

Monthly Report - September 2014

UN Resident Coordinator's Office, Nepal



Summary

September has seen a great deal more political activity on the ground than recent months. Pro Hindu groups wishing to see Nepal return to a Hindu state including Kamal Thapa's RPP – N have been increasingly vocal in their demands. This has been primarily in the east of the country where the RPP-N enjoys strong support. However, other 'Hindu struggle committees' have been active in other parts of the Tarai with some active support from NC and UML district leadership. Similarly some leaders of the NC have also been vocal in the objection to a secular state.

The formation of alliances and preparations for agitations continues with the UCPN-M led Federal Republic Alliance expanding its district committees particularly in the Eastern and Central regions. In addition, the Federal Limbuwan Party Nepal announced its unification and planned protest programs due to begin after Tihar. Another identity based group known as the Kirat Rai Yayokkha also announced their plans for a Kirat state that would theoretically include the areas proposed by the Limbuwan. Similarly some smaller Madhesi parties in the MWR have also formed alliances to increase strength though it is not clear what their objectives are.

A number of issues impacting operational space have been highlighted during the month with the ADB funded waste management project in Janakpur continuing to be an issue of tension with political alliances being formed to counter what appears to be the vested interests of one local politician and minister. The CPN-M continues to oppose any projects with Indian involvement citing damage to national interests as its main concern. This has been exemplified in the Karnali region with the ongoing disruption to the Upper Karnali Hydro-Electricity Project. The CPN-M also imposed a bandh protesting various agreements with the Govt of India. Additionally, the CPN-M was accused of extorting money from local cardamom farmers in the Eastern Region. Demonstrating that it is not just the CPN-M obstructing development, the NC has also objected to another hydro project in the Western Region demanding its cadre be employed in the project implementation.

Former scientists and Madhesi activist CK Raut was arrested on the charges of sedition. Following his arrest there were protests and demonstrations in various parts of the Tarai as well as the imposition of a bandh though impact was minimal. The Madhesi community reportedly perceives the arrest of CK Raut as further evidence of continued suppression of the Madhes. This has been further compounded by alleged under reporting of the incident by Nepal's national media.

This report proceeds according to area of thematic relevance for the UN RCO, listing what it considers the most relevant incidents for internal and external consumption.

1. Constitution/Federalism/Political

Jhapa (ER 31 August) - Speaking at a regional level cadres training in Damak, the Chairperson of Rastriya Prajatantra Party-Nepal (RPP-N), Kamal Thapa stated the promulgation of Constitution by January 22 is not possible due to a lack of political commitment among the NC, UML and the UCPN-M. He criticized the UCPN-M for obstructing the CA, warning that a Constitution without reference to a monarch and a Hindu state will not be acceptable to his party and would be detrimental to overall political achievements of the nation. He also **accused other political parties of being agents of the EU for promoting/accepting federalism and secularism**. He further added that the activities of different I/NGOs supported by the EU are suspicious as they are also promoting both federalism and secularism. **Later in the month he also stated that** the RPP-N is going to initiate a series of agitation programs pressing for the reestablishment of a Hindu state in the new constitution. He also reportedly urged party cadres to be prepared for fresh agitations after Tihar. **Jhapa is considered one of the most contested districts in the ER in terms of federal boundaries. Different groups such as the Limbuwan, Kochila and Madhes all claim Jhapa as part of their respective federal states.**

Kailali (FWR 02 September) - A Hindu religious group known as the Vedic Sanatan Hindu Rastriya Nepal Sanstapat Sangarsha Samiti organized a 'religious assembly' in Dhangadhi. The meeting was reportedly attended by religious leaders from all nine FWR districts. The group is demanding Nepal becomes a Hindu state and has decided to continue advocating for an end to secularism in Nepal. **Furthermore the United Struggle Committee of Hindu Ideologist (USCHI) and National Citizen Struggle Committee (NCSC) staged sit-in-protests in Kathmandu demanding a Constitution recognising Nepal as a Hindu state.** They have demanded a return to the Constitution of 1990 stating that there is no alternative but for the political parties and the king to develop an understanding. **Meanwhile, NC leader Khum Bahadur Khadka, while addressing a USCHI protest programme in Kathmandu, stated it was a political mistake to declare Nepal a secular country** adding they will burn copies of the new Constitution if it Nepal continues to be considered so.

