



OCHA Nepal Situation Overview

Issue No. 56, covering the period 1-31 December 2009

Kathmandu, 11 January 2010

Highlights:

- UN Central Emergency Response Fund gives US\$ 6 million to address hunger in Nepal following winter drought
- Nepal ratifies the Convention on the Rights of Persons with Disabilities and its Optional Protocol.
- The Ministry of Health and Population confirms two deaths due to H1N1 influenza in Nepal
- The Unified Communist Party of Nepal - Maoist lifts blockade of the Legislative Parliament after four months

CONTEXT

Political Developments

A Task Force of the three major political parties, established in early December to resolve the ongoing political stalemate, failed to make substantive progress. The talks reportedly focused on the wording of a resolution to address the following issues: the President's reinstatement of the former Chief of Army Staff (CoAS) and the issue of civilian supremacy, a statement by President Yadav possibly referring to his constitutional role, and a constitutional amendment clarifying the role of the President. The Task Force decided to refer the issues to the top party leaders United Marxist Leninist (UML) Chairman Jhala Nath Khanal, United Communist Party of Nepal – Maoist (UCPN-M) Chairman Pushpa Kamal Dahal (also known as Prachanda) and Nepali Congress (NC) President G.P. Koirala on 14 December.

After the Armed Police Forces (APF) forcefully evicted squatters affiliated with the Maoists in Dudhejhari forest, Kailali district, the UCPN-M called a *bandh*¹ in the five western-most Terai districts. Violent clashes during the eviction left four people dead (3 squatters and 1 police officer) and at least 35 injured. Following the fatal clashes, the Cabinet decided to form a Commission to address the problem of landless squatters. The Cabinet also decided to notify UNMIN and the international community of alleged violations of the Comprehensive Peace Agreement (CPA) by the Maoists.

The UCPN-M announced a general strike in Kailali district on 18 December to press for compensation and classification of the persons who were killed during the 4 December clashes as martyrs. The strike ended on 26 December, following protests by the business community and journalists in the district. On 25 December, the UCPN-M had imposed restrictions on the movement of journalists, the United Nations and non-governmental organizations.

As part of the announced third phase of protests to demand civilian supremacy, the UCPN-M held a three-day nationwide shut-down from 20 December. The

bandh ended with a rally in Kathmandu attended by some thirty thousand people on 22 December. The impact of the *bandh* was seen throughout the country with vehicles staying off the road and markets and offices shut. The clashes that occurred between security forces and the agitating UCPN-M cadres during the *bandh* left a Deputy Superintendent of Police (DSP) severely injured.

Addressing the rally, UCPN-M Chairman Prachanda announced the launch of a fourth phase of protests including a month-long awareness programme between 25 December 2009 and 24 January 2010. He warned that the party would be compelled to announce an "Indefinite General Strike from 25 January 2010" if the parties in the coalition fail to meet their demands within that time. He also said that the UCPN-M needed to engage in direct talks with India, claiming dialogue with Nepalese political parties would not serve any purpose as their leaders are under the "remote control" of New Delhi. Several political party leaders objected to Prachanda's comments regarding engaging in direct talks with India. The UCPN-M reportedly declared 13 autonomous states across the country under its 3rd phase of protest programmes. Meanwhile, the declarations have been widely criticized as a breach of the peace accords and inciting ethnic divisions.

The UCPN-M lifted its blockade of the Legislature-Parliament (L-P), the day after the third phase of protests. The UCPN-M had obstructed proceedings of the House since 7 August except for a three-day period in late November to allow for adoption of the annual budget. The unblocking of the L-P, which will allow for consideration of a substantial backlog of bills, was widely welcomed.

Chief of Army Staff General Chhatraman Singh Gurung conducted an official visit to India at the invitation of Indian Army Chief General Deepak Kapoor. Media reported that the Indian authorities iterated their support to provide military assistance to Nepal upon the Nepal government's request. The Nepal Army (NA) has requested India to resume supplies of military equipment that were stalled after King Gyanendra took over power in February 2005.

