

# Monthly Update – December 2012

## UN Resident & Humanitarian Coordinator's Office Nepal



*This report is issued by the UN RCHCO with inputs from its UN Field Coordination Offices and other partners and sources. The report covers December 2012. The next report will be issued the first week of February 2013.*

### CONTEXT

#### Political update

The political situation in Nepal remained deadlocked while UN Secretary General Ban Ki Moon issued a statement on 14 December urging the political parties to form a broad-based government ahead of elections. The President had set a deadline for the parties to reach consensus on a Prime Minister candidate, but within the space of a few weeks had extended it six times without any resolution. On his recent six-day official visit to India the President met and updated several senior figures on his efforts to urge Nepal's political parties to agree on a way forward.

The opposition Nepali Congress (NC) and Communist Party of Nepal-United Marxist Leninist continued in their demand that Prime Minister Baburam Bhattarai resigns in favor of NC President Sushil Koirala. However, the Prime Minister with the support of his coalition partners insists that opposition parties join his Government to prepare for elections in spring 2013. The Prime Minister was widely blamed for blocking consensus, but he and his coalition partners maintained they were willing to make way as soon as the opposition accepted a package of measures that would guarantee spring elections take place. The governing Federal Democratic Republic Alliance (FDRA) coalition proposed several alternative ways forward, including that the next Prime Minister be nominated from the FDRA, appointment of an 'independent' or neutral Prime Minister or revival of the dissolved Constituent Assembly. The opposition rejected these proposals.

As a result of the protracted stalemate several constitutional bodies and the judiciary faced increasing challenges as the urgently needed appointment of commissioners and judges requires consensus amongst the parties which, in turn, is linked to the settlement of other issues.

The government finalized the working procedures for granting pardons which state that war crimes and crimes against humanity and intentional killings are not pardonable. This will have implications in transitional justice cases that have already come under the regular justice system.

#### Operational space

There were limited reports of operational space issues for signatories to the Basic Operating Guidelines (BOGs) during December. In the Central Region BOGs signatories were partially affected by a *bandh* organized by locals and district political parties in Chitwan district, on 19 December, to pressurize government authorities to resolve the issue of a wild elephant responsible for the death of four people in the past three months. Some UN and other diplomatic vehicles, development and humanitarian actors imposed self-restrictions on their movement. The *bandh* was withdrawn after the district administration agreed to provide financial compensation to family of the victims.

Although not directly affecting signatories to the BOGs themselves, there were reports of a political party demanding donations from government officials, the business community and NGOs in Darchula district of the Far Western Region (FWR). A BOGs signatory confirmed that some NGOs that implement programs with support of development partners, had received donation requests. The organizations receiving such donation requests responded to the political groups, referring to the BOGs that development partners do not make contributions to political parties or their affiliated organizations.

## EMERGING ISSUES AFFECTING PEACE AND DEVELOPMENT

### **Government withdraws donor funded project due to obstructions by NEFIN**

A donor funded Regional Waste Management Project tasked to construct a landfill site in Morang district in the Eastern Region (ER), withdrew its operations, according to the district's District Development Committee and Municipality officials. However, a formal letter to this extent has reportedly not yet been issued. The officials cited National Federation of Indigenous Nationalities' (NEFIN) continued obstructions at the landfill construction site as the main reason behind the withdrawal. Conversely, NEFIN and local Tharu activists claimed that the local authorities did not abide by their obligations under ILO 169 as understood by NEFIN and cited a lack of consultations with the local community before the start of the project. In addition, NEFIN demanded construction of schools, hospitals and roads in the respective VDC as compensation to the affected community. According to NEFIN activists, a number of people, mainly from the Tharu community, would be displaced by the construction of the landfill site. Despite several rounds of negotiations the issue could not be resolved. An NGO worker involved in the talks between the local authorities and NEFIN said this incident highlights the necessity of local consultations prior to implementation of development projects. He added that this incident may trigger obstructions in other development projects where concerns of locals have not been properly addressed.

