



OCHA Nepal Situation Overview

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Highlights:

- **Preparations for Constituent Assembly elections underway**
- **Government negotiations with different agitating groups produce mixed results**
- **The second phase of registration of CPN-Maoist combatants continues**
- **Terai Janatantrik Mukti Morcha (TJMM) and other groups continue to affect the 'reach of state'**
- **Bandhs called by different groups continue to paralyse life across the country**
- **Monsoon induced disasters cause damage and displacement in different parts of the country**

CONTEXT

Politics and Major Developments

On 14 July, Home Minister Krishna Prasad Sitaula reportedly asked various armed groups active in the Terai region to come to the negotiation table within two weeks. The minister also unveiled government plans of beefing up security in the Terai and other areas ahead of the Constituent Assembly (CA) election. In apparent response to the government announcement, the Terai Janatantrik Mukti Morcha (Jwala Singh) rejected the two week ultimatum given by the Home Minister and instead gave one week to all government officials of hilly origin (Pahades) to leave the Terai. Following this threat, a number of civil servants, including court officials were reported to have left the Terai districts.

During the reporting period, The Election Commission (EC) continued preparations for the forthcoming CA elections. 61 political parties (including 14 who are presently represented in the Interim Parliament) were reportedly recognized as eligible to contest in the upcoming Constituent Assembly (CA) election scheduled for 22 November. Across the country, the main political parties were reportedly engaged in distribution of and renewal of party membership and training as well as political orientation of district level leadership who would assist in future campaigns and preparation for the CA polls. UNMIN, in consultation with the EC, completed the first phase of deployment of 48 international and 24 national UNMIN electoral advisors to cover 59 of Nepal's 75 districts. The UNMIN district electoral advisors will provide technical assistance and support district EC teams in preparation for the CA elections. However, in the midst of the foregoing preparations, several groups especially in Eastern and Central Terai continued to oppose the CA elections. On 16 July, Madhesi Liberation Tigers are reported to have warned of physical action against anyone participating in the upcoming CA elections. Similar threats were also issued by the TJMM (Jwala Singh). On 17 July, Government spokesperson and Minister for Information and Communication Krishna Bahadur Mahara stated that the eight political parties would form a joint front to counter the elements who were trying to foil the CA elections.

On 17 July, cadres of TJMM (Jwala Singh) reportedly killed the Village Development Committee (VDC) Secretary of Taregana Govindapur, Siraha District. The VDC Secretary was abducted on 15 July, while on his way from the VDC office. The killing prompted nationwide protests by VDC Secretaries demanding the government to create favourable working environment and to provide security to the VDC Secretaries across the country.

On 14 July, a meeting of the High-level Intra-party Coordination Committee (HICC) of the ruling eight-party alliance decided to form two separate committees to establish contact with Janajatis, indigenous communities, Madhesi and other agitating groups so as to engage in meaningful dialogue.

Following the announcement by the government to call all agitating groups for dialogue, on 26 July, the TJMM (Goit) stated that it was interested in holding dialogue with the government under the supervision of the UN or other 'convincing' body. The TJMM (Jwala Singh) however remained adamant that they would not go for any talks with the government and would continue with armed struggle as well as continue running the supposed "separate Madhesi state" that his faction had declared earlier.

During the reporting period, the talks Committee headed by Peace and Reconstruction Minister held successive meetings with different groups. On 5 August, the fourth round of talks between the Government and the Madhesi Peoples Right Forum (MPRF) ended inconclusively, with both sides accusing each other of not being serious about the negotiation process. MPRF leaders declared that they would not be available for further discussions until the government implemented commitments made in previous rounds of talks. On 7 August, after ten rounds of negotiations, the government and Nepal Federation of Indigenous Nationalities (NEFIN) reached a 20 point agreement in which among other things the Government committed to pass constitutional guarantees that all 59 officially recognised indigenous groups would be represented by at least one member in the next CA. Other important commitments by the Government included the recognition besides Nepali of local languages as official languages for the work of local bodies, the creation of a State Restructuring Commission tasked with recommending the type of federal structure that Nepal should adopt, and the ratification of ILO Convention 169 on the rights of indigenous peoples. On its side, NEFIN relinquished its demand for a fully proportional electoral system for the CA elections. Indigenous groups not included in the NEFIN agreement subsequently issued a statement contesting the agreement. The Federal Limbuwan State Council (FLSC) and the Khumbuwan Liberation Front (KLF), both members of the Federal Democratic National Forum (FDNF), commenced strike action which was later called off after being invited for talks by the Government.