The CA amended its work plan for drafting the constitution for the eighth time on 24 December. This occurred after the Committee on State Restructuring

¹ A general strike or shut-down with no vehicular transport and closure of all business, offices and schools.

and Distribution of State Power, the Committee to Determine the Forms of Governance of the State and the Constitutional Committee failed to submit their concept papers and draft texts by the 15 December deadline. The public consultation period was reduced from four to three weeks; however the deadline for promulgation of the new constitution (28 May 2010) was not changed.

The Government tabled a bill for a seventh amendment to the Interim Constitution in the L-P which would allow the President and the Vice-President to take their oath of office in their mother tongue. Under the proposed bill, the President and Vice-President would sign two copies of the text of the oath, one in Nepali, and the other in their mother tongue. The amendment is not retroactive; therefore Vice-President Jha would have to take a fresh oath in order to reassume the office of the Vice-President. The Madheshi parties are pressing for the amendment to be retroactive.

At the request of the UCPN-M, the start date of the discharge of disqualified Maoist army personnel was postponed from 27 December to 7 January 2010. The Working Group, comprising three members from the People's Liberation Army (PLA) and representatives from UNMIN, UNDP, UNFPA and UNICEF, met on 24 and 28 December to discuss the Discharge Operational Plan including the new timeline. It was agreed that the discharge would take place between 7 January and 8 February 2010 starting at Main Cantonment Site (MCS)-2 in Sindhuli district.

The Legislature-Parliament ratified the UN Convention on the Rights of Persons with Disabilities and its Optional Protocol on 27 December. The Convention covers, inter alia, the right to education, health, work, adequate living conditions, freedom of movement, freedom from exploitation and equal recognition before the law for persons with disabilities. The Convention has undergone the fastest treaty ratification processes in UN history.

Prime Minister Madhav Kumar Nepal attended the UN International Conference on Climate Change in Copenhagen, Denmark on 20 December. Speaking to the media on his return, he expressed dissatisfaction about the outcomes of the conference. He was, however, pleased to have raised the profile of Nepal's agenda with world leaders.

The Prime Minister concluded a six-day visit to the People's Republic of China on 31 December, where he met Chinese President Hu Jintai, his counterpart Wen Jiabao and top political leaders. The Prime Minister briefed the Chinese President about the latest political situation in Nepal. A broad range of political, economic, trade and cultural issues were discussed and two separate agreements on bilateral economic and technical cooperation and on Youth Exchanges were signed. The Prime Minister told media on his arrival that the Chinese leadership had called for inter-party consensus to ensure the constitution was drafted on time and the successful conclusion of the peace

process. The Prime Minister reiterated the Government's support for the "One China policy" and provided further assurances that anti-China activities would not be allowed on Nepali territory.

During the reporting period, there were several incidents of land seizures by UCPN-M-affiliated groups across the country. The All Nepal Peasant Association (Revolutionary), affiliated to the UCPN-M reportedly took possession of about 5 hectares of land belonging to a former Prime Minister in Baitadi district on 23 December. The continued and new incidents of land seizures by UCPN-M and the Communist Party of Nepal Maoist (CPN-M) were reported in Morang and Sunsari district in the Eastern region.

Safety and security

During the reporting period, the CPN-M, led by Matrika Yadav, announced the formation of an armed wing. The CPN-M affiliated Limbuwan-Kochila and Kirant State Committees said at a press briefing in Sunsari district that they had set up a 650-strong Namsam Memorial Battallion on the occasion of the 117th birthday of Mao-Zedong on 27 December. Around a dozen unarmed individuals in combat dress were reportedly present at the press briefing. On the same day, CPN-Maoist-Matrika group demonstrated disagreement with the UCPN-M party for the first time. A central member and in charge of Kirat-Limbubun-Khambuwan-Kochila State Committee said that they would continue their "People's Movement" soon after making a "Joint Action Plan" with Khambuwan National Front and Kirat Janwadi Workers Party.

