



INGOs and NGOs in Nepal: Status and Areas of Work during the Conflict

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Nepal is presently going through an especially difficult phase in its development owing to the ongoing political conflict in the country. There can be no doubt that the conflict has direct bearing on the life of the people and the functioning of their external partners in development. The longer the situation persists, the greater the impact on people and progress within the country. Therefore, the present political situation in Nepal and its effects on the work of German non-government organizations (NGOs) in that country were the principal items on the agenda of the Tenth NGO Conference of German organizations active in Nepal, which took place in Cologne, Germany, in September of this year.² The participating organizations expressed a strong desire to see the political conflict in Nepal find a quick end to ensure smooth continuation of their work in Nepal. However, any viable solution to the political problem continues to remain difficult and elusive and a quick end to the conflict is nowhere in sight. In spite of the challenging work environment, the German NGOs in Nepal continue to function. This paper seeks to describe - with examples of effective cooperation between the government agencies, the local NGOs, German Development Service (Deutscher Entwicklungsdienst, DED) and the German Embassy - how the work of the German NGOs in Nepal is organized and how it is affected by the prevailing conditions.

Status quo

Nepal was ranked 140 (out of 177) on the 2004 Human Development Index. Thus the Himalayan kingdom with its 24.8 million inhabitants and a per capita income of US\$ 246 is placed among the poorest nations of the world. The proportion of the population living below the poverty line is officially around 38%. According to the *Poverty Reduction Strategy Paper*, this percentage has been brought down to 30%. Indeed, this was one of the stated goals included in the Tenth Five-Year Plan, which was designed as a *Poverty Reduction Strategy Paper*.

NGOs and Self-Help Initiatives (SHI) play an important role in the practical realization of the goals set by the National Planning Commission. The Nepalese government's appreciation of this fact has led to considerable growth in numbers of NGOs in recent years, even though their work has been made increasingly difficult by the ongoing conflict and political instability in the country. As the presence of government offices has become restricted to larger district towns and cities, it is now almost exclusively due to the work of NGOs that people in remote or rural areas and minority populations find the minimum support and services necessary for survival, let alone improve their living conditions. Even though the government of Nepal has created the Social Welfare Council (SWC), a central coordinating agency for NGOs, there still is a lack of operational networking and communication among the NGOs.

Social Welfare Council and the NGOs

Founded as far back as 1977, the SWC's mission is to mobilize and further the work of socially active organizations and to coordinate social services with the national development activities,

while focusing on the improvement of economic and social conditions of the poor. The SWC is composed of 19 members, 6 of whom are representatives of the different ministries of the government, while the remaining 13 are also nominated by the government.

The SWC purpose is to support social organizations and institutions by granting (or denying) approval to receive material, technical, economic or other forms of support from foreign governments, missions and so on. To receive such approval, the receiving organization submits an application to the Council describing the project and furnishing all other relevant details. Generally, the SWC acts on an organization's application within 45 days of receiving it, in consultation with the Nepalese government. The Council can reject an application if it determines such action to be in the national interest.

The legal foundation for the operation of civil society organizations in Nepal is laid by the Social Service Act. All newly created domestic NGOs are required to register with either the appropriate government office or the SWC or the Chief District Office (CDO). Registration with SWC is renewable annually by presenting a financial report and paying of specified fees. Of the more than 30,000 NGOs reported to exist in Nepal, 16,425 are registered with the SWC and about 15,000 with the appropriate local authorities, often the CDO. In terms of their geographic distribution, the vast majority (9,343) of the SWC-registered NGOs are in central Nepal, followed by 2,048 in western Nepal and 1,836 in eastern Nepal (1,836). The focus of most of these organizations is community development, services to youth and women and environmental projects.

In cooperation with the appropriate ministry or agency of the government, SWC enables INGOs wishing to become active in Nepal to enter into project agreements in the country. At present there are 107 INGOs registered with SWC and 10 of these are German. Providing letters of recommendation for visa and tax exemption is one of the key activities that the SWC performs in dealing with INGOs.

There are now more than 60 German associations and initiatives in Nepal.³ The associations can be grouped according to their major focus of work, their numbers of projects in Nepal and their financial volume. The largest organizations have projects of many different kinds in many different regions of Nepal. However, the majority of the associations focus on individual projects in a specific village or region of the country. Generally, the focus is on children's projects, such as orphanages, schools, sponsoring of children. Some organizations have founded their own orphanages. Other areas of engagement for German associations include health, often in the form of material or financial support to local health posts or hospitals. Many German organizations either place a representative on location or nominate a local Nepalese partner organization to serve as their contact.