### **Eviction of landless people from community forest areas in Surkhet and Rupandehi districts**

On 2 December, the District Forest Office (DFO) in Surkhet district in the Mid Western Region (MWR) evicted 27 families from the Khanddevi community forest, where they had been living for the past one and half year, reported the National Landless Rights Forum. The families were predominantly from the Dalit community. Earlier this year, the DFO had evicted 85 families from the Deutibajai community forest. DFO officials claim that the forest dwellers were involved in illegal deforestation and poaching of wild animals. Initially, they were instructed to vacate the forest area in August this year, though district political parties and the community forest user group had agreed to extend the deadline to 25 November, until after the festival season. The Forest Area Encroachment Control Team responsible for the eviction comprised armed forest guards, forest rangers, members of the forest user group and local journalists.

Following the eviction, the families staged an indefinite sit-in protest in front of the District Administration Office (DAO) and DFO. They were demanding alternative settlement arrangements, a field survey by the District Squatters Problem Resolution Commission (*Sukumbasi Samasya Samadhan Ayog*) and distribution of land and landownership documents to landless people. The protest was called off on 27 December after the Chief District Officer (CDO) promised to forward their demands to the Prime Minister's Office. Meanwhile, the district political parties agreed for the landless families to return to the forest area until alternative settlement arrangements have been made.

According to a local analyst, the majority of the landless people are lured to the district's community forest areas with a promise of land by political parties, looking to widen their support base in the district, or represent flood affected families settled there by the local administration. For instance, in 2010 more than 130 flood affected families were settled in various community forest areas in the district.<sup>1</sup> A DFO official argued that this trend has resulted in major deforestation issues for the district.

In community forest areas in Bishnupura VDC, Rupandehi district in the Western Region (WR) tensions are reportedly growing between landless squatters and community forest users after the DFO, on request of the latter, issued a notice to evict squatters from the community forests about two months ago.<sup>2</sup> The squatters have no intention of leaving the forest areas as they claim to have the local government's consent to settle there. More than 300 families are reportedly living in community forest areas in the VDC in exchange for a small fee they pay to the local government. Some of them claim they have been living there for more than

<sup>1</sup> In that year communities in Lagan and Betan VDCs were affected by flooding.

<sup>2</sup> Interview with the Regional Coordinator of the Community Self Reliance Centre, on 21 December 2012.

half a century and have no other place to go to.<sup>3</sup> “It is time for the administration to intervene and to find a solution to long-term grievances and demands of both sides in order to avoid any possible clashes in the future”, said a local development worker.

### Landless people demonstrate for landownership in Rupandehi and Nawalparasi Districts

The National Land Rights Forum with support of several hundred landless people organized a number of protest programs in Rupandehi and Nawalparasi districts in the WR, during this month.<sup>4</sup> The landless people, who have been occupying public or private land for years with a *de facto* agreement from the local government or landowners, are demanding transfer of the land (they have been ploughing for years) to their names, implementation of the latest decision taken on *Ukhada*<sup>5</sup> land and follow-up on the work of the Squatters Problem Resolution Commission<sup>6</sup>, among others.<sup>7</sup>

An indefinite sit-in program that was organized in front of the District Land Revenue Office (DLRO) in Kawasoti, Nawalparasi district was called off only after the CDO promised to address their demands.<sup>8</sup> In Rupandehi district, various sit-in programs were organized in front of the DLRO, DFO and District Squatters Problem Resolution Commission’s office. “The protest programs are not violent, but aggressive”, said a local development worker and added that, “They are an indication that grievances related to traditional land management systems are unrelenting”. “Any further delay in land reform could lead to a resurface in violence related to land grievances”, argued a local analyst. Meanwhile, the CDO of Rupandehi district reportedly proposed to have a dialogue meeting with the protesting landless people on 4 January.

## HUMANITARIAN UPDATE

### Disaster overview for this month

The cold wave that started in the second week of December affected normal life in most Tarai districts<sup>9</sup>. Schools remained closed and flights to and from the affected Tarai districts were cancelled or delayed due to poor visibility caused by thick fog. The number of patients with cold related complications such as diarrhea and pneumonia increased significantly during this month, according to health officials. In particular, the elderly, children and students are affected. Reportedly more than 20 people have died due to complications caused by the cold weather, thus far.

