Political update
A ‘four point agreement’ signed on 24 December by eight political parties is expected to achieve a breakthrough in the political deadlock that followed the 19 November Constituent Assembly (CA) elections. If implemented, the agreement will pave the way for the sitting of the new CA, the formation of a new government and the re-commencement of constitution drafting.

The agreement became possible after the eight parties agreed to address allegations of ‘conspiracy’ and ‘rigging’ in the CA elections raised by the Unified Communist Party of Nepal-Maoist (UCPN-M), some Madhesh-based and other smaller parties. The agreement commits the parties to form a parliamentary committee to study and investigate these allegations of electoral fraud, while also forming a committee “comprising top leaders of major political parties to assist in the remaining tasks of the peace process and the constitution-drafting”. The parties also agreed to prepare the draft of a “federal democratic republican constitution in line with main spirit of the 12-point understanding [of 22 November 2005], Comprehensive Peace Accord and Nepal's Interim Constitution within six months”, as well as to “promulgate it within a year”. Finally, the parties committed to establish the Commission for Investigation on Disappeared Persons, Truth and Reconciliation “at the earliest”. The details of exactly how the parties will implement the agreement are expected to be negotiated once the CA opens.

With the four-point political agreement in place, the UCPN-M and other political parties agreed to participate in the new CA and all 30 political parties that secured proportional representation (PR) seats submitted their PR candidate lists to the Election Commission of Nepal (ECN) by 2 January. The ECN reviewed the lists to see that candidate selection fulfills legal requirements regarding quotas for women, Dalits, Janajatis, Madheshis and other marginalized groups. The ECN submitted the election results to the President on 3 January, who then will send the formal results to the CA Secretariat for publishing in the Gazette. As per the Interim Constitution, the first meeting of the CA should be summoned within 21 days of publishing the formal election results in the Gazette.

In the meantime, the parties are negotiating the formation of the new government and nomination of the 26 ‘designated’ CA members, though negotiations over government are complicated (due to dynamics both between and within parties) and will likely continue until at least the end of January. While the so-called ‘hardline’ Communist Party of Nepal-Maoist (CPN-Maoist) that boycotted the elections is not expected to join the constitution drafting process, it is also not expected to launch any aggressive oppositional activity in the next six months as it is now focused on organizational expansion.

In other developments, on 2 January, the Supreme Court ruled on the Truth and Reconciliation Ordinance approved by the President in March 2013 in response to proceedings initiated by victims groups and human rights activists. The Supreme Court ruled that the provisions of the Ordinance concerning amnesties, limitations on criminal prosecution and a 35-day limit for filing cases contravened fundamental rights guaranteed by the Interim Constitution, Nepal’s justice system and international law. The Supreme Court ordered that the Commission should meet international standards (including guarantees of autonomy and

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2 Importantly, only the Federal Socialist Party-Nepal and the Madheshi Janadhikar Forum-Nepal did not submit their PR candidate lists to the ECN by the 30 December deadline; instead, they submitted their lists by 2 January.
impartiality) and ensure the involvement and protection of victims and witnesses. The Court also ordered the establishment of a separate commission to look into the cases of disappeared people. The UN High Commissioner for Human Rights, Navi Pillay, welcomed the Court’s decision in a press release and called on the Government of Nepal “to urgently implement this important decision, in the spirit of working towards genuine and lasting peace”.3

**Operational space**

Overall, there were no major operational space issues reported by Basic Operating Guidelines signatories during the month of December in any region.

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**EMERGING ISSUES AFFECTING PEACE AND DEVELOPMENT**

**Peaceful post-election environment**

All regions remained largely peaceful during December following the completion of the vote count for the 19 November CA elections. Despite allegations of elections fraud by the UCPN-M, some Madhesh-based and other smaller parties and demands for an independent commission to investigate, the district chapters of the parties did not organize any protest programmes at the local level.

For the most part, there were only minor incidents occurring in follow-up to the elections. For example, in Terhathum, a woman was reportedly beaten up by NC cadres on 11 December for not supporting their party in the election. The Campus Chief of Dhankuta Multiple Campus (DMC) was allegedly black-smeared by Communist Party of Nepal-Unified Marxist-Leninist (CPN-UML) affiliated youths on 17 December. The Campus Chief is a former Chairperson of the CPN-UML District Advisory Committee and was expelled from the party for supposedly campaigning for the Khas Samabeshi Rastriya Party during the elections. There were also a few elections complaints launched. The CPN-UML candidates for Siraha Constituency No 5 and Sunsari Constituency No 3 registered complaints at the Constituent Assembly Court alleging booth capturing and vote rigging. However, there were not any reports of local-level inter-party tensions over these issues.

