

This is a two part report proceeding initially with details of external local events according to areas of thematic relevance for the UN RCO. The second part is a summary of internal UN RCO activities including advocacy on TJ issues, information related to the UNPFN as well as updates regarding the UNDAF and humanitarian response issues.

## Local Level Updates

### **Summary**

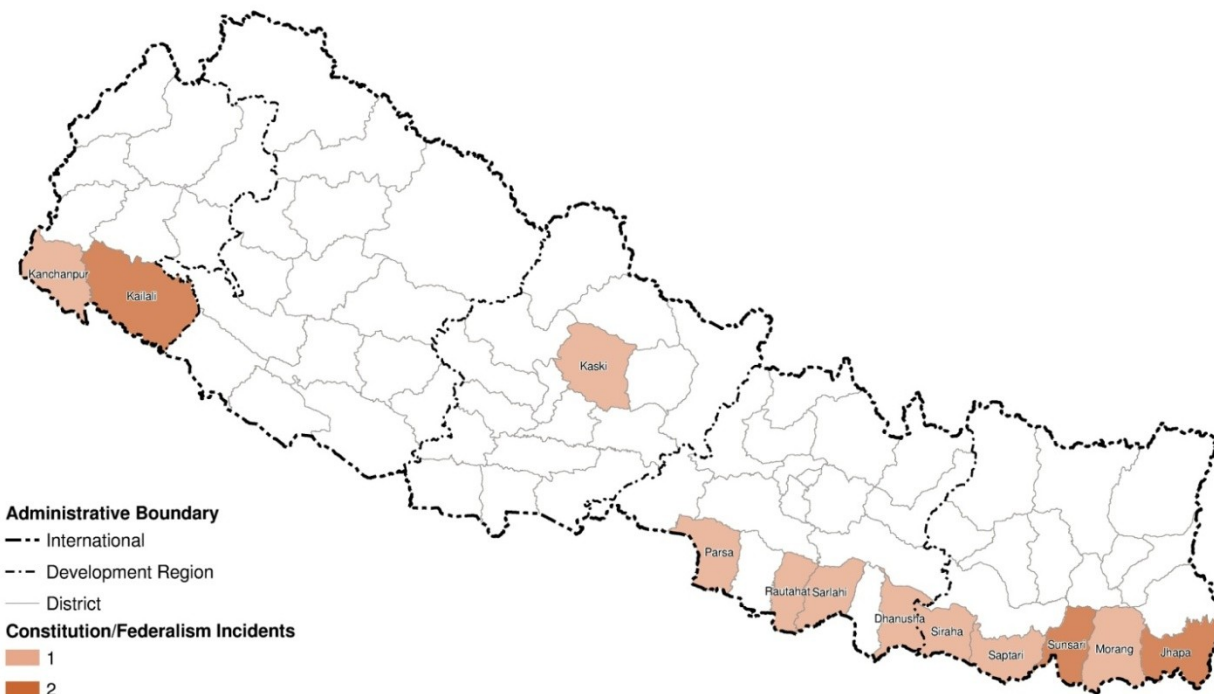
*The month, although relatively quiet as a result of Dashain and Tihar saw a number of significant events indicating the nature of the days to come. Those opposing secularism have been increasingly active, most notably with a former Home Minister and current senior NC leader declaring a religion and cow protection army with the participation of former Nepal Police officers in the Mid Western districts. However, the extent of support and organization still remains unclear. Similarly, the RPP-N and other Hindu based organizations have been organizing events to voice their opposition to secularism.*

*The recent announcement by the NC proposing a 6 or 7 state model of federalism has received considerable criticism from various quarters particularly from Madhesi and Tharu parties who stand to lose the most under this proposal. As was expected, the UCPN-M led 22- party alliance initiated its protest programs advocating identity based federalism with various mass meetings to gain ideological and organizational support. It appears likely that protest programs by all opposing, or advocating for identity based federalism will increase after Tihar (November).*

