DO NO HARM PROJECT

A Review of CARE Nepal's Use of the Do No Harm Framework

December 2006

Table of Contents

Preface
        The Review Team
        Acknowledgements
        List of Acronyms

Preface

The Review Team

The review team included staff from both CARE and CDA Collaborative Learning Projects (CDA):

Anu John (CARE UK)
Dhruba Kharki (CARE Nepal)
Drona Koirala (CARE Nepal)
Krishna Devkota (CARE Nepal)
Muru Gavel (CARE Sri Lanka)
Peter Bauman (CDA)
Rachel Goldwyn (CARE UK)
Thileepan Sypherion (CARE Sri Lanka)
Winifred Fitzgerald (CDA)

The entire review team contributed to this report, which was edited by Drona Koirala, Winifred Fitzgerald and Rachel Goldwyn. CARE Nepal provided extensive comments to the report, for which we are most grateful. Further edits were made by Lada Zimina (CARE UK). The revision process has spanned a period of considerable change in Nepal, and the report has been updated to the degree possible to acknowledge those changes.

Acknowledgements

This report is based on a range of interviews with Care Nepal staff, partners, beneficiary communities, government representatives, and other international NGO staff. They are too numerous to name here, but their time and insights are the bedrock of this research, and we greatly appreciate their valuable contributions. CARE Nepal organised all the logistics for the review and made a great number of staff available to take part in it, for which we are most grateful. In meeting with CARE staff, we heard of many experiences of individuals who had taken great personal risk to enable programming to take place and we were much humbled by their courage and commitment. We have come to call these staff members 'The people who saved CARE' and wish to dedicate this report to their courage, determination and commitment. We also wish to remember Robin Needham who introduced the use of Do No Harm to CARE Nepal and to other agencies in Nepal.

List of Acronyms

AIN   Association for International Non-Government Organisations
ALSP   'Achham Livelihood Security' Project
ASHA   'Accessing Services for Households in Achham' Project
BOGs   Basic Operating Guidelines
CBO   Community Based Organization
CDA   CDA Collaborative Learning Projects
CIUK   Care International United Kingdom
CO   Country Office
DFID   Department for International Development (UK)
DNH   Do No Harm
GTZ   German Development Cooperation
IDPs   Internally Displaced Persons
INGO   International Non-Governmental Organisation
JIBIKA   Nepali word for 'Livelihoods';a CARE Nepal project
NGO   Non-Governmental Organisation
OCHA   Office for the Coordination of Humanitarian Assistance
RBA   Rights Based Approach
RMO   Risk Management Office
SEDC   Safe and Effective Development in Conflict
SF   Security Forces
SOP   Standard Operating Procedure
ToT   Training of Trainers
UJYALO Nepali word for 'brightness'; a CARE Nepal project
VDC   Village Development Committee
WATSAN   Water and Sanitation

SECTION 1   BACKGROUND

1.1   What is DNH?

The Do No Harm Project (formerly known as the Local Capacities for Peace Project or LCPP) was launched in 1994 to examine the interactions of assistance with conflict. The Project is a collaborative learning effort involving a number of organisations including humanitarian and development agencies, UN groups, and donors bringing their perspectives and experiences to the issue of working in conflict or post-conflict situations. The project has learned significant lessons about working in complex environments and has developed a Framework for helping assistance workers examine and think about their projects in the context of conflict.

The Framework involves seven steps of analysis:

1.   Understanding the context of conflict
2.   Identifying and analysing dividers and tensions
3.   Identifying and analysing connectors and local capacities for peace
4.   Describing and analysing the various components of the assistance programme; "unpacking the details"
5.   Considering the impact of the assistance programme on dividers/tensions and on connectors/local capacities for peace through resource transfers and implicit ethical messages
6.   Generating programming options
7.   Selecting and testing an option, and making programmatic changes as necessary.

CDA shares the lessons learned from DNH through ongoing trainings and collaborative field work. CDA also continues to engage with many colleagues to gather new information and experiences that increase the learning of the Project. The principal lessons learned through the DNH project are included in Annex 1.

1.2   Why this review?

DNH is one of the most widely used tools for conflict sensitivity, both within and beyond CARE. CARE Nepal and CARE Sri Lanka have been at the forefront of this roll-out within CARE. Despite the wide application of DNH by both CARE and other agencies over a number of years, there has been no systematic review of how DNH is used by staff or whether its use has been effective. As part of a wider effort to strengthen conflict sensitivity throughout CARE, CARE International UK (CIUK) is promoting and supporting the review of tools for conflict sensitivity, in particular DNH. CDA also wanted to review DNH, with a particular emphasis on understanding what enables or inhibits the uptake and application of DNH. An interlinked process was defined, with CDA supporting CARE in an in-depth review with CARE Nepal, but also speaking with a range of other agencies in Nepal to draw broader conclusions. A separate report capturing these wider consultations has been prepared by CDA.

The specific objectives of the CARE review are:

- To create case studies of application, capturing learning generated through the use of DNH to enable others to better grasp the Framework and the lessons learned to date;

- To understand if the Framework is conceptually sound and sufficient to enable conflict sensitive programming;
- To enable cross-learning between CARE Country Offices through the review process;
- To explore how CARE best learns and shifts practice to avoid unintentionally contributing to conflict;
- To mentor staff in application of the DNH tool to strengthen practice.

A number of CARE Country Offices (COs) are participating in the review process including Nepal, Sri Lanka, Burundi, Uganda, and possibly Pakistan and Afghanistan, involving cross visits to enable staff to learn from how others use and apply DNH. Some of these COs are just beginning to understand and apply DNH and thus the review process will take different forms, accompanying the initial applications in some instances. The first review was undertaken in CARE Nepal, involving staff from CARE Nepal, Sri Lanka, CIUK and from CDA. A second review took place in Sri Lanka in mid-2008; preparation of the report from that review is currently underway.

SECTION 2   THE CONTEXT

2.1   Introduction to the conflicts in Nepal[1]

The root causes of conflict in Nepal are exclusion, poor governance and poverty. Nepal has been an agrarian feudal society for the past almost 240 years, under both the monarchy and the autocratic Rana[2] system. Power and access to resources were strongly controlled by these elite[3] groups: they designed laws to serve their needs and excluded all non-elites from decision making. The caste system, structured by the Hindu religion, imposes various sub-divisions of classes where each class is assigned a specific work task in the society. This system has therefore deprived certain people of equal opportunities in political, economic, administrative and educational sectors. Exploitation of certain groups in cultural context and enforcement of social taboos and other superstitions has become strongly ingrained in society[4]. Many of these caste groups were specifically constructed to serve the elites[5]. At the heart of this situation of inequity and disparity was a patriarchal system which influenced every sphere of work and practice. Women faced further discrimination as they have no property rights, no role in decision making, and no access to education, resources or income.

Since the 1950s, there have been various efforts to establish a democracy, marred by a continual struggle between the political parties and the Monarchy for control of the State. The King and the political parties acted only in their own self-interest and those of other elites, despite claims to address the issues of the poor, vulnerable and socially excluded people. The political parties and the King lost much respect in the eyes of the people.

Development efforts of both the State and others have also contributed to conflict:

---

[1] This section draws extensively from Karki, D. (forthcoming) "Rights based approaches in the conflict situation in Nepal, Experiences of CARE Nepal".
[2] *Rana* is a subdivision of Hindus in Nepal. The Ranas captured the power of the state through a massacre of all power holders in 1846 and ruled as an autocratic dynasty for over 104 years.
[3] The term 'elite' in this article does not refer to a particular caste, but instead to the position of power.
[4] While a law was passed in 1963 to outlaw the caste system, the caste system has remained in practice.
[5] For instance, lower caste groups, such as tailors, shoe makers, blacksmiths and toilet cleaners, were created to serve the elite.

"The most common forms of conflict related to development interventions were misuse of externally obtained financial sources (cash and in-kind) and abuse of authority. It was pointed out that conflict due to nepotism in the allocation of development funds to party supporters, elites, relatives, and influential people is a well-established reality in villages."[6]

The armed conflict in Nepal

One of the political parties that was active in Parliament in the 1990s was the Nepal Communist Party – Maoist. Their manifesto was to fulfil the needs of the poor, vulnerable and socially excluded people, and they fundamentally disagreed with the constitutional role of the King and the exclusionary behaviour of the ruling party in Parliament. In 1996 the Maoist party made a 40-point demand to the government concerning inclusion, equal opportunity and better services, which were directly linked to the governance system in Nepal. These demands were never acknowledged by the Government and in 1996 the Maoists began an armed insurrection in the western and mid-western region of Nepal in the name of 'The People's War'.

The armed conflict spread rapidly and extensively across the country. Over the course of the next 10 years, approximately 14,000 people lost their lives and thousands suffered human rights violations in the ensuing conflict. Essential physical infrastructures, such as bridges, telephone systems, and government offices were targeted by Maoists and destroyed across Nepal. Maoists in different districts informally announced that there would be "no development without political settlement". Services in the rural areas, such as the provision of medical supplies, agricultural support services, banks and communications systems were withdrawn. Nearly all existing government, private and non-government service providers retreated to the district, regional and central level offices. The Government's control was effectively limited to district headquarters outside of Kathmandu. The absence of an elected government body created a political vacuum in the Village Development Committees (VDCs). This vacuum was later occupied by local Janasarkar (Peoples' Government) of the Maoists. These Maoists held complete decision-making power to allow or prevent development programming to be undertaken in these areas.

During the 1996-2006 armed conflict a number of other issues and grievances emerged or worsened. Some grievances were a further deterioration of the very issues that had initially triggered the armed conflict. These further fuelled the conflict.

- Corruption became institutionalized, from Ministerial positions in the capital to grassroots user committees in the field, thereby creating mistrust at all levels.
- Bribery became entrenched in the public sector, contributing to the deterioration of health and education services and to a growing frustration amongst the population towards the government.
- Only those connected to the political parties in government were able to get access to the resources of the State. For instance, when land was freely distributed for landless people, the relatives and friends of the ruling parties captured these resources and used

---

[6] Bishnu Raj Upreti (Jan 2004) *The Price of neglect – from resource conflict to Maoist insurgency in the Himalayan Kingdom,* Bhrikuti Academic Publications p 96.

them to strengthen their patron-client relations. Similar situations arose for access to civil service positions. This undermined confidence in the State.

- Individuals with positions within the political parties were able to use their political connections to exert pressure on all decision-making structures to rule in their favour. Key decisions even in remote rural areas were controlled by these local elites. For example, bodies that made decisions on the design and construction of shared infrastructure, such as irrigation canals, would be controlled by local elites who would prioritise their personal benefit over the poor and vulnerable. This raised agitation towards higher classes and castes.
- During a period of 'multiparty democracy' from 1990 to 2002, politics became a game for political parties to continuously form and re-form coalitions to achieve numerical majority, thus the government frequently collapsed. Their actions were driven not by a desire to meet the needs of the people, but merely to hold on to power. No long-term policies were developed in such an unstable situation.
- Widespread physical abuse, such as beatings, killings and harassment of the rural communities were perpetrated by the Security Forces and the Maoists, although the targets were different.

On 1st February 2005 the King dissolved civilian Parliament and took all power for himself. Until this point the Maoists had been in direct confrontation with both the Security Forces and the political parties. However the dissolution of Parliament by the King led to the signing of an agreement between the Maoists and an alliance of seven political parties in November 2005, forging a strong coalition of two of the major conflict actors against the third actor, the King. A mass movement across Nepal emerged, culminating in the retreat of the King and the signing of a comprehensive peace agreement between the Maoists and the seven-party alliance. At the time of the DNH review an interim constitution was being drafted, which was subsequently adopted. Constituent Assembly elections were held in April 2008. While the violent Maoist conflict has been channelled into mainstream political process, a much more fragmented conflict has since surfaced in the Tarai plains of Nepal.

2.2   The history of Do No Harm in CARE Nepal

CARE's offices in Mangalsen, the district headquarters of Achham district in far West, were attacked in February 2002 along with government and other buildings located nearby. This dramatic event was a major turning point for CARE Nepal and the project implemented from this sub office – the Achham Livelihood Security Project (ALSP) – became the pilot vehicle for DNH in Nepal.

