the Department of Peacekeeping Operations and based in New York.

- Services received by mine/ERW victims
- Locations where incidents with explosive devices take place
- Areas 'protected' by landmines/IEDs – for example positions of Security Forces or strategic places such as repeater towers
- Areas where the People's Liberation Army planted IEDs but did not activate them
- Areas contaminated by unexploded ordnance – for example by IEDs such as socket bombs, by cartridges[43] and mortar shells
- Areas contaminated by abandoned ordnance – for example abandoned ammunition left behind while fleeing a sudden attack, leaving a temporary position without properly clearing all Explosive Devices (ED), or ammunition caches 'stored' in houses or hidden in fields or in the jungle
- Production or assembly sites for IEDs – often private houses
- Exact types of ordnance deployed or used during the conflict
- Stockpiles of ED, size by type of ordnance

Current data collection systems on ERW and landmines in Nepal

Several organisations are collecting data on ERW and landmines in Nepal. The Ban Landmines Campaign Nepal (NCBL), which was established in 1995, was the first organisation in Nepal to collect data on conflict-related incidents involving explosives. Data collection is based on media reporting and reports by human rights organisations with active follow-up where possible. Reports from NCBL have been published and are accessible online (http://www.nepal.icbl.org) as well as in the annual Landmine Monitor Report, produced by the International Campaign to Ban Landmines (http://www.icbl.org/lm). However, the terminology used to categorise incidents and the type of devices involved make it difficult to use the data for mine action planning and targeting. The dataset does not differentiate victims of attacks/ambushes or bombings from those of victim-activated explosions as defined in section 2.1.

INSEC, with its data collection mechanism in all 75 districts to monitor human rights violations, collected data on victims of "landmines" or "bombs"[44] since 1996. The terminology used was also not necessarily precise. In addition, organisations working on children's rights such as the Child Workers in Nepal Concerned Centre (CWIN) have also collected information on children suffering from explosions but again the terminology used was not precise.

In 2004, UNICEF became involved in mine action identifying data collection as one key area needing improvement.[45] UNICEF set up a data collection system based on media surveillance with the support of an international mine action consultant. A six-week fact finding mission was undertaken in the second half of 2005 to better understand the threat from explosive devices.[46] UNICEF produced a report on victim-activated explosions of civilians in early 2006[47], that has been widely disseminated through the UN Nepal website.[48] A second report on intentional explosions in 2005 and similar reports for 2004 have been prepared and will be available shortly.

In late 2005, the MRE WG agreed the necessity to develop a reliable and more consistent method of sourcing information on ERW and landmines in Nepal. Given that INSEC had an already working reporting mechanism in all 75 districts of Nepal, they were considered to be the best placed to initiate an active surveillance system that involves interviewing each victim of a victim-

43 'Cartridge' is the formally correct language, however this is not widely understood.
44 See INSEC Annual Human Right Reports – ambushes using IEDs/roadside bombs were classified as "landmines".
45 A first assessment undertaken in 2004 by Aneeza Pasha for GICHD on behalf of UNICEF already suggested INSEC as a potential actor in this area of data collection. UNICEF/GICHD, Aneeza Pasha, A Needs And Capacities Assessment For Mine Risk Education In Nepal. Draft (internal document), 2004.
46 Hugues Laurenge, The Presence of Explosive Devices in Nepal, Districts of Ramecchap, Dolakha, Banke, Dang, Solukhumbu, Sindhuli, Dhanusha Myagdi, Threat and Risk Management, Field Report, UNICEF Nepal, November 2005.
47 UNICEF, New Victim-Activated Explosions, Nepal 2005, (Update), 8 March 2006.
48 http://www.un.org.np/reports/UNICEF/2006/2006-3-8-UNICEF-IED-victims-updated.pdf

activated explosion or the family of a person who died as a result. INSEC accepted the task. Some assistance was provided by Handicap International (HI) in Nepal who needed to get better information on people who became disabled as a result of ERW as an essential source of information for implementing its programme "Access to Physical Rehabilitation Services for People with Disabilities in the different regions of Nepal". Training was provided to INSEC staff on local, regional and national levels to better understand the issue and to help prepare monthly reports in Nepali and in English (http://www.inseconline.org/minereport.php). A series of six training sessions were conducted in May/June 2006 (Figure 19). Active surveillance started in June 2006. The information available on each incident is much now more reliable.

Current data collection systems on victims of ERW and landmines in Nepal

A number of organisations in Nepal are compiling data that might help identify victims of incidents that occurred before the active surveillance system began in June 2006. For example, data on conflict-related victims is being collected at district level by various human rights organisations (INSEC, HimRights, National Human Rights Commission, and Save the Children) and by agencies offering psychosocial support. Estimates from physical rehabilitation services indicate that 17 percent of amputation cases are conflict related (ICRC).[49] However, people are commonly reluctant to reveal the real cause of their injury/amputation as they are afraid of reprisals by either Security Forces or Maoists.[50] Similarly, there is no comprehensive dataset on people with a physical disability that might help to provide an estimate of the number of survivors from ED in Nepal. Community-Based Rehabilitation (CBR) is fairly widespread in Nepal (HI was recently asked by the government to conduct an inventory of existing services). CBR providers might also be a good source to identify ED survivors. Records from hospitals/health centres etc.

FIGURE 19: INSEC training on mine action and active surveillance (May 2006)

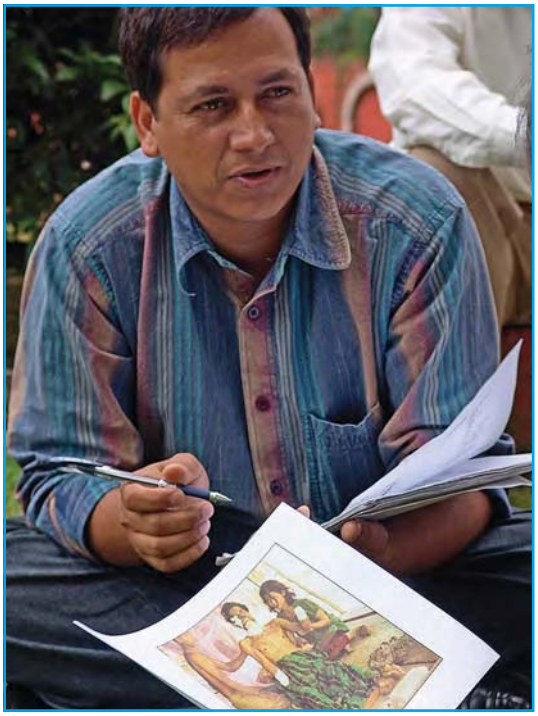


FIGURE 20: UNICEF poster displayed in a shop in Tansen (Palpa district)

[49] ICRC, Annual Report 2005, Geneva, June 2006, p.176.

[50] Amputations of conflict victims are not all related to explosions. Amputations were conducted as a form of extreme punishment and also resulted from torture/extreme beatings or from bullet wounds.

are another potential source of information, since they use "victims from explosions" as a category. However, records are not digitized.

Information on IEDs, landmines and other ordnance used in the conflict

Information on devices used or manufactured is scarce (see Landmine Monitor Reports). Basic information on Maoist-produced IEDs is available and has already been provided in section 3.3.1. According to reliable sources 39 Army positions were mined in 2001 and 2002.

Whereas minefields have been mapped by the SF, there is no mapping of clash sites; records of clash sites have reportedly been kept by the Army. During 2006, the United Nations Office of the Coordination for Humanitarian Affairs (UN OCHA) undertook mapping of reported killings based on INSEC data since 1996. The maps were created in October 2006 and are available on the UN Nepal website (http://www.un.org.np).

4.3 Advocacy

Advocacy not only aims to convince the government and important decision makers to sign and comply to relevant international treaties relating to landmines and ERW such as the Ottawa Treaty to ban anti-personnel mines[51] or the Convention on Certain Conventional Weapons (CCW) and its relevant Protocols[52], advocacy also aims to create public awareness on the issue in order to build bottom-up pressure (Figure 20) and ensure effective implementation of the signed Treaties.

Nepal has attended some of the international conferences related to implementing, monitoring, and enforcing the Ottawa Treaty (see Landmine Monitor Reports) but did not yet sign the Ottawa Treaty or other related international legislation.

Following the 26 April 2006 cease-fire, declared by the Communist Party of Nepal (Maoist) and reciprocated by the Nepal government on 3 May 2006, a Code of Conduct was agreed upon that includes non-use of landmines. Subsequent Codes reiterated this stance. Signing the Ottawa Treaty would commit the government to reveal all information on the production, stockpiling and use of Anti-personnel landmines (additional voluntary information regarding other explosive devices being also encouraged). A signatory agrees to destroying all of its stocks within four years and to demining within 10 years. In addition, mine victims should receive victim assistance.

Key actors in Nepal regarding advocacy are:

- The Ban Landmines Campaign Nepal (NCBL). It was founded in 1995 in support of the International Campaign to Ban Landmines - even before there was a visible mine/ED threat in the country. NCBL, through its coordinator and a network of supporters in 35 districts within Nepal, has brought wide attention nationally as well as internationally to the "landmines" issue in Nepal. The Nepal chapter of the Landmine Monitor has been translated into Nepali. ICBL conducted a country mission in 2003 followed by a field research mission in March 2006. Geneva Call visited Nepal several times.

- Save the Children Norway and other child rights related agencies through the National Coalition of Children as Zones of Peace (CZOP). They have raised the issue of landmines with the authorities and the Maoists particularly following the

[51] Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (http://www.icbl.org/treaty/text).

[52] CCW stands for: Convention on Prohibitions or Restrictions on the Use of Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, particularly Amended Protocol II on Mines, Booby-traps and Other Devices, and Protocol V on Explosive Remnants of War (http://disarmament.un.org/ccw/index.html). This recently entered into force after 24 countries agreed to be bound by it.

cease-fire and they lobby for the marking and/or clearance of the affected areas as well as for MRE.[53]

- UNICEF and other UN agencies. They have been raising the issue with various stakeholders in the country since 2004 through conferences, reports, and informal means. UNICEF jointly with GICHD conducted workshops in 2005 and 2006 for the Security Forces on the International Humanitarian Law, the Ottawa Treaty and Convention on Certain Conventional Weapons (CCW).

- INSEC representatives started advocating mine action issues when meeting with Maoists as well as with the SF using locally relevant data obtained through their surveillance.