Kailali (FWR 21 September) - Speaking at the third district convention of The Nepal Tarun Dal (The NC youth wing), NC leader and former minister Khum Bahadur Khadka expressed his doubt regarding the timely writing of the constitution. Khadka also stated that both federalism and secularism were not the mandates of the second Janaandolan (2062/2063), adding that secularism is also not the agenda of the current CA. He also stated that he is personally against secularism. **Whilst in Doti, FWR he also stated that a referendum is the best option to decide the issue of secularism. Khadka has lately been in the media for his strong remarks on the issue of secularism.**

Sunsari (ER 02 September) - The FRA (an alliance of seven political parties in the CA advocating for identity based federalism) is making efforts to expand its network. Under the coordination of Nirmal Baral of the UCPN-M, the FRA formed a district committee in Sunsari on 02 September. Similarly in Janakpur, CR on 03 September a district committee was formed as well as in Dhankuta on 06 September. **The FRA is speeding up its consultation drive particularly in areas considered political hubs of the Eastern and Central region. Increased activities of the FRA are expected in the future as the deadline for constitution promulgation approaches.**

Dang (MWR 27 September) - UCPN - M warns of protests. Attending a programme organized by the Reporter's Club in Dang, a Central Member of Unified Communist Party of Nepal Maoist (UCPN-M) warned of stern protests if the Nepali Congress and the CPN-UML attempts to implement a constitution without the consent of the UCPN-M. It was also revealed that the UCPN-M is attempting to develop an understanding with the CPN-Maoist regarding unification.

Sunsari (ER 08 September) - Following the establishment of the Federal Limbuwan Party Nepal (FLPN), the party held various political activities across nine districts east of the Arun river. Furthermore, in Jhapa ER they announced their upcoming protest programs at a formal program in Birtamod on 20 September. The FLP will carry out peaceful protests such as organizing press meetings, signature campaigns supporting the Limbuwan state and wall paintings until the middle of October after which it will intensify the protest programs. However, what is meant by the intensification of protests was not clarified. **It is becoming increasingly clear the Limbuwan and other likeminded groups will step up protest activities as constitution drafting proceeds.**

Taplejung (ER 13 September) – The Kirat Rai Yayokkha has started a national campaign demanding an autonomous Kirat state. The organization’s central committee members held a meeting with their cadres on 13 September where they proposed a Wider Kirat Autonomous State. This would include Kirati settlements in Solukhumbu, Okhaldhunga, Khotang, Udaypur, Bhojpur, Sankhuwasabha, Dhankuta, Sunsari, Morang, Terathum, Taplejung, Panchar, Ilam, and Jhapa in the ER as well as Ramechap, Dolakha and Sindhuli in the CR. It has further proposed that the Limbuwan and Khambuwan be semi autonomous states within the Wider Kirat Autonomous State. In this regard an awareness campaign was started in Taplejung and concluded in Sindhuli. **The Kirat Rai Yayokkha is advocating for a Kirat state that includes districts also claimed by the Limbuwan and the Khambuwan. This concept is not accepted by those supporting either an Autonomous Khambuwan Federal State or a Limbuwan state hence, the possibilities of confrontation between the various groups may increase regarding the issue of federal state borders.**

Nepalgunj (MWR 04 September) - Madhesi parties formed a United Madhesi Front (UMF) led by the Tarai Madhes Democratic Party (TMDP) with district leaders of the Tarai Madhes Forum, Nepal Sadbhawana Party - Gajendra and the Tarai Madhes Sadbhawana Party as participating members. The initiative has been seen as a local approach and is appreciated by local CS members as it is perceived as supporting the consolidation process of Madhesi parties.