*CK Raut continues to be held in detention under charges of sedition after failing to meet the 50,000 Nrs (\$500) bail requirement to secure his conditional release. Many see his failing to meet bail as a strategy to keep his issue in the public eye. Protests regarding his arrest and detention continued throughout the month across the Tarai though subsided through the festival period. It is widely believed that protests will pick up again at the end of Tihar. In a separate issue, an individual was killed by the APF in Bara during a demonstration related to an infrastructure issue. There were attempts to link the incident to Raut's detention by his supporters citing excessive use of force and continued suppression of the Madhes by the state. The memorial program of the victim was attended by senior political leaders including Prachanda though many see this as an opportunistic attempt to garner support from Madhesis.*

*Discrimination and inclusion continues to be an issue with locals in Kaski objecting to the activities of the local third gender community. Landlessness has again been highlighted with the recently formed Landless Problems Resolution Committee proceeding with its mandate. However, many, including the NC object to the Committee's working modality citing a lack of political transparency. Other issues include continued political interference in school management committee selection and in rule of law.*

## 1. Constitution/Federalism/Political



**Kaski WR 16 October - Brahmin, Chhetri and Dashnami Samaj react to the NC's proposal for federalism.** Following the announcement of the NC's 6-7 province federal model, Khas-Arya groups in the Western Region (Brahmin, Chhetri and Dashnami) have expressed strong dissatisfaction regarding the federal model proposals. **Following the rise of identity based ethnic groups; various Chhetri groups along with the Bhramin Samaj and Dashnami Samaj have become increasingly active in the region.**

**Kailali FWR 12 October – The Tharuhat Terai Party Nepal (TTPN) objected to the NC's latest 6-7 state proposals.** It accused the NC of attempting to geographically divide the 'Tharuhat' region as well as ignoring the demands for change. The TTP-N also stated that state restructuring should primarily be identity-based and consider ethnic and historical backgrounds. In addition, the exclusion of any Tarai districts from Kanchanpur to Chitwan from Tharuhat state is not acceptable to the TTP-N. The party is part of the 22 party alliance demanding identity based federalism which scheduled mass gatherings in Panchthar, Janakpur and Dhangadhi on 4, 8, and 15 November respectively. Any protests by the TTP-N will be carried out as decided by the alliance. **Similarly, various Tharu groups, other parties and their sister organizations in Kailali including the Tharu Welfare Society, NEFIN, some student and Janajati organizations, the CPN-Maoist, the MJF-D, the MFJ-N, the TMLP and the Sadvavana Party objected to the NC's proposals.**

**Jhapa ER 17 October – The Tharu Welfare Society demands multi federal states in the Tharuhat.** The twenty first convention of the Tharu Welfare Society endorsed a 21 point manifesto presented by Raj Kumar Lekhi. The manifesto demands that Tharu not be considered Madhesi as is stated in the Interim Constitution of Nepal. It also demands a provision in the constitution denying the claims of any group whose demands may impact the identity and traditional land of others. It also demands the establishment of multi Tharuhat states in the Tarai, federalism on the basis of population and

compensation to the families of martyrs killed during the Tharu movement. **The Tharu Welfare Society is one of the oldest Tharu cultural organizations.**

**Kailali and Kanchanpur FWR 16 October - Nervousness increases in the Far-West.** As the federalism debate continues, the issue of an **Undivided Far West and the demand for a Tharuhat state including Kailali and Kanchanpur** is slowly starting to resurface, **particularly in the FWR Tarai.** The NC's proposed 6-7 state federal model and the objections received from the Tharu and other groups/parties in Kailali is **said to be making people nervous as they fear a repetition of May 2012 when there was a 32 day bandh and numerous protests.**

**Sunsari ER 13 October – The UCPN-M led 22- party alliance organized a mass protest program in Itahari on 13 October 2014** to explain the objective of the alliance to its supporters and to exert pressure on the CA to implement a model of identity based federalism. The second tier leaders of the alliance addressed the mass and stressed the need for consensus among parties regarding the promulgation of the Constitution. They also expressed their strong disagreement regarding the voting process currently being sought by the NC and the CPN-UML. The UCPN-M General Secretary, Krishna Bahadur Mahara said that Nepal needs a Constitution reflecting identity based federalism adding that should the Constitution be promulgated overlooking these underlying demands it will lead to further conflict. The Federal Limbuwan Party Nepal Chair Kumar Lingden stated the fight to establish identity based federalism is nearing its end and appealed to other parties in the alliance to remain committed to their agenda. The alliance also held protest programs in Kathmandu on 10 and 17 October. Similarly, in **Dang on 15 October the UCPN-M led 22- party alliance organized a mass rally in Ghorahi** to advocate and gain support for identity based federalism. **Most of the speakers including the UCPN-M leader Barsha Man Pun (former Finance Minister) opposed the federal model presented by the NC.**