The importance given to data collection in Nepal is very positive. This is particularly true given the specific nature of the threat from IEDs and the confusion over the terminology used. Accurate data is essential for both advocacy and mine risk education during and after times of conflict. The efforts made are remarkable and show very encouraging results so far.

FIGURE 21: Stockpile of socket bombs

4.4 Stockpile destruction / Ending the production

Stockpiles refer to ammunition being stored for future use. To date, no information is available on stockpiles from either side of the conflict – or from other armed groups, such as JTMM (a break-away group from the Maoists)[54]. It is generally acknowledged that 'vigilantes' or 'Village Defence Forces' did not use explosive devices.[55]

The government of Nepal is listed as a producer of landmines by the Landmine Monitor[56]: "Nepal has confirmed that it produces Anti-personnel mines[57]. A former government official told Landmine Monitor in August 2005 that landmines are produced at the weapons factory at Sunchari in Makwanpur district south of Kathmandu.[58]" Most likely this refers to the production of improvised command-activated devices using ordnance from its stock such as mortar shells and AV mines.

There is no proof that victim-activated devices have been produced by the government in Nepal. The Armed Police Force (APF) claim not to have had access to imported factory-made landmines. According to the APF they receive ammunition from the Army and from the same factory as the Army.[59]

Maoists have been producing IEDs in private houses and small workshops. Smaller caches of ammunition have been stored by the Maoists in houses or other places

[53] On its list of seven key issues for advocacy/lobbying, CZOP lists "Mine Action (Mine Risk Education, Demining)" as the second point for 2006-07. INSEC, NRCS, UNICEF as well as other MRE WG members are also members of this coalition.
[54] JTMM stands for *Janatantrik Terai Mukti Morcha*, mainly active in the central districts of the Terai; also referred to as TJMM, see Nepali Times #320, 27 October-2 November 2006, p.1.
[55] There was one claim to the contrary regarding Paklihawa in Nawalparasi district in May 2005; this could not be confirmed by UNICEF during a specific field visit to the area.
[56] Landmine Monitor Report 2006, see http://www.icbl.org/lm/2006/nepal
[57] As quoted in the Landmine Monitor: "RNA Brig. Gen. Kul Bahadur Khadka first confirmed this in June 2003 in remarks made to a mission from the ICBL Non-State Actors Working Group. ICBL Press Statement, Nepal Mission, 15 June 2003. Landmine Monitor had previously reported allegations of Nepalese production, but the army denied it as recently as December 2002."
[58] As quoted in the Landmine Monitor: "Landmine Monitor/MAC interview with confidential source, 20 August 2005. Some sources have speculated that production takes place at Swyambhu or Sundarijal, but Brig. Gen. Kul Bahadur Khadka said that was not the case, indicating there is a factory near army headquarters. Email to Landmine Monitor (HRW) from NCBL, 16 July 2003."
[59] The APF refer to these devices as OEDs or Ordnance Explosive Devices (a somewhat confusing terminology) in order to distinguish them from the 'crude' devices made by Maoists.

(Figure 21). According to a Nepalese security officer "Nepal does not have so much a problem with minefields but with 'mined' houses"[60]. The locations of larger production sites have not been disclosed to date. Generally, the explosive devices produced seem to have been designed to be thrown (socket bombs, sutali bombs, etc.) or to be command-activated. There is however the notable exception of booby-trapped devices and the use of timers which may cause indiscriminate injury/death. Maoists have looted substantial quantities of arms from Security Forces including landmines but there is no evidence that they have used any victim-activated landmines.

In summary, information on production and stockpiles by either side of the conflict to date is insufficient.

4.5 Mine Risk Education

It appears that neither the security forces nor the People's Liberation Army (PLA) have sufficiently warned the population or its own soldiers/militias about the risks that landmines and ERW pose. As discussed in section 3.3.2, the highest threat from explosive devices stems from unexploded or abandoned IEDs (almost 90%), particularly from socket bombs. However, and as shown in section 3.4.6, there is very little understanding of the threat these devices pose. They are more seen as potential fire-crackers to play with rather than a lethal type of crude hand-grenade. Other devices such as improvised claymore mines, pipe bombs and pressure-cooker bombs are even more powerful.

Mine risk education (MRE) is one of the tools to mitigate risk from landmines and explosive remnants of war.[61] MRE is defined as "activities that seek to reduce the risk of injury from mines/UXO by raising awareness and promoting behavioural change including public information dissemination, education and training, and community mine action liaison."

Source: IMAS 04.10, *Glossary of mine action terms, definitions and abbreviations,* Second edition 2003 [http://www.mineactionstandards.org]

FIGURE 22: Draft warning sign ('danger') developed by GICHD and UNICEF in June 2006

There is no systematic use of mine warning signs in Nepal and to date there is no commonly understood mine warning sign. Sites with unexploded or abandoned IEDs are not as yet marked. In mid 2006, UNICEF/GICHD proposed a warning sign (Figure 22) that still needs to be officially recognised by the authorities.

The SF have put up informal warning signs with 'Danger', 'Bomb', 'IED','Stay Out' or simply red flags around most of their posts and repeater towers (Figure 23). The international skull and crossbones sign can be found in some places. However, such signs do not clearly indicate a lethal danger when approaching or entering the fencing unless the population is aware about the meaning of the signs and the associated threat. Since June 2006, there has been one incident near a marked army camp. However, the victim was 50 metres away from the incident site and did not activate the mine himself.

[60] The source used the term 'mines' interchangeably with 'IEDs'.
[61] MRE is meant to replace the term Mine Awareness as it is more encompassing.

FIGURE 23: Various warning signs used by Security Forces

Case Study
On 23 June 2006, a 26 year old man was injured in Gulmi district. The suspected claymore mine, planted in the defensive perimeter of the nearby SF base was detonated due to a lightning strike. The victim was standing in front of his home at the time of the explosion and was hit in the thigh by one ball bearing. He was treated in Tansen hospital, Palpa district.

It is important to note that a significant proportion of the rural community in Nepal is illiterate and therefore unable to understand written warnings. Among the 17 adults who activated explosives since June 2006 35% were illiterate. Limited MRE has been provided to Nepal's communities since 2004, mainly to school children. However, none of the casualties since June reported to have received any "information regarding the dangers from explosive devices", although seven knew to some extent that they were handling dangerous devices (3 children, 4 adults), see section 3.4.6.

Case Study
In Surkhet district, on 20 June 2006, a soldier was handling a socket bomb that a 12 year old boy had found in the jungle and had kept as a souvenir in his house. By mistake, the soldier dropped the socket bomb and it exploded. The boy and the soldier were both killed and two adult relatives were severely injured in the incident. One, a man of 28, had to stay in hospital for more than three months loosing three toes of his left foot and one finger of his left hand; the other, a 33 year old woman, still has shrapnel in her chest and hands.

Case Study
On 12 August 2006, in Jajarkot district a 32 year old woman who was cleaning the house of a Maoist lifted a socket bomb that had been placed on the shelf where she was dusting. The device exploded and she lost fingers on her right hand and sustained injuries on both legs.

It was reported that prior to the cease-fire, Maoists started posting mine warning signs on roadblocks and warned the population nearby; even after the cease-fire Maoists at a district level claimed to be providing MRE. Details, however, are not available. Unofficial warning signs seem to be very rare in Nepal. A notable exception followed a large scale Maoist attack on Beni in 2004 when NRCS volunteers placed red warning flags next to stray socket bombs to warn civilians and to help facilitate the clearance later undertaken by SF.[62]

In many cases, the fencing that has been done has not followed international standards. Maps of the minefields are kept by the Security Forces.

To date, a limited public information campaign regarding ERW/mines has been undertaken. During 2005 and 2006, some spots and dramas have been broadcast on national radio and TV.[63] CZOP has been

Case Study
In Palpa district, two children were injured in a socket bomb explosion on 12 June 2006. Their parents and neighbours knew that there were explosive devices in the surroundings. They warned their children not to touch the devices and explained that they might explode. This raised the curiosity of the children, who eventually approached a socket bomb. A six year old girl picked it up and threw it away to see how it would explode. She and her five year old brother sustained shrapnel injuries on the head, chest and legs.

[62] UNICEF/GICHD, Aneeza Pasha, A Needs And Capacities Assessment For Mine Risk Education In Nepal. Draft (internal document), 2004.
[63] Radio MRE materials were produced by NCBL and Equal Access, also known in Nepal under its project name as Digital Broadcast Initiative (http://www.equalaccess.org).

calling for the start of a nationwide campaign. Such a campaign, however, should be dealt with carefully, so as to avoid the possibility of creating panic rather than instilling caution, and should be undertaken in parallel to community MRE in the most affected districts.

MRE materials, terminology

A range of MRE tools has been developed, field-tested, produced and widely disseminated by a number of different organisations in Nepal. MRE tools that already exist comprise posters (with and without a user manual), leaflets, stickers, brochures, comics, books, and a PowerPoint presentation. Mass media radio spots, radio drama, TV spots and advertisements for print media have been used, as noted above, or are ready for use. A 32 page flipchart, as a key component of an MRE emergency kit, has been designed and will be rigorously field-tested in December 2006. Although the recent tools developed by UNICEF and the involvement of the MRE WG members are of high quality, some of the other materials sometimes rely too heavily on written text or, in some cases, use technically incorrect images and terminology.

There has been a tendency, on the part of the media in particular, to use incorrect terminology which has in turn been poorly translated into Nepali. In an attempt to address this issue, the MRE WG formed a sub-group in February 2006 that agreed upon a common understanding of terms. A consultant from the International Federation of Journalists provided a series of training courses for members of the Federation of Nepalese Journalists about reporting on children in armed conflict which included IED/mine safety training and reporting on victims of explosions. The quality of media reporting and the frequency of reports regarding incidents with explosive devices has since improved.

Capacity and capacity building

Currently, only UNICEF, NCBL and INSEC, as well as the army's EOD team have full-time personnel working on mine action.

Community-oriented or community-based MRE?
MRE activities may be conducted in a community by outsiders, or by community members themselves. The type of activities and MRE materials used do not necessarily differ.

If, for example, an NGO has a team of trained MRE facilitators who travel from village to village to provide MRE, this is known as a community-oriented approach. If the MRE facilitators are members of the community itself, this is known as a community-based approach.

The same principle applies to MRE in schools: MRE can be facilitated by people travelling from one school to another (school-oriented MRE) or by teachers and students from within the school (school-based MRE).