An Indian delegation led by Satish Mehta, Joint Secretary (South), Ministry of External Affairs arrived in Kathmandu on 4 December for a three-day meeting with their Nepali counterparts on security issues. The delegation, mandated to follow-up on security issues raised during the Prime Minister's visit to India in August, reportedly discussed the resumption of non-lethal military supplies to the Nepal Army (NA), cooperation for construction of an airbase in Surkhet, cross-border crimes, and intelligence-sharing.

A delegation of the Chinese Peoples' Liberation Army arrived in Kathmandu on 4 December. The delegation met with Defence Minister Bidya Bhandari and Deputy Prime Minister and Foreign Affairs Minister Sujata Koirala. The Chinese delegates reportedly said they would prepare plans related to border security and development activities in the border regions of Nepal and Tibet Autonomous Region of China.

Operational Space

There has been a recent deterioration in the operating environment based on field reports, security incidents and reported violations of the Basic Operating Guidelines (BOGs).

UCPN-M prohibited the movement of press vehicles, the UN, and human rights organizations during the general shutdown in Kailali district. Only ambulances were allowed to operate. The International Committee

of the Red Cross (ICRC) and the Nepal Red Cross Society (NRCS) had issued a statement on 22 December requesting law enforcement officials and bandh enforcers to continue to respect the right of the wounded to receive medical aid. Both organizations also called for free and unimpeded access for humanitarian workers particularly Red Cross ambulances and emergency services vehicles carrying the wounded and the sick.

Agitating Maoists cadres denied access to UN vehicles in Kailali district. Only after several hours of dialogues were the UN vehicles were allowed to continue. Similarly, the Road Struggle Committee led by the Dadeldhura Chamber of Commerce did not allow UN vehicles to operate during the bandh on 28 December. Equally, a UNDP vehicle travelling to Darchula from Dadeldhura was stopped by the protesters until the bandh was called off.

The office of a WFP partner was vandalized on 21 December in Surkhet district. Protesters also padlocked the district office of another WFP partner in Surkhet. In Birendranagar, the USAID office was vandalized by UCPN-M cadres. According to INSEC, UCPN-M cadres tried to shut down the NRCS office in Doti on 20 December for defying the nationwide bandh. The NRCS explained their mandate: to provide the medical aid to the victims of any emergency irrespective of the political views and any other similar divisions, therefore the NRCS volunteers should be provided with freedom to work during emergencies and bandhs. The NRCS was able to convince the demonstrators and was allowed to continue working during the bandh.

One I/NGO suspended its programmes indefinitely in Eastern Region due to threats and extortion requests against their staff. Several agencies have reported being asked for donations or illegal demands.

HUMANITARIAN SITUATION

Koshi Flood Recovery Activities

The distribution of compensation packages comprising land and crops is continuing for the approximately 42,800 Nepalese (7,563 households) affected by the Koshi floods in Sunsari District on 18 August 2008.

However, the distribution process, expected to be completed within three months, has been delayed due to continued bandhs called by political groups including the Koshi Victims Struggle Committee. As of 9 December, 3773 families have received the package totalling 39 crore² and 68 lakhs³ (Land NPR 31.39 crore and Crops NPR 8.29 Crore).

The Asian Development Bank (ADB) is planning to support the flood affected areas in four sectors-drinking water and sanitation, irrigation, rural roads and agriculture. These programmes are implemented through government line agencies. ADB assistance is

² 1crore = 10 Millions

³ 10 lakhs = 1 Million

eagerly awaited as the flood victims have returned to pre-flood areas.

UNDP and DDC/LDF have signed an agreement for the implementation of livelihood programmes under the Koshi Early Recovery Programme (KERP) in flood affected areas. Under KERP, micro infrastructure schemes to improve livelihoods and short and long term training (skill development) will be implemented.