On 13 August, the second phase of registration and verification of CPN-Maoist combatants resumed at Division 2 Cantonment site in Sinduli District, Central Nepal. The process started following a decision arrived at by the Joint Monitoring and Coordination Committee (JMCC), which comprises representatives from CPN-Maoist, Nepal Army and United Nations Mission in Nepal (UNMIN). A team of about 70 UN staff from UNMIN, UNDP and UNICEF are involved in the verification of the CPN-Maoist combatants. According to the Tripartite Agreement on Management of Arms and Armies, the combatants identified as minors or post 26 May 2006 recruits through the verification process will be discharged from the CPN-Maoist army.

During the reporting period, CPN-Maoist held its 5th Plenum

attended by over 2000 party representatives where it decided that the party should remain in the government, but agreed that the party should push for the immediate declaration of Nepal as a Republic and to launch a new street movement if Constituent Assembly (CA) election is not held in November. Meanwhile, in spite of request and pressure from the party to reconsider his decision, the CPN-Maoist Minister for Forestry and Soil Conservation confirmed his resignation, which was subsequently accepted by the Prime Minister.

Conflict and Security

During the reporting period, killings abductions and demands for ransom, notably by factions of TJMM as well as other groups continued to be observed. Most of the abductions were reportedly done by the TJMM (Jwala Singh) in Saptari and Siraha districts in the Eastern Region, Dhanusa and Bara in Central Region. Most of these abductions were related to demand for ransom or aimed at Pahades present in the Terai districts where TJMM has influence. On 15 July, the TJMM (Jwala Singh) abducted and subsequently killed a VDC Secretary of Taregana Govindapur, Siraha District. On 19 July, TJMM (Jwala Singh) are reported to have abducted a VDC secretary of Murtiya VDC, Sarlahi District. On 26 July, TJMM (Bisfot Singh) reportedly issued death threats to the VDC Secretary of Bhaudaha VDC, Morang District

Bandhs (strikes) and blockades called by different groups for a variety of reasons continued to be observed in various parts of the country. On 17 July, YCL cadres who were demonstrating demanding a declaration of alcohol-free 'dry zone' in the DHQ of Baitadi District, Far Western Region, vandalized the office of Rastriya Prajatantra Party (RPP). On 19 July, freed bonded labourers (Kamaiyas) started an indefinite transportation bandh in Kailali, Dang, Banke and Bardiya districts to express discontent at the arrest and use of force by the police against the protest by Kamaiyas in Kathmandu. On 8 August, some Chure Bhawar Ekata Samaj (CBES) members protested in Kathmandu against the lack of security for people of Pahade origin in the Terai. They brought with them the bodies of two CBES members who were reportedly shot dead on 5 August in Saptari and 6 August in Bara districts respectively. The protestors were dispersed by the police, prompting the calling of an indefinite strike by CBES. CBES demands include a call that the Government ban the Madhesi groups that are 'killing pahades' in the Terai and ensure their security; and that the murdered CBES cadres be declared 'martyrs'. On 7-9 August, The Dalit Civil Society Movement (DCSM) staged protests in Kathmandu so as to pressure the Government to address Dalit issues. The DCSM activists held a sit-in each day in the restricted area of Singha Durbar, demanding among other things, the creation of a federal republic, a proportional election system and the establishment of quotas for Dalits in public service.