The capacity to provide MRE in at least the 10 to 20 most affected districts is currently too low and is mainly based on volunteers, or staff who also work on a range of other issues. Due to the perceived sensitivity of the issue, MRE sessions are only conducted by people clearly affiliated to an NGO or INGO. Sessions are directed at students in schools and at adults/community members. This type of MRE intervention is known as school- and community-oriented MRE, not school- or community-based.

GICHD, on behalf of UNICEF, assisted in developing the UNICEF/World Education posters for MRE in 2004 and provided basic workshops in 2006 that included MRE to key stakeholders. However, with the exception of ICRC who has trained its national partner NRCS, adequate training on how to use the existing MRE tools has not as yet been conducted. The INGOs and NGOs that currently provide MRE are undoubtedly experienced in the education sector. However, the question remains as to whether the messages provided are consistent, technically correct, and whether safe behaviour relevant to the local context is being discussed during the MRE sessions.

NCBL also gave a short two-day training course in 2005 to prepare MRE educators from 25 districts to provide introductory mine

action seminars at district level. Emergency MRE sessions were conducted in schools and communities over a three-month period in late 2005. Unfortunately the initiative was not continued as no further funding for 2006 was obtained.

Representatives from most MRE providers participated in an IED/mine safety training of trainers workshop conducted by UNMAS and UNICEF in December 2005. This safety training aims at aid workers and journalists but not at children or the community at large However, this initiative clearly helped increase the level of understanding regarding the threat and has led to the development of a Nepal-tailored set of training aids, which has been widely used throughout Nepal in 2006.

Monitoring and evaluation

To date, internal and external monitoring and supervising of MRE providers seems limited – both with regards to the individual educator and to the NGO. Monitoring and evaluating the target audiences prior, immediately after, and for example six months after an MRE session to assess what they have learnt and whether they have adopted safe behaviour are essential to guarantee consistent messages and approaches countrywide.

In summary, there is no systematic provision of MRE in Nepal that targets communities and specific groups most at risk. In general, there is no capacity to provide follow-up emergency MRE as a response to recent incidents. The MRE that is being provided at a community level is overwhelmingly based on lectures and the dissemination of posters and other printed materials. On the other hand, IED safety briefings do use role-plays and other participatory methods which are generally considered to be highly effective.

4.6 Mine clearance / Explosive Ordnance Disposal

The Comprehensive Peace Agreement signed by both parties on 22 November 2006 declares in point 5.1.4 that "both sides shall assist each other to mark 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."[64]

In Nepal the Explosive Ordnance Disposal (EOD) unit of the Army's 14th Brigade has been trained in EOD to international humanitarian standards with support from the government of the United Kingdom and the British Army. The Armed Police Force also has one EOD unit based in Kathmandu. The head of the Army EOD unit participated in the regional Field Epidemiology for Mine Action Training Course (FEMAC) provided by UNICEF and the Centers for Disease Control and Prevention (CDC) in Cambodia in October 2006. A mission by the British Army to assess additional training and equipment

Demining or mine clearance (MC)
Tasks or actions to reduce or eliminate mines and UXO from a specified area to a predefined standard. It includes surveying of the contaminated area, (permanent) marking[65] and fencing. Deminers are usually not trained to perform EOD.

Explosive Ordnance Disposal (EOD)
Activity to destroy explosive ordnance other than landmines.

Battle Area Clearance (BAC)
Systematic and controlled clearance of hazardous areas where the threat is known not to contain mines.

Source: IMAS 04.10, Glossary of mine action terms, definitions and abbreviations, Second edition 2003 [http://www.mineactionstandards.org]

64 http://www.reliefweb.int/rw/RWB.NSF/db900SID/VBOL-6VSHK8?OpenDocument
65 Internationally in mine action it is only in exceptional cases that MRE teams have been trained to put temporary mine warning signs. In areas prone to a landmine threat or a threat from booby-traps it is not advised to ask civilians or MRE teams to put warning signs; they might put themselves in danger – see IMAS on MRE (http://www.mineactionstandards.org).

needs visited Nepal in November 2006. Training in demining is being requested by the EOD unit.

Systematic surveying of areas contaminated by ED or of affected communities has not been undertaken.

One out of 39 army positions one has been fully demined since the cease-fire. The exercise took three weeks to complete.[66] Since the cease-fire IEDs are being removed, though not destroyed, from all of the more than 200 positions of the Security Forces; clash sites are being cleared from unexploded and abandoned devices.

An increased threat from mined Army positions may emanate in the near future as the Army has vacated some positions since the cease-fire, sometimes due to pressure from local communities. For example, following requests from civil society, the Ministry of Home Affairs ordered the Army and the APF to remove bases located in or around schools. At least nine from 13 locations have been vacated – hopefully after clearing all explosive devices.[67] Other military positions which were abandoned following the cease-fire have not as yet been properly cleared. Some are still suspected by the local population to be dangerous due to the presence of barbed wire. A proper hand-over by the authorities to the communities has not been as yet undertaken.

It is not clear to what standard the PLA is trained to deal with ERW. Maoist representatives have also been urged by civil society to clear or store explosive devices safely. Although the verbal response has been positive, no action has been reported to date.

There is currently no independent humanitarian mine clearance capacity in Nepal.

FIGURE 24: A PMD-6 blast mine about to be cleared in Cambodia

The PMD-6 blast mines (see section 3.3.1) deteriorate in many ground conditions, making their removal hazardous (Figure 24).

4.7 Victim Assistance

In the Comprehensive Peace Agreement signed in November 2006 (point 5.2.4) “both sides agree to constitute a National Peace and Rehabilitation Commission and carry out works through it to normalise the adverse situation arising as a result of the armed conflict, maintain peace in the society and run relief and rehabilitation works for the people victimised and displaced as a result of the conflict.”

In Nepal, people with war-related injuries are referred to as victims of conflict – in this context particularly as victims from explosion. Victims from explosions theoretically have access to free evacuation, free medical treatment and to rehabilitation. In reality however, people face serious challenges not only to get adequate first aid, but to find a telephone or even at times transportation to a place where evacuation to a health centre or hospital can be arranged (Figure 25). Transport or an ambulance, helicopter or even an airplane for evacuation may be available in a reasonable amount of time but usually at a high cost. Sometimes help is available from the army or NGOs/INGOs particularly when children are involved - but there is not enough information available regarding such services (“LifeLine”, NRCS/ICRC).[68] Maoist

[66] Of the 39 army positions, 26 are repeater towers.
[67] CZOP, Hundred Days of Democracy, Children are still Ignored, A Review Report, August 2006, with an update by email from Sanjaya Aryal, CZOP coordinator, Kathmandu, 16 November 2006.
[68] LifeLine – see http://www.inhured.org/LifeLine.html

FIGURE 25: One child casualty being evacuated in the back of a truck

Mine victims, landmine survivors, assistance

The Ottawa Treaty requires, in Article 6, that "Each State in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims…." States Parties have agreed to promote a comprehensive integrated approach to victim assistance that rests on a three-tiered definition of a landmine victim. This means that a "mine victim" includes directly affected individuals, their families, and mine-affected communities. Consequently, victim assistance is viewed as a wide range of activities that benefit individuals, families and communities.

Furthermore, States Parties have recognized that mine survivors are part of a larger community of people with injuries and disabilities, and that victim assistance efforts should not exclude this larger group because "the impetus provided by the Convention enhanced the well-being of not only landmine victims but also all other people with war-related injuries and people with disabilities."[69] States Parties have also recognized that assistance to mine survivors must be considered in the broader context of development and underdevelopment. They have agreed that mine victim assistance should be integrated into poverty reduction strategies and long term development plans to ensure sustainability and to avoid unnecessary segregation of survivors.

Source: Landmine Monitor Report 2006, http://www.icbl.org/lm/2006/es/survivor.html#Heading1688

medical support during the conflict was apparently limited to combatants.

The number of trained health staff within reach of a victim is likely to be limited. General knowledge within the community in proper first aid is thus very important. Good quality first aid training from the NRCS seems to have reached quite a number of Red Cross volunteers (500 trained in 2005 alone). Nevertheless, improved knowledge in first aid, at the community level, might help reduce the 20 percent civilian fatality rate from incidents. Ambulances may be available but there is at present, no switchboard to reach ambulances through the national emergency telephone numbers, not even for the Kathmandu Valley.

Victims of explosions often need to be referred to one of the few big hospitals in Nepal or even at times to hospitals in Kathmandu. Some prefer to go to India. In principle, medical bills are paid for by the Ministry of Interior if a letter from the Chief District Officer (CDO) is presented to the Ministry of Home Affairs, and if then a recommendation letter is issued to the specific hospital. Although this system appears to work in some instances, for most victims the procedure is too complicated. In

On 4 July 2006 in Dang district along the Mahendra highway, an IED planted by Security Forces for defensive purposes on the rooftop of a wooden shack, was activated due to technical failure. Three civilians travelling on bicycle were caught in the blast, as well as two soldiers working nearby. The civilians were evacuated to Nepalgunj Hospital using a private vehicle. One died in the medical facility and the two others recovered.

The Security Forces from the base camp where the incident occurred provided NPR 100,000 (USD 1.408) to the family of the deceased and NPR 13,000 and 12,000 to the two others victims (respectively USD 183 and 169). The costs for medical treatment were covered by their respective employers.

The Security Forces also promised to give the wife and brother of the deceased a job, although this may take up to two years.

[69] Final Report of the First Review Conference, APLC/CONF/2004/5, 9 February 2005, p. 27.

On 26 June 2006, a young adult lost both his hands in an explosion which occurred nearby his house in Myagdi district. At the time of the incident, his family members were working in a nearby field. After hearing the explosion, they came running towards him and some neighbours improvised a stretcher to transport him for the one-hour trip to the motorway.

From there, he was transported in a local vehicle to Myagdi district headquarters (Beni), and from thereon to Pokhara in an ambulance. The father of the victim borrowed the sum of NPR 50,000 (USD 704) for his son's initial treatment; the Gandaki Zonal Hospital covered the remaining expenses.

After the incident the father met with the Myagdi Chief District Officer in the hope of getting some government support, however he did not succeed in getting a recommendation letter and the burden of the loan still remains with the family.

The victim eventually was equipped with two functional hands prosthesis (Figure 26) free of charge at the Disability Relief Fund Orthopaedic workshop (Kathmandu) supported by Handicap International. He is now able to write, eat alone, and work in the fields again.

two recent cases the CDO did not want to issue the necessary document, since the "conflict was over". It should be noted however, that socket bombs or un-cleared landmines will most likely result in 'conflict victims' for many years to come. Maoists have footed the bill of medical expenses at times – after requests from the community.