CARE Nepal came to know about DNH through the work of CARE Sri Lanka. CARE Sri Lanka had been involved in various phases of the DNH project and had been using the tool for several years. The then Country Director of CARE Nepal, the late Robin Needham, pioneered the uptake of DNH in CARE Nepal and across other agencies operating in Nepal. Mr. Needham invited facilitators from CDA and organized two events to orient a range of development agencies on DNH in Kathmandu in 2002. Following this initial event, CDA conducted two further orientation events on DNH for CARE Nepal staff in Nepalgunj. Credit therefore goes to Robin Needham for introducing DNH in Nepal in general and in CARE Nepal in particular.

In September 2003, DFID and the British Council jointly arranged for CDA to deliver the first DNH Training of Trainers (ToT) in Nepal for staff from 11 different agencies working in Nepal. This was the beginning of a wide roll-out of DNH in the country. CARE Nepal found DNH to be an effective tool for understanding the interactions between programming and conflict and began to institutionalize it, involving mission level training in December 2003. Subsequently, each project has undertaken staff and partner training in DNH and on an occasional basis have used components of the Framework to review programming during implementation[7].

In 2005 the Risk Management Office (RMO) of DFID and GTZ developed a tool, 'Safe and Effective Development in Conflict' (SEDC)[8], which draws heavily on DNH, adding to it risk management practice and good development practice. The RMO made the use of SEDC mandatory for all projects funded by DFID or GTZ and thus CARE Nepal's DFID funded project shifted to using the SEDC tool, with an initial application in 2005 and a review in 2006.

Comparison of DNH and SEDC

Since SEDC draws heavily on DNH, the SEDC tool replicates many elements from DNH. SEDC incorporates the concepts of dividers and connectors as well as implicit ethical messages and resource transfers, and invites the user to consider them in relation to the project just as in DNH.

DNH analyses the impact of the project on dividers and connectors by examining the parameters of the project: why are we doing this project, where is it implemented, what activities are being supported and what resources are being provided, when and for how long will the project be carried out, with whom will the project be implemented, what staff and partners will be involved, and how will the project be carried out. DNH analyses the connectors and dividers in the categories of systems and institutions, attitudes and actions, values and interests, experiences, and symbols and occasions.

SEDC analyses the impact of the project on dividers and connectors through six sets of questions: understanding ourselves, image and acceptance, relationship mapping (utilizing Responding to Conflict's conflict analysis tools[9]), threats, vulnerabilities and risks (utilizing Conrad van Brabaant's risk management materials[10]), resource transfers and implicit ethical messages. The SEDC tool adds staff safety and security concerns to the analysis process.

Both DNH and SEDC invite the user to develop options to mitigate conflict generating/escalating impacts of the project. However SEDC tends to focus more on staff security and risk management than on the potential impacts of assistance programmes on the context.

---

[7] Reviews have considered resource transfers, targeting, and dividers and connectors.
[8] The Risk Management Office of DFID and GTZ (2005) *A guidebook for Safe and Effective Development in Conflict – a tool for analysis – Draft* Mera Publications Pvt
[9] Fisher, Simon, Dekha Ibrahim Abdi, Jawed Ludin, Richard Smith, Steve Williams and Sue Williams (2000) *Working with Conflict: Skills and Strategies for Action* Zed Books.
[10] K. Van Brabant (2000) *Operational Security Management in Violent Environments* Good Practice Review, Humanitarian Practice Network, ODI

Developments in CARE Nepal in conflict sensitivity and peacebuilding since the Do No Harm review

In late 2005 C-Nepal identified conflict sensitivity and peace building as one of the directions in its strategic plan 2006-2009. Mainstreaming conflict sensitivity and positioning C-Nepal to engage in peacebuilding was the key component of this strategic direction. This review (Nov-Dec 2006) took place a year later. In 2007-8 a working group on conflict sensitivity and peacebuilding was set up, a Peacebuilding Technical Advisor was recruited, learnings from the Ujyalo peacebuilding project were shared with peers through the Association of International NGOs (AIN), reviews of peer agencies in conflict sensitive practice was undertaken, as well as reflection on the direction of conflict programming. A further review of working in conflict issues was undertaken.

In 2008 a detailed conflict sensitivity and peacebuilding strategy was developed. This drew on extensive consultations with staff and other stakeholders in Doti and Janakpur. The strategy committed C-Nepal to integrate conflict sensitivity and peacebuilding into all programming, to complete a conflict sensitivity checklist for all project reports, and to revise all policies and systems in line with findings from conflict analysis. It further committed C-Nepal to seek out opportunities for working in peacebuilding, in particular through Government Peace initiatives.

Following the Comprehensive Peace Agreement CARE Nepal has taken significant action to contribute more significantly in peace building. C-Nepal has since worked at different levels. It focused on enhancing awareness among poor, vulnerable and socially excluded groups, particularly women, on the political developments taking place in Nepal. This process has created space for women to engage in the political change. After the Constituent Assembly (CA) elections were announced, CARE Nepal focused on increasing awareness on the CA process. During the CA elections, CARE Nepal mobilized women as both voters and candidates. Working with local stakeholders like women's groups, community based organizations (CBOs) and the media; CARE Nepal was able to carry out activities at community, district and regional levels. These activities include raising awareness through discussions and dialogues where women's groups were strategically mobilized as forums for sharing information related to the political process and its ramifications. CARE Nepal also launched an initiative making the new constitution gender responsive. It has been able to establish a national platform for political discourse to consolidate critical issues for the development of women. Through UN Security Council Resolution 1325 the roles of women in post conflict peace building programmes have been strengthened. Further, the ability to address the psychosocial well being of women suffering from trauma in conflict situations was enhanced through organizational, staff and community capacity building. C-Nepal has/is implementing a range of peacebuilding projects. These are UJYALO, SAKCHAM, ASHA, Gender and Peacebuilding, Women and Youth as Pillar Sustainable Peace, Gender Responsive Constitution Building and Strengthening Capacity to design, Monitor and Evaluate Peace Building Programming.

At another level, through CARE Nepal's membership in the (AIN), it actively engaged with the larger development sector in Nepal. It facilitated meetings with various entities in a bid to create a more open and suitable environment for the work of INGOs in Nepal through interactions with the Prime Minister, various Ministers, Secretaries at the Ministry, Ministry of Women, Children and Social Welfare, the National Planning Commission, Social Welfare Council (SWC), Donors forum among others. The key focus in many of these consultations has been around the need to

strengthen the role of SWC to take necessary decisions in regard to the functioning of INGOs in the country. These consultations have made the development of the new Social Welfare Act participatory and open. They have helped to create workable regulatory mechanisms, establish greater legitimacy and recognition for INGO efforts in the country, harmonize the development efforts of INGOs with Government's plans, and coordinate a regular forum between the major development players in Nepal. CARE Nepal's involvement and contribution to several working groups including Peace Working Group within AIN has increased its credibility and image.

SECTION 3   FINDINGS OF THE REVIEW

3.1   Review methodology

The review process focussed on two key elements:

- To understand if the DNH Framework is conceptually sound and sufficient to enable conflict-sensitive programming;
- To understand how we use the DNH Framework to capture learning generated through application and to improve practice where appropriate.

These two different objectives required different types of analysis. Studying how we use DNH was a relatively straightforward matter while checking the integrity of the tool itself was much more complicated and ultimately was only minimally investigated in this review.

To frame the review, the team, which split into two groups for site visits to the Eastern and Western regions, prepared a series of overarching questions. During our interviews with different sets of respondents, we did not ask these questions directly, but used them to guide our interactions. The questions included:

a) Integrity of the DNH Framework
- Is understanding the context using dividers and connectors sufficient?
- Is the analysis of the project (unpacked through the *why, what, when, where, by whom, with whom and how* questions) a useful and sufficient way of anticipating possible interactions?
- Does examining impacts through resource transfers and implicit ethical messages give insightful new ways to understand possible unintended consequences and are they sufficiently comprehensive?
- Does the analysis of resource transfers and implicit ethical messages sufficiently link with the context and project analysis?
- Does DNH inhibit/enable conflict transformation (in particular when using Rights Based Approaches)?

b) Use and application of the Do No Harm Framework
- How is DNH applied?
- In what ways has DNH been adapted?
- Are there key elements of DNH that are more/less appropriate for particular contexts?
- Does using DNH make us more/less confident to operate in a conflict context?
- Does using DNH expand/limit our programming options?

- To what extent have we been documenting and learning in DNH?
- How effective has the capacity building process been in the uptake/application of DNH? (with particular reference to the form of training and follow-up)

The review team also developed detailed sets of questions for each of the respondent groups as a means to gather information on these overarching questions. In the field, however, these detailed respondent-specific question sets were found too burdensome and were revised considerably. Both teams explored the understanding and use of DNH. The Eastern review team focussed many questions on the training process and subsequent follow-up support, while the Western review team sought to verify whether decisions made using the DNH tool were in fact appropriate and helpful in this context.

This latter approach – verifying decisions reached through DNH analysis - was developed as a means to draw feedback from communities and government representatives, groups that would not necessarily be familiar with DNH or how CARE Nepal had used it, but that could validate/reaffirm whether those options did indeed 'do no harm'. Two means were devised to do this:

1   Examination of the project parameters (why, what, when, where, with whom, by whom, how) to elicit how decisions were made and whether any tensions were generated through these decisions.

2   Verification of programme strategies that had been developed through a specific, full-blown application of DNH. For CARE Nepal this included deliberate use of:
- Public auditing
- Direct payments to users groups
- Code of Conduct
- Neutrality of CARE Nepal and partner agencies
- Working with partner organisations and hiring of local staff
- Equity in geographical spread of programmes

Thus the review team was able to assess whether the decisions reached through the use of DNH ('options') were appropriate without having to refer to the tool itself.

Overall, both teams gathered considerable information concerning the understanding and use of DNH as well as about training, yet the teams struggled with assessing the integrity of the tool. Further, a number of staff/partner respondents were unfamiliar with DNH so it was difficult to involve them in the process. More thought needs to go into how to tackle these issues in subsequent Country Office processes. While asking people about the challenges of the operating environment was an interesting way of opening a discussion, it did not always lead us to talking about DNH. However, many other interesting innovations were described through these questions, which led the review team to add new sections to this report to describe the challenges of the operating environment and the broad array of strategies developed to address them (including but not limited to DNH).

The review team also developed a categorisation of levels of conceptualisation of DNH with indicators, ranging from awareness, conceptualisation, application, mainstreaming and

knowledge management. This chart is included as Annex 3. Our concern was to try to better understand the differing depths and breadths of application and to identify factors that contribute to stronger mainstreaming and institutionalisation of the approach.

The team also considered the research process itself from a DNH perspective in order to identify any possible unintended conflict-generating impacts we might be causing through our questions and our interactions with groups and developed a series of recommendations to guide our work. We also agreed that in order to create a safe space for our respondents, we should be clear that the report may name organisations that described good/innovative practices, but would always describe poor practices anonymously.

A number of suggestions have been made to frame subsequent reviews and have been included in this report as Annex 2.

3.2 Integrity of the Do No Harm Framework

The review team sought to identify whether using the Do No Harm tool actually helped projects, staff and organisations to avoid contributing to conflict or exacerbating tensions. In order to do this, we wanted to consider each of the components of the tool – for instance, to understand if analysing the context using dividers and connectors was sufficient or if in application the concepts become overly stretched, and to determine whether the analytical process helps people to make appropriate programmatic decisions.

Examining the integrity of the tool presents considerable research methodological challenges. How can we know the counterfactual, i.e. if we had not applied DNH, might the situation have been worse? Or better? It is simply not possible to know.). The lack of documentation on project revisions reached through DNH application presented further challenges for evaluating whether decisions reached through using DNH were effective and appropriate. In the end, the review team gained only limited insights to these questions, thus the comments here are brief.