District Disaster Relief Committees (DDRCs) with support of security forces, civil society, Nepal Red Cross Society (NRCS) and other humanitarian organizations provided warm clothes and firewood and made arrangements for campfires at main junctions and public places. The DDRCs of Saptari and Siraha districts in the ER provided NPR 25,000 to the families of those who died due to the cold. DAOs mobilized local media, NRCS volunteers and other humanitarian actors to inform the communities about preventative measures against cold. However, stakeholders claimed that the preventative measures were insufficient and response activities by relief communities too late.

On 4 December, an accidental fire in the Jhapa district based Beldangi Bhutanese refugee camp in the ER destroyed 63 huts. An additional 28 huts were dismantled during a subsequent fire control. Although no

<sup>3</sup> Interview with a landless squatter in Jitpur community forest area, on 21 December 2012.

<sup>4</sup> According to NLRF activists and the Regional Coordinator of the Community Self Reliance Center interviewed on December 21, 2012 there are around 30,000 landless households in Rupandehi (though only 24,000 applications have been submitted to the office of the DSPR).

<sup>5</sup> *Ukhada* was a land use system operated in only three districts in the *Tarai*: Rupandehi, Kapilvastu and Nawalparasi. Under this system, the tillers had no formal contract with the owners and were likely to be expelled at any point of time if discovered. Hence, the name *Ukhada*, meaning ‘displaced’. Farmers generally paid revenue to an absent landlord for the land cultivated, either in cash or kind. In addition, they worked for the landowner whenever labour was required.

<sup>6</sup> The Cabinet formed a Squatters Problem Resolution Commission or Sukumbasi Samasya Samadhan Ayog, in 2011, to identify squatters and to distribute ID cards and land ownership documents in 25 districts of Nepal, including Rupandehi and Nawalparasi.

<sup>7</sup> Other demands are separation of squatters’ settlements from the area of community forestry, distribution of relief packages to previous *Haruwa and Charuwa*<sup>7</sup> as per the Kamaiya Act of 2002 and of land registration certificates to owners of *gaun block*<sup>7</sup> and repatriation of displaced statutory tenants (*Mohi*) and squatters in to the land they had been occupying.

<sup>8</sup> The sit-in program started on December 13, 2012.

<sup>9</sup> Dhanusa, Mahottari, Sarlahi, Rautahat, Bara and Parsa of Central Region; Siraha and Saptari of the Eastern Region; Dang, Bardiya and Banke of the Mid Western Region were affected by the cold wave.

human casualties were reported, the fire destroyed most of the stored food grains, clothes and other commodities. The DDRC managed the response in coordination and collaboration with agencies working in the district, including NRCS, Lutheran World Federation and UN.

### **Review workshop on Disaster Preparedness and Response (DPR) planning initiatives**

In December, the Ministry of Home Affairs (MoHA) organized review workshops on the Disaster Preparedness and Response (DPR) planning process in the MWR and FWR.<sup>10</sup> The main objective was to review the effectiveness of the DPR planning process, assess implementation challenges and discuss the way forward with the DDRC members and other relevant humanitarian partners. Representative of the Regional Administration Office, the head of line agencies, representatives of political parties, Nepal Red-cross Society (NRCS), district lead support agencies (DLSA)<sup>11</sup> and international agencies working in the field of disaster participated in the workshops.

The CDO and respective DLSAs shared their experiences on the DPR planning process and highlighted some of the challenges of implementing the DPR plan. Lack of financial resources and common understanding among agencies on the relevance of the DPR plan as well as frequent turnover of the government officials were raised as major concerns for the effective implementation of the plan. The MoHA representative emphasized that each line agency has to allocate budget for preparedness activities, as agreed in the DPR Plan. Decisions were taken including to regularize the annual revision of the plan and to secure endorsement from the District Council. In Baitadi and Dang districts, a task force was formed to revise the plan. The DDRC Baitadi decided to establish an emergency fund to be managed by the District Development Committee (DDC) in order to facilitate disaster preparedness initiatives in the district.