Most associations seem to focus their attention on central Nepal, i.e. the Kathmandu valley and surrounding areas. Further widening of activities is considered difficult at best given the conflict-ridden environment that currently prevails in the country.

NGO activities and DED

DED aims at strengthening civil society by providing support to local organizations (EO) and by strengthening the democratization process and the creation and maintenance of democratic structures. Its efforts are also directed at increasing the appreciation of NGOs among the general public as an important part of society. DED's efforts include the augmentation of the independence of NGOs and their effectiveness in achieving their goals.

DED's efforts in support of domestic organizations coincide with its program in the areas of rural development, community self-governance and organizational strengthening of NGOs that are involved in business development or social development activities.

A local NGO's eligibility for support is determined on the basis of a set of qualifying or disqualifying criteria. At first contact with the organization, basic information is gathered by means of a contact questionnaire. The local NGO is expected to be able to clearly specify the kind of support being requested, present own ideas, have own means to meet a high proportion of the project's resource need, have a good working relationship with local authorities, and demonstrate a high degree of motivation and goal effectiveness. Special consideration is given to diversity of caste affiliation, with a focus on the support of minorities such as women and the oppressed (*dalits*).

In 2004 DED supported a total of 30 NGOs, five of which were active in rural development. The support of local NGOs focuses mainly on the improvement of institutional development, performance and program implementation. In terms of the geographic areas, the support program included 9 NGOs in the Western development region, 6 in the mid-Western region, 13 in the central and 2 in the Eastern development region of the country. No programs were supported in the Maoist-occupied regions at this time, as ongoing consultations with the NGOs in the regions could not be assured.

The major part of the total volume of support for domestic organizations was used for the financial support of NGOs and their projects and programs. The rest was used to support the salary payments of domestic staff of the NGOs, creating a job pool of 27 people.

With the total volume of DED support at its disposal, 30 projects were financed with DED federal budget, 6 with W.P. Schmitz Foundation and 20 with Brot für die Welt. 69% was used for EO support and the rest for the support of SHI. SHI support was meant to target the direct improvement of living conditions of the supported persons.

Macro-initiatives and the German Embassy in Nepal

An instrument to support macro-initiatives of technical cooperation was generally introduced for all German foreign representative offices in developing countries in 1986 after a successful pilot phase in selected countries. The German Embassy in Nepal has been supporting macro-initiatives since 1986. The maximum amount for individual support measures lies at 8,000 Euro, whilst in special cases a financial support of up to 13,000 Euro per individual initiative is possible. Target groups in Nepal include the poorest parts of the population.

The selection of macro-initiatives for support is based on a set of criteria, including the examination of qualification and/or soundness of the domestic organization that wishes to execute the macro-initiative, visits to the project site and examination of project structures and statement of the estimated follow-up cost and evaluation if such cost can be carried by the organization or the participants. After the course of the initiative has run, a determination of success/failure of the initiative is carried out on-site, specifying if and how the targeted performance was actually carried out. Activities for which funds have been granted are required to be carried out within an 8-month period (February to November of a calendar year).

Projects which may be supported are measures in the area of infrastructure (traffic pathways, water procurement, energy supply, communal plants), income and food improvement, especially agricultural, environmental protection, health and sanitary services, school and general

education services and equipment. Some of the non-supportable projects include the financing of land purchases, financial loans, salaries/wages, administrative or travel costs or office equipment for government offices.

In the above mentioned areas, the German Embassy supported 32 macro-initiatives in 2004 as compared to 29 in 2003. The projects were distributed across the five development regions of the country - e.g. Gulmi and Nawalparasi in the Western region; Mugu, Bardiya and Surkhet in the Mid-Western region; Doti in the Far Western region; Dhading, Makwanpur, Kathmandu and Sindhupalchok in the Central region; and Bhojpur and Udayapur in the Eastern region.

Operating in conflict regions

NGO projects are supposed to target the cause of the conflict and the strengthening of the weaker and poorer population groups. Basic conditions of work in the areas of conflict include, among others, absolute transparency regarding project politics, activities or programs and budgets, maintenance of neutrality and the transfer of resources. It is also important to have specially trained staff on locations who know how to deal with conflicting views, who can mediate common values and who can maintain the necessary transparency. Of special importance for the success of a project in loco is a positive public opinion and active support of the local population.