Issues and Challenges:

- On-going need for livelihood support in red zones. For this, intensive land improvement programmes along with irrigation support systems are required
- Demarcation of approximately 20,000 land plots in the red zone is a primary challenge, in particular during land distribution/ allocation.
- Delay in releasing the ADB funds has affected recovery activities.
- Transport of essential goods and materials to project sites is hampered by poor road conditions.

National Cluster Updates

Food Security

The winter drought combined with an exceptionally poor monsoon season has increased food insecurity and malnutrition. The World Food Programme (WFP) still needs more than US \$14 million to ensure that 1.6 million of the most vulnerable are assisted during the critical lean season over the next two months. The most vulnerable are likely to revert to negative coping strategies that include reducing the frequency and size of meals, selling critical household and agricultural assets, consuming seeds stocks, and migrating to neighbouring districts or India under desperate situations that would further destabilize their livelihoods and the health, nutritional status and overall well-being of children and women left at home.

WFP had been providing food assistance to 1.6 million highly-food insecure people across more than 30 districts in Nepal, but in December 2009, it had to cut the number of people it was feeding by more than half a million because of a severe funding shortfall. In addition to this funding shortfall, during the three day nationwide strike from 20 December, WFP's food deliveries by air to one district had to be halted and all surface transport suspended.

In response to the deteriorating food insecurity, the United Nations Central Emergency Response Fund (CERF) granted \$6 million to WFP for food supplies for more than 600,000 people in the Far and Mid Western regions. The CERF, which is managed by OCHA, has provided \$19.6 million for humanitarian assistance projects in Nepal over the past 3 years.

Health

According to a press release, ADRA has phased out from its five year USAID-funded "Eastern Region Family Planning Expansion Project (ERFPEP)" that began in 2004. The project was implemented in the six

hill districts in the eastern region. Based on the final evaluation, the project was successful in achieving the objectives. The evaluation observed that Contraceptive Prevalence Rate has increased to 53 percent from a baseline of 44 percent, access to Family Planning Services has increased to 87 percent from 47 percent and client satisfaction has increased to 93 percent from 50 percent in the six project districts. The final evaluation also found that there were significant changes in belief among the communities; most couples now only want two children, husband and wife decide together on the number of children they want to have, husbands now value girl children equally as boys, and couples seek out and value Family Planning. The project ended in December 2009 following the closure of the regional office in Biratnagar and the district offices.

At least 150 residential doctors at the Bir Hospital have stopped all services since 23 December to press for various demands. The striking doctors have said they will hold talks with only the Health Ministry. A high-ranking source at the Ministry said that the Ministry would intervene if the managers of the hospital cannot resolve the problem through dialogue. Meanwhile, the doctors have said their strike will continue until their 11-point demands are fulfilled. According to the media, Bir Hospital is the only low-cost medical facility in the capital and served approximately 12,000 poor and indigent patients daily before the strike.

Nutrition

UNICEF and the nutrition cluster have supported the Ministry of Health and Population (MoHP) in developing the second five-year Health Sector Programme-Implementation Plan (NHSP-IP II). UNICEF provided technical support in the elaboration of the nutrition in emergency (NiE) framework for NHSP II sub thematic group under cross cutting areas (humanitarian response and emergency preparedness and disaster response).

The capacity of 113 health workers in Mugu and Achham district was enhanced in treatment and care for children with acute malnutrition through district level trainings conducted during November -December by Ministry of MoHP with support from UNICEF and Concern Worldwide. Through this enhanced capacity, the outpatient treatment programme for severe acute malnutrition will be expanded to 19 outpatient centres. Capacity building activities for community health workers and volunteers in these districts will be conducted in January and February 2010.

Water, Sanitation and Hygiene (WASH)

Several public schools in Biratnagar of Morang district have been providing contaminated water to students. A study of 14 government schools in Biratnagar conducted by Nagarik Sarokar Manch (NSM) concluded that more than 30% of the schools have been providing the contaminated drinking water to their students after tests of water samples from the schools' tube wells. NSM had collected water samples and

observed the status of toilets in the schools for a month, as reported on 29 December.