District Disaster Risk Management Planning (DDRMP) workshops took place in Rukum, Kailali and Sunsari districts aiming to support DDCs for mainstreaming the disaster risk reduction component in the district development plan. The DDRMP is a joint initiative of UNDP and UNICEF with other humanitarian partners.

### **National Disaster Response Framework and Strategy on Urban Search and Rescue**

Some progress was made with regard to the National Disaster Response Framework (NDRF) and National Strategy on Urban Search and Rescue (USAR) capacity. The NDRF was translated into Nepali and the National Strategy on USAR capacity finalized. They are currently in process of approval by the Central Natural Disaster Relief Committee. The MoHA will organize a thematic workshop in mid January on SAR capacity with the aim to build a common understanding among the inter-agency partners on the current status of SAR capacity in the country and to jointly develop a plan of action for the future.

#### **RECENT MAPS AVAILABLE**

The RCHCO IMU produced a number of mapping products, some of which are listed below and also available on the Nepal Information Platform (NIP) (<http://www.un.org.np/resources/maps> )

Nepal: Report of Security Incident, 1-31 December 2012  
<http://www.un.org.np/maps/nepal-report-security-incident-1-31-december-2012>

Nepal: Report of Bandh/Strike, 1-31 December 2012  
<http://un.org.np/maps/nepal-reports-bandhs-strike-1-31-december-2012>

Nepal: District Inventory Maps  
<http://www.un.org.np/resources/maps/dim>

Nepal: Census Population 2011  
[http://www.un.org.np/maps/nepal\\_population\\_2011](http://www.un.org.np/maps/nepal_population_2011)

Nepal: Literacy 2011  
[http://www.un.org.np/maps/nepal\\_literacy\\_2011](http://www.un.org.np/maps/nepal_literacy_2011)

<sup>10</sup> The respective workshops were held in Bardiya (12 Dec), Dang (14 Dec) in the Mid Western Region and Doti (24 Dec) and Baitadi (26 Dec) in the Far Western Region.

<sup>11</sup> Care in Doti, OXFAM in Baitadi, NRCS in Bardiya and UNICEF in Dang, respectively.

## RECENT REPORTS AVAILABLE

Some of the recent reports available on UN Nepal Information Platform are listed below.

RCHCO Field Bulletin: Peace through development: how does Nepal's 'Three-Year Plan' deliver on the Comprehensive Peace Agreement? Issue # 49

<http://un.org.np/sites/default/files/2012-12-18-Field-Bulletin-49.pdf>

RCHCO Field Bulletin: The *Badi* community in Nepal. Issue # 50

<http://un.org.np/sites/default/files/2013-01-02-Field-Bulletin-Issue-50.pdf>

Field Bulletin Nepali Translations

<http://un.org.np/sites/default/files/2012-12-28-Field-Bulletin-Issue-31-Nepali.pdf>

<http://un.org.np/sites/default/files/2012-12-28-Field-Bulletin-Issue-6-Nepali.pdf>

<http://un.org.np/sites/default/files/2012-12-18-Field-Bulletin-Issue-17-Nepali.pdf>

<http://un.org.np/sites/default/files/2012-12-12-field-bulletin-issue-48-Nepali.pdf>