Development organizations of different donor countries have established the *Basic Operating Guidelines*, that is, a code of conduct both in Nepali and English in which they clearly specify their functions and goals and underscore their neutrality. This code of conduct is accepted by all donors and, in Nepal, all donors are operating along these lines, according to Ruediger Lemp, former ambassador of Germany to Nepal.

Based on principles agreed internationally and in Nepal, we the undersigned have adopted the following Basic Operating Guidelines for all development and, if necessary, humanitarian assistance in Nepal

1. *We are in Nepal to contribute to improvements in the quality of life of the people of Nepal. Our assistance focuses on reducing poverty, meeting basic needs and enabling communities to become self-sufficient.*
2. *We work through the freely expressed wishes of local communities, and we respect the dignity of people, their culture, religion and customs.*
3. *We provide assistance to the poor and marginalized people of Nepal, regardless of where they live and who they are. Priorities for assistance are based on need alone, and not on any political, ethnic or religious agenda.*
4. *We ensure that our assistance is transparent and we involve poor people and their communities in the planning, management and implementation of programs. We are accountable to those whom we seek to assist and to those providing the resources.*
5. *We seek to ensure that our assistance tackles discrimination and social exclusion, most notably based on gender, ethnicity, caste and religion.*
6. *We recruit staff on the basis of suitability and qualification for the job, and not on the basis of political or any other considerations.*

7. *We do not accept our staff and development partners being subjected to violence, abduction, harassment or intimidation, or being threatened in any manner.*
8. *We do not work where staff are forced to compromise care values or principles.*
9. *We do not accept our assistance being used for any military, political or sectarian purposes.*
10. *We do not make contributions to political parties and do not make any forced contributions in cash or kind.*
11. *Our equipment, supplies and facilities are not used for purposes other than those stated in our program objectives. Our vehicles are not used to transport persons or goods that have no direct connection with the development program. Our vehicles do not carry armed or uniformed personnel.*
12. *We do not tolerate the theft, diversion or misuse of development and humanitarian supplies. Unhindered access of such is essential.*
13. *We urge all concerned to allow full access by development and humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of such personnel.*
14. *We expect and encourage all parties concerned to comply strictly with their obligations under International Humanitarian Law and to respect Human Rights.*

Note: We seek to ensure our actions are consistent with the principles of the International Red Cross and Red Crescent Movement's Code of Conduct.

Experience so far has shown that only those NGOs can become active in areas of conflict that have protected their political neutrality and that have catered to the needs of the basic population. The maintenance of such a code of conduct is relatively easier for humanitarian NGOs than those civil society organizations that focus mainly on human rights and political education. It was realized too late in Nepal that support for such civil society organizations, with very few exceptions, didn't exist in the appropriate amount. This deficit has a very negative effect on the everyday life in Nepal. Support of the work of such civil society organizations by an INGO is a rather complex and possibly high-risk activity.

Cooperation during the conflict

The causes of the conflict and the conflict situation in Nepal have been extensively described in recent months. Our focus here is limited to the conflict and security situation in Nepal only as it relates to the operation of the NGOs there. The actual situation will now be summarized on the basis of a 6-point presentation by Jochen Kenneweg at the Tenth NGO Conference:⁴

Security and conflict situation: The present state of affairs is, as far as the military and security power structure in the country is concerned, unclear and contradictory. There are reports claiming that 80% of the country is strongly influenced by the Maoist movement. The Maoist movement's claim that it has established a government of its own is not new, but it has recently been more forcefully expressed with some substantiation. India's attitude seems to be

changing. The situation in Nepal is part of the regional dimension of conflict. There is much to indicate that the situation will further worsen in the future.

Constellation of domestic politics: Fortunately, there is still a coalition government functioning in Nepal, but it does not constitute a government of national consensus or unity. The coalition government does not emanate a feeling of strength. The established parties are fighting among themselves. The security forces are not in total control of the government. Unfortunately, all the forces active in the civil society seem to be rather weak and inarticulate.

Human rights: A general worsening of the situation can be seen, especially in view of the ongoing killings and kidnappings. This is evidenced in the large number of disappeared persons. Amnesty International claims that Nepal right now has the largest number of disappeared persons.

Cooperation in development politics: Cooperation between Germany and Nepal is based on three major areas: health, energy/renewable energies and support and furthering of communal self-governance in civil society. The relationship is multi-faceted. In all three areas of cooperation, activities are being carried out, with interruptions and restrictions. In many regions of the country, success of the cooperation activities depends on how much such activities are tolerated by the Maoists. In this context, the most important factor seems to be how strongly contacts can be made and upheld with the Maoist representatives on the local level.