Over 300 households of five villages in Dadeldhura district are reportedly considering leaving the area permanently after facing an extreme shortage of drinking water. According to media reports, the villagers are preparing to leave the village within a month, after no resources could be mobilized to launch a water project to provide safe drinking water. The water source is at a distance of more than 10 kilometres from their village, and once alternative sources of water dry up in the winter they will have to rely on those.

According to a recent assessment done by a NGO-Nepal Water for Health (NEWAH) in five districts across the country, the sanitation status of schools, health posts and the VDC offices are very poor. The study consisted of onsite visits of toilets and water facilities in schools, VDC offices and health posts. Despite efforts made by humanitarian partners including the government, poor hygiene continues to be a problem in all study districts. Out of 960 toilets visited in 62 community schools, conditions of only 163 toilets were satisfactory. There were no toilets in 215 schools at all. Adolescent girl students mentioned that they will not go to school during their menstruation due to the lack of toilets in the schools. Out of 69 VDC offices, satisfactory sanitation was reported in only 14. However, 30 of them were without toilets. Part of the problem was due to VDCs not having their own VDC building as well.

In addition to the need for reconstruction and maintenance of the toilets in public places, there is a dire need to provide water. Equally, it is important to consider the need of girls, old and sick people and disabled in all future latrine construction.

Protection

One year after the publication of the report of the Office of the High Commissioner for Human Rights (OHCHR) on Conflict-Related Disappearances in Bardiya District, nine foreign envoys representing Australia, Denmark, Finland, the European Union, Germany, Norway, Switzerland, United Kingdom and the United States, and the Representative of OHCHR-Nepal, visited the district where at least 170 people had disappeared between 2001 and 2004, in an effort to advocate for a resolution of conflict-related disappearances. They met with the Conflict Victims Committee and with families of victims of enforced disappearances by the Army, police and CPN-M, who expressed their pain and anguish after long years of searching for truth and justice for their loved ones.

Agriculture and Livestock

The Food and Agriculture Organisation (FAO) Project-Emergency Assistance to Improve Food and Nutrition Security of Vulnerable Rural Communities Affected by Internal Conflict, Flood and Drought in Nepal (OSRO/NEP/801/SPA) has been successfully completed. The project was implemented through local

NGOs with close coordination with government line agencies in the five districts of mid western development region.



Figure 2 : Project beneficiary with received goats and constructed shed

15,000 households received agriculture seeds (Paddy, Maize, Millet, Wheat, Vegetables (summer and winter). In addition, beneficiaries were encouraged to build assets by receiving two goats per household along with a set of materials to build goat shed. Trainings on agriculture, livestock and nutritional activities were provided to create knowledge and skills on improved agriculture, livestock, and nutritional practices. Farmers can expect an increase of 20 to 25 % more yield with the provision of improved variety of crops and vegetables seed. This project also helped to enhance skills of the farmers on proper seed storage.

Disaster Preparedness

A half- day meeting was held at central level on 24 December to discuss the Disaster Preparedness planning for 2010. Representatives from the Ministry of Home Affairs, the Association of International Nepal, Task Group for Disaster management (AIN-TGDM), DPNet, Nepal Red Cross, and UN agencies attended.

The objective was to collate suggestions and feedback for better disaster preparedness planning in 2010. The discussion focused on sharing the disaster preparedness plan 2010, status of AIN study report on disaster preparedness for best practices, preparation of regional and central level workshops, support to the local networks on disaster management, petition to the Ministry of Law, among others.