As most of the casualties are victims from IEDs or fragmentation mines and not from 'classical' blast AP mines there are not many amputations of lower limbs (feet, legs), as explained in section 3.3.5. Amputations of the upper limbs (fingers, a hand, at times even both hands), however, are more common. In 2004 ICRC trained 150 Nepalese surgeons in 'war surgery'[70]. Paramedics from the Maoists also received training. Specialized training for amputation is essential as if not done correctly, the stump may cause immense pain and there

FIGURE 26: An explosion victim being equipped with two functional hand prosthesis in Disability Relief Fund workshop, Kathmandu

may be complications when it comes to fitting a prosthetic device. Physiotherapy needs to start in the hospital. However, not all hospitals are staffed with qualified physiotherapists. ICRC in principal helps with transport from the hospital for each patient and a caretaker.

Physical rehabilitation facilities exist in Nepal and have been brought to an acceptable international standard in various centres across the country over the last couple of years with the support of ICRC and HI. ICRC supports the Green Pasture Hospital in Pokhara. HI supports five workshops and three satellite units and undertakes mobile camps.[71] Upper limb prosthetics have been produced for the first time at the end of 2005 with HI involvement (Figure 26). Outreach to identify clients and to provide follow-up is ongoing and will increase. Green Pasture Hospital in Pokhara accepts clients who have been discharged from hospital but suffer posterior complications (stump correction for example) or are in need of prosthetic devices or other mobility aids. HI and ICRC may assist with the transport costs and for poor patients the rehabilitation services are free of cost. It is also common that people will suffer damage to their eyes and ears after an explosion. Although,

[70] ICRC, Annual Report 2004, Geneva, June 2005, pp. 157-158.

[71] The five workshops are run by national partners: Disability Relief Fund (DRF) of the Social Welfare Council in Kathmandu, CBRB in Biratnagar, PRERANA in Malangawa, Nepalgunj Medical College in Nepalgunj, and Nepal National Social Welfare Association (NNSWA) in Mahendranagar. Satellite Units exist in three districts: CDPS in Sindhuli, Surkhet Regional Hospital in Surkhet and Human Welfare and Environmental Protection Centre in Dang.

various specialized services for this exist in the country, they may not be known or easily accessible to victims of explosions.

Psychosocial counselling can help address the traumatic experience of an explosion resulting in the loss of a family member or a permanent impairment/disability. However, this is quite a specialized area that is not so widely available. On a community level, training has been provided by the NGO sector[72] to a number of social workers and psychosocial counsellors. This is an important intervention which should not be overlooked.

Socio-economic reintegration or at least financial compensation appears to be the primary concern for survivors or the family members of a fatal casualty. Survivors want to continue their education or daily activities as before the incident, they want to contribute to the family income (at times as the main breadwinner) and they want to be able to participate in sports and community affairs. Inclusive approaches to community-based rehabilitation exist in some of Nepal's communities[73] – definitely not in all. NCBL with Women Development Society (WODES)[74] has, since 1998, been providing education scholarships to girls who were victims of the conflict; currently 157 girls are benefiting from this programme. At the end of 2005, NCBL also organised a three-month computer training course for 16 women who were victimized by the conflict.

In principal, those who lost a family member due to the conflict should benefit from compensation. In some cases the SF have paid compensation to the family of a deceased (NPR 100,000 = USD 1,408).[75] The National Human Rights Commission (NHRC) recommended to the government to provide compensation of NPR 150,000 (USD 2,113) for the family of the deceased and free treatment for injured people if they file their complaint in the NHRC. Although Disabled People's Organisations (DPOs) and disability legislation are in place systems are weak and under funded to help ensure such recommendations are implemented.

The Landmine Monitor Report 2006 states: "The 1982 Disabled Persons (Protection and Welfare) Act and the 1994 Disabled Persons (Protection and Welfare) Rules protect the rights of people with disabilities to transportation, employment, education and other state services. However, reportedly the legislation is not fully implemented or enforced, and people with disabilities are subject to discrimination. The Ministry of Women, Children and Social Welfare is responsible for issues relating to people with disabilities; however, most people with physical or mental disabilities rely almost exclusively on family members for assistance.[76] According to the Ministry, more than 3,750 disabled people receive a living allowance of Rs.100 ($1.35) per month through the Village Development Committee."[77]

[72] Save the Children Norway and US, with its national partners Centre for Victims of Torture, Nepal (CVICT) and HealthNet TPO that collaborates with the partner organization Antarang (see http://healthnettpo.org/HealthnetTPO(EN)/CORE/00/04/6.HTML), as well as the Centre for Mental Health and Counseling (CMC, http://www.cmcnepal.org.np/) with support from United Mission to Nepal (UNM) and Terre des Hommes Switzerland. There may be other NGOs working in the field of psycho-social care.

[73] Handicap International, CAHD; various CBR projects; see UNICEF 2001 for an overview of institutions.

[74] http://www.jagritifoundation.org/organizations.asp?Country=Nepal

[75] Exchange rate NPR 71 = USD 1 (average value for 2006).

[76] As quoted by Landmine Monitor Report: "US Department of State, "Country Reports on Human Rights Practices-2005: Nepal," Washington DC, 8 March 2006."

[77] As quoted by Landmine Monitor Report: "Asia-Pacific Development Centre on Disability (APCD), "Country Profile-Nepal-Current Situation of Persons with Disabilities," http://www.apcdproject.org, accessed 12 June 2006."

5

Recommendations for future mine action in Nepal

The following recommendations are based on internal publications as well as those available to the public, such as the Nepal chapter in the Landmine Monitor Reports and studies undertaken by UNICEF. It also draws from a series of interviews with IED/mine survivors in 2006 and interviews with people involved in mine action in Nepal in December 2005, March and October/November 2006.

Recommendations aim for immediate action until the end of 2006 and for the course of 2007. This chapter follows the same order as chapter 4, beginning with *Coordination* and *Data Collection*, followed by the five pillars of mine action. The recommendations do not specify particular actors, as this is generally considered to be the responsibility of the members of the Mine Action Working Group (MA WG). Detailed planning should be undertaken by the mine action stakeholders in Nepal in a common workshop.

On a general note, it should be highlighted that the human resource **capacity for mine action** in Nepal is very limited to date. Only UNICEF, NCBL and INSEC, as well as the army's EOD team have full-time personnel working on mine action.[78] All other institutions provide mine action focal persons who cover a range of other topics. Full time capacity to provide training, to plan, to monitor and evaluate ongoing activities is lacking. To give mine action in Nepal the boost it needs, an additional lead agency in mine action in support of UNICEF is needed – at least for two or three years until mine action activities have become routine or the threat from explosive devices is drastically reduced.

[78] It is not clear if the PLA has a full time EOD capacity.

Risks and assumptions:
Only one key assumptions and one major risk are formulated here. Additional analysis should be undertaken by the relevant stakeholders.

- The underlying key assumption is that peace remains and stabilizes creating a conducive environment for mine action, especially at the community level.

- A risk may be that other topics will dominate the political and humanitarian agenda in Nepal not leaving sufficient room to adequately address the menace created by ERW and landmines.

How to read the chapter *Recommendations*:

Based on the model of a "Logical Framework" a number of **Activities** are undertaken in order to achieve an **Expected Result.** Activities should be phrased in an active tense (develop, create, support, and so on). **Indicators** to monitor and evaluate implementation are also included here. **Risks and Assumptions** are another essential part of planning.

5.1 Coordination

In addition to coordinating mine action within the agencies working on the issue, there is a need to actively promote mine action among the humanitarian community. Forty four percent of the incidents were linked to livelihood activities (since June 2006). Mine action is obviously important in relief and emergency operations to diminish immediate suffering, but it is equally important for mid to long term development planning in a transition phase as well as in a development phase, especially as people who have suffered severe injuries or lost a family member endure life-long consequences.

Mine action is also an essential element in peace-building as transparency and cooperation regarding data collection, survey and clearance may serve as confidence-building measures.

The following recommendations are divided into two phases. "Phase 1" is coordinated under the Mine Action Working Group (MA WG), and "Phase 2" is based on the assumption that there will be a national coordinating body for mine action in the near future.

Recommended Expected Result for coordination:

Mine action is effectively managed and coordinated

Recommended Key Activities:

Phase 1:

- Develop an emergency response to new incidents and monitor its implementation

It is necessary to check whether all 53 districts affected by ERW/landmines since January 2005 have agencies with a potential to deliver MRE. District level maps that depict all VDCs/municipalities where incidents have occurred as well all the locations where MRE is being conducted, and by whom, are needed in order to help planning. UNICEF is currently preparing information regarding mine action activities. Incident information is available through INSEC surveillance but mapping at the VDC-level has not been done as yet. Mapping could also serve to show where casualties are taken for medical attention/ surgery and for physical rehabilitation and where EOD/demining has taken place.

Note: UNICEF has tools to easily create digital maps on regional as well as district level. Preparing maps of this kind is very simple and does not need a Geographical Information Systems specialist.

Monthly MA WG meetings can be used to show updates of the maps, identify areas in need of MRE and agree on an emergency response plan. Agencies can then report to the meetings about actions realized according to the plan.

- Develop coordinating mechanisms for mine action on a regional and district level where appropriate

The MRE WG has already identified the need for decentralized coordination in order to avoid duplication of activities in a district. First steps will be taken by the end of November 2006 by UNICEF in Nepalgunj to coordinate activities in the Far Western and Mid Western Regions. To engage governmental bodies it is recommended to include the District Education and the District Health Officers.

- Undertake stakeholder analysis and identify Mine Action Focal Points for each institution

Not all agencies that may be potentially interested in mine action or that may contribute to the implementation of mine action activities have been identified in Nepal. A stakeholder analysis could be undertaken by one of the agencies or by a sub-working group of the MA WG to list governmental and non-governmental agencies working in child protection, education, disaster mitigation, health, physical rehabilitation, physiotherapy, disability issues, community-based rehabilitation, psychosocial support, community development, income-generating activities, peace-building, disarmament, reintegration of returnees, ex-combatants etc.

The stakeholder analysis could identify focal points for mine action in each institution if feasible. Establishing direct contact with the agencies in this manner could also serve to raise awareness about the threat from explosive devices in Nepal and the need for additional mine action interventions (for example by agencies involved in disaster risk reduction).