The most notable developments were some instances of intra-party disputes and tension over the finalisation of the PR candidate lists—this was partly due to competition between high-level party leaders to strengthen their party positions by having their preferred candidates chosen, but also partly due to allegations that candidates favoured by party leaders were picked over ‘local’ leaders. For example, all members of the CPN-UML Solukhumbu District Committee resigned after the party announced the list of PR candidates on 18 December, CPN-UML cadres in Sunsari District padlocked the party office in Inarwa on 29 December accusing discrimination against Dalits in the party’s PR candidate selection and CPN-UML cadres protested at their Achham District party office on 28 December as the party did not select any PR candidates from the district. In Panchthar District, the Youth Association (youth wing of the CPN-UML) expressed its disagreement over the PR candidate list and accused the party leadership of giving priority to businessmen over ‘genuine’ party cadres and some Dang District CPN-UML leaders stated that they will boycott the central level decision on the nomination of the PR candidate. Likewise, Nepal Student Union (sister organization of NC) in Bardiya District padlocked the district party office for an indefinite period alleging the party picked a PR candidate ‘close’ to the party president rather than a dedicated party member. Similarly, in Kalikot District, 11 UCPN-M cadres (including an elected CA member) submitted their resignations from the party due to their dissatisfaction for the party not nominating a PR candidate from the Karnali region other than one female from Humla District. The dispute over PR selection was most intense within the Rastriya Prajatantra Party-Nepal (RPP-N). In Jhapa, disgruntled RPP-N cadres reportedly vandalized the party office at Damak after the party announced its PR candidates on 10 December. They accused that only family members of senior leaders had been selected. Unhappy with party chairman Kamal Thapa’s decisions on candidate selection, some RPP-N party leaders split away from the party to form a splinter faction; however, some of the dissenting leaders were reported to have re-joined the party in early January.

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3 For the full news release, see: [http://www.ohchr.org/EN/NewsEvents/Pages/media.aspx?isMediaPage=true](http://www.ohchr.org/EN/NewsEvents/Pages/media.aspx?isMediaPage=true).
Various organizations continue demands for proper rehabilitation of Kamlaris

On 29 December, various human rights and civil society organizations jointly organized a rally and submitted a memorandum to the Kailali Chief District Officer (CDO) and District Education Officer (DEO) putting forth six demands to abolish the Kamlari system, including the rescue and proper rehabilitation of Kamlaris. Following a series of protest programs during May-June this year by the United Committee for the Elimination of Kamlari Practice (UCEKP), the government signed a 10-point agreement on 7 June that included commitments to address Kamlari issues—this included agreeing to announce the end of the Kamlari system within one month, form a committee to rescue all Kamlaris and carry out investigations and provide various compensation and rehabilitation support to former Kamlaris. However, frustrated with the sluggish implementation of the agreement, 12 organizations jointly submitted this new memorandum to the Kailali CDO and DEO demanding implementation of the 10-point agreement, as well as the District Administration Office to rescue Kamlaris and begin implementing support to freed Kamlaris. According to the organizations working on Kamlari issues, the government is not adequately implementing the Freed Kamlari Rehabilitation Guideline of 2011 or the Guidelines on Education for Freed Kamlaris of 2012.

Land related grievances continue in Banke, Bardiya, Dang and Surkhet districts

In months prior to the 19 November CA elections, various landless groups in the Mid Western Region submitted demands related to their land rights. Recently, the National Land Rights Forum (NLRF—an association of landless people in Banke, Bardiya, Dang and Surkhet districts) announced plans to escalate their protests to put pressure on any new government. NLRF representatives are frustrated with legal processes that are hampering landless tenants from applying for the ownership of land, particularly the Fifth Amendment to the Land Reform Act that requires consent from landlords to establish the rights of a tenant.

Many application cases continue to be pending simply because landlords are absent on appointed court dates. “As soon as the government forms, we will strongly put forward our demand to government and may protest, if necessary” an NLRF representative stated.

More than five thousand families across 69 settlements in the Banke National Park Buffer Zone Area and other forest areas of Banke District are at risk of eviction after the current winter season. A District Level Forest Encroachment Control and Management Taskforce was formed in Banke under the Chief District Officer in August, which decided to go ahead with the eviction of occupying families immediately after the CA election and already five families claiming to have lived in Jhadiya Village-7 of Kamdi VDC since 1987 were evicted from the area without the government providing any alternative arrangements for their resettlement. According to Articles 3.5, 4.4 and 4.7 of the Forest Encroachment Control Strategy 2011, the government is responsible for managing alternative settlement arrangements prior to the evacuation of older settlements that are now encroaching on newly declared forest areas. Additionally, the government had an agreement with the NLRF in November 2008 not to evacuate people settled near these forest areas prior to a mutually agreed date. “Eviction and resettlement in a new location simply does not refer to the physical settlement, but also the psychological attachment and livelihood of the population. People have developed a kind of attachment with the place and become accustomed with the social environment and locality which could never be compensated” remarked a person living in one of the settlements in the Banke Conservation Area. “We have been residing in the area since two or three decades and it is unlawful to be resettled into a new place. We would definitely protest if government starts to evacuate us” he remarked.

4 “A Kamlari is a female from the Tharu community working as domestic helper in the house of landowner or house owner with the verbal or written commitment of her guardians or mediators for one year, receiving meager wages in terms of cash, crops or continuing education” (Guideline on Education for Freed Kamlaris, Ministry of Education, 2012). According to different Kamlari advocacy and welfare organizations, Kamlaris are usually not provided proper food, clothing and accommodation and usually are not allowed to go home and meet their parents (and frequently are not allowed to go school) as they are confined to the premises of the house in which they work. Many Kamlaris are victims of verbal, physical and sexual abuse.