The Disaster Preparedness and Disability Project of Handicap International, funded by the European Commission's Humanitarian Aid department (ECHO) through its disaster preparedness programme (DIPECHO) aims principally at strengthening capacities of all stakeholders to achieve inclusive disaster preparedness through collaborative actions with communities, disability and disaster risk reduction partners. Within that framework, Handicap International organized with the Nepali and Danish Red Cross, the National Federation of the Disabled Nepal (NFDN), the National Disabled Women's Association (NDWA) and the National Society for

Earthquake Technology (NSET) a national workshop aimed at identifying how the life saving activities of the Red Cross, such as First Aid and Light Search and Rescue, could become more disability-inclusive. The objective is to facilitate the Red Cross and Community volunteers to save more lives in the aftermath of a disaster and to adequately support and rescue the most vulnerable during the emergency and evacuation phase. A working group will define clear guidelines for an inclusive First Aid and Light Search and Rescue in Nepal.

Education

During floods in late October 2009 in Kailali and Kanchanpur districts, many schools and early childhood development (ECD) centres were damaged either partially or completely and there had been a high loss of education materials, stationary, and uniforms. In response, Save the Children Alliance (SC) with core partners BASE Kailali and NNSWA Kanchanpur is implementing its integrated program on disaster response to the flood affected as of December 2009.

Before



Figure 1 : Rastriya Primary School before and after support in Kailali- Photo SC

After

During the reporting period, one school received furniture in Kanchanpur and 53 schools received carpets. Fourteen schools were supported with repair and maintenance support and twenty schools received school kits. Similarly, 1591 students received student

kits, 33 ECD centres received repair and maintenance support and all received carpet.

H1N1 Influenza Pandemic Updates

The Ministry of Health and Population (MoHP) confirmed two deaths due to H1N1 in Nepal. As of 27 December, 150 confirmed cases of Pandemic H1N1 (male = 106 and female = 44) have been recorded in Nepal.

COORDINATION

Operational level Inter Agency Standing Committee meetings are being coordinated by OCHA at the national level on a fortnightly basis. Please contact OCHA for more information.

UPCOMING EVENTS/ MEETINGS

- 8 January, 2010: Regional Lesson Learnt Workshop, Doti
- 8 & 22 January, 2010: Operational IASC Meeting, 1030 hrs – 12:00 noon, OCHA Conference Room
- 14 January, 2010 : BOGs Meeting, 1030 hrs – 1200 noon, SDC, Ekantakuna
- 14 January, 2010 : IASC Principals Meeting, 1530 hrs – 1630 hrs, OCHA Conference Room

For more details, please visit Meeting schedules at UN Nepal Information Platform (NIP).
<http://www.un.org.np/WebCalendar/month.php>

RECENT MAPS AVAILABLE:

OCHA 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/>).

Nepal: Reports of Security Incidents - 1 to 30 November, 09
<http://www.un.org.np/maps/metadata.php?id=679>

Nepal: Reports of Bandhs / Blockades - 1 to 30 November, 09
<http://www.un.org.np/maps/metadata.php?id=680>

RECENT REPORTS AVAILABLE:

Some of the recent reports available on NIP are listed below.

Carter Centre: Second Interim Report

http://www.un.org.np/reportlibrary/table_metadata.php?mid=558

ECHO, Mission East and KIRDARC End line KAP Survey Report: Clean water, improved sanitation and hygiene promotion in rural villages of Humla and Mugu, Mid West Nepal
http://www.un.org.np/reportlibrary/table_metadata.php?mid=557

ICRC Report: Families of Missing Person in Nepal (A study of their needs)
http://www.un.org.np/reportlibrary/table_metadata.php?mid=556

National Strategy for Disaster Risk Management 2009
http://www.un.org.np/reportlibrary/table_metadata.php?mid=555

UNDAF Annual Report 2008
http://www.un.org.np/reportlibrary/table_metadata.php?mid=554

Disclaimer: The information in this report is consolidated from media, UN, NGO, and other humanitarian partners, subject to availability of data. Although OCHA aims to confirm reports independently, occasional factual inaccuracies can occur. For inputs, questions or comments please contact: Rita Dhakal Jayasawal, National Coordination Officer on ph. 9851072938, dhakal@un.org

Wendy Cue, Head of Office
OCHA Nepal
Tel. +977 (1) 554-8553
ocha-nepal@un.org

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