- Develop a preliminary Mine Action Strategy and Plan of Action and monitor its implementation

A preliminary Mine Action Strategy and Plan of Action could be developed in a three-day workshop organised by the members of the MA WG. If possible, representatives from SF, Maoists, and government stakeholders should be invited. This plan should be more comprehensive, aiming at the mid term (two years) as compared to the emergency response plan recommended above. The MA WG is best placed to serve as the body to monitor its implementation.

- Inform humanitarian and development coordination meetings on mine action implementation and needs

Coordination bodies and coalitions already exist within the development and humanitarian community in Nepal. This would be a good mechanism to keep a wide range of actors updated on the threat and the challenges explosive devices pose in Nepal.

- Convene a national mine action strategy workshop, which may recommend creating a Nepal Mine Action Authority and a Nepal Mine Action Centre

Once the stakeholder analysis has been conducted and the preliminary strategy and plan of action have been developed, a national mine action strategy workshop should be convened. UNICEF, possibly with the ICRC, are perhaps the best placed to organise a conference of this nature, which should only take place if participation of SF and Maoists and key ministries is assured. Participants should have the capacity for decision making or have at least direct influence on decision making procedures.

Phase 2:

- Create a national mine action authority/ centre if required

Mine action should be coordinated by national authorities. Generally, a national Mine Action Authority exists at an inter-ministerial level to provide strategic guidance for policy development. A Mine Action Centre (MAC) on the other hand, manages and coordinates the day to day implementation of a National Mine Action Plan or Programme. A MAC reporting to a civilian authority might work best in Nepal in

order to reach those communities most in need where the socio-economic impact from mines/ERW is highest and movement is restricted due to mines/ERW.

Recommended Indicators to monitor and evaluate implementation:

- Mine action is coordinated at national, regional and, where appropriate, at district level
- A national mine action strategy and mine action plan are developed
- National institutions achieve mine action goals and objectives and international institutions provide the necessary support

5.2 Data collection

Recommended Expected Result for data collection:

Data on Explosive Remnants of War and landmines is used to inform mine action planning

Recommended Activities:

- Continue active surveillance of ERW and landmine related incidents; cross-check data and publish monthly reports online

INSEC will continue the active surveillance of incidents from victim-activated explosions with civilians. International agencies, in a position to do so, should provide the necessary assistance. The surveillance may be expanded to include incidents from intentional explosions (these shouldn't occur during peace time but it is good to monitor it) as well as incidents with non-civilians. It would also be interesting for MRE if a question on whether the casualties are local residents or returnees was added. Additionally, it would be valuable to train data gatherers on filing ammunition reports to allow speedy disposal of the devices (EOD).

INSEC should be in regular contact with all actors gathering data on ED incidents (hospitals, NCBL, HimRights, CWIN, UNICEF) to cross-check data and to achieve one consolidated dataset based on common definitions – for example that children are persons younger than 18 years age, i.e. from 0-17.

- Continue analysing data from media-based surveillance from 2004 to end 2006 to assist mine action planning

Media analysis helps to identify VDCs/ Municipalities affected in the years previous to 2006. A comprehensive data analysis over a three-year time span will ideally allow the identification of, among others, typical risk-taking behaviour, most affected areas, and possibly seasonal trends in risk-taking activities. The current dataset, for example, seems to show that victim-activated explosions have increased in the forest/ jungle. A comparison with previous years would help to check this observation.

UNICEF will undertake this kind of analysis until the end of 2006; data is being cross-checked with the media-based database of NCBL who will continue media-based surveillance in 2007.

- Assess how to better obtain information on victims from explosions and the services they receive

As there is no database comprising all the victims of explosions in Nepal it may be difficult to monitor and report to international fora, and the Nepalese public, on assistance provided to landmine and IED casualties. Once Nepal has signed the Ottawa Treaty it will be expected to provide such information. An assessment on how to obtain this data, including the services victims receive, is recommended. A national survey on People with Disability (PwD) would be a good method to get information on survivors of explosive devices, although it would not provide information on fatalities.

Recommended Indicators to monitor and evaluate implementation:

- Active surveillance produces reliable and timely information to plan and manage mine action
- Reports on media-based surveillance for

the years 2004-2006 inform mine action planning

- Recommendations have been formulated on how to obtain data on victims of explosions and the services they receive

5.3 Advocacy

Recommended Expected Result for advocacy:

Nepal signs up and adheres to legal instruments relevant for mine action

Recommended Activities:

- Monitor the end of production of explosive devices by SF and People's Liberation Army (PLA)/Maoist Militia

NCBL and other stakeholders involved in advocacy should request full transparency as to the explosive ordnance that has been produced by both parties of the conflict.

Monitoring the end of production of explosive devices should include arms-producing factories of the Army. To ensure full transparency, the SF should consider inviting an international delegation of observers as well as the media.

- Raise public awareness on the Ottawa Treaty and on the Convention on Certain Conventional Weapons (CCW) and its Protocols by developing materials on these legal instruments and by training stakeholders

Training in International Humanitarian Law (IHL) is already ongoing, for example by ICRC. In addition, training on IHL, the Ottawa Treaty and the CCW, with particular reference to IEDs, booby-traps and landmines has also been given by GICHD/UNICEF. NCBL published and disseminated a full translation of the Ottawa Treaty in Nepali together with an introductory brochure.

A comprehensive set of materials in English and Nepali on legal instruments relevant for mine action should be developed and disseminated, at best via training workshops that aim at mine action stakeholders.

Events such as incidents of explosions, international mine awareness day (4 April), international day of the disabled and the anniversary of the Ottawa Treaty (3 December) should be used to raise awareness via press statements, conferences, rallies, fund-raising events and so on. Mass media should play a central role. This will help heighten awareness on the local threat in Nepal and the need to sign and adhere to the relevant international legal instruments.

- Assist interim government to prepare a voluntary transparency report ahead of signing the Ottawa Treaty

Working level staff in the Ministry of Defence have indicated a readiness to prepare a "voluntary Article 7 report". States party to the Ottawa Treaty have to provide an initial Article 7 report that describes the threat landmines pose in their country, the types of mines that have been produced, those that have been used, existing stockpiles, the capacities to address the threat and how they intend to go about identifying suspected mined areas and how to clear minefields. States not yet party to the Treaty are encouraged to present voluntary reports.[79] Data from the surveillance system will greatly assist the government in this respect.

- Liaise between interim government and the Steering Committee of the States Parties that are signatories to the Ottawa Treaty

Encourage the interim government to send high-level delegations (Ministry of Foreign Affairs, Ministry of Defence, Ministry of Children, Women and Social Welfare and

[79] See http://www.icbl.org/treaty/reporting

Ministry of Health) to international meetings of States Parties that are signatories to the Ottawa Treaty and other relevant meetings regarding mine action. Delegations should prepare statements for delivery.

Forthcoming meetings include the *Intersessional Work Programme, Meetings of the Standing Committees*, scheduled for 23-27 April 2007, Geneva, Switzerland, and the *Eighth Meeting of the States Parties,* scheduled for 18-22 November 2007 in Amman, Jordan.[80]

Recommended Indicators to monitor and evaluate implementation:

- Events and materials produced and disseminated to raise public information on mine action and the relevant legal instruments.
- A *Voluntary Article 7 Report* ahead of signing the Ottawa Treaty is submitted.
- Nepal participates in Ottawa Treaty meetings with high-level delegations and delivers statements on mine action issues.

5.4 Stockpile destruction / Ending the production

According to the Ottawa Treaty the destruction of stocks of Anti-personnel mines must be completed within four years following the signature (Figure 27).

Both sides to the conflict should declare the size of (known) stockpiles. It would be important to receive information from the Maoists as to whether they possess Anti-personnel mines (including blast and omni-directional fragmentation AP mines) looted from government stockpiles, whether these mines were used and whether they were stored. Equally, the SF seem to have had access to Chinese Anti-vehicle mines (photographic evidence). However, the SF claim not to have used AV mines in the 'classical' way. Instead they seem to have converted some into powerful IEDs. Full information on these issues including the use of explosive devices by the APF and by the Maoist militia should be achieved.

The identification of smaller caches of ammunition stored by the Maoists in houses or other places may prove difficult. Maoist cadres and senior military should help create a climate where locals are willing to provide such information without having to fear reprisals of any sort.

Recommended Expected Result:

Nepal prepares for destroying landmines and Improvised Explosive Devices (IEDs)

Recommended Activities:

- Include mine action in managing disarmament
- Monitor declarations by SF and Maoists on the size and locations of their stockpiles
- Assess whether Nepal needs technical assistance in identifying and destroying stockpiles

The British Army is providing technical and material support to the EOD unit of the 14th Brigade of the Nepal Army. This support should include the question of stockpile destruction.

FIGURE 27: A stockpile of PMD-6 blast mines about to be destroyed in Western Sahara

[80] See calendar on http://www.gichd.ch, and http://www.icbl.org/treaty/meetings

Recommended Indicators to monitor and evaluate implementation:

- Arms management and disarmament includes IEDs and landmines
- Both parties to the conflict provide comprehensive information regarding munitions used and stockpiled

5.5 Mine Risk Education

Recommended Expected Result:

Communities and groups most at risk learn to live safely with the threat of IEDs and mines

Recommended Activities:

Phase 1:

- Conduct Training of Trainers for NGOs willing to impart MRE, particularly on the use of existing MRE materials

Organise workshops for NGOs providing MRE on how to make use of existing materials, at best at regional level to reach greater coverage. Emphasis should be put on tailoring MRE sessions to the local threat and at broadening the range of methods employed.

Particular emphasis may have to be put on ex-Maoist Militia as this group tends to be overly confident in dealing with explosive devices, particularly socket bombs. It seems that the estimated 100,000 militia members[81] do not have sufficient knowledge on how to assess whether an abandoned or unexploded device is dangerous. The same may be true for ordinary soldiers of the Nepal Army, members of the APF and the Police.

- Conduct emergency response MRE to all Village Development Committees (VDCs) suffering from an explosion within two weeks after the incident

Conducting MRE immediately after an incident is important for three reasons. Firstly, the community is traumatized by the incident. Secondly, it proves highly effective as community members are generally more receptive due to high levels of shock. And thirdly, if one incident occurred, there is a higher chance that another incident may happen again in that community. INSEC district representatives are often among the first 'outsiders' who contact the victim and his/her family, relatives and neighbours after an explosion. A short MRE session from the INSEC staff would be a good emergency response.