5 As per the article 5.3.3 of the Forest Encroachment Control Strategy 2011 (2068 BS), a District Level Forest Encroachment and Management Taskforce would be formed under the leadership of Chief District Officer of the district. The Taskforce includes Local Development Officer (LDO) of District Development Committee (DDC) and District Chief of Nepal Police, Armed Police Force, Land Revenue Office, District Survey Office, Representative of five political parties recommended by DDC, representatives of Nepal Journalist Federation and District Forest Office as Member Secretary.
Overview of recent local disasters
From the third week of December, temperatures in the Tarai have lowered significantly and normal life has been affected by winter cold, with poor people, the elderly, children and street dwellers being the most affected. According to reports from the eastern and central Tarai, the cold wave has caused five deaths and some 130 Dalit families of Sankhuwa Dhamaura VDC in Rautahat District were badly affected during December. Many flights to and from Kathmandu to Tarai destinations were cancelled or delayed due to poor visibility. In the same way, life in mountainous districts has also been affected by the winter cold. According to the Mugu District Health Office, 3 elderly people recently died from the cold. In response to the winter cold wave, District Disaster Relief Committees (DDRCs) in Tarai districts have organized preparedness meetings among stakeholders and humanitarian partners. DDRCs have requested humanitarian partners to stockpile relief items and medical supplies. The Ministry of Home Affairs (MoHA) organized a wider coordination meeting with UN agencies, Red Cross movements, INGOs and local Ministries on 31 December.

Accidental fires out broke in various locations in the Eastern Region and central Tarai districts during December, with a total of four people killed (three in Jhapa and one in Dhankuta). Around 24 families were affected by an accidental fire in Siraha District; the Siraha DDRC, with support from the humanitarian partners, assisted affected people with blankets. Three industries in and around Biratangar Sub-metropolitan City were also gutted by fires, with a total estimated loss of property worth 22 million Nepali Rupees.

In another incident, a storm in Thukimma and Nalbu VDCs of Taplejung District destroyed around 100 houses and swept away roofs from schools, temples and monasteries. Electricity supply was also disrupted. The Nepal Red Cross Society provided tarpaulins to affected families and there is a need to repair the damaged infrastructure.

Following the formation of sinkholes on 24 November in Armala VDC, Ward-1, of Kaski District, efforts have been made to mitigate the problems in the affected area where there are more than five dozen sinkholes along the Kali River. The Kaski District Development Committee (DDC) provided technical and financial support to dig a temporary trench in an attempt to release ground water to the river and filled-up some of the cracks with soil. In December, MoHA formed a technical committee representing the Underground Water Irrigation Project, Department of Irrigation, Department of Geology and Mining, Water Induced Disaster Prevention Division and Kaski DDC. The committee will investigate the sites and develop a report to advise how the government can reduce the risks of further sink holes.

Disaster preparedness and disaster risk reduction efforts
The UN Field Coordination Office (UNFCO) in Biratnagar coordinated and facilitated a Training of Trainers on disaster preparedness and response with MoHA and the Ministry of Federal Affairs and Local Development during the second week of December for government staff from five Eastern Region districts and the regional office. In the meantime, UNFCO Biratnagar co-facilitated DDRC meetings in Morang, Siraha, Saptari and the central Tarai districts to support better preparedness for the ongoing cold waves.

According to a report from the Far Western Region, the Nepal Climate Change Support Program (NCCSP) was launched in the region as a contribution to ensuring that the poorest and most vulnerable communities in Nepal are able to adapt to the negative effects of climate change. Kailali, Achham and Bajura are among those districts where the NCCSP has been implemented. The local DDCs are the implementing partners, with technical support from NCCSP and UNDP. In the meantime, a workshop for generating awareness on climate change impacts among youth groups was held in Dadeldhura with the objective of increasing the awareness of youth on national climate adaptation programs. A three-day training on ‘Mainstreaming Disaster Risk Reduction’ in the local development planning process was also held in Dadeldhura, including the VDC secretaries during December. The training was organized by the DDC with support from OXFAM under the DIPECHO VII project.
The RCO Information Management Unit produced a number of mapping products, some of which are listed below and also available on the UN Nepal Information Platform (http://www.un.org.np/resources/maps):


Nepal: Reports of Bandh/Strikes 01 January to 31 December 2013

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

Assessment of Media Development in Nepal

2013 Mid Term Review: 2011 United Nations General Assembly Political Declaration on HIV/AIDS

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.
NEPAL - Reports of Security Incidents
1-31 December 2013

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

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

In the chart above *“others”* category include incident types - Criminal Act, Robbery, Attack, Threat, and Theft.
The density of events – indicated by shading on the map – represents the total number of Bandhs/Strikes that have been observed, as reported to UNRCHCFO and the UN Department of Safety and Security. These include transportation strikes, and closures of customs offices, markets and businesses.