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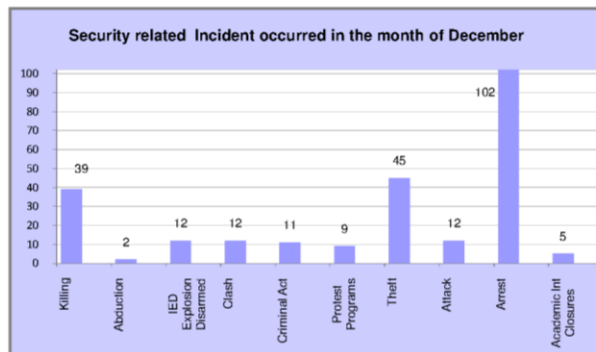
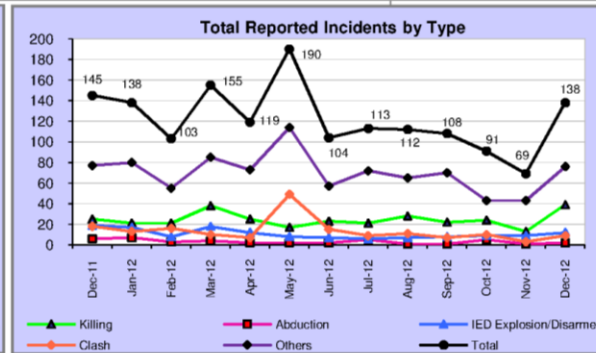
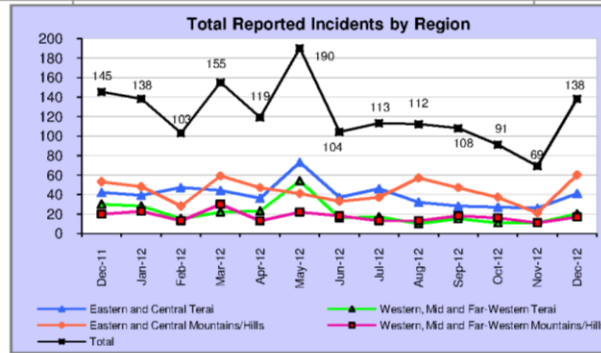
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Visit the UN Nepal Information Platform at [www.un.org.np](http://www.un.org.np)

**Disclaimer:** The information in this report is consolidated from media, UN, NGO and other development and humanitarian partners, subject to availability of data. Although the RCHCO aims to confirm reports independently, occasional factual inaccuracies can occur.

# NEPAL - Reports of Security Incidents

1- 31 December 2012



### Legend

**Administrative Boundaries**

- International
- Development Region
- District

**Types of Incidents**

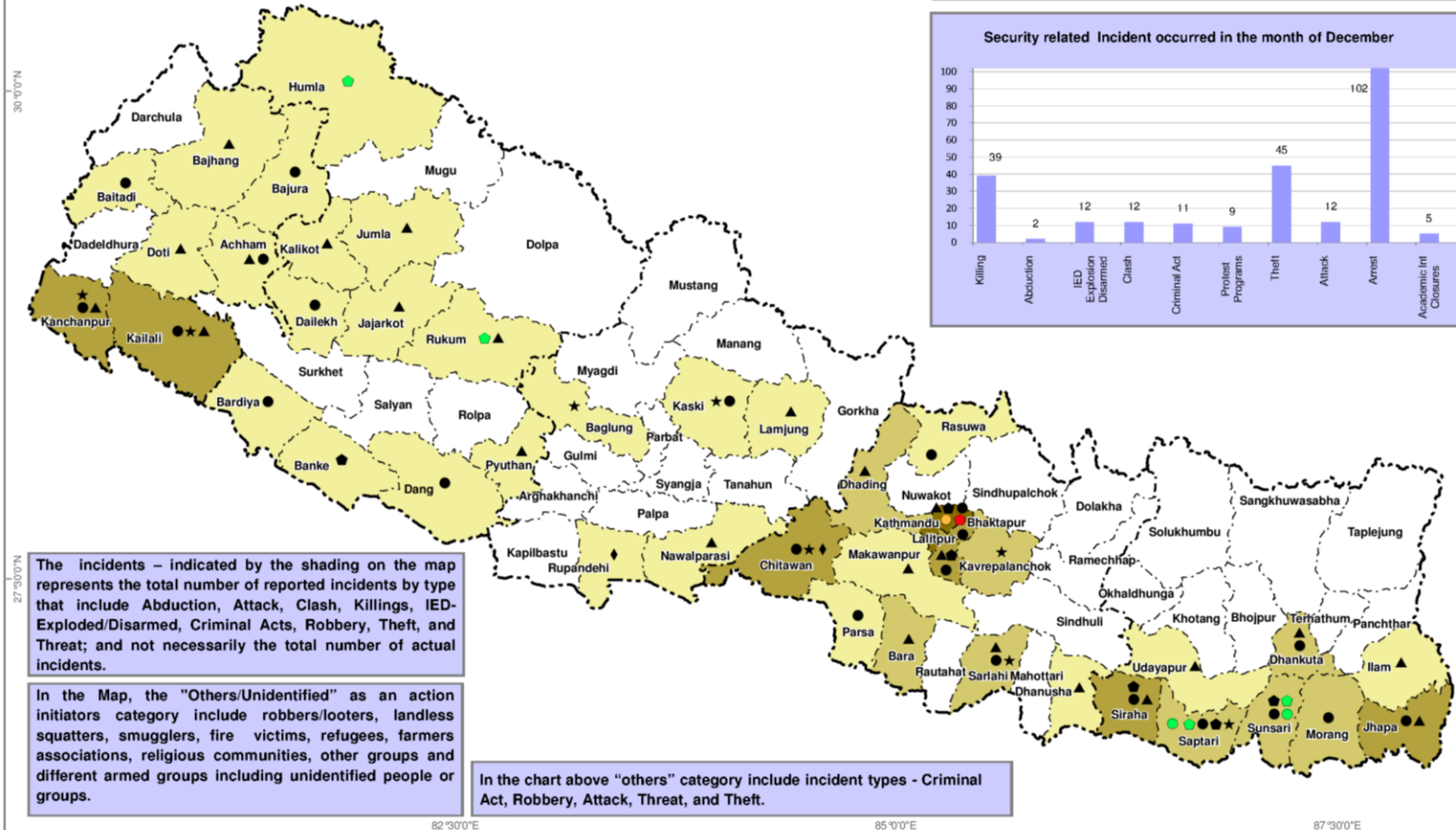
- Reports of Abductions
- Reports of Killings
- Reports of Clash
- Reports of Criminal Acts
- Reports of IED-Disarmed/Explosions