Many staff and partners explained that using dividers and connectors has been helpful for understanding the context, although several noted gaps or pointed out that they have added other elements to the analysis, notably from SEDC or from Responding to Conflict. In particular, the elements added to DNH by respondents related to understanding the dynamics of a context as well as the relationships between actors in the context. Respondents further commented that they needed a clearer structure for the analysis, and clarity on priority areas. Staff also felt there were gaps in terms of risk analysis, vulnerability, and safety and security issues. The gaps and the additions identified by staff indicate that the Framework does not do all that people seek from it. This may be a result of gap(s) in the tool, or from the fact that people expect too much from it. We also need to be mindful that people may not see all the gaps, and thus there may be others not identified here.

The mindset change achieved through training in DNH (see below) is a significant finding. It indicates that the tool has made people think differently, triggering a new perspective on the ways their work interacts with conflict. This in and of itself is a partial validation of the tool.

However, beyond these brief comments, the review team could not further analyse the integrity of the tool. Much work needs to be done to develop a research methodology for subsequent reviews to enable a better analysis of this element.

3.3   Application and use of the Do No Harm Framework

Overall, the review team found considerable variation in conceptualisation and application of the Framework. In general, there appeared to be different tiers of understanding relating to levels of training and closeness to the ground. There is some strong internalisation of the concepts, which have clearly captured people's imagination and have resonated with them. Application has been largely during training events, at the request of donors, or during the project start-up phase (for some projects).

3.3.1 Conceptual clarity on the DNH Framework

Conceptualisation of the DNH varies widely among staff and partners. Some have a very clear conceptualisation of the Framework and could describe the tool and its various components very well. Many have a basic grasp of different parts of the DNH Framework, in particular dividers and connectors and implicit ethical messages, while others have over-simplified it (for instance "DNH means everyone benefits" or "with DNH, we should work with a positive attitude and include everyone"). Many staff were very familiar with the strategies developed from the original DNH application in Achham (see below) and understood these strategies as DNH. A small number of respondents were not familiar with the DNH Framework at all. A few had understood it to be a peacebuilding tool, but could not see how to use it as such.

There tended to be a deeper level of understanding with partners and staff we visited in the Western region, although most CARE Nepal staff have apparently participated in DNH training at some point irrespective of which project they are associated with and where they are based in the country. This different level of understanding across regions may be partially due to the fact that the western part of the country was generally more affected by the conflict and for a longer period of time, so DNH resonated more with staff and partners in that area of the country and helped them cope in that context.

There also appears to be different levels of conceptualisation according to position: senior field and headquarters based staff generally understood the Framework, field staff generally grasped dividers/connectors and the strategies, partners generally appreciated the importance of the Code of Conduct (one of the strategies), and groups at the community level had experience with the implementation of the strategies. However, we did not have the chance to properly validate this observation (please also see section on Training below).

The different levels of conceptualisation may also be partially due to the fact that for at least one of the projects that has been exposed to DNH, ASHA[11], the donor (DFID) required regular analyses using SEDC (which, as noted above, had evolved out of DNH). Staff and partners of this project may therefore have a greater awareness and understanding of DNH concepts as a result. We also noticed that staff and partners' understanding also depended on the type of DNH training they had received, whether it was a full 3-day workshop, a 1-day exposure session, or a

---

[11] Assessing Services for Households in Achham.

2-hour information-sharing session. Similarly, where DNH was presented along with other approaches, there appeared to be less clarity and sometimes confusion about the Framework.

Some staff and partners misunderstood and/or misinterpreted how the Framework works - what it allows us to do and what its limitations are. For example, some people understood dividers and connectors as those factors that enable or hamper project implementation, or they considered their own project activities as connectors in and of themselves. However, the intention of the DNH Framework is that dividers/tensions and connectors are issues that *already exist* in the context where we work and that programme interventions interact with these existing dividers/tensions and connectors. For others, the Framework was useful in describing and analysing the context but they felt that it did not prescribe what to do. This probably reflects a wider issue within the development and peacebuilding field of a search for tools that can fix problems, when in reality analytical tools such as DNH prompt us to ask questions, guide us in what information to collect and analyse, and highlight the relationships between these pieces of information. The tool itself does not provide the answer or indicate what to do in a certain situation.

Of those that knew the full Framework, a few respondents viewed the connectors analysis as 'good' while the dividers analysis as 'bad'. Thus they correctly used the Framework to understand how programmes can strengthen connectors or increase tensions, but they often failed to see how our aid programmes can undermine/weaken connectors or reduce tensions as well. Positive and negative impacts of our aid programmes can be uncovered on both sides of the Framework: tensions can be increased or decreased; connectors can be weakened or strengthened.

Some respondents were confused when something seemed to serve as both a connector and as a divider at the same time (e.g. education). By carefully distinguishing between the aspects that are positive (e.g. shared value of wanting to educate their children) and those that are negative (e.g. inequitable access amongst groups to educational opportunities), we open up the possibility for orienting our programmes so as to reinforce the connectors and diminish the sources of tension. Some staff/partners were aware of the Framework, but found the diagrammatic representation of it with many boxes and arrows to be too complex.

One strong message that emerged during the review was the mindset change achieved through DNH training. CARE Nepal staff refer to many things as DNH which do not actually link in any way to the Framework (for instance, safety and security activities). The review team struggled with what this meant. Eventually we understood that training in DNH achieved a mindset change amongst staff. It exposed them to a new way of thinking about their work in a conflict setting. The concepts of dividers and connectors as well as resource transfers and implicit ethical messages caught their imagination and have been strongly absorbed, even if not used in the actual multi-step DNH Framework. Thus DNH has become a short-hand for describing anything that relates to coping with the conflict environment; it simply refers to 'doing no harm' and being vigilant rather than to using any specific tool or framework. As one person noted "We are thinking differently."

3.3.2 Application of the DNH framework

The original application of DNH to the ALSP project after the Achham attack in 2002 and experience gained from other project areas generated a series of programming strategies ('options' in the language of the Framework). Workshops were convened involving Users Groups, partners, and CARE Nepal staff in order to understand risks created by the strategies and to develop risk management actions. These strategies are now almost universally applied to all CARE Nepal programming and have been adopted by other agencies in Nepal as well. Thus, they represent the key application of DNH by CARE Nepal. The strategies include:

- **Public auditing** - CARE Nepal staff and partners shared project budgets, plans and activities with Users Groups and communities in an open, public manner. Large notice boards were displayed in all communities stating the expenditure of project funds. The practice of public auditing was adopted as a means to avoid misuse of funds and minimize corruption, to maintain transparency and to gain the trust/confidence of local communities. There were numerous instances where partners and community groups were able to defend their projects and better negotiate with Maoists because they had been involved in the planning of activities and budgets through the public auditing system where information and responsibilities were shared and it was clear who was accountable for what. Respondents often commented that through this system there was little doubt about how money was used and that if project expenditures had been done secretly, it would have raised suspicions and possibly created tensions amongst groups in the community. It helped promote trust, accountability, transparency and good governance. Further, Users Groups and community members felt more ownership of their projects. In this context, it may have helped particularly with establishing trust – both of CARE and between communities as everyone could see what everyone else was receiving.

- **Direct payments to Users Groups** - CARE Nepal adopted the practice of making direct payments to Users Groups, rather than directing funds through their partners. This was done so as to minimize risk of diversion of funds, to avoid forced 'contributions' to the Maoists, to be more efficient, to provide greater accountability, and to promote more local ownership. For the partner agencies, for example, the fact that funds did not transit through their bank accounts meant that, when they shared information with the Maoists, they were not subject to 'taxes' and the full funding could be channelled to the communities.

- **Code of Conduct -** A Code of Conduct was developed by CARE Nepal that was strongly rooted in the implicit ethical messages analysed through the DNH Framework. Respondents repeatedly mentioned the importance of behaviour, attitudes and actions in the field. Adopting a modest attitude and having appropriate dress were helpful in getting accepted by communities and gaining their trust, and avoided sending the message that staff were superior to or more important than people in the communities where they worked. Such behaviour is positive in any context, not just a context of conflict, but in Nepal it was helpful because it did not feed into the urban-rural disparities and class distinctions that are a source of much tension underlying the conflict.

- **Neutrality of CARE and partner agencies** - Maintaining neutrality has been a key strategy for CARE Nepal and has been an important selection criteria for local

partners. Not having a political affiliation with parties or being politically influenced, being impartial and transparent (without divulging sensitive information and while being discreet) have been critical for CARE staff and its partners to be able to carry on their work, in particular to gain access to certain areas. CARE Nepal has an evolved definition of neutrality, as the organisation *takes the side of* the poor and marginalized. To ensure such a stance does not compromise neutrality, CARE Nepal actively avoided using the language or slogans of any organisation or party that advocates for a small group interest, and was very cautious not to use the language of the conflict parties in Nepal. This emphasis on a community focus helped when dialoguing with Maoists and Security Forces.

- **Working with partner organizations and hiring of local staff** - Across CARE International there has been a shift towards working through local partner organizations rather than having projects directly implemented by CARE staff. This process has been taking place in the CARE Nepal office as well. The shift to working through local partners and hiring local staff certainly has valuable developmental aspects, but in the conflict context of Nepal this was important as local staff were often more easily accepted by conflicting parties and by communities, they were not viewed as spies, and their access and movements were more readily permitted (especially with its substantial USAID funding, CARE Nepal was viewed with suspicion by the Maoists). Many respondents commented that hiring local staff facilitated negotiations with the Maoists and promoted greater ownership of projects amongst the local population.

- **Equity in geographical spread of programmes** - Spreading projects around the district, rather than clustering them in one area or near the district headquarters, was adopted as a way to avoid competition and tensions amongst villages. It also sent a message to even the most remote villages that at least some development was going on in their communities and gave them hope that development was possible. Moreover, there was high interest and support for development activities in remote areas. With such a high interest and acceptance, there was a greater likelihood that a project could continue undisturbed by conflicting parties, or if it was disturbed or halted, then the community would defend it. The villages that were most remote were under the strongest hold of the Maoists.

The above six strategies were discussed extensively with staff, partners, government line agencies, other INGOs and communities themselves as part of the review process. There was an overwhelming positive response as to their effectiveness and appropriateness in the Nepali context. Many recognised the value of public auditing and transferring funds to Users Groups in particular, and many other agencies also adopted these practices. In response to a question on how CARE Nepal might have done better, one INGO representative noted that "CARE was very careful. You've done the best. Could you have done better than that?"[12] Communities in particular commended the Code of Conduct and the attempts to work through partners and to hire local staff. These strategies are now applied almost universally by CARE Nepal and this is to be highly lauded.

---

[12] This respondent added that CARE Nepal could have spoken directly with the Maoists sooner, even if indirectly.

As noted above, many people understand these strategies *as* 'DNH' – i.e. the strategies themselves are the key reference point for DNH and not the Framework that generated them. This need not be a problem, as lower grades of staff may not need to understand the thinking behind the development of these strategies. However, in a radically changing context, it would be useful to regularly review the efficacy and appropriateness of these strategies.

It appears that the application of the DNH Framework has been less structured and systematic since the major application in Achham in 2002. Some projects have undergone a specific DNH analysis during their start-up phase[13]; some have undertaken analysis when problems arose. For example, at one point during the conflict, when the security situation in Doti became very dangerous and communication was cut off, the CARE Senior Management Team considered hiring a helicopter to evacuate field staff to Kathmandu. CARE staff based in Doti thought about the DNH implications of such an action and were concerned about what message that would send to their partners and communities – that they would appear to be abandoning the communities, especially through such expensive means. The decision was therefore not to evacuate.

Some respondents described situations where elements of the Framework are incorporated into other analytical or reporting processes, such as during monthly project meetings and at bi-annual project reviews, although they do not usually refer to the entire Framework during such discussions. Dividers and connectors analysis has also been adapted and incorporated into district level security reviews[14], although the security reviews are not limited to dividers and connectors only. Many respondents commented that the only time they had applied the Framework in its entirety was during the training event or at the instruction of their donor. Numerous respondents described a strong internalisation of the concepts of DNH, explaining their use of the tool as "not on paper but in our heads" and "[we] do it in ourselves." Thus the concepts are informing discussions and decisions and making staff more vigilant (particularly the context analysis and implicit ethical messages) even when the tool is not formally used. However, there is a concern that an unstructured and/or unsystematic use of the Framework could result in people feeling they have adequately analysed a situation when they have not looked sufficiently at all the issues. There is an interesting tension here in terms of how DNH has been presented as a 'lens' or a philosophy – implying that it should be internalised as a way of seeing the world, yet there is also a need to make the time and create the space to properly analyse conflict and our interaction with it.