**Jhapa ER 14 October – The United Kochila Struggle Committee is demanding a federal Kochila state that would include Jhapa, Morang and Sunsari.** During a program titled **'The Federal system and the Koch state: coexistence and identity'** in Birtamod on 14 October a central committee member of the Tarai Madhesh Loktantrik Party and the coordinator of the United Kochila State, Mr. Chitranarayan Rajbanshi informed those advocating for a Kochila state are monitoring the constitution drafting process adding that should the CA fail to acknowledge their demands they will start a street movement to ensure their rights. Reportedly, the leaders of Kochila recently met with the CPDC Committee as well as leaders of major political parties seeking assurance of a federal Kochila state with the right to self determination. **Jhapa, Morang and Sunsari are the most contested districts in terms of federal claims as Limbuwan and Madhesh based parties also have similar claims. The Kochila is basically a territorial assertion made by some Tarai indigenous groups who claim the existence of a Kochila kingdom in the past.**

**Sunsari ER 15 October - The Sadbhawana party rejects the NC's proposed models of federalism.** Chairperson Rajendra Mahato criticized the federal structures recently proposed by the NC stating that it will divide the one Madhesh autonomous state as desired by some Madhesi people. He further stated Madhesis are not willing to concede any of the Madhesh to other federal provinces, **adding there should be a one Madhesh federal state as promised following the Madhesh movement.**

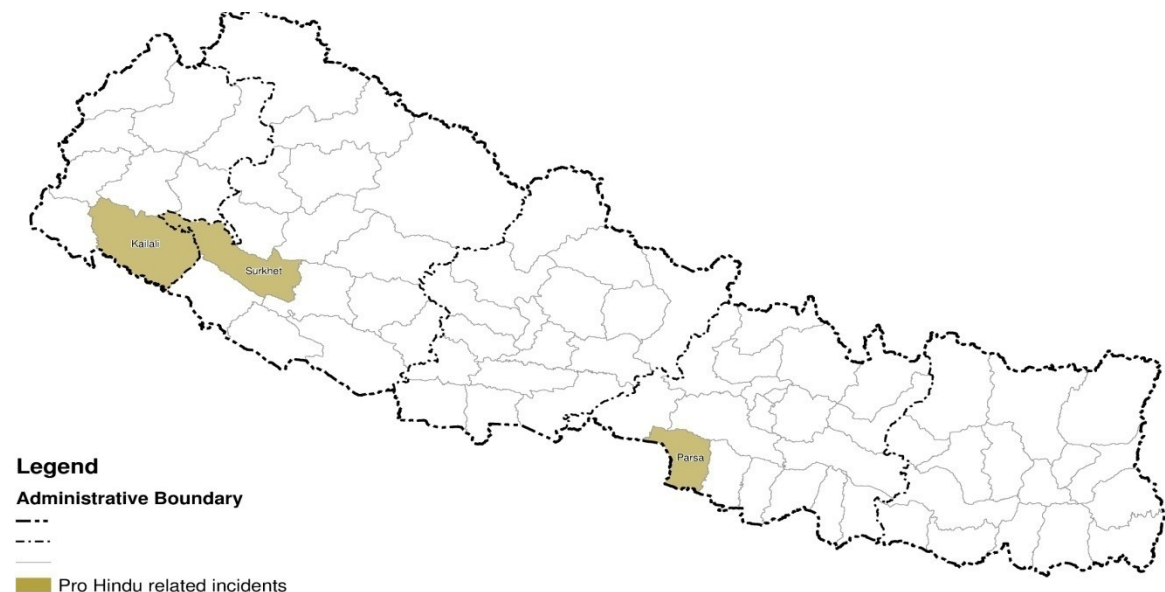
**Parsa, Dhanusha, Rauthat, Sarlahi and Mahottari CR – Siraha and Saptari ER 08 October - Demonstrations continued for Dr. CK Raut in various Tarai districts.** Demanding the release of Dr. Raut, supporters and sympathizers continued to protest in various districts of the Central and Eastern Tarai. In Parsa, supporters of Dr. Raut have formed a 'Save CK Raut Struggle Committee' and staged demonstrations for two hours in front of the District Administration Office. On the same day the Morang NP filed a case of treason against Dr. Raut in the Special Court despite written and verbal assurances from the PM along with some ministers and senior leaders of the Nepali Congress. This infuriated Madhesi