**Number of Reported Incidents**

- 1 - 2
- 3 - 4
- 5 - 7
- 30
- No incidents reported

**Action Initiators (Symbol Colour)**

- UCPN-M/YCL
- Terai Groups
- Political Parties/Locals/Students/Teacher Union/Transport Union
- Tharuhat/ Bramhan Samaj/ Chhetri Samaj
- Other/Unidentified



The incidents – indicated by the shading on the map represents the total number of reported incidents by type that include Abduction, Attack, Clash, Killings, IED-Exploded/Disarmed, Criminal Acts, Robbery, Theft, and Threat; and not necessarily the total number of actual incidents.

In the Map, the "Others/Unidentified" as an action initiators category include robbers/looters, landless squatters, smugglers, fire victims, refugees, farmers associations, religious communities, other groups and different armed groups including unidentified people or groups.

In the chart above "others" category include incident types - Criminal Act, Robbery, Attack, Threat, and Theft.

Map Produced by RCHCO with information consolidated by UNDS.

Department of Safety and Security

**Map Doc Name:** Security\_Incidents\_Dec\_2012\_A4\_4Jan2013\_v1  
**GLIDE Number:** N/A  
**Creation Date:** 4 January 2013  
**Projection/Datum:** UTM 44N/WGS84  
**Web Resources:** <http://www.un.org.np>

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**Map data source(s):** International and domestic media and field reports from UN Agencies, Donors and I/NGOs. Geodata: GIST, ESRI