Kaski (WR 09 September) - Tamuwan Youth Force formed. Aiming at increasing momentum regarding the establishment of a Tamuwan State for an inclusive and progressive constitution, the Federal Socialist Party formed a ‘**Tamuwan Youth Force**’ consisting of youths from the Gurung, Magar, Brahmin, and Chhetri communities **reflecting the renewed debate over federalism and constitution building at the local level. It is unclear what the objectives of this group are and to what extent they are organized though in the past there have been ethnic based conflicts between Gurungs and Chhetris in the Kaski/Pokhara area.**

2. Transitional Justice

Kailali & Achham (FWR 30 August) - Marking International Disappearance Day in Kailali, it was revealed that there are still 120 persons allegedly disappeared by the state during the conflict in the FWR whose whereabouts remain unknown. However, the number of those disappeared by non-state actors during the conflict period is not available. Similarly, in Achham, stakeholders demanded the whereabouts of disappeared persons be made public. **Eight years after signing the Comprehensive Peace Agreement, the whereabouts of many persons are still unknown while concerned families continue to seek the truth.**

3. Inclusion/Discrimination

Morang (ER 11 September) - The Madhesi Janadhikar Forum - Nepal, the Madhesi Janadhikar Forum - Democratic and the Tarai Madhes Loktantrik Party Nepal jointly submitted a memorandum to the Morang CDO accusing the NP of increased unnecessary persecution of Madhesi citizens. Allegedly, Madhesi youths and other citizens are being arrested over small issues and are kept in custody unnecessarily for long periods of time. There is a perception among Madhesi political parties that they are being neglected by bureaucracy after their poor show in last elections and the NP is also being unnecessarily harsh towards the Madhesi community.

4. Operational Space

Janakpur (CTR 1 September) - A loose network of 18 political parties including youth and civil society members formed for the retention of the ADB funded Integrated Urban Development Program (IUDP) enforced a bandh on 01 September protesting the actions of Bimlandera Nidhi, the NC leader and Minister for Physical Planning and Transportation. Demanding the resignation of Nidhi and the immediate implementation of the IUDP, the protesters have been organizing a series of protest programs over the past three months in Janakpur municipality. The IUDP is reportedly being halted over the issue of a landfill site construction at Fulgama VDC, which falls within minister Nidhi's constituency. Nidhi is reportedly opposing the construction stating the land has been allocated for the construction of Rajarshi Janak University. The protesters organized a torch rally on 31 August and reportedly vandalized vehicles at Ramananda chowk as well as burning some national daily newspapers, accusing the national dailies of not covering the issue following pressure from Nidhi.

Pyuthan (MWR 08 September) – The Tarun Dal, a youth wing of the NC, imposed an indefinite district bandh protesting attacks on its cadres, allegedly by CPN-UML affiliated youths. The movement of public and private vehicles was affected and demonstrations were taken out at various locations along the district road. However, the bandh was local in nature and reportedly had minimal impact.

Gorkha (WR 09 September) - Supporters of the NC obstructed work on Budhi Gandaki Hydro Electricity Project demanding their party cadres be employed in the project. Work was halted for over three weeks. As a result, a feasibility study for an Environmental and Social Impact Analysis was affected. This is indicative of increasing political interference in the development sector.

Nepalgunj (MWR 01 September) - Organizing a press conference in Nepalgunj, a central member of the Upper Karnali Affected Area Concern Committee (UKAACC) affiliated to the CPN-Maoist has threatened to protest the involvement of GMR, an Indian construction company involved in the Upper Karnali Hydro-Electricity Project. The CPN-Maoist formed the UKAACC in December 2012 to protest the involvement of GMR in the project, stating the agreement with GMR is against national policy and not beneficial to Nepalis. The CPN-Maoist has been opposing the construction of the Upper Karnali Hydro-Electricity Project, whereas the NC has formed a 'task force' to safeguard the project. Once the Government finalizes the project development agreement, more local level clashes and protests are expected.

Banke and Dailekh (MWR 19 September) - Dhanusha, Jhapa and Sunsari (C and ER 20 September) - The CPN-Maoist and the National People's Front demonstrated and burned copies of the Project Development Agreement (PDA) between the GoN and GMR – an Indian construction company contracted for the construction of the 900 MW Upper Karnali Hydro-Electricity Project (UKHEP). The CPN-Maoist has been protesting the involvement of GMR in the UKHEP claiming it is against national sovereignty. In May 2012, CPN-Maoist cadres attacked staff and set fire to pre-fabricated buildings in

the site offices of GMR in Dailekh. They also disrupted a public hearing programme in Dailekh on June 2012.