International community: The uniformity in the attitude of the donor community evident during the Nepal Development Forum⁵ confirms that the international community tries to speak with one voice. Yet it is also the case that Nepal's international partners differ amongst themselves: some offer military help, others not. India, the United States and also the United Kingdom each play somewhat special roles. But, on a practical level, there are only a few very close contacts: the close cooperation with GTZ (German) and DFID (British) in the area of security for experts in development work. The close cooperation made it possible to reach a joint decision on the *Basic Operating Guidelines*, which is of great importance and practical value.

Peace as a challenge: A great challenge before all of us and our prime task as external partners of Nepal is to exert pressure again and again and make peace talks happen between the conflicting parties. Furthermore, it is of great importance to create and keep open the communication pathways between the conflicting parties - not only with the Maoists on all levels but also with the security forces, so that any work in progress can be safeguarded. It is not inappropriate to push the government for more efficiency and transparency in its actions, for increased efforts to communicate with the Maoist movement and for greater uniformity of action at all constitutional levels. As Jochen Kenneweg suggests, we have to create movement in the peace process, have this process start again, and have it move on to a new phase. Statements keep appearing in Nepal that peace talks are being prepared for, while there are offers on the part of the United Nations and others to support this process. In this context, we, on the part of Germany, must be prepared and willing to constantly re-think our options and opportunities to make the peace process materialize.

Peace resolution

Keeping in view the unresolved political conflict, the Tenth Annual Cologne Conference unanimously adopted the following Peace Resolution:

We, the representatives of the German Non-Government Organisations (NGOs) active in Nepal, wish to express our deep concern about the fact that the negotiations between the representatives of the Nepalese government and the Maoist leaders have not been taken up again. Therefore, we are addressing our appeal to the political parties in Nepal, to the Nepalese government and to the Maoist leaders to renew the ceasefire and re-start the negotiations in order to solve the political problems on a constitutional and democratic basis and thus create a long-lasting peace in the country. This is the prerequisite for progress and improvement of the life quality for the people in Nepal. Only in a peaceful environment, we will be able to continue working as efficiently as possible for the sake of the Nepalese people.

The NGOs functioning in Nepal are undergoing a very challenging phase in their work. That not a single German NGO has interrupted its work in Nepal - in spite of the upheavals and conflict-ridden situation in the country - is an evidence of the very strong bond of friendship between the peoples of Germany and Nepal. This confirms the honorable and high-quality work of German NGOs in Nepal. For this reason, the NGOs can expect that the respective organizations and authorities in Nepal will work diligently to create a safe and peaceful environment in the country. The restitution of peace in the country is the most highly desired wish of Nepal's external partners. Nothing would be a greater gift from the partners in conflict to the NGOs and INGOs in Nepal and, indeed, the people of Nepal.

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² Held on 4 September 2004 in Cologne, under the joint auspices of the German-Nepal Friendship Association, Cologne, and Friedrich-Ebert-Stiftung, Bonn. The first is a network of the German-NGOs for Nepal and serves to highlight and analytically assess the current status of the performance of various agencies operating in Nepal, and also to offer valuable suggestions for streamlining and broadening their activities with a view to better serving the people of Nepal.

See also: German NGOs urge to restore peace. (2004, October). *The Himalayan Times*, p. 13.

³ Thapa, Ram Pratap & Iris Kobek. (2003). *NGOs für Nepal, NGO-Treffen Nepal, Report on the Ninth NGO Conference*. Köln: German-Nepal Friendship Association and Friedrich Ebert Stiftung, ISBN 99933-899-6-x.

⁴ The conference benefited from the expertise generously provided by Dr. Beate Bartoldus, head of the Department for Asia and the Pacific in Friedrich-Ebert-Stiftung, Bonn; Dr. Madan Kumar Bhattarai, Royal Nepalese Ambassador to Germany; Jochen Kenneweg, Head of the South Asia Division in the Ministry of Economic Cooperation, Bonn; Rüdiger Lemp, former Ambassador of Germany to Nepal; and Anja Dargatz of the working group „Friedensentwicklung“ in Bonn.

⁵ Kenneweg, Jochen. (2004, July). Gefährdetes Land – zum Nepal Development Forum 2004. *Nepal Information*, No. 93, pp. 58 – 62.