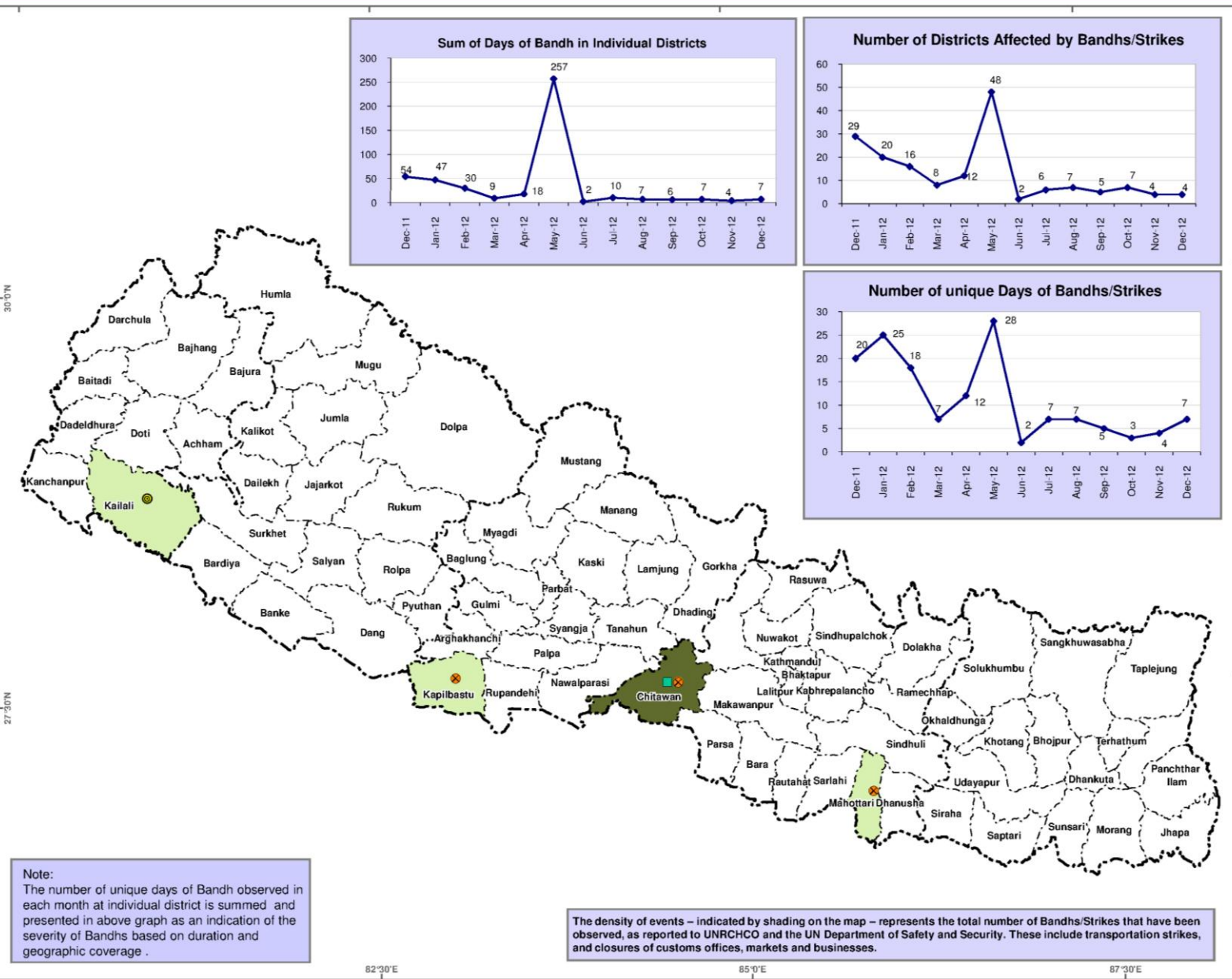
**Disclaimers:** The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

A service of the United Nations Country Team in Nepal.



# NEPAL - Reports of Bandhs/Strikes

1 - 31 December 2012



**Map Produced by RCHCO with information consolidated by UNOSSG.**

**Department of Safety and Security**

**Map Doc Name:** BandhStrike\_Dec\_2012\_A4\_04Jan2013\_v01  
**GLIDE Number:** N/A  
**Creation Date:** 4 January 2013  
**Projection/Datum:** UTM 44N/WGS84  
**Web Resources:** <http://www.un.org.np>

**Map data source(s):** International and domestic media and field reports from UN Agencies, Donors and I/NGOs. Geodata: GIST, ESRI

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**Map Doc Name:** BandhStrike\_Dec\_2012\_A4\_04Jan2013\_v01  
**GLIDE Number:** N/A  
**Creation Date:** 4 January 2013  
**Projection/Datum:** UTM 44N/WGS84  
**Web Resources:** <http://www.un.org.np>

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**Transition Support Strategy**  
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