- Continue the nationwide mass media-based MRE campaign and link it to MRE-facilitators in at least 20 of the most affected districts

Conduct a specific workshop on the use of radio for MRE with the INGO Equal Access/ Digital Broadcasting and their facilitators who work with radio listener clubs. Undertake focus group discussions to evaluate which messages listeners remember and in which way it impacts on their life.

A radio campaign should not be undertaken as a stand-alone activity. There is a risk to instil panic rather than increasing awareness and caution. Care must be taken not to raise curiosity among children that can lead to the 'hunting' of explosive devices. At least in the 20 most affected districts the radio listeners should be directed to agencies or individuals facilitating MRE that are in a position to point out the local threat and the adequate safe behaviour.

- Develop training package for schools (teachers and child clubs) to test school-based MRE

Almost half of the casualties (46%) involved children aged five to 18, the great majority of them students, predominantly boys. Schools and school-based child clubs are an obvious choice for MRE.

However, two contradicting opinions prevail as to whether teachers should be asked to teach MRE. Those against it state that MRE deals with too sensitive an issue putting

[81] See Nepali Times #311, 18-24 August 2006; the author differentiates between full-time and part-time militia.

teachers at risk (even after the cease-fire). Those for it say that as long as there is general approval by key-stakeholders in the district, teachers are happy to teach such an important issue. To date, facilitators who taught MRE during the conflict belonged to agencies known to be impartial – often they were not from the school itself making it school-oriented MRE.

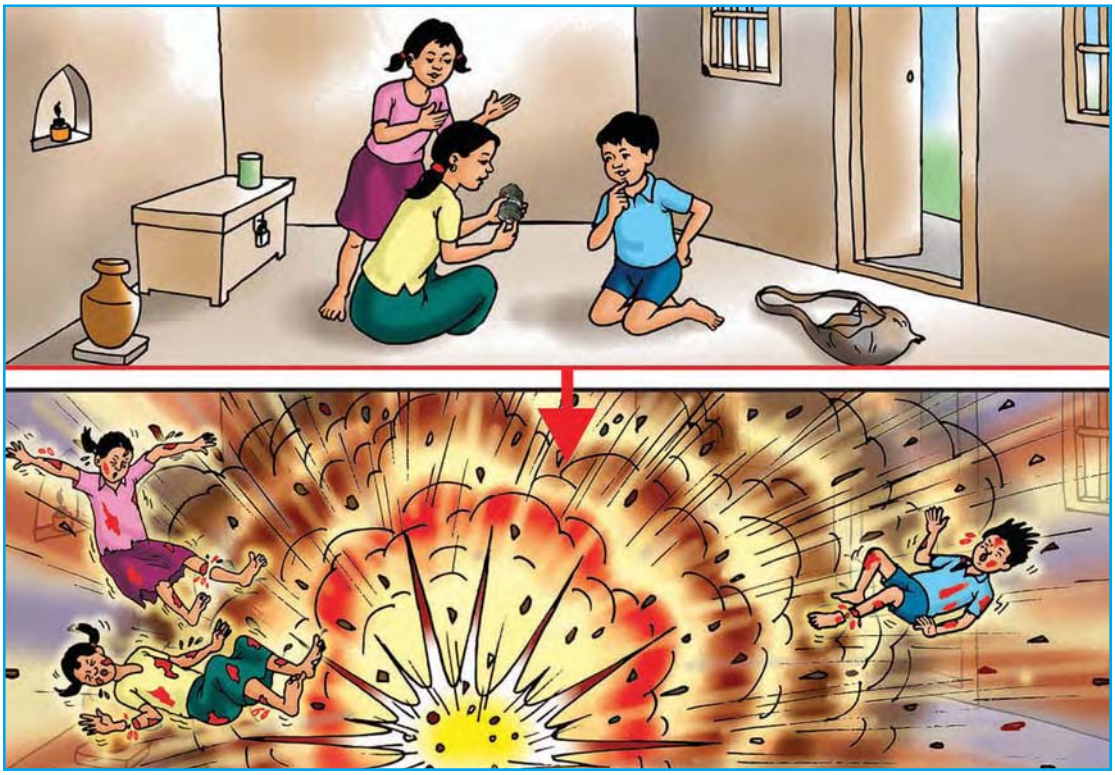
School-based MRE would be much more sustainable, starting by training instructors in the teacher training colleges. At best, basic MRE would become part of a standard curriculum tailored to a specific age group, enhanced by extra-curricular activities in schools in areas affected by explosive devices.[82] Extra-curricular activities would allow for drama and song, poems, reaching out to children-out-of-school, drawing competitions, etc.

There is substantial experience in Nepal in conducting child-to-child activities which should be exploited when training. In addition, training in participatory teaching methodologies would benefit all.

- Test community-oriented MRE approaches and in most heavily affected areas community-based approaches/ with community liaison

MRE approaches in a community include open meetings, community drama, stands at the bazaar, and sessions for focus groups targeting those most at risk (possibly including returnees in the near future), groups arranged by gender, by age or for those marginalized by society (Dalits, etc.). The most effective but time-consuming method involves house-to-house visits. Requesting Community-Based Organisations (CBO) and local NGOs to host a session on MRE is an institution-based approach that also works well. For example, forest user groups may have an interest to declare their area 'mine free' or 'free from explosive devices', the same applies to farmer groups; mother groups

FIGURE 28: MRE material developed by UNICEF Nepal and illustrating the danger of handling socket bombs



[82] Every Friday afternoon about three hours are dedicated to extra-curricular activities.

may have a particular interest in ensuring the well-being of their children.

Community liaison activities should aim to ensure that information collected on ammunitions or suspected dangerous areas result in technical surveying and clearance/ EOD by 'liaising' with the relevant actors. Similarly for victim assistance and development oriented programmes the needs of People with Disability should be included, for example income-generating groups may check whether they include People with Disability.

If the local threat from explosive devices is particularly worrying, experimentation with community-based MRE is recommended. Mine action facilitators aim at building local capacity so that villagers themselves can provide MRE, have the know-how to maintain fencing and marking signs, how to liaise with the Police to ensure timely EOD, and how to ensure that victims of explosions have access to services to improve their livelihood (within the community or outside).

➤ Set up a monitoring and evaluation system on a regional basis

Key terminology and key messages need to be consistent throughout the country. A system to undertake quality control, monitoring and evaluation on a systematic basis needs to be established, preferably at a regional basis to allow quicker access.

➤ Create additional MRE tools

A range of MRE tools has already been developed in Nepal (Figure 28). Translating some tools into additional local languages may be opportune. Nevertheless, there is room for additional tools, for example for making a documentary film[83] to be used for mobile cinema and facilitated by trained MRE educators. Professional drama groups could conduct school- or community-based drama. Songs could be broadcast, etc.

➤ Conduct a refresher training on IED/mine safety

Training in IED/mine safety for aid workers and journalists is already a prominently used tool to date. Refresher training may be adequate to exchange experiences and to offer the opportunity to those who did not have the chance to participate in the initial training of trainers from December 2005 (see section 4.5).

Phase 2:

➤ Decide whether MRE should become an integral part of the school curriculum

Analyse school-oriented and school-based MRE and take a decision regarding the curriculum (this may be only relevant for heavily conflict-affected VDCs and municipalities).

➤ Train MRE providers in surveying techniques and in community liaison

Based on the testing of community-oriented and community-based MRE in-depth training for MRE facilitators should be provided.

Recommended Indicators to monitor and evaluate implementation:

➤ MRE facilitators are trained on a regional level
➤ At least 20 of the most affected districts have MRE in place
➤ Quality control, monitoring and evaluation mechanisms are in place
➤ Additional MRE tools are available
➤ A decision is taken on whether school-based MRE is feasible and on whether MRE should become part of the curriculum

[83] See Mallika Aryal, *Through Nepali eyes. Openness means more and better documentaries,* Nepali Times # 319, 20-26 October 2006, p.8.

5.6 Mine clearance / Explosive Ordnance Disposal

Recommended Expected Result:

Nepal's known mined areas are marked, fenced and (partially) cleared; surveying of suspected ERW-contaminated areas is in place

Recommended Activities:

Phase 1:

➤ Conduct mapping of all mine and ERW contaminated and suspected areas

A preliminary mapping exercise can be undertaken based on existing information. It should be undertaken on a VDC/municipality level and, if possible on ward level (each VDC on average is sub-divided into nine wards). As the minefields have been mapped by the SF, it is mainly the contamination by unexploded and abandoned IEDs that needs to be addressed through this mapping exercise.

➤ Fence and mark SF defensive perimeters according to international standards; brief the local community on the marking system and the threat from the mined areas

The PLA seems not to have areas with permanent defensive perimeters. However, it has been reported that they have placed command-activated IEDs in the anticipation of SF patrols. These IEDs should be removed and destroyed as quickly as possible.

Standards for mine warning signs and marking for fencing should be agreed upon and follow international standards.[84]

Defensive perimeters should be prepared accordingly, ensuring a sufficient safe zone behind the fence itself prior to the full mine clearance; this might entail limited demining to ensure safety distances from roads and paths as well. These activities are particularly important prior to abandoning a position.

FIGURE 29: Defensive perimeter around an SF base, showing the fencing and an explosive device

All fragmentation mines and IEDs that put civilians at risk should be removed and destroyed (SF-positions, Police posts) or destroyed in situ if necessary (booby-trapped IEDs placed by Maoist). The metal boxes used by the SF to house some of their command-activated devices should also be removed as it is not possible to tell from a distance whether the boxes are still 'armed' or not (Figure 29).

➤ Continue clearing all clash sites and areas mined by security forces and officially hand over cleared areas to the communities

➤ Provide follow-up to new incidents within one month to dispose of additional explosive devices

According to the head of the army's EOD unit, follow-up to ammunition reports that are filed by INSEC with the local Police (and reported via email to the EOD unit) can be guaranteed within one month if such a procedure is sanctioned by the Ministry of Defence and the Army command. It remains to be seen whether this system is feasible. There might be doubts with regards to the geographical accessibility of certain areas

[84] See International Mine Action Standards, http://www.mineactionstandards.org/ IMAS_archive/Amended/Amended1/ IMAS_0840_1.pdf

unless full helicopter support can be assured. There may also be security concerns in areas that have been under the military control of the Maoists.

- Assess whether Nepal needs additional technical assistance in surveying and EOD

A British Army assessment team met with the Nepal Army (NA) during early November 2006. The recommendations from this mission include the expansion of British Army technical and material support to the NA EOD team.