youths across the Tarai and there were also strong indications that district based leaders of Madhesh based parties are openly supporting Dr. Raut despite the silence of their central leaders. **On 28 October the Alliance for an Independent Madhesh (AIM) announced protest program after the Chhat festival.** In a meeting held under the leadership of AIM coordinator Ramshankar Mahaseth it was announced the alliance would start stern protest programs demanding the unconditional release of Dr. CK Raut though the details were not clear. There are reports that the alliance is extending its network in rural areas. **The AIM is led by Dr. CK Raut who is currently in prison on charges of subversion/sedition.**

**Bara CR, 11 October – One killed and many others injured in a clash with the APF in Simraungadh.** Simraungadh remained tense following the death of Jay Narayan Patel, a local of Hariharpur VDC, who was shot by armed police on 11 October when locals of Simraungadh and adjacent villages were peacefully protesting, demanding the maintenance of the Simraungadh-Kalaiya road. Following the incident, aggressive protests were organized in the area as well as in Kalaiya and many other Tarai districts. The issue was raised by Madhesi party CA members in the Parliament on 12 October. Home Minister Bamdev Gautam said the APF acted in self-defense adding that action will be taken against those involved following investigation. The situation in Bara calmed after a ten-point agreement was reached between the locals and the GoN in the presence of local political parties on 12 October. However, on 13 October opposition parties obstructed the proceedings of parliament saying the Home Minister's 12 October statement was irresponsible. After negotiations, the GoN agreed to request the Speaker to form a parliamentary investigation committee and endorsed the agreement made between the local administration and political parties of Bara. **On 20 October senior leaders of the 22-party alliance attended a condolence program held for the victim.** The Chairman of the UCPN-M Prachanda, Hridayes Tripathi of the TMLP, Matrika Yadav of the CPN-Maoist and Rajendra Mahato of the Sadhbhawana party were key speakers at the program. Prachanda stated the bravery and contributions made by Madhesi citizens are often ignored, therefore a new movement should be started. He further stated that he is ready to leave the leadership of the HLPC if the demands of Madhesi people are not addressed. **On the same occasion, the MJF-N chair Upendra Yadav deplored the federal model proposed by the NC and the CPN-UML saying it is not acceptable as it divides the federal claims made by Madhesi citizens.**

**Morang ER 30 October – The 22 party Federal Republic Alliance (FRA) demanded action be taken regarding the Morang NP's involvement in the death of Madhu Tajpuriya on 25 October whilst in detention following alleged torture.** Following his death, locals clashed with the NP resulting in many people being injured including three police personnel. An agreement was later made to execute a detailed investigation into the case. However, the FRA alleged the NP is indifferent to the commitments made. The FPA is demanding the suspension of the Sijuwa Area Police Post officer In-charge, the provision of compensation to the victim's family and action against the CDO and the NP DSP for attempting to cover up the incident. **At the same time, a central member of Madhesi Janadhikar Forum Nepal Mrityunjaya Jha warned of starting a movement should their demands not be taken seriously.**

## 1a Constitution/Federalism/Political – Anti Secular/Pro Hindu



**Surkhet MWR 10 October – Former Home Minister, Khum Bahadur Khadka is leading a campaign to declare Nepal a Hindu state** and has reportedly set up a battalion of former NP known as the **Dharma Rakshak Goracha Sena**. Khum Bahadur Khadka is believed to be quite influential in the Midwest, however it is not clear how organized, and to what extent this group are supported. It does appear to be quite significant that a former Minister and NC leader would take such actions. On 14 October whilst speaking in Dhanusha, **former Prime Minister and senior leader of the NC Sher Bahadur Deuba stated that advocating for a Hindu state is not a rational demand.**