3.3.3 Adaptation of the Framework

During the conflict, the key challenge CARE Nepal faced was to get permission to access communities, from both Maoist and the Security Forces. People mainly used the DNH Framework to help analyze relationships between staff/partners, the Maoists, and Security Forces. Normally, when the DNH Framework is used for the context analysis, it is suggested to consider which groups are in conflict or face tensions. The aid agency is not usually considered amongst those groups. The Framework was designed to analyse the impact of introducing aid programmes into that context where dividers and connectors already exist. What we witnessed in Nepal, however, was that CARE staff and partners used the DNH Framework to analyse their

---

[13] In particular JIBIKA, WATSAN, ASHA and UJYALO.
[14] In districts where more than one project is operating, district level security reviews are held to examine vulnerabilities.

own relations with the Maoists and Security Forces so as to better understand how they could gain access to areas and could improve their operations.

Staff also adapted the tool to examine the way projects themselves could act as dividers and connectors between these groups. The original intention of DNH steers away from project activities being considered as dividers or connectors, as this could detract from the way projects impact on other things which divide/connect people, and could result in a facile analysis that all projects bring people together in some way and thus must be positive. One respondent described how he had combined DNH with analysis of the interests and motives of conflicting parties and whether interests are hidden, vested, or genuine.

3.3.4 Factors that enhance or limit the uptake and use of DNH

Factors to support the uptake and use of DNH that were mentioned in our meetings included:

- Closer proximity to conflict;
- Specific incidents or attacks[15];
- Leadership and support from senior management;
- CARE promoting the training of all staff in the DNH Framework and encouraging application of it;
- Donors' requirement or encouragement to use SEDC/DNH;
- Adequate funds in project budgets for training workshops, mentoring and follow-up support;
- Positive incentives such as recognition or promotions[16].

Respondents noted several factors that would hinder or limit the uptake and use of DNH:

- A heavy workload and too many other obligations, in particular the lack of time to do full and regular DNH analysis;
- An overload of tools and approaches that staff are expected to use;
- Not having a critical mass of people in the organisation or on the project team (for example, one partner organisation had only two staff members trained in DNH; it was therefore hard for the ideas to spread and take root);
- The organizational 'health' (for example, one partner organisation noted that they had recently gone through a major re-structuring and important internal transition and thus their attention was diverted elsewhere);
- The difficulty of translating DNH concepts into Nepali;
- Staff turnover and transfer to other projects;
- A lack of mentoring and accompaniment after training events;

---

[15] For example, one partner recounted how a planned training on women's rights was postponed as rumours were circulating that the Maoists would detain participants. The partner staff member asked the Maoists directly why, and was told that they did not give permission for meetings that coincided with Maoist meetings. The staff member realized that *when* they organized workshops could put people at risk and could create tensions, and that the Security Forces would also likely do searches and possibly detain people on those days. She had not done a DNH analysis prior to the workshop but the incident reinforced the learning from a previous DNH training and she made sure to consider timing issues and other details for their future activities.

[16] For example, one partner organization reported that they received recognition from INGOs and donors at the national level because they had used DNH and other tools.

- Predetermined and inflexible programme parameters.

3.3.5 DNH as contributing to building confidence amongst staff

DNH has enhanced staff confidence in a very difficult operating environment. Staff and partners noted how it accelerated and structured their thinking, and gave them the confidence to think ahead. The Code of Conduct was specifically noted as helpful for building confidence, as was the step in the DNH Framework of identifying programming options. People also found in DNH a new language to speak with conflicting parties. A few people commented that they had already been using aspects of the DNH Framework informally and intuitively, but that the training helped validate and reaffirm what they had already been doing; the tool provided structure and organized their thinking.

3.3.6 Documenting, monitoring and evaluation of the use of DNH

Unfortunately, there has been little documentation of the use and learning of DNH in CARE Nepal to date. References to the use of DNH are made in project implementation reports and in projects' annual reports but there has been only a limited amount of reflection on the use of DNH that has been documented. However, this is changing – for example workshop reports of the SEDC reviews for the ASHA project capture lessons learned, and the role of DNH is described in an article entitled "An experience of programme existence during the armed conflict in Nepal" written by one of the review team members and featured in the CARE Nepal newsletter[17].

In addition to documentation, the monitoring and evaluation of DNH has also been minimal. This review highlighted the need for monitoring and evaluation at two levels: 1) to consider the uptake, application and usage of the tool (for example, are staff using the tool regularly and systematically? what are the factors that enhance or constrain its use? to what extent has DNH been mainstreamed into the CO's policies and procedures? etc.) and 2) to consider the effectiveness and appropriateness of options generated through a DNH review (for example, whether the decisions and programmatic changes made through an analysis are indeed 'doing no harm', are still relevant and useful in a given context, etc). Many of the interviewees suggested the development of indicators for such activities.

3.3.7 Risks resulting from the strategies devised through DNH application

The programming strategies that had been developed through the application of DNH looked to the communities to dialogue with the Maoists in order to secure access for programming. This helped generate local ownership and was strongly linked with the strategy of funds being transferred directly to Users Groups rather than purchases being undertaken centrally by CARE. The outcome of this was that the negotiations with the Maoists over the project were devolved to the community level, which at times created some tensions between the community and the Maoists[18]. However, Maoist cadres are local people, and so could easily be approached by communities for such negotiation.

---

[17] Dhruba Karki, Published in CARE Nepal Newsletter 'Pratibimba', October 2006.
[18] It is also worth noting that this local ownership has created other positive spin-offs as well. The community gained confidence and was able to secure funds from other sources for other projects; their capacity to negotiate with Maoists was also strengthened through such continued engagement.

In some situations, such as a project not being completed on time, staff or partners could be exposed to risk of abduction by Maoists. Being near communities increased such a risk.

3.4 Training in the Do No Harm Framework

3.4.1 Cascade training

CARE Nepal and many other organisations use a cascade approach for building the capacity of staff and other stakeholders involved in policy and programming. In the case of CARE Nepal, the cascade approach was as follows: one staff member participated in a Training of Trainers (ToT) in DNH delivered by CDA (1st tier). This trainer then delivered a training event that involved CARE Nepal headquarters staff, coordinators, project managers, and some partners (2nd tier). Some Nepal-specific training materials were developed by the in-house trainer in order to do this. The project managers who had undergone this training then delivered training to their staff and partners, usually supported by the in-house trainer (3rd tier). The same training package was delivered in the 2nd and 3rd tiers, although the DNH analysis for the 2nd tier examined national level issues, while those in the 3rd tier analysed the local context specific to their project area.

A number of staff were not able to join these 2nd or 3rd tier training events so in order to fill this gap, short capacity building events were held, organized by their project team colleagues, in which the concepts were introduced and the projects were reviewed jointly (4th tier). Subsequent to this training roll-out process, all new staff that joined CARE were oriented on DNH by their project team colleagues – no further training has taken place. It is quite likely that those who participated in the short capacity building events for orientation purposes rather than the formal training events (1st to 3rd tier) will have a weaker conceptual grasp and internalisation of the concept than those who have been through a more structured and longer training process.

3.4.2 Participants in the training

Trainings involved staff and partners from different projects based on geographical proximity. Participants included CARE staff, members of local partner NGOs, CBOs and occasionally government line agencies. Trainings have been key moments of analysis for each project. Trainings were often the only time that the entire Framework was applied and when decisions were reached about implementation strategies. However, the training events have not always involved all project teams, so some staff/partners missed out in key moments of analysis.

Some respondents suggested that difficulties of buy-in, implementation, and institutionalisation of DNH were a result of low levels of participation by government officials from the Village Development Committees (VDCs) who were directly and indirectly associated with projects. For example, in the Churia watershed project, the only government official who participated in a DNH training was transferred to another region and no other person in that government office was aware of DNH. Stronger involvement of these other actors in the training (and thus the key moment of analysis) could enable various stakeholders to understand their respective roles in a programme/project and to understand how/why certain decisions are made, thereby enhancing shared ownership, transparency, accountability, and ultimately sustainability.

3.4.3 Training methodology

The current training methodology, as laid out and recommended in the CDA trainers' manual, should be very open, participatory and interactive. It taps into participants' own experiences and involves a variety of training techniques such as presentations, case studies, small group work, exercises and games, etc. Depending on the length of the workshop, an application of the DNH Framework to a real project or programme is usually included in a training event. However feedback during this review suggests that, over time, the methodology may have evolved into more of a "classroom-based approach". This might be a result of the training cascade, with the quality of training diminishing on subsequent tiers, or a result of trainers' own styles and decisions as to how the workshop should be organized and what techniques and examples should be used. It may also be due to the length of training, if the sessions offered in the field are simply for orientation or exposure purposes (half day or one-day workshops, for example). These are important and helpful occasions to introduce DNH concepts to participants but do not offer the opportunity to apply the Framework to real projects and programmes. Others commented that they find it difficult to translate concepts into action if they do not run through the process once in depth. Training is given in the local language using visual, verbal and written communication media.

Existing examples of DNH that are available from different practicing countries are used to illustrate concepts. This practice is followed in most DNH trainings globally, as experience has shown that people are better able to focus on understanding concepts when they are divorced from their own context, otherwise much energy is diverted to discussion of the conflict rather than applying the concepts. The DNH training handbook provides a case study on Tajikistan (among others) to enable trainees to understand how programmes and conflict interact, and how we can have unintended consequences even in apparently successful and well executed programmes. However, it appears that some staff found case studies from other contexts were too remote from their experiences, and would have preferred a much stronger contextualization.

Further, any such introduction with a 'foreign' case study ought to be followed by a practical application of the Framework to participants' own context and projects, although it is not clear if this always takes place during training events in Nepal (perhaps due to time constraints or trainers' own styles and decisions as to how to organise the workshop, what examples to use, etc.). CARE's experience in Nepal has been that a Nepali specific application of the framework is necessary to enable staff and partners to provide a 'hook' into their own world.

DNH materials indicate that the Framework can be used during different stages of the programme/project cycle, but respondents during this review noted that more guidance is needed on how to apply the Framework at each stage of the programme/project cycle, i.e. planning, implementation, monitoring and evaluation, and exit strategies. Such guidance could be offered during training events or during specific application exercises.

3.4.4 Combining DNH training with training in other concepts

Training events often combined modules of different approaches including Rights Based Approaches, Conflict Transformation, and Security/Risk Management. This was particularly so at the field level, where a range of topics need to be introduced at the project start-up phase. A lot

of information was given at these trainings, leading to information overload and at times confusion in the concepts being discussed. The relationships between the different concepts were often unclear and not adequately discussed during the trainings. Very often respondents suggested perceived contradictions between the different 'tools' and concepts. It is possible that this amalgamation of trainings contributed to a misunderstanding of the purpose of the different elements. For instance, some respondents thought that DNH was designed as a conflict transformation tool (i.e. to design peacebuilding programming) however this was not the intention behind DNH.

As a counter to this, some respondents wished for *additional elements* to be included with DNH training, including stress management, mediation, facilitation, dialogue skills, and decision-making techniques.

3.4.5 Follow up

Several respondents who had participated in DNH trainings returned to their respective projects and implemented activities using the Framework. However, there appeared to be a lack of follow-up mechanisms to ensure the full understanding and appropriate application of DNH by staff. This was the responsibility of the project team leaders who had participated in the 2nd tier training event. More mentoring and accompaniment in the field on the use of the tool would have been helpful. In addition, in most instances DNH training was undertaken in the start-up phase of the project or after an incident occurred, with limited monitoring and evaluation of the effectiveness/efficacy of the analysis or decisions reached through applying DNH. As noted above, the DNH Framework does not give guidance on monitoring and evaluating the use and impact of DNH. This is a challenge which also pervades the field of conflict sensitivity more broadly.