It may soon be the right time to assess whether a neutral EOD capacity, for example one that works under INGO auspices, is needed in order to speed up clearing ERW and landmines, and whether it is feasible for such a body to operate in Nepal.

Phase 2:

- Train MRE/Community Liaison providers in surveying techniques
- Conduct impact survey of ERW-affected communities through roving MRE/ surveying teams and provide MRE

In order to get more detailed information from communities, a participatory approach to gathering first-hand information would be ideal. At best, this rather sensitive work would have to be undertaken by community liaison staff from impartial organisations. Small roving or mobile teams have proven to be most effective in gathering information and also in the implementation of an immediate emergency mine action response in conjunction with those possibly already delivering MRE or providing other community services.

These small teams may provide initial MRE and/or retrain MRE facilitators living in the respective districts/VDCs/municipalities; they may undertake provisional markings and explore whether victims of explosions have access to available services.

- EOD response within one week following a report

The response time on receipt of ammunition reports should be reduced to one week as soon as possible.

- Assess whether the integration of EOD capacity in MRE/surveying teams is feasible

In other mine/UXO affected countries, roving teams, as described above, do include an EOD capacity to immediately take care of imminent threats. It remains to be seen whether such an approach is needed and feasible in Nepal.

Indicators to monitor and evaluate implementation:

- Mined areas are cleared and handed over to the communities.
- EOD response following ammunition reports by INSEC is undertaken within two weeks in at least 80 percent of cases.
- At least two roving MRE/surveying teams are operational.

5.7 Victim Assistance

Recommended Expected Result:

New victims of explosions receive improved rescue and medical attention; ERW and mine victims are included in available service provision (health and rehabilitation, psychosocial care and economic development, rights for People with Disability)

Recommended Activities:

- Provide support for new victims of explosions for quick rescue and medical support free of cost; ensure family members of deceased receive compensation

Aid agencies and authorities working in a district with new victims of explosions should jointly find ways on how to provide the needed support. This entails first aid, rescue/medical evacuation, hospital costs (bed per night, medicine, doctors, lab costs, supplies, accommodation and food for the patient and a companion/guardian) and transport costs to return home; it also entails compensation in case of death.

Although there are systems in place for government support, legal and practical advice for the family may well be needed in order to ensure they receive all the benefits to which they are entitled. In cases where non-governmental and private assistance is sought, various agencies have indicated their willingness to help. An emergency fund should be created to avoid any possible delay in care. This fund could be replenished by agencies and government. Funds could also be generated at a regional level from wealthy local people, as suggested by the Hospital Chief of Bheri Zonal Hospital (Nepalgunj).

A simple and accessible procedure for rescue and medical support is urgently needed. As a first step, it may prove helpful to document current emergency case studies to produce recommendations on lessons learnt.

➤ Assess how to obtain information on the services received by both new and old victims of explosions

Data on victims of ERW and landmines will be needed to allow the government of Nepal to report to international meetings on the extent of the problem and the progress made towards addressing the problem. An overview of working health facilities, however, seems not to be readily available.[85] For example, UN OCHA has not as yet, succeeded to obtain the necessary information for producing a map of health facilities.

"Old" victims of explosions also deserve proper assistance in case they have not fully recovered from the incident or in case they had to pay for the treatment. Services do exist in this regard, but not all survivors may be aware of them. In order to reach "old" (and new) victims, an assessment is needed on how best to obtain information on victims of explosions and the services they have received.

Another approach would be to simply provide massive awareness over radio and through aid agencies on these services. If for example, the government were to offer compensation for victims of explosions many people might come forward. In order to avoid false claims and corruption, lawyers in conjunction with INSEC and other aid agencies and/or authorities, can jointly prove the righteousness of the claims.

➤ Study available services for people with disability and existing Disabled People's Organisations, identify gaps, recommend future action/improved coordination for VA

UNICEF undertook a comprehensive study on disability in 1999 which was published in 2001. More up to date information seems not to be readily available. A study is therefore recommended on how best to ensure victim assistance. For such a study it is important to note that Handicap International was recently asked by the Social Welfare Council to undertake an inventory of Community-Based Rehabilitation (CBR) available in Nepal. The inventory is expected to be ready by June 2007.

[85] A new *Trauma Centre* opened in October 2006 in Bir Hospital in Kathmandu. This centre is specialized for victims of incidents resulting in severe physical trauma.

- Raise awareness on needs of victims of explosions with non mine action service providers for inclusion in development programmes

Agencies working in mine action should help to raise awareness among relevant service providers on the needs of victims of explosions. Such advocacy should be undertaken in generic terms on a national and a regional level and in concrete terms on district level. Needs, as explained above, range from first aid to socio-economic support and thus need to address a wide range of governmental and non-governmental actors working in both emergency and development.

Recommended Indicators to monitor and evaluate implementation:

- New victims of explosions benefit from timely rescue and free medical treatment; in case of death the family receives compensation
- Information on victims of explosions and the services they have benefited from is documented
- Advocacy on the needs of victims of explosions is reaching relevant service providers

6

Conclusion

Since the recent signature of the Comprehensive Peace Agreement between the government of Nepal and the Maoists, the outlook for the country is exceptional. However, victim-activated explosions are a cruel reminder of the recent conflict. Six months after the cease-fire, explosions are still happening every week, in all of the five development regions of the country.

It is essential that this situation be properly addressed to allow people in Nepal get on with their lives without any threat from explosive remnants of war and landmines and to minimise the suffering that results from explosions. As such, this will be a key element in the coming peace-building process.

Therefore, reinforced mine action activities are essential, both to mitigate the risk of future incidents (for example through MRE and quick disposal of the explosive devices) and to reduce the damage they have already caused on civilians (for example through Victim Assistance).

Reliable information is the compulsory basis on which coherent and efficient mine action activities and programmes can be developed. In addition, proper coordination is required in order to be efficient and to avoid duplication.

In the past, there were many unanswered questions about the situation of explosive devices in Nepal and their impact on the civilian population. The active surveillance recently developed by INSEC will help address this situation.

This report provides detailed information on the real situation regarding the explosive remnants of the conflict and landmines and the resulting threats and incidents (districts

where incidents have occurred, the type of devices that cause incidents, the activity of the civilians at the time of the explosion and their age, gender and occupation). It provides also an in-depth analysis of the current situation in the field of mine action in the country, as well as substantiated recommendations for all stakeholders willing to be efficiently involved in mine action.

The INSEC surveillance system is ongoing and information will be updated regularly on the INSEC website (http://www.inseconline.org), to assist actors and stakeholders in mine action which is essential for a peaceful and promising future in Nepal.

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Annexes

Annex 1: INSEC surveillance form (English)
Annex 2: Incidents and casualties per region and district (January-October 2006)
Annex 3: Map of incidents by district (January-October 2006)
Annex 4: Map of casualties by district (January-October 2006)

Annex 1: INSEC surveillance form (English)

Informal Sector Service Centre (INSEC)

Data Collection Form for Civilian Casualties of Victim-Activated Explosions

V1.00 (15/05/06)

S.N. **Computer S.N. (Only for central office use)**

District:

Date of Incident: B. S. **A. D.**

Geographical description of the incident: VDC/Municipality/Ward No.

Place of incident: ☐ In Village/town ☐ At Home ☐ At School ☐ Road ☐ Path ☐ Near SF base ☐ Near tower ☐ Agriculture land ☐ Grassland Forest/Jungle ☐ Other

Details of place:

Was area marked as dangerous: ☐ yes ☐ no

Type of ED:

☐ **IED**: ○ Socket ○ Sutali ○ Pipe ○ Bucket ○ Pressure cooker ○ Flag ○ Banner ○ Roadblock ○ Other

☐ **UXO**: ○ Mortar ○ Cartridge ○ Hand grenade ○ Other

☐ **Mine**: ○ Claymore type ○ Stake mine ○ Blast mine ○ Anti-vehicle mine ○ Other

☐ **Unknown**

Victim Description

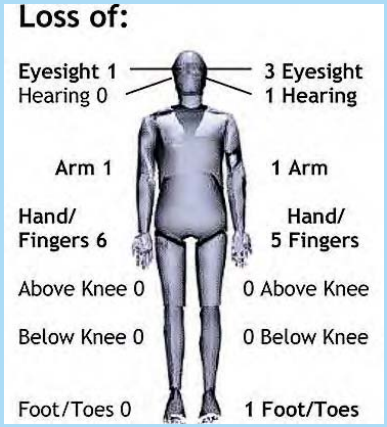
Name	Address	**Sex** Male 1 Female 2	Age at the time of incident	Cast	Language	**Literacy** Literate 1 Illiterate 2	Passed grade	**Economic status** Higher 1 Middle 2 Lower 3 Lowest 4	**Marital status** Married 1 Never married 2 Divorced 3 Widow 4	Family size	Occupation at he time of incident	No. of dependents	**Consequence of incident** Injured 1 Killed 2

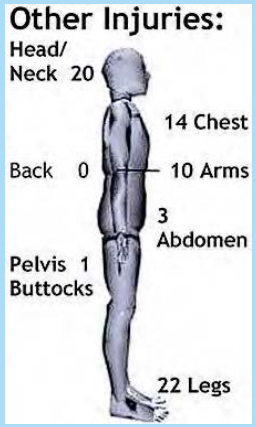
Occupation: Student, Farmer, Laborer, Teacher, Business, Civil/Private Service, Health Worker, Social Worker, Political Worker, Unemployed, Other (explain)

Who activated the ED? The victim someone else Vehicle Animal Other

How did the ED explode?