**Kailali FWR 14 October – The Vedic Sanatan Hindu Rastriya Nepal Sanstगत Sangarsha Samiti organized a week long Mahayagya advocating the establishment a Hindu state.** Speakers reportedly demanded that Nepal be declared a Hindu state adding that economically driven religious conversion has been increasing in the country since it was declared secular in 2006. **‘Mahayagya’ is a common Hindu ritual held for various social purposes.**

**Birgunj CT 15 October – RPP-N states a secular Constitution will not be accepted.** The Rastriya Prajatantra Party – Nepal (RPP-N) held a two day Tarai Madhes national conference in Birgunj. In addition, the Rastriya Swabhiman Party – Nepal (RSP-N), which was established by leaders of the Nepal Bramhan Samaj in early 2013 reportedly merged with the RPP-N on 15 October. According to its leaders, the RSP-N decided to merge with the RPP-N as both parties share the common agenda of upholding the Hindu religion and advocating for Nepal to become a Hindu state. The RPP-N Chairperson Kamal Thapa reiterated his party’s demand to hold a referendum over the issues of secularism, federalism and republicanism. **Meanwhile, he told his cadres to be prepared for a movement that will break the current NC, CPN-UML, and UCPN-M syndicate, stating a decision made by those parties denying the inclusion of a Hindu state in the Constitution would not be accepted.**