The reporting period was also marked by increase in reported cases of land captured by TJMM and other groups, especially in Eastern and Central Terai. On 24 July, cadres of JTMM (Jwala Singh) reportedly captured 4 acres of land in Dadarbairiya VDC of Morang district. Similarly, on the same date, Cadres of Madhesi Tigers captures 5 acres of land in Bardanga VDC of Morang. On 25 July, Cadres TJMM (Jwala Singh) captured large track of land in Bishnupur VDC of Saptari District. The same group reportedly also capture farmland in Siraha district by hoisting its flag and threatening stern action against the owners for attempting to sell the land.

Operational Space

During the reporting period, different groups, notably TJMM (Jwala Singh) as well as CPN-Maoist continued to interfere with the way development and humanitarian workers operate, especially in Eastern and Central Terai districts. On 21 July, CPN-Maoist affiliated YCL reportedly obstructed a UN vehicle

from moving into Maina Sahastrabahu village to continue with its project in Eastern Region's Saptari District. In Central Region's Dhanusha District, an NGO reportedly received several telephone calls from CPN-Maoist, with threats of physical violence demanding for 'donations'. During the same period, YCL reportedly extorted 40,000 NPR from VDC budget in Khotang district on claims that the money would be used to treat CPN-Maoist cadres killed during the conflict.

On 16 July, an NGO president was stopped from work in Central Region's Mahottari District by TJMM (Jwala Singh) on claims that the NGO work violated their bandh. During the reporting period, a manager of an NGO in Dhanusa District was forced to leave the area after receiving threats from TJMM (Jwala Singh). Similarly, cadres of TJMM (Jwala Singh) asked an INGO to employ its cadres in Sunsari District. TJMM (Jwala Singh) activists are also reported to have telephoned the residence of a UN staff member in Parsa District demanding for donations.

During the reporting period, the United Nations Resident and Humanitarian Coordinator issued two statements requesting all parties to give free access to humanitarian workers to enable fast delivery of humanitarian assistance to people affected by floods. The International Committee of the Red Cross (ICRC) also issued a similar statement.

Reach of the State

During the reporting period, both factions of TJMM as well as other new groups continued to abduct and intimidate government officials, especially in Central and Eastern Terai, seriously disrupting delivery of services. On 12 July, TJMM (Jwala Singh) stated that they will not allow the Siraha District Development Committee (DDC) to execute its plans or recognize any contracts awarded by the DDC unless it pays tax to "the Terai government" under the leadership of TJMM (Jwala Singh). TJMM (Jwala Singh) threatened to take 'physical action' against officials of the DDC, Municipality or individual contractors who go against the TJMM (Jwala Singh) decision. On 5 August the JTMM (Jwala Singh) Dhanusha District Committee issued a press release proclaiming itself to be "the Terai government" and making three demands; that all government officials pay one day's salary to "the Terai government" of TJMM (Jwala Singh) every month; prohibiting production and consumption of alcohol; and restricting assembly to groups no higher than four-five people, except in markets. The statement reportedly said that TJMM (Jwala Singh) would monitor adherence to these demands and threatened 'physical action' against those failing to comply.

On 17 July, the Minister for Local Development stated that owing to threats and intimidation in the Terai, most VDC Secretaries have requested the Ministry to transfer them to a safer location due to ongoing crisis in Terai. The minister also said that a number of VDC secretaries are also operating from the District headquarters. The minister further said that vacant positions will be filled by recruiting temporary VDC Secretaries on contract basis and that people of Madhesi origin will be given priority to fill the vacant VDC Secretary positions in Terai VDCs. On 22 July, many civil servants in Saptari District started an indefinite go slow, demanding the government to address the problems they were facing of lack of a secure office working environment in the face of threats, abductions and killings from different groups. On 26 July, agitating VDC Secretaries stated that they would continue with their strike until the government ensures adequate security for them so they can work in a fearless environment. The Chairman of the VDC Secretary Rights Protection Centre informed the media that VDC Secretaries across the country were not returning to work because the government had continued to turn a deaf ear to their demands. On 18 July, the VDC Secretaries had started a nationwide strike demanding that the government provide security to all VDC

Secretaries working in Terai districts, life insurance worth 1 million Nepali Rupees and 'martyr status' to VDC Secretaries killed by rebel groups.