Description of the injuries





Activity at time of incident

- ☐ Collecting fodder/ wood/ food
- ☐ Herding
- ☐ Fishing
- ☐ Farming
- ☐ Laboring
- ☐ Traveling
- ☐ Construction
- ☐ Removing roadblock/flag/banner
- ☐ Intentionally strike/throw ED
- ☐ Handling ED:
  - ○ to play/curiosity
  - ○ to make area safe
  - ○ to keep as souvenir
  - ○ other
- ☐ Bystander/Spectator
- ☐ Do nothing, near victim
- ☐ Other

If Killed, location of death:

- ☐ Place of incident
- ☐ Going to Medical facility
- ☐ In Medical facility
- ☐ After Medical facility
- ☐ Other:

How long between incident and death:

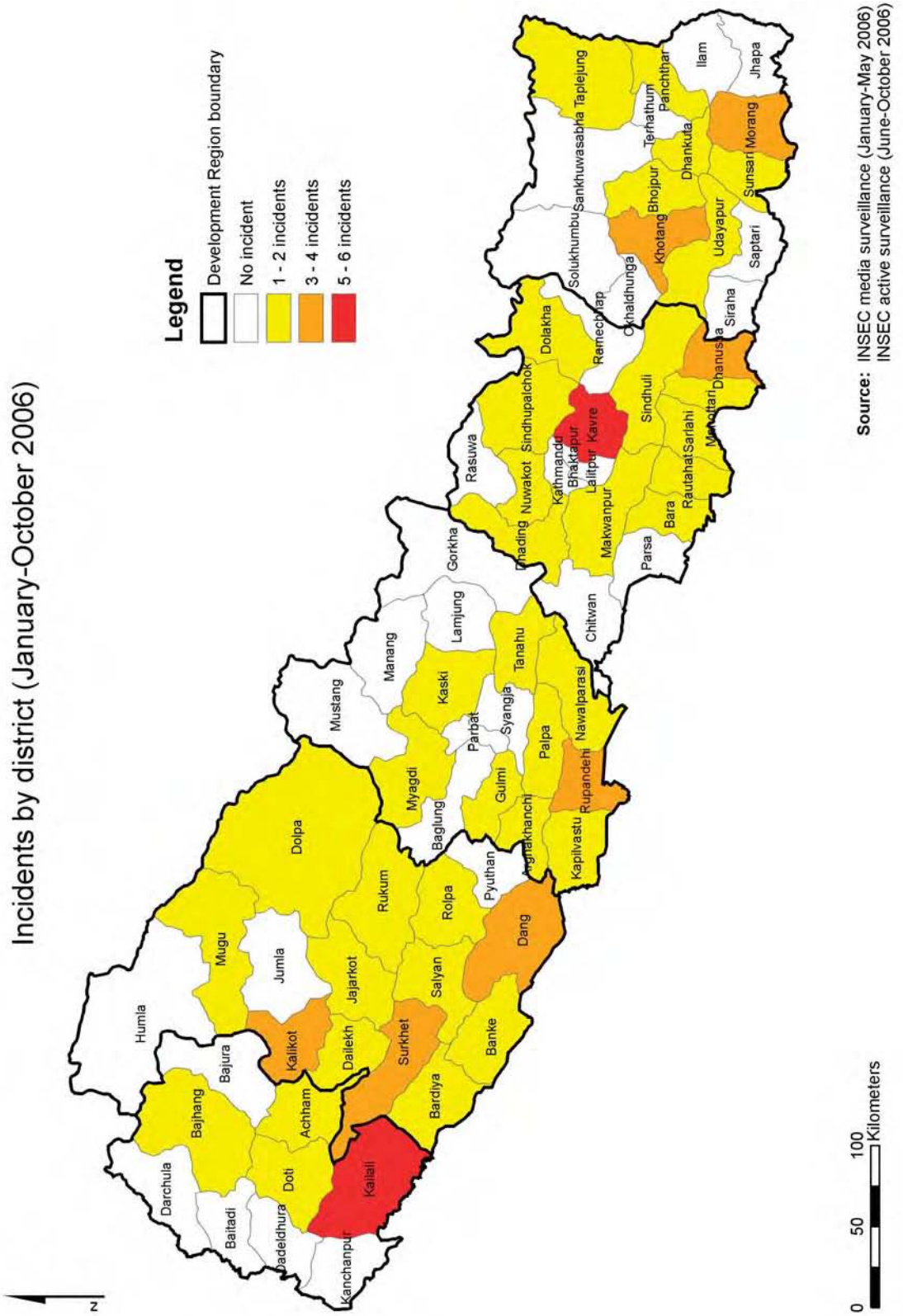
Did victim know area was dangerous? ☐ Yes ☐ No ☐ Unknown
Did victim know activity was dangerous? ☐ Yes ☐ No ☐ Unknown
Did victim receive MRE before incident? ☐ Yes ☐ No ☐ Unknown
Victims/family allows publication of name? ☐ Yes ☐ No

Description of source or eyewitness: .....
Type: .....Name/Address: .....
Prepared by: .....Incident Recording Date.....Sending Date.....
Remarks: .....

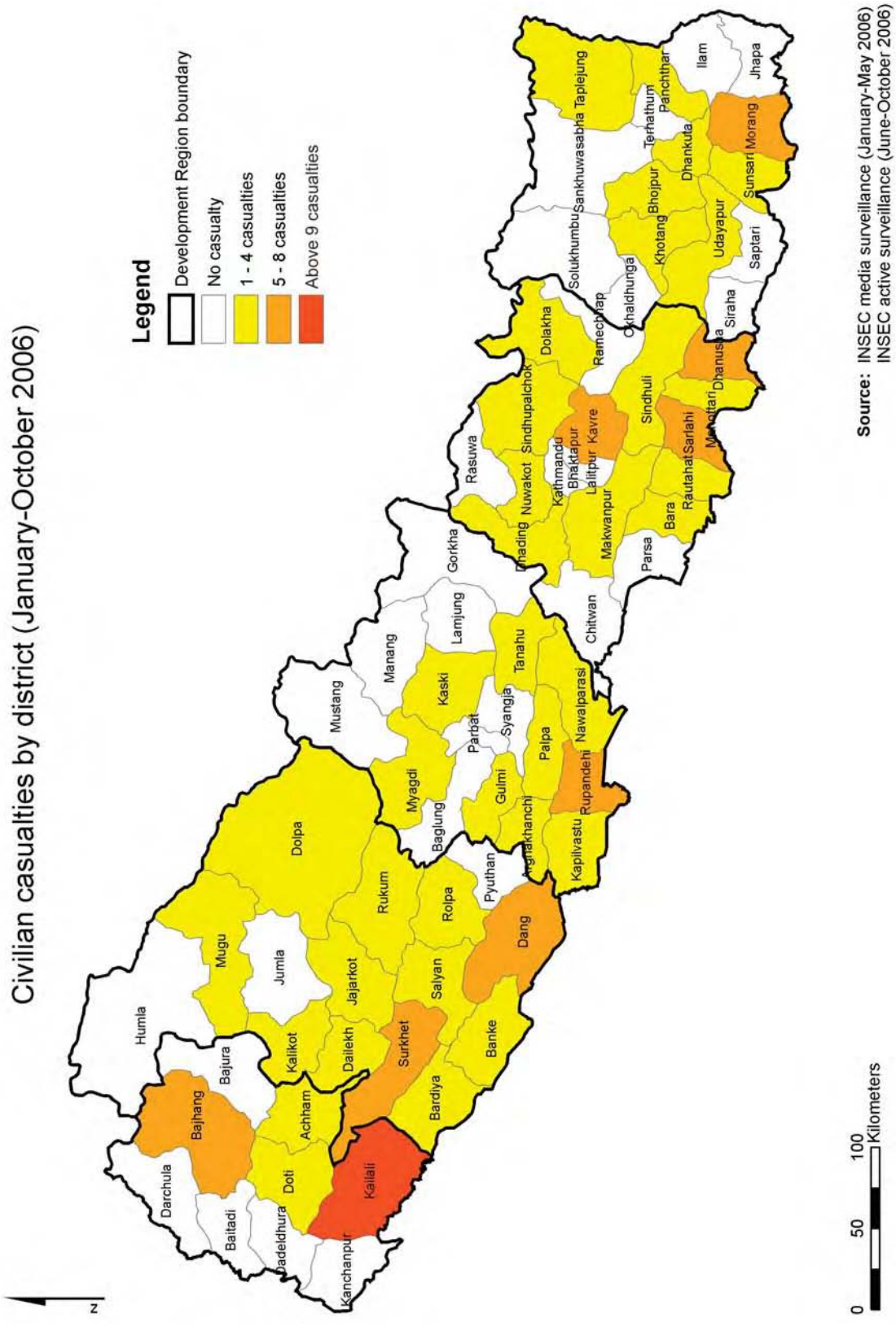
Annex 2: Incidents and casualties per region and district (January-October 2006)

Development Region	District	Incidents	Injured	Killed	Total
Far Western	Achham	1		2	2
	Bajhang	2	5		5
	Doti	1	1		1
	Kailali	6	9	4	13
Far Western Total	**4 Districts**	**10**	**15**	**6**	**21**
Mid Western	Banke	2	3		3
	Bardiya	1	1		1
	Dailekh	1	1		1
	Dang	3	3	2	5
	Dolpa	1	1	2	3
	Jajarkot	2	2		2
	Kalikot	3	3	1	4
	Mugu	1	1		1
	Rolpa	2	2	1	3
	Rukum	2	1	2	3
	Salyan	1	2		2
	Surkhet	3	6	1	7
Mid Western Total	**12 Districts**	**22**	**26**	**9**	**35**
Western	Arghakhanchi	2	1	1	2
	Gulmi	1	1		1
	Kapilvastu	1	2		2
	Kaski	1	1		1
	Myagdi	1	1		1
	Nawalparasi	1		2	2
	Palpa	1	2		2
	Rupandehi	4	5	3	8
	Tanahu	1	2		2
Western Total	**9 Districts**	**13**	**15**	**6**	**21**
Central	Bara	1	1		1
	Dhading	1	1		1
	Dhanusa	4	5	2	7
	Dolakha	1	2		2
	Kavre	5	8		8
	Mahottari	2	2		2
	Makwanpur	1	1		1
	Nuwakot	1	1		1
	Rautahat	1	1		1
	Sarlahi	1	5		5
	Sindhuli	1	3		3
	Sindhupalchok	2	3	1	4
Central Total	**12 Districts**	**21**	**33**	**3**	**36**
Eastern	Bhojpur	1	1		1
	Dhankuta	2	2		2
	Khotang	3	4		4
	Morang	3	5	3	8
	Panchthar	1	1		1
	Sunsari	1	1		1
	Taplejung	1	1		1
	Udayapur	1	1		1
Eastern Total	**8 Districts**	**13**	**16**	**3**	**19**
Total	**45 Districts**	**79**	**105**	**27**	**132**

Annex 3: Map of Incidents by district (January-October 2006)



Annex 4: Map of casualties by district (January-October 2006)



With the support of

HANDICAP INTERNATIONAL

If you ever hear about an incident caused by explosive devices, please contact the INSEC Representative in your district, INSEC Regional Office or the INSEC Surveillance Coordinator (+977 (0)1 427 8770, insec@insec.org.np).

By notifying INSEC about an incident you will participate to the success of the active surveillance system and increase the chance of the victims being taken in charge by Victim Assistance agencies.