3.4.6 Resources

Several CARE and partner staff, particularly at the field level, suggested that there were inadequate funds for training at the field level. The training roll-out was funded from individual project funds – each contributing to the central level training event (2nd tier) and individually funding the 3rd tier and capacity building events from existing project budgets. Thus, there was disparity between projects as to how much training and capacity building could be conducted. These respondents expressed the need for appropriate resources in order to provide effective training. The director of a partner organization expressed frustration because she was expected to train her staff in DNH but did not have the funding to print documents, buy materials and provide per-diem, lunch, and breaks, etc. during the training.

The context of violence provided further challenges. Training events could not be held in rural areas due to security constraints and thus field trainings had to be held in district headquarters. Despite the practical limitations, tension was expressed by respondents on the location and services provided at trainings particularly with regards to relatively luxurious hotels in Kathmandu as opposed to the modest training facilities offered for field staff and partners. Tension was also expressed in relation to who was selected to attend trainings and at what level. It was not clear to some staff why they were not invited to attend the DNH trainings.

3.4.7 Motivation

Several respondents expressed ideas related to motivation. Applying DNH gave some organizations the capacity to work in complex situations without feeding into or inadvertently contributing to conflict. The ability to work in these complex environments resulted in recognition by the government, INGOs, and donor agencies. This has both positive and negative ramifications because it can encourage organizations to invest and participate in DNH trainings but it can also encourage the use of the term 'DNH' in proposals and brochures as promotional rhetoric or as an item to check off instead of actual understanding, thorough analysis and proper usage.

The motivation to attend trainings differs for individual staff at different levels. While at times staff may have felt overloaded with the onslaught of different tools and trainings, they did value the trainings that they had received and noted that certificates demonstrate recognition for the value of being trained and could be useful in negotiating new posts inside or outside an organization.

3.5 Strategies for programme implementation in the conflict context which *do not* relate to the use of Do No Harm

CARE Nepal and other agencies operating in Nepal developed a range of strategies to enable implementation in the complex conflict operating environment. One of these was the roll-out of DNH, however other strategies were also developed, relating to policies, procedures, structures, systems and project/programme design and implementation. The review team felt the documentation of these other actions (beyond DNH) could be of interest to other agencies implementing in a conflict context, as they may offer useful insights into other coping mechanisms beyond the use of DNH.

3.5.1 Increasing development space

Partners of CARE explained that their human rights and humanitarian work as well as their successful health activities gave them the credibility to be able to implement development programming. One partner described how their fact-finding missions would attempt to be fair and balanced and, at times, could criticise both sides. Sometimes, their findings would support the Maoist cause by criticising the Security Forces for arrests and by advocating for prevention of torture of Maoist cadres. They were thereby able to implement programming without registering with the Maoists or paying them taxes. Another partner described how their work supporting prison visits was perceived by the Maoists to support the Maoist cause, and thus they were allowed to implement development projects. A third partner noted that their good reputation in health programming gained them access for other development projects.

Another strategy employed by a number of partners and other INGOs was to win progressive access. This meant starting work in easier-to-reach areas and, through demonstrating success in these communities being able to reach out to neighbouring communities, thus gaining access progressively to wider geographical (and harder-to-reach) areas.

3.5.2 Engaging with Maoists

Respondents described how lack of clarity over projects was a key factor in the Maoists' preventing programming. Partners and staff described efforts to build relations with Maoists at the local level, including making clear the benefits of the work and convening open dialogue in

the presence of Maoists and the communities. People who could influence the Maoists were invited to meetings to discuss the project in the district headquarters, in order to enable clarity and transparency.

There were also many powerful individual actions by CARE and partner staff. In one situation where Maoists attempted to prevent a specific training event, a partner staff member described how she had invited the Maoists to come to the training event to explain to the community why the Maoists were blocking the activity. Not wanting to upset their relationship with the community, the Maoists rescinded and allowed the training to proceed. One CARE staff member described his personal efforts to learn about Maoist terminology and concepts (such as Marxism and Leninism) such that he could discuss the development work in Maoist language and concepts, and thus search for development space within their philosophy. This was to counter the problem that lower level Maoist cadres generally did not understand development terminology, but did understand Maoist terminology.

3.5.3 Engaging with Security Forces

Project staff provided extensive information on the aims of the project, implementation procedures, and selection criteria for project participants. A consistent message was conveyed that the projects were to support the poor, vulnerable and socially excluded people, and much effort was given to convince the Security Forces that project activities were not a threat. Staff and partners were clear with the Security Forces about when meetings in the rural communities would be convened.

3.5.4 Working in cooperation with other NGOs

The Association of International NGOs in Nepal (AIN) is a consortium of agencies to enable information sharing and collaborative action to reduce operational risks. AIN developed a set of operational guidelines for INGOs which were taken up by all members and disseminated to the Security Forces and the Maoists. OCHA also provides a forum for information sharing among all international agencies, UN organisations and donor representatives based in Nepal. OCHA invites members of this group to share information on security issues.

DFID and GTZ together developed a Risk Management Office (RMO) to support all DFID and GTZ funded projects. The RMO acted as an information conduit and developed a series of further useful guidelines, including the Basic Operating Guidelines (BOGs) which CARE Nepal adopted as a programming policy. The BOGs provide guidance for field staff on relationships with Security Forces, district authorities and Maoists, precautions and measures to manage Maoist attacks, abductions, detentions, and demands for contributions, and have been included in this report as Annex 4. The RMO also developed suggested responses to the most frequently asked questions put by Maoists to development workers.

The RMO also established a District Emergency Coordinator, who convened district and regional level meetings for DFID/GTZ funded projects, focussing on analysing present trends and identifying possible measures to tackle them. The RMO further pressed for joint solidarity actions amongst INGOs. For example, when one partner staff member was abducted by Maoists, all agencies in the region stopped working until the person was released and promises given that no similar incident would occur. While there were disagreements amongst agencies about

the use of solidarity action in this particular situation, the power of combined action was clearly demonstrated. As noted earlier in this report, the RMO also developed its own conflict sensitive tool, 'Safe and Effective Development in Conflict' (SEDC), which draws heavily on DNH. The use of SEDC is mandatory for all projects funded by DFID or GTZ.

3.5.5 Security manuals – CARE-wide Safety and Security Handbook and CARE Nepal Security Procedures Manual

CARE International's Safety and Security Handbook gives policy and operational guidance on dealing with risk. It includes policy for emergency management of the staff and an alert level plan for management of activities, both of which were utilised by CARE Nepal.

CARE Nepal also has its own security procedures manual, which provides further policy and operational guidance for the organization and its staff. This includes actions to manage and mitigate risk, and life-saving techniques for improvised explosive devices.

CARE Nepal further developed a Standard Operating Procedure (SOP) which identified various scenarios, categorised as different threat levels, with associated contingency plans. Staff were oriented on the measures to be taken under different possible scenarios.

3.5.6 Monitoring and reporting

CARE Nepal instituted a practice of regular monitoring of the prevailing security situation and the risk it imposed at different levels: district, regional and central. Based on a format developed by the RMO, regular security updates were provided by CARE district offices to the RMO, which shared the information broadly amongst DFID/GTZ funded projects. Inter-agency meetings were also convened at the district level under the auspices of the RMO (see above). In districts where more than one CARE project was operating, district level security reviews were regularly convened among CARE project staff to review vulnerabilities. In some districts, there were loose INGO forums which shared information on their respective assessments of the operating environment. At the regional level, CARE had a designated point person who would monitor the situation regularly. At the headquarters level, CARE's Senior Management Team engaged in weekly meetings to develop guidance for the entire staff body and all activities at the operational level. Emergency meetings were conducted as needed. The mission established a structured communication system called the 'telephone tree' for passing information to every one within CARE Nepal. This mechanism continues to tie all staff together, defines clear roles for them and ensures that everyone is informed of existing situations and ways to respond to them at all times.

3.5.7 Other coping mechanisms in the conflict context

CARE Nepal appointed a Programme Operation Advisor at the central level to ensure safety and security measures within the organization. It also assigned point people at cluster levels with equipment for emergency communication in order to coordinate with others, collect information and provide support to projects and individuals in decision-making. An emergency management system was also in place, to rescue and evacuate staff in high risk areas/situations. An insurance policy covering all staff helped build staff confidence. Extensive training was delivered in risk management.

Programming was augmented in that 'hardware' projects (e.g. construction and rehabilitation of infrastructure, etc.) were added to the previously largely 'software' portfolio (training/capacity building). 'Hardware' projects were able to achieve quick impacts and thus secure credibility, and in part to respond to the fact that governance projects could not be implemented where the State had retreated. Local materials had to be sourced where restrictions on the movement of certain goods were imposed. Recruitment procedures had to be seen to be followed to the letter, so no criticisms could be raised about nepotism or favouritism.

Staff adopted the practice of spending several days staying with beneficiary communities and conducting a series of one-to-one meetings to create trust before convening any larger meetings.

As part of a broader effort to maintain a low profile for CARE Nepal, staff referred to themselves as working on a specific project rather than as employees of CARE. This was a particular issue for CARE Nepal as it was perceived to be an American organisation and thus against the Maoist ideology. CARE Nepal was also very careful in the use of statements and terminology in its public documentation and presentations.

None of these approaches explained here are considered to be a product of the application of DNH. They are additional strategies that C-Nepal developed to enable quality programming in the conflict context.

3.6 The relationship between Do No Harm/conflict sensitivity and Rights Based Approaches to development in the transitional Nepali context

The review team spoke with many staff and partners about the relationships between DNH (and other conflict-sensitive approaches) and rights based approaches to development (RBA). A number of findings emerged through these exploratory discussions, although more work needs to be done to clarify the linkage between these concepts. RBA has progressively taken root in Nepal across a number of agencies, with much work focusing on social transformation from the caste system which has been at the root of the conflict in Nepal. For CARE, RBA has been a global initiative that is being progressively introduced across all Country Offices as a means to address the underlying causes of poverty, commencing in 2000.

Overall, the review team found there was confusion over how the two approaches – DNH and RBA - relate to one another, with a widespread assumption that they were incompatible. However, there are important ways that these approaches can *support* one another, as DNH can help us manage social transformation constructively. DNH does not suggest that we should not promote people's rights but that it should be done in a thoughtful, careful way[19].

A quick clarification on the difference between RBA and DNH would be useful here. A rights-based approach "deliberately and explicitly focuses on people's achieving the minimum conditions for living with dignity (i.e. achieving human rights). It does so by exposing the roots of vulnerability and marginalization and expanding the range of responses. It empowers people to claim and exercise their rights and fulfil their responsibilities. A rights-based approach

---

[19] It is worth noting that DNH is also deemed to remain relevant to non rights-based programming in the current context, although this is not discussed here. Likewise, there is a need for DNH/conflict sensitivity in transitional programming such as disarmament, demobilisation and reintegration of former combatants, as these can sometimes be perceived as directing undue resources to the perpetrators of violence.

recognizes poor, displaced, and war-affected people as having inherent rights essential to livelihood security—rights that are validated by international law."[20]

DNH is a framework designed for aid workers to examine and better understand the interactions between aid and conflict, such that they can see how their programmes have an impact on the conflict, and to offer a tool to better plan, implement and evaluate programs in the future.

The growth of RBA in Nepal

During the period of open conflict, there were huge difficulties in gaining access to communities and creating a 'development space[21]' for programming. Thus a key operational concern was relationships to armed groups. People adapted the DNH tool to consider their relationships to these groups (see findings, above). During this period, rights based approaches to development began to take hold. Since the success of the People's Movement and the signing of the Comprehensive Peace Agreement, there is considerably more operational space to work directly on rights issues. Indeed, many respondents felt that RBA is imperative in the new context, in particular that the real need for Nepal is to work on social transformation – i.e. to address discrimination in all its forms.