During the reporting period, reports from government sources indicated that of the 141 either displaced or merged police posts in the Terai districts the government had restored only 59, causing security gaps caused by absence of 82 police posts in the Terai districts. The police were forced to merge police posts in the Terai early this year after armed groups linked to both factions of TJMM began storming various poorly-manned police posts in Morang, Saptari and Siraha districts and seizing weapons. During the reporting period a number of Armed Police Force (APF) deployment to some Terai districts continued. According to Nepal Police Headquarters, 88 police posts are left to be restored in the hilly and mountain districts across the country. During the reporting period, the government further announced that it would employ retired policemen to beef up security ahead of the CA election.

Population Movement

On 18 July, OCHA's IDP Adviser arrived in Nepal for a three month assignment to support the Ministry of Peace and Reconstruction to write Directives for the implementation of the Government's National Policy on IDPs which was adopted in February. With an office in the Ministry as well as in OCHA, she has been working with the Directives Implementation Task Force, has held meetings with UN agencies and NGOs to get their views, and hopes to have a working draft by the end of August. She has met with IDPs in Kathmandu Valley and made the first of what will be a series of systematic visits to the field (on this occasion to Nepalgunj and Jumla) to meet with local officials, NGOs and UN agencies, and to see what problems IDPs and returnees are facing in different areas of the country. As well, she had met with the donors to discuss the relief package for returning IDPs that is being supported by the Nepal Peace Trust Fund, and how its implementation will be monitored by the UN.

For floods/ landslides induced population movements, see below

NATURAL DISASTER

Floods and Landslides

The Monsoon rains that started in Nepal on 10 July caused extensive flooding and landslides that affected 44 districts across the country. According to the Nepal Red Cross Society (NRCS) latest estimates, this year's ongoing floods and landslides have left 131 dead, temporarily displaced more than 20, 000 families and affected more than 67,000 families. During the reporting period, OCHA prepared situation reports, conducted several coordination meetings at both Kathmandu level and in the regions and facilitated a number of inter agency field assessments. OCHA also updated the floods section of the Nepal Information Platform with the latest maps, reports and information on needs and response (for more information, please visit www.un.org.np).

Health and Nutrition

During the reporting period, both the Epidemiology & Disease Control Division (EDCD) of the Ministry of Health and Population as well as WHO reported that there was no major or unexpected disease outbreak in the country as a result of floods



UN and Nepal Red Cross Volunteers distributing relief items to flood victim in Saptari District. Photo Courtesy: OCHA

and landslides. However, both the EDCD as well as WHO and other health agencies continued to strengthen disease surveillance and outbreak control, especially for diarrhea and vector borne diseases. During the reporting period, EDCD dispatched 31 sets of emergency medicine to flood and landslide affected districts as well as regional medical stores.

On 2 August, members of the Emergency Health and Nutrition Working Group (EHNWG) held a meeting to share information and for operational planning. On 12 August, the Health Secretary launched a new publication "communicable Disease Risk Assessment and Interventions- Flooding". The booklet, which is a WHO initiative, outlines the main communicable disease threats faced by the emergency affected population in Nepal and the interventions necessary to prevent and control such outbreaks.

COORDINATION

In response to the floods and landslide situation in the country, during the reporting period, OCHA conducted coordination meetings at both Kathmandu, Mid and Far Western and Eastern regions. OCHA also facilitated a number of inter agency needs assessments and mapped needs as well as current response efforts in the country. OCHA also supported a joint UN request, on behalf of WFP and UNICEF for US\$ 3 million (approx.) for flood response donor support.

Regional as well as district level coordination meetings continued, through the District Disaster Relief Committees, the sectoral lead agencies and OCHA

During the reporting period, the Ministry of Home Affairs convened a flood / landslide response coordination meeting involving UN, I/NGOs, donors and the Red Cross movement and provided an up date on the response so far made. During this meeting, it was agreed that immediate relief needs could be addressed with in-country stocks and capacities, with the exception of emergency shelter.

NRCS also continued releasing daily bulletins summarizing its ongoing assessments and response to the floods and landslide situation.

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