Dhanusha (CT 23 September) - Similarly, during an interaction program organized by the 33 party alliance led by the CPN-M in Janakpur, the Secretary of the CPN-M, Dev Gurung opposed the agreement recently signed between the GoN and India. He further expressed doubt regarding the Indian government's commitment to provide 27 percent of shares to Nepal, stating that it is a ploy to exploit Nepal's water resources adding that it would never be implemented. **The CPN-M has been opposing the signing of the PTA and PDA following the Indian PM's visit. In this regard the CPN-M called a Bandh on 23 September in all FWR districts.** Public vehicular movement was reportedly halted and markets remained partially closed in the FWR Tarai (though mostly remained open in the hilly districts). However, no serious incidents were reported during the strike. The Bandh was reportedly lifted later in the day. **The CPN-M has been opposing foreign investment (especially Indian) in the hydropower sector.**

Morang and Sankhuwasabha (ER 12 September) - The Sankhuwasabha district police reportedly arrested eleven CPN-M cadres from Barhabise bazaar on the charge of extorting money from cardamom farmers. Following their arrest, other cadres of the CPN-M protested and demanded the unconditional release of their cadres. **The CPN-M then enforced a transportation strike from 15 September onwards, claiming the detention as illegal.** According to the NP, 11 CPN-M cadres were remanded in custody for seven days pending further investigation. In the mean time, six political parties (the CPN-M, Federal Socialist Party, the Khabmuwan Rastriya Morcha, the Rastriya Janamukti Party, the Madhesi Janadhikar Forum and the Rastriya Jana Morcha) released a joint press statement on 15 September urging the administration to settle the issue through dialogue as the arrests may have a negative impact on the current political environment.

5. Other issues

Morang (ER 13 September) – The NP arrested Madhesi scholar and activist, Dr. CK Raut on 13 September while he was on his way back from a cultural program of Santhyal community in Rangeli municipality. He was arrested on the charge of expressing views against the territorial integrity of Nepal and for demanding an independent Madhes. The CDO reportedly said that initial investigations indicate Dr. Raut's involvement in activities that pose a threat to national integrity. He was found with documents related to a separate Madhes including maps, books and pamphlets. He was detained for six days under the Public Offenses Act. Following the arrest, Madhesi political parties along with right activists and intellectuals demonstrated in various Tarai districts, such as Morang, Saptari, Siraha and Dhanusha. An independent network of Madhesi students also organized protest programs in Saptari. Youth networks also warned of starting another Madhes movement if Dr. Raut is not released at the earliest. **In Parsa CR on 21 September demonstrations for the release of Dr. C K Raut continued.** The Madhesi Journalist Association and members of Madhesi civil society organized rallies and corner meetings in Birganj and other major Tarai towns demanding the release of Dr. C K Raut.

Similarly in Eastern, Central and Western Tarai districts on 23 and 24 September there were protests over the arrest of Dr. C K Raut. The protests were non-violent and attended by youth and students. **On 24 September**, Dr. Raut's supporters announced a one hour transportation strike in Kathmandu and all Tarai districts. Police intervened in most places and some people were arrested in Janakpur, Birganj and Lahan. **A Tarai bandh was also announced for 26 September. In Saptari ER on 27 September** a group of CK Raut's supporters burned copies of the Kantipur and Kathmandu Post accusing Kantipur Publications of being biased regarding Madhesi issues, particularly the issue of CK Raut's detention. It has been reported that anger among some groups toward the state appears to be increasing. In Sunsari ER on 29 September protests continued for CK Raut's release. **According to local media, demonstrations**

protesting the arrest and demanding the immediate release of CK Raut were being organized every day. However, these events were allegedly being underreported in the National media. This has been perceived as prejudiced action by the media toward Madhesi issues further fueling their anger. Dr. Raut was on a fast unto death whilst in police custody and there were reports of him being mistreated.