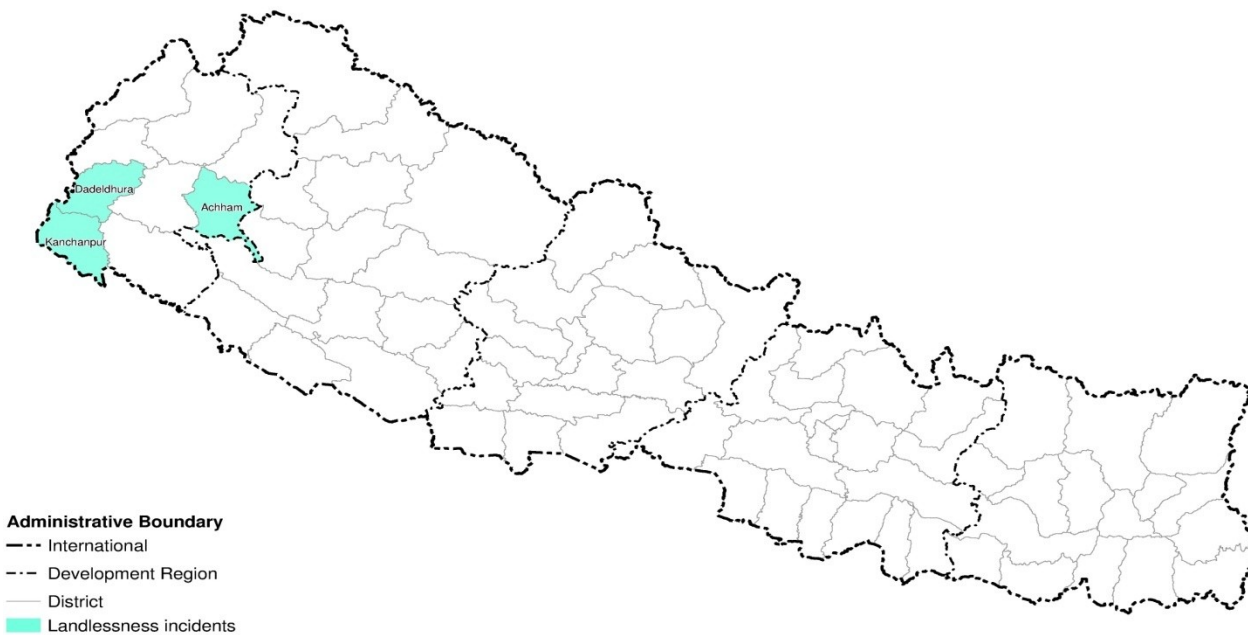
## 2. Transitional Justice

NTR

### 3. Inclusion/Discrimination

**Kaski WR 21 October - Locals objected to activities of the ‘third gender’ issuing a letter to the Kaski DAO informing of their decision to declare the area a ‘Chhakka Nishedhit Chetra’ (Transgender Prohibited Area).** The memorandum signed by the locals expressed strong objections to preparations for the 13 February World Bikini Day to be celebrated by the transgender community in Kathmandu. The memorandum further states that the 24th September 2014 incident where three individuals paraded themselves in bikinis at BP Chowk in Pokhara has already demonstrated the beginning of such unacceptable activity. **The memorandum states - “We would like to inform all concerned that we, the local people of Parajuli Marga have declared our area as a ‘Chakka Nishedhit Chetra’ (Transgender Prohibited Area) in order to protect our young generation from immoral activities”.**

### 3a. Inclusion/Discrimination – Landless issues



**Dadeldhura, Kanchanpur and Achham FWR 16 October – On 11 October the Landless Squatters Problems Resolution Commission’s District Committees (LSPRCDC) provided 35 days to submit applications** for land from genuine landless people, squatters and people living in unorganized settlements. In Dadeldhura, the Committee also planned to collect applications from Jogbudha and Alital VDCs. All nine District Committees of the Commission in the FWR have started the same process (as per the central calendar). In the meantime, the LSPRCDC in Achham held a press conference on 15 October informing stakeholders of the process. **On 22 October the NC objected to the formation and functioning of the Landless Commission** accusing the Commission of not consulting political parties while conducting activities in the districts. **At the same time the All Nepal Landless People’s Association announced protest programs (mass meetings and sit-in program in front of the Commission’s office on 27 and 28 Oct respectively) against the Commission’s working modality.** Similarly, the NC reportedly boycotted the meetings recently convened by the Commission in Dadeldhura. **The District Committees were formed in all nine FWR districts (as in 72 districts nationwide) on 21 August.**

## Operational Space incidents



**Khotang ER 06 October – A previously unknown group claiming links to Kirant Janawadi Workers Party (KJWP) made donation demands** from teachers, contractors and businessmen in the southwestern VDCs of Khotang through letters signed by Nabin Kiranti, the former secretary of the KJWP. However, the KJWP spokesperson, Kaila Khambu denied any involvement of his party. **The KJWP is an underground group formerly active in the eastern hills. Following the arrest of its leaders and cadres in 2010, the activities of the KJWP decreased sharply.**

**Jhapa ER 08 October – Demanding the release of a party cadre who was arrested in Panchthar district under the charge of abduction of a local contractor, the FLRG enforced an indefinite bandh on the Mechi highway.** The FLRG argued that the police arrested a party member under false charges while he was advocating for the provision of ILO 169 with the contractor. The group has further warned of stern protests from 18 October onwards should the individual not be released. **The bandh enforced by the FLRG was not effective as vehicular movement was reported normal. The FLRG is a splinter group of the former Federal Limbuwan State Council.**

### Other issues

**Bajura FWR 08 October - Political interference in the community schools of Bajura has been noted with parties fighting over the posts in school management committees.** Very often, party-supported candidates are nominated for posts in committees and this was most recently exemplified during the school management committee (SMC) elections.

**Parsa CR 12 October – Locals protest the arrest of Parsa resident.** Protesting the arrest of Jitendra Giri of Mirjapur-5, a group under the leadership of the Central Committee member of the Sadbhawana Party, Nijamuddhing Samani handed over a memo to the DAO of Parsa stating Mr. Giri is innocent. Reportedly the NP arrested Jitendra Giri for his alleged involvement in delivering a phone threat to a Birgunj based businessmen demanding money. However, the NP later changed the charge. **The locals demanded clarification from the DAO regarding his arrest, arguing that an innocent person has been arrested under false charges.**

## **UN RCO internal activities update**

### **1. Transitional Justice/ UN Peace Fund Nepal**

**Conflict Victims common platform** - During October through continuous engagement with conflict victims, the RC's office was able to bring different groups to the same table to agree to jointly work on common issues regarding TJ. The UN's victim's centric approach included support to different conflict victims to hold a national consultation on the victims' common platform on TJ with the plan to also hold four regional consultations in November to further consult on and validate the common victims' platform.

