

**United Nations  
Peace-Building Strategy for Nepal  
2011-12**



**June 2011**

## **I. Introduction**

1. Major challenges lie ahead as Nepal works through its transition towards peace. Many of these