Confusion that RBA and DNH are incompatible

As noted above, there was some confusion about the relationship between DNH and Rights Based Approaches. Some respondents thought that DNH and RBA were incompatible and therefore an agency or programme should use *either* DNH *or* RBA. People commented that when adopting a rights-based approach, we are trying to promote social justice and thus encourage people to struggle for their rights; however this may raise tensions and could possibly erupt into violence. This was understood by many respondents to be counter to DNH. For example, one respondent said "When we received RBA training, it contradicted the DNH training. DNH told us to be safe and not cause harm. The principle of DNH is don't increase conflict, but sometimes we should cause conflict." Such comments indicate widespread confusion over the relationship between DNH and RBA, with a common misconception being that DNH would not encourage social change or would not challenge the status quo, and that its overarching premise was 'neutrality' and the maintenance of peace. Others commented that adhering to DNH principles may prevent people/organisations from doing advocacy work, often a key component of rights based programming. CDA has prepared some notes on Human Rights and the DNH Framework that begin to explore the relations between rights based programming and DNH (please see Annex 5). A clearer understanding of direct, structural and cultural violence can also possibly help further clarify the misinterpretations of the relations between RBA and DNH.

---

[20] ("CARE Workshop on Human Rights and Rights-based Approaches to Programming" August 2000 in *Promoting Rights and Responsibilities*) from CARE International UK website
[21] 'Development space' is an adaptation of the concept of humanitarian space, relating to community acceptance of programming (on the basis of developmental approaches and longer term relationships with beneficiaries) as well as armed actor acceptance of programming. The concept adapts humanitarian principles of neutrality, impartiality and independence, although this is controversial as classic humanitarians consider such adaptations to blur the lines between development programming and humanitarian action.

Direct, structural and cultural violence

Violence may not always be open, physical or 'direct'. It can be more subtle. Galtung[22] classified violence into three forms:

- Direct violence – for example, children are murdered.
- Structural violence – for example, children die through poverty. The structures causing their death include inequitable laws and institutions embedded within a society.
- Cultural violence - for example, being blinded to the death of those children, or ways we seek to justify it. This includes discrimination.

Rights based programming often focuses on structural and cultural violence. In the Nepali context, this includes challenging deeply entrenched caste discrimination, such as efforts to enable access for the lowest castes (Dalits) to services such as water standpipes and temples – previously the preserve of higher castes only. Confusion over the relevance of DNH may result from an association of DNH to cope with issues of direct violence and an association of RBA with work on structural and cultural violence[23]. However DNH is not strictly limited to direct violence; it is also concerned with how aid programming could maintain structural or cultural violence. For instance, when examining dividers and connectors, we are invited to consider different perceptions and experiences (which may include discriminatory views) and when considering resource transfers we are invited to consider how the distribution of goods may coincide with divisions in the conflict (which may include legally entrenched systems of preference or cultural norms that favour certain groups over others in the distribution of goods and services). Both of these relate to issues around structural and cultural violence. Indeed, ignoring structural or cultural violence would be 'doing harm', if, for example, aid is distributed according to inequitable cultural practices that can further marginalise and anger an already vulnerable group by providing them with an unfairly small proportion of resources and reinforcing their position of relative weakness and exclusion. Thus, to focus on *direct* violence alone is to reduce the concept of DNH and may lead us to ignore important harms that could occur through programming.

DNH as helping us manage conflict constructively

RBA empowers people to organize themselves and encourages them to mobilize and put their own agenda forward. Considering Galtung's categorisation above, in the Nepali context, RBA involves trying to transform structural and cultural violence. Struggling for rights can create a backlash by those who will lose power and sometimes this struggle manifests into direct violence. We need to ensure that people are not put at risk and that conflict is managed constructively so that it does not escalate into direct physical violence. DNH and other conflict-sensitive approaches can help us look more deeply at relationships as part of a broader conflict prevention and management strategy when implementing a Rights Based programme. One respondent noted that examining the interests and motives of conflicting parties, and understanding whether these interests were hidden, vested, or genuine was particularly helpful in such management[24].

---

[22] Miall, H., Ramsbotham, O., Woodhouse, T., (2004) *Contemporary Conflict Resolution*, Polity Press, p15.
[23] The review did not explore this issue, thus the tentative language here.
[24] While this was not sourced from the DNH tool, it was an additional element that had been incorporated into the context analysis.

Respondents also raised concerns that advocacy could feed into and solidify existing divisions or create new divisions between communities and regions. DNH could be useful to help think through the possible conflict generating outcomes of advocacy work and to identify options to avoid such conflicts.

Case Study: Saileshwori Temple in Doti

One of the most insightful discussions demonstrating the different views on the relationship between DNH and RBA was concerning a recent experience at the Saileshowri Temple in Dipayal, Doti cluster. In Doti, a number of LNGOs and INGOs had been working to enable Dalits access to the Saileshwori Temple. Even before the People's Movement, laws were in place to provide Dalits the rights to common property resources; however discrimination was so deeply entrenched in Nepali society that in reality Dalits did not have access to the Saileshwori Temple. In September 2006, NGOs in Doti helped broker an agreement involving Dalits, non-Dalits and the political parties allowing Dalits access to the Temple. Staff and partners described this agreement as part of applying DNH to their work. The Dalits exercised their right of entry under a significant police escort, however later that day they were attacked and the offices of NGOs that supported them were ransacked. Nevertheless, the right of access was established, and Dalits were subsequently able to enter the Temple. Respondents saw this as a breakthrough from an RBA perspective because the Dalits and pro-Dalit organizations organized themselves and advocated effectively. They also discussed what DNH had to offer. Opinions varied, including:

1. Conflict was deliberately raised in this situation, and thus DNH had nothing to offer.
2. There was an attempt to apply DNH by seeking a written agreement; however, the agreement failed to prevent violence. Violence may therefore be inevitable in social transformation.
3. The key DNH concern should be the safety and neutrality of development workers.
4. Entering the temple was not the solution; it was only one small case in a much wider problem of discrimination in Nepal. The issue is about the dignity and respect of Dalits and in this situation, discrimination itself is a divider. DNH thus demands that we face the discrimination directly.

The first two perspectives here demonstrate a confusion over the relationship between DNH and structural and cultural violence. Transforming these indirect forms of violence may involve surfacing latent tensions – or 'intensifying' the conflict as it is sometimes referred to. What DNH has to offer in this situation is a means of thinking about how we can avoid violence when bringing these latent tensions to the fore. The second perspective also conflates conflict with direct violence. Conflict is a natural phenomenon that is an inevitable part of change. DNH is concerned with preventing such conflict becoming violent. In other words, in social transformation work, DNH can help us avoid destructive violence, but does not seek to avoid constructive conflict that promotes positive social change. The third perspective reflects a confusion of DNH as allowing agencies to operate in a situation, rather than recognising the broader concern with the impacts of interventions on all concerned and on the context – staff as well as beneficiaries and other stakeholders. The fourth perspective reflects a strong understanding of DNH and different forms of violence, and the review team shares the perspective of the last respondent paraphrased here.

Other observations on RBA in relation to conflict, transitional, and post-conflict situations

Respondents also described other issues concerning implementing RBA in conflict or new peace contexts. These are not specific to DNH, but are included here in brief.

- **Co-incidence of objectives of RBA and transformative movements.** It was noticed by many respondents that the objectives of RBA – to empower poor, vulnerable and socially excluded people to claim their rights – coincided with the aims of the Maoist movement, although clearly the tactics are different! This coincidence of objectives could be interpreted by the Maoists as a positive shared objective; however it could also be interpreted by Maoists as hindering people from joining their cause, as people's aspirations could be achieved through development programming rather than through a revolutionary struggle. This coincidence of objectives could also have been interpreted by the Security Forces and the Government of Nepal as NGOs' supporting the Maoist cause.

  Several respondents discussed ways in which RBA enabled them to gain access to Maoist controlled areas because their work was perceived to be in line with Maoist interests. For instance, speaking out critically and impartially on human rights violations, even if committed by *both sides* appears to have influenced the Maoists to allow certain NGOs access to communities, as criticisms of the Security Forces and actions to prevent the torture of cadres was seen in the Maoist interest. In some of these situations, the human rights work enabled access for other development work, thus creating a development space that could be progressively expanded.

- **RBA as including elements of conflict sensitivity.** Central tenets of RBA include fostering social inclusion, promoting dignity, respecting the rights of all, and seeking to involve all relevant groups to a rights issue (including those who will ultimately lose power through the achievement of that right). These are also often at the heart of conflict-sensitive approaches, including DNH.

SECTION 4   RECOMMENDATIONS

4.1   For CARE Nepal

Training

- **To the extent possible, offer training in DNH to entire project teams.**
  Training events are the key moment of application of the analysis Framework and often the point when decisions on implementation are made. Understanding and buy-in can be best achieved if the analysis is undertaken by the entire project team.

- **Ensure more accompaniment/follow-up after training.**
  To encourage and assist staff and partners in applying the tool after training workshops, mentoring and accompaniment should be provided. This was, and continues to be, the responsibility of project team leaders. One of the objectives of follow up could be for staff to look at ways to integrate DNH into their work plans, to incorporate it into the programme/project cycle, and to develop a system for monitoring and assessing its use and effectiveness.

- **Match training to audience (level, time, expectations, context appropriate, practical/experiential) and ensure quality control on training activities, especially for 2nd and 3rd tier events and subsequent capacity building sessions conducted through the cascade approach.**
  Field staff are often directly engaged with beneficiaries and are therefore aware of overt and potential conflict and the potential positive and negative effects of a project on these conflicts. They are also in the 'front line' and have to face the consequences personally when conflict is escalated. This challenges whether short capacity building events in lieu of more in-depth training events are appropriate at the field level, and whether team-based orientation for field staff is sufficient for new recruits.

  The DNH training manual includes several case studies from various countries to enable people to apply the concepts and recognise that even well intentioned programmes with many positive impacts can also contribute to conflict. CARE's experience in Nepal has been that a Nepali specific application of the framework is necessary to enable staff and partners to provide a 'hook' into their own world, and that 'foreign' case studies can feel abstract and not linked with their own experiences.

  DNH trainings convey many concepts and staff/partners sometimes found it difficult to translate the concepts into action at the field level. Respondents would have preferred more emphasis on the practical aspects of DNH, suggesting that training should be more experiential/hands-on. One way to do this would be to include role plays and involve more hands-on, practical sessions.

  It was also suggested that introductory documents including case studies be provided prior to the training. This would enable participants to familiarize themselves with the language and ideas to be discussed.

- **Be more aware of how the timing of training affects people's absorption capacity.**
  This was of particular concern to partner agencies that may be going through difficult change processes at any given time.

- **Avoid combining RBA and DNH in the same training sessions as it often leads to confusion.**
  However, trainings in either RBA or DNH should be clear about the links between the two approaches.

- **In risk management trainings, be clear about DNH, and vice versa, to avoid confusion.**
  As above, trainings in either risk management or DNH should be clear about how the two relate to one another.

- **Consider offering wider awareness-raising sessions on DNH to other project stakeholders as it would be useful for them as well.**
  It was suggested that a wider group of stakeholders would benefit from an understanding of DNH, although a full training and application would not necessarily be required. Such an awareness raising event could include the program manager from the donor agency, a representative of the government/VDC who will oversee the project, and selected members of the community being served (beneficiaries). It was even recommended that in certain cases a representative of the Maoists attend the training particularly in regions that are

more affected by the conflict. Based on the current transition and peace process, this could help in building understanding of the project, enhancing rapport among these different stakeholders, and, where representatives of conflict parties are involved, contributing to a de-stigmatisation of the 'other'. -

Promoting the uptake of DNH

- **Build on motivations.**
  Respondents recommended that a certification programme be created in order to achieve recognition and that possibly even compensation be offered to those who participate in training sessions. Organisational recognition for the successful use of DNH was also noted as being a factor to encourage uptake.

- **Be clear about what DNH can and cannot do.**
  Some people are looking for quick fixes or easy answers, or may think that DNH is a tool for designing peacebuilding programming. These are misunderstandings that need to be clarified.
- **Include activities for DNH (such as staff capacity building in DNH) in project budgets and timelines.**
  This will also involve engagement with donors to ensure that budget lines for application of DNH by a project team and partners (probably to differing degrees over the course of a project) are not eroded in efforts to save costs. Time for these activities also need to be built into project timelines and likewise need to be protected.

- **Promote the use of DNH in internal policies and procedures.**
  CARE's organisational 'culture', as any other organisation, conveys certain implicit messages to stakeholders. In order to best embody the principles we espouse, a DNH lens could be applied to CARE Nepal's procedures to ensure they are consistent with core values.

Review and learning

- **Document the application of DNH.**
  In addition to documenting the use and application of DNH, it would be useful to document the decisions concerning changes made in project/strategies as a result of using DNH so that these can be evaluated later for effectiveness.

- **Examine whether all projects are using the DNH strategies and review these as the context changes for appropriateness.**
  This review provides a significant analysis on the use of DNH in CARE Nepal, however it did not engage all CARE Nepal projects. Thus the findings provide deep insights on a limited range of projects, staff and partners. More small-scale but regular review processes would provide systematic reflection on the efficiency and efficacy of strategies devised through DNH, and moments to revise the context analysis if appropriate.
- **Do not limit ourselves to DNH only.**
  Staff have been adapting the DNH framework and adding elements that they felt were missing. An eclectic approach can help plug identified gaps in any specific tool, although care is needed not to overload staff with many competing frameworks.

4.2   For CDA

- **Consider adding elements to the DNH framework that would incorporate the relationships between the intervening agency and other actors.**
  CARE Nepal staff and partners adapted DNH to suit their need to understand how they related to key actors. CDA should review the tool in light of this need/practice, and devise ways to incorporate this into the Framework.

- **Consider ways to capture how the project itself can be a connector or divider, rather than only affecting dividers and connectors.**
  CARE Nepal staff and partners adapted DNH to suit their needs which included understanding how the project itself could be a divider or connector. CDA should review the tool in light of this need/practice, and devise ways to incorporate this into the Framework.

- **Develop guidance on how to integrate DNH into monitoring and evaluation.**
  This should guide staff to develop means to monitor and evaluate the use and application of DNH as well as the impact of options/strategies devised through DNH such that we can identify the impact of these strategies.

- **Further develop guidance on how DNH can be applied at different stages of the project cycle.**
  It was also recommended that specific stages of programming be included in trainings with reference to how DNH can be utilized at each stage (i.e. planning, implementation, monitoring and evaluation, and exit strategies).

- **Develop additional briefing materials on the links between RBA and DNH.**
  This will help avoid confusion.

- **Add more depth to the context analysis of the DNH Framework.**
  More depth on the context analysis component can help the user consider different levels of conflict, dynamics, and priority areas.

Annex 1
The Do No Harm Project and Framework[25]

1. Background

The Do No Harm Project, also known as the Local Capacities for Peace Project (LCP), attempts to examine and better understand the interactions between aid and conflict, to help aid workers see how their programmes have an impact on the conflict, and to offer a tool to better plan, implement and evaluate programmes in the future. In recognizing that aid can have unintended impacts – beyond its explicit goals and objectives – we can anticipate where impacts might be negative and try to find programming options to avoid them; we can also try to see where impacts might be positive and try to reinforce them.

Begun in 1994/95, the DNH Project is a collaborative effort involving international and local NGOs, several UN agencies, and a number of donor countries. The Project was intended to help aid agencies learn how to provide humanitarian and/or development assistance in areas of conflict in ways that, rather than feeding into, exacerbating and prolonging war, the aid helped local people disengage from fighting and establish alternative systems for dealing with the problems that underlie the conflict.

2. Lessons Learned through the Do No Harm Project

Following is a brief summary of the lessons learned through the various phases of the DNH Project.

Lesson 1

When international assistance is given in the context of a violent conflict, it becomes a part of that context and, thus, also of the conflict. Although assistance agencies intend to be impartial in relation to who wins and who loses in a conflict, the actual impact of their aid is never neutral regarding whether conflict worsens or abates. In conflict settings, aid can (and often does) reinforce, exacerbate and prolong conflict. However, it can also help to reduce intergroup divisions and support people's capacities to find peaceful options for solving problems.

Lesson 2

Conflicts are characterized by two types of factors:

Dividers/Tensions: On the one hand, conflicts are always characterized by inter-group divisions and tensions. Tensions can be found in a number of areas, including systems and institutions, attitudes and actions, values and interests, different experiences, symbols and occasions.

Connectors and Local Capacities for Peace: On the other hand and more surprising and important for aid agencies, conflicts are also characterized by a number of things that link and connect people even though they are at war. This is especially true of conflicts that occur within societies, where people recently lived and worked (and worshipped) side-by-side; shared customs and a common language, went to school together and, in some cases, intermarried. In thinking about connectors, it is important to remember that:
- More countries do not go to war than do;
- More people, even in war zones, do not fight than do;
- More people do not kill their neighbours than do;
- More would-be leaders try to excite people to inter-group violence than succeed in doing so.

---

[25] Adapted from Anderson, Mary. (1999) *Do No Harm: How Aid Can Support Peace – or War* Lynne Rienner, 1999

Connectors can be found in a variety of areas including: systems and institutions (such as markets or infrastructure); attitudes and actions (such as when families adopt abandoned children of the "other side" in a crisis); common experiences (such as the common of experience of war, or of previous dominance by a colonial power); shared values and interests (for example when warriors agree to cease hostilities for a day to allow for immunizing children on all sides against childhood diseases); and shared symbols and occasions (such as common historical figures, common "national" or religious holidays).

Local capacities for peace (LCPs) are those individuals and institutions, found in every society including those at war, that are assigned the job of keeping people from engaging in violence against each other. These include: justice systems; police forces; elders groups; clergy, school teachers and other community leaders; women's groups or a special family member; etc. Although they are sometimes incapable of preventing warfare, they constitute at least one element on which past peace was maintained and any future peace must be built.

Lesson 3

When aid comes into the context of conflict, it inevitably affects the dividers/tensions and the connectors/local capacities for peace that exist. By the way in which aid is provided, it either feeds into and worsens inter-group tensions and divisions or it reduces them. By the way in which aid is given, it either ignores or bypasses existing connectors and peace capacities and, thus, weakens and undermines them, or it supports and reinforces them. Aid can be positive if it reduces tensions or reinforces connectors; it can be negative if it increases tensions or undermines connectors or ignores them.

Lesson 4

From looking at many different projects in many different settings, it has been possible to identify clear, predictable patterns of how aid affects conflict. One way is through Resource Transfers. Aid involves the provision of resources and these can become part of the conflict as groups vie for their share or try to keep others from getting access to them. The DNH Project found that the resources transferred by aid agencies into conflict areas affect conflict in five predictable ways:

1. **Theft/Diversion.** Aid resources are often stolen by warriors and used for their purposes to support armies or to buy weapons.

2. **Market Effects.** Aid has market effects through its impacts on wages, prices and profits. Through these, aid either reinforces incentives for continued warfare or incentives for peace.

3. **Distributional Effects.** Aid has distributional impacts as it targets some groups and not others. When aid is directed toward one of the subgroups in conflict, it can exacerbate inter-group jealousies and tensions.

4. **Substitution Effect.** Aid can substitute for local resources that, without aid, would have been required to support civilian life. This can free up local resources for the pursuit of conflict.

5. **Legitimization Effects.** Aid can legitimize some people and some activities and delegitimize others. Aid can legitimize warriors such as by negotiating access with them, and thus can reinforce conflict.

Lesson 5

The DNH project also found that aid delivers *messages* as well as resources. Aid carries the explicit message of caring about suffering, of international solidarity. Aid also carries several implicit, tacit messages - how aid is given, how staff interact with local people, how protection is arranged, etc. all convey messages that either reinforce the modes of conflict or reduce them. There are seven patterns of these 'implicit ethical messages'.

1. **Arms and Power.** When aid agencies hire armed guards to protect their goods or staff, one possible implicit ethical message is that it is legitimate for arms to determine who gains access to food, health care and other aid services. Warlords also use arms to determine who gains and who does not gain such services.

2. **Mistrust, Competition, Disrespect.** When international aid agencies refuse to cooperate with each other and, instead, compete for partners or beneficiaries in the field, the implicit ethical message is that, when one disagrees with others, it is not necessary to cooperate with them. Refusal to cooperate underpins conflict.

3. **Aid Workers and Impunity.** When international aid workers use aid resources for their own personal pleasure (for example using the agency vehicle for pleasure trips even though petrol is in short supply), the implicit ethical message is that people who control resources may use them for their own purposes without accountability to others who might need them more. Armed actors often demonstrate this lack of accountability.

4. **Different Value for Different Lives.** When international aid agencies have evacuation plans for emergencies which ensure the withdrawal of expatriate staff but leave local staff behind, the implicit ethical message is that different lives have different value. This is one of the messages of war.

5. **Powerlessness.** When international aid agency staff deny responsibility for the impacts of their aid claiming to be "only one small actor in a complex situation" and "subject to the rules of my headquarters or my donor," the implicit ethical message is that individuals who work in complex environments do not have to accept accountability for the outcomes of their actions. People in warfare very often also deny accountability; they claim that "someone else made me kill or fight" or that responsibility for creating peace rests with someone else.

6. **Suspicion, Belligerence, Tension.** If aid workers are nervous about conflict and their own safety, their interactions with local people exhibit fear, suspicion and belligerence. This can reinforce the atmosphere of aggression and provocation that persists in conflicts.

7. **Publicity.** When international aid agencies rely on gruesome pictures for their fundraising and publicity, the implicit message is to demonise one side of the war, and convey innocence of the other. War is seldom so simple. Guilt and innocence are present on all sides and aid agencies have a responsibility to educate and interpret complex situations with more respect, subtlety and accuracy. Warriors can use such one-sided publicity to further their cause in the international arena.

Lesson 6

It is in the details of aid programmes that the impacts are conveyed. That is, the purpose (why), the timing (when and for how long) of a programme; the location (where); the staffing (by whom, both expatriate and local); the selection of partners and of target beneficiaries (with whom); and the activities to support (what) - all these affect whether aid feeds into divisions and tensions or supports connectors and LCPs. Most important of all is the *how* of aid programmes, for example what kind of distribution system is chosen, how the terms of access to goods are defined and enforced, how staff are recruited, how beneficiaries are selected, and so on. These can have significant impacts that serve to divide or connect people in conflict.

Lesson 7

One of the most important lessons of the DNH Project is that, where aid unintentionally worsens tensions or weakens connectors, there are always programming options that can be tried to avoid having these impacts. Or if the programme seems to be missing opportunities to reduce divisions or reinforce connectors, there are

always options to improve impacts. Experience shows that options do exist and that creative aid workers have indeed developed many options that improve projects.

3. The Do No Harm Framework

These lessons are captured in a framework, called the DNH or LCP Framework. The Framework entails 7 steps:

1. Understanding the context of conflict.
2. Identifying and analysing dividers and tensions.
3. Identifying and analysing connectors and local capacities for peace.
4. Describing and analysing the assistance programme; unpacking the details.
5. Considering and analysing the impact of aid on dividers/tensions and   connectors/local capacities for peace through resource transfers and implicit ethical messages.
6. Generating programming options.
7. Testing selected option(s) and adapting the project/programme as necessary.

Suggestions for subsequent review processes in other Country Offices

The review team wanted to document our lessons learned on the process of this review, to inform future reviews in other CARE Country Offices (COs)

Spend more time preparing the methodology before going into the field, and more time sharing findings upon completion of the research process.

One and half to two days are needed for preparing the methodology for the review. Two full days for joint analysis of both review teams together following the field visits is also needed. For this joint analysis process to work, notes should be written up systematically and concisely by each team on a daily basis, with time to reflect and analyse for each field site.

Take more time with staff/partners to ensure there is more two-way learning, including across COs.

The review process was fast paced – including extensive amounts of travel time. In order to maximise the all-round learning, it would be useful to spend an entire day with groups of staff/partners, to enable the review team to work with staff to deepen their applications of DNH and to discuss new areas/challenges, such as the link between DNH and rights based approaches. Stronger two-way learning would also be achieved through a shared analysis and debriefing in each site so that field staff/partners become involved in the analysis process. Time also must be made for a focussed discussion across the two partnering COs in each field site, as it is a rare opportunity for field staff in different COs to discuss challenges of operating in a conflict context and means to overcome them.

Small groups provide much better opportunities for gathering responses and for providing useful feedback/discussion from the review team. Using probing questions when people are conceptually weak requires caution – if people's understanding is challenged without being clarified and carried to a deeper level of understanding they are left confused.

Involve field staff more directly in devising the review process that relates to their areas of operation.

The review team met not only with staff and partners, but also with government representatives and/or communities and/or other INGOs[26] as well. Local field staff were involved in these wider meetings, however their role was more to support our review work, rather than to take ownership of and lead the review for their specific field site. A better process would be for field staff to take an active role in designing the review for their specific area (i.e. the discussions with communities, government representatives and other INGOs), with the review team offering support in designing and implementing this process. This would have given these staff members a chance to reflect on practice with the support of the review team and to hear first hand the reflections of others on their work.

Refer back to the overarching questions during the field-based debriefing processes.

This ensures each review team is on track with addressing the overarching questions agreed at the outset. Inventiveness is definitely needed to get at the tougher questions on integrity of the tool!

Ensure at least one national staff member is a full member of each review team, accompanying the entire review process.

---

[26] Those who we do not partner with, but who can act as independent third party observers.

This is crucial to both ensure buy-in of the findings of each team by the CO, and to help the non-national members of the review team to contextualise the information and analysis generated.

Ensure adequate communications between different review teams to enable teams to cross-check process and findings while on the go.

If the review team separates into two separate regional teams operating in parallel, having regular (daily or alternate day) opportunities to catch up will enable the review teams to share emergent findings which can be cross-checked by the other team. Further, new ideas on process that emerge during the review can also be shared, as inevitably the methodology will shift as the review team experiments with new ideas.

Allow for pre-review preparation.

This includes the sharing of all relevant documents with the review team: project proposals, implementation reports, documents relating to any risk management processes used, with adequate pre-review reading time. Field staff should also prepare by developing a project timeline (also showing key events and trends in the conflict context) that can support discussion with the review team.

Thus we recommend the following (excluding travel/time off):

Days 1 & 2   Preparing the methodology, including overarching research questions and question guides for different respondent groups.

Field site 1:
Day 3   Full day with staff and partners to learn about their understanding and use of the tool, to discuss new challenges/areas of application (in particular relating to RBA), and to determine review/verification process for government representatives, communities and/or other INGOs.

Day 4   Staff and partners lead the review/verification process with government representatives, communities and/or other INGOs, with the review team providing support and accompaniment.

Day 5   Debrief with field staff/partners and review team to reflect on what was learnt as well as the learning process and to enable cross CO discussion (e.g. sharing of experiences between CARE Sri Lanka and CARE Nepal).

Field site 2:
Days 6-8   *Repeat as above, but with different groups of field staff, partners and others.*

Field site 3:   (If appropriate)
Days 9-11   *Repeat as above, but with different groups of field staff, partners and others.*

Debriefing:
Days 12-13   Group discussions for each review team to share findings and draw common conclusions[27]. Having adequate time is particularly important where two review teams operate in parallel.

---

[27] With time to discuss more fully at the completion of each review site, it is hoped that two days will be sufficient for group debriefing.

This chart draws on an assessment tool designed for the DNH review that seeks to define different depths of conceptualisation and application and that offers suggested indicators for these. During the DNH review we noted that it was hard to place an organisation into any one category, as individuals within that organisation could range dramatically on the scale. However the categories remain a useful tool for considering different levels of conceptualisation and application.

Category	Depth of conceptualisation & application	Indicators
Awareness	Staff member/partner has information about DNH	- Language
Conceptualisation	Staff member/partner has knowledge about DNH	- Articulation - Relation of DNH to projects/programmes
Application	Staff member/partner has skills to apply DNH	- Description of elements used (bits and pieces or entire Framework?) - Demonstrated use (examples) - Programme change as a result of DNH analysis - Policy change as a result of DNH analysis - Impact assessment
Mainstreaming	DNH is becoming institutionalised in the organisation	- Project - Programme - Programme support activities - Sector - Phases/life cycle (design, implementation, M & E) - Organisation - Partner - Country - Region - Globally
Knowledge Management	The organisation is learning from its experiences in applying DNH	- Platforms for sharing - Meetings – inter/intra project/programme, country, region, etc. - Conferences - Discussion groups - Communities of Practice - Documentation – incident reports, case studies, books, lessons learned, best practices - Dissemination (to whom?)

Annex 4
Basic Operating Guidelines
The BOGs are the set of principles to enable development to work in Nepal. The BOGs explain why development actors are in Nepal, what they are trying to do, and the way that they work. They also explain the conditions under which they will work. They were endorsed by 13 major donors in Nepal.

1. We are in Nepal to contribute to improvement 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 programmes. 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 core 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 programme objectives. Our vehicles are not used to transport persons or goods that have no direct connection with the development programme. Our vehicles do not carry armed or uniformed personnel.

12. We do not tolerate the theft, diversion or misuse of development or humanitarian supplies. Unhindered access of such supplies is essential.

13. We urge all those 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 actors concerned to comply strictly with international humanitarian principles and human rights law.

In conflict and post-conflict situations, assistance workers (whether humanitarian or development) need to take several things into account. Among these are the impacts of their programmes on the context with regard to the conflict and the issues surrounding the conflict. Also among these, and especially important in conflict situations, is how their programmes address the human rights concerns of the people in the situation.

International Humanitarian Law clearly lays out the responsibilities of those in authority to their constituencies, while also dealing with the rights that people should expect to be able to exercise. International assistance must work within this framework, supporting both the efforts of the authority to meet its responsibilities and of people to exercise their rights.

Human rights, and the implications of assistance programming on the human rights situation, cannot be ignored.

The Do No Harm Framework was developed to analyze and review the impacts of assistance on the conflict. It was not developed to explicitly deal with human rights and, as such, it is not *the* human rights tool. There are other, better, tools for addressing the totality of the legalities regarding human rights.

Nonetheless, human rights are included in the DNH Framework. Human rights clearly and regularly arise in the Context Analysis section (Dividers and Connectors). On the positive side, human rights appear as shared values and experiences that connect people. They appear in the cultural and governmental systems and institutions that promote non-violent attitudes and actions and non-violent ways of resolving disputes. They appear in certain occasions and in symbols that people use to promote connectedness.

On the negative side, those elements of a society in conflict that are actively engaged in attacking human rights are Dividers (whether a discriminatory legal or education system, a particular warlord or militia, or direct attacks on officials responsible for human rights, for example).

The merit of the DNH Framework as it addresses human rights is that it looks at human rights in an immediate and operational fashion. What do people do to demonstrate their support for human rights? How do they promote rights? What do people do to denigrate and undermine human rights? How do they attack them? Where and when do they attack them?

In the DNH Framework, "human rights" is not a concept to be considered in the abstract. The actual impacts of a conflict on people and on their human rights are taken into account in order to develop good and effective programmes.

CDA will continue to work on the implications of human rights within the context of the DNH Framework.

One particular finding of our recent efforts to think more explicitly about human rights in the context of the DNH Framework intrigues us. The DNH Framework encourages us to think more systematically about potential *responses* to human rights violations. What are the options for dealing with violations? DNH does not pre-judge, nor does it prescribe a single response, but instead it deals with actual situations and examines options for accountability on the basis of existing and identified connectors.

We have been struck by the range of options that people and nations use to address violations of human rights that occur in their conflicts. People are simultaneously extremely creative and forgiving. They know

---

[28] Excerpted from the DNH Handbook, November 2004

what systems of forgiveness and punishment will and will not work in their communities and they almost always work to promote activities to heal their societies. This strikes us as profoundly hopeful, and also, as outsiders to these societies and the direct effects of their conflicts, extremely humbling.

Annex 6
References and other suggested reading

Africa Peace Forum, Centre for Conflict Resolution, Consortium of Humanitarian Agencies, Forum on Early Warning and Early Response, International Alert, and Saferworld. 2004. *Conflict sensitive approaches to development, humanitarian assistance and peacebuilding – a resource pack.* (http://www.conflictsensitivity.org)

Anderson, M. B. 1999. *Do No Harm. How Aid Can Support Peace or War*. Boulder, CO: Lynne Rienner.

Anderson, M. B., Olson, L., and K. Doughty. 2003. *Confronting War: Critical Lessons for Peace Practitioners*. Cambridge, MA: The Collaborative for Development Action. (http://www.cdainc.com/publications/rpp/confrontingwar/ConfrontingWar.pdf)

Anderson, Mary B. 2000. *Options for Aid in Conflict: Lessons from Field Experience.* (http://www.cdainc.com/publications/dnh/options/OptionsManual.pdf)

Babbitt, E.,Lutz, E. L. and Hannum, H., "Human Rights and Conflict Resolution from the Practitioners' Perspectives." *The Fletcher Forum of World Affairs*. Vol. 27: I Winter/Spring 2003 (pg 173 -193). (http://fletcher.tufts.edu/chrcr/pdf/Lutz4.pdf)

Barbolet, A., Goldwyn, R., Groenewald, H., and Sherriff, A., 2005 "The Utility and Dilemmas of Conflict Sensitivity" *Berghof Research Centre for Constructive Conflict Management.* (http://www.berghof-handbook.net)

Bush, K. 1998. "A Measure of Peace. Peace and Conflict Impact Assessment of Development Projects in Conflict Zones" Working Paper No.1. Ottawa: IDRC. (http://www.idrc.ca/uploads/user-S/10533919790A_Measure_of_Peace.pdf)

Duffield, M. 1998. "Aid Policy and Post-Modern Conflict: A Critical Review". Discussion Paper. International Development Department, School of Public Policy, University of Birmingham, UK.

Fisher, S., Abdi, D.I., Ludin; J., Smith, R., Williams, S., and Williams, S., 2000. *Working with Conflict: Skills and Strategies for Action* London: Zed Books. (http://www.respond.org/learning_resources.asp)

Garred, M., (editor). 2006. *A Shared Future – Local Capacities for Peace in Community Development* World Vision ISBN 1-933785-01-2.

Goldwyn. R., 2005. "Discussion paper: At the nexus between rights based approaches and conflict sensitivity." CARE International UK.

Jackson, S., 2001. "The Challenges and Contradictions of Development and Conflict: A Background Paper for the INCORE Summer School. June 10-14 2001." (http://www.incore.ulst.ac.uk/services/cds/themes/SJ_Paper.pdf)

Karki, D., forthcoming "Rights based approaches in the conflict situation in Nepal, Experiences of CARE Nepal."

Miall, H., Ramsbotham, O., Woodhouse, T., 2004 *Contemporary Conflict Resolution* Polity Press.

Paffenholz, T., 2006. "Nepal: Staying Engaged In Conflict, Experiences and Lessons Learnt from Conflict Sensitive Programme Management (CSPM) in fragile context with armed conflict." SDC Swiss Agency for Development and Cooperation–East Asia Division.

--- 2005. "Third generation PCIA – Introducing the Planning and Assessment Approach for Conflict Zones" *Berghof Research Centre for Constructive Conflict Management.* (http://www.berghof-handbook.net)

Parlevliet, M., "Bridging the Divide: Exploring the relationship between human rights and conflict management", *Track Two* 11(1) March 2002; pp.8-43. Centre for Conflict Resolution, Cape Town (http://webworld.unesco.org/water/wwap/pccp/cd/pdf/educational_tools/course_modules/reference_documents/issues/bridgingthedivide.pdf)

Robertson, G., 2005 *A Guidebook to Safe and Effective Development in Conflict – draft* Mera Publications Pvt Ltd

Uvin, P., 1999. "The Influence of Aid in Situations of Violent Conflict: A synthesis and a commentary on the lessons learned from case studies on the limits and scope of the use of development assistance incentives and disincentives for influencing conflict situations." Paris: OECD/DAC Informal Task Force on Conflict and Development Co-operation, September. (http://www.carleton.ca/cifp/docs/synth_fin.pdf)

Upreti, B. R., Jan 2004. *The Price of neglect – from resource conflict to Maoist insurgency in the Himalayan Kingdom.* Bhrikuti Academic Publications, Kathmandu, Nepal.