**The Mid-Term Monitoring Report of the Nepal NAP on UNSCRs 1325 & 1820**, also supported by UN agencies and released in October similarly noted perceived local challenges with respect to the delay of transitional justice, particularly with respect to conflict related sexual violence survivors. In this regard the UN through the RCO initiated the formulation of a UN position on conflict related sexual violence. The process is meant to guide coherent UN advocacy and programming in relation to conflict related sexual violence, together with government and other stakeholders.

**Challenges addressing CRSV** - Several UN agencies have been facing the challenge of addressing the need of conflict related sexual violence (CRSV) victims. No dedicated services have been made available to CRSV survivors and there is a concern that impunity relating to past human rights abuses including sexual violence during the armed conflict will continue to undermine peace building in Nepal. Therefore, the RCO convened a time-bound UN task force to develop a common position on suggested actions with respect to CRSV, common advocacy strategies, and what the UN may be willing to support in the future.

Two concept notes submitted by the UNCT in Nepal, with the approval of the UNPFN Executive Committee to the global Peace building Fund Gender Promotion Initiative second Call for Proposals were approved for further development into project proposals. The project proposals, one addressing land issues and the other focusing on women, peace and security in the Tarai, will be finalised for submission to the Peace building Fund Support Office by 28 November, where final projects for funding will be selected through a globally competitive process.

**UN Advocacy/position paper on Criminal/Civil Code** - The UN was expected to intervene on some contentious issues in the Codes. As a result, the RCO coordinated different UN agencies and produced a technical note/position paper on the criminal /civil code outlining international and national standards on some contentious issues such as torture, disappearance, child marriage, rape and other relevant issues. The Note – a product of the UNRCO was shared with the UNCT and the IDPG helping the respective agencies to guide their advocacy on contentious issues.

### **2. The UNDAF**

The UNDAF Coordinators gathered mid-year updates from respective implementing agencies under each Outcome to track progress made in achieving key deliverables under various Outcomes. Analysis produced by the Coordinators based on the updates has increased the ability of agencies to assess the status of key deliverables, identify gaps and challenges, and explore areas for joint collaboration. After a briefing to the UNICEF Education Section on UNDAF results, both UNICEF and UNESCO organized a joint training/workshop to discuss education delivery in future federal Nepal. Constant lobbying with FAO for joint efforts on the right to food has resulted in collaboration among WHO, WFP, FAO and UNICEF to work together at the policy level on the right to food in Nepal. Similarly, a matrix of UN Agencies' programs on justice for women and children in Nepal identified linkages between UNICEF, UNDP, UN Women and UNODC in relation to legislative and institutional reforms, quality services for fair and equal access to justice and the capacity development of stakeholders to enhance access to justice for women

and children. The mapping will result in increased coordination and synergy between agencies for future programming.

UNDAF Coordinators facilitated consultation between UNDP, UNICEF, WHO, FAO, UN Habitat, UN Women and NRRC Flagship 5 (policy and institutional development) for the formulation of a UNDP Climate Risk Management Strategy. This has resulted in increased recognition regarding the need to integrate climate risk management and disaster risk reduction in a coordinated manner among UN agencies.

The UNDAF Coordinators produced a draft context analysis from a conflict sensitivity perspective following a two-day workshop organized by UN Inter-Agency Technical Team for Mainstreaming Conflict Sensitivity. The analysis, once shared, will help the agencies to mainstream conflict sensitivity in future planning and programming.

The UNDAF Outcome 8&9 held its Outcome Steering Group meeting. The meeting underscored the importance of tracking results through the UNDAF and determined action points for UN-Government joint monitoring. This will result in increased ownership and joint accountability between Government and UN agencies for UNDAF results.

UNDAF Coordinators facilitated discussion among UN agencies to identify possible areas for joint programming. As a result, UNFPA and UNICEF have launched a joint program on Child Marriage in six districts; UNFPA-UNICEF and UN Women have developed a proposal for joint program on violence against women and girls; UNDP-UN Women and ILO have developed a concept note for joint program on women, peace and security in Central Tarai; and IOM, UN Habitat and UNDP have developed a concept note on women's access to land for sustainable peace.

### **3. Humanitarian response to natural disasters (August to October)**

**August 2014 - Landslide in Sindupalchowk and subsequent blocking of the Sunkoshi river.** In response to the natural disaster, a representative of the RCO attended the CNDRC meeting that was followed by a cluster co-lead meeting instructing key clusters to work with relevant government agencies, specifically WASH as well as food and shelter. In addition, the RC's Office organized a joint reconnaissance mission with MOHA, AIN & key cluster representatives in order to identify relief requirements, available resources and gaps in relief efforts.

**August to September 2014 - Severe flooding in the MWR.** As a result of the flooding, 123 people were killed, 126 people were reported missing, 28,000 houses were damaged and nearly 29,000 families affected. The most affected areas were Surkhet, Bardia, Dang and Banke.

The UN RCO along with other partners offered assistance in proper assessment and coordinated response through several meetings at the central and field level (CNDRC meetings). The UN FCO in Nepalgunj raised humanitarian issues with the visiting high level Government mission. At the central level, the RCO organized HCT plus meetings and instructed cluster co-lead agencies regarding joint assessments, relief distribution and coordination among the interested agencies. In addition, representatives from the UN RCO raised concerns regarding access to affected areas and coordination with international humanitarian partners both at the national and field level.

As a result, humanitarian partners (UN, donors and INGOs) coordinated with relevant government agencies in supporting assessment, data collection, analysis and reporting at both the central and field level. WFP placed one staff member in the NEOC allowing representatives from the RCO access to regular situation updates which were shared among key humanitarian partners and donors. Furthermore, the UN

RC maintained regular communication with senior Government bureaucrats and leaders resulting in more effective humanitarian response.

On 24 August the HCT plus meeting assessed the overall needs in terms of response, stocks and existing capacity. As a result, it was decided to provide support for 30 days to 29,000 affected people in the four most affected districts. After a series of HCT plus meetings, the RCO was able to encourage donors to be more coordinated in their relief efforts. Donors contributed around US\$ 3.2M to UN agencies, INGOs and the Red Cross for immediate response. In addition, the RCO was instrumental in receiving a CERF fund in consultation with OCHA New York and Bangkok (ROAP) for an additional US\$ 1.9M. The RCO proved to be an important vehicle in coordinating and raising resources for effective humanitarian response.

Unlike in previous humanitarian response efforts the GoN took the lead in immediate search and rescue efforts, deploying state security forces and coordinating relevant agencies in regard to relief distribution. At the national level the Government had a series of CNDRC meetings and took a pro-active role in assessment and relief coordination. However, despite the efforts made by the GoN there were mixed reactions among partners, specifically those involved in the coordination of response efforts. Many have noted the need to review the existing mechanisms in order to ensure improved future response to disasters. Hence, the UN RC held an HCT plus meeting including donors, cluster co-lead agencies, INGOs and Red Cross Movements where it was agreed to thoroughly critically analyze recent responses to natural disasters. Key findings will be shared with relevant Government authorities in the hope of ensuring increased disaster response preparedness in the future.

## CONTACT

### United Nations Resident Coordinator's Office

UN House, Pulchowk, Kathmandu, Nepal (GPO Box 107)

Phone: +977 1 5523200 Ext. 1518 | Fax: +977 1 5523991 | Email: [rchco.nepal@one.un.org](mailto:rchco.nepal@one.un.org)

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 RCO aims to confirm reports independently, occasional factual inaccuracies can occur.*

### United Nations Resident Coordinator's Office (UN RCO)

GPO Box: 107, UN House, Pulchowk, Kathmandu

Email: [rchco.nepal@one.un.org](mailto:rchco.nepal@one.un.org)

Phone: +977 1 5523200, Fax: +977 1 5523991

Visit the UN Nepal Information Platform at <http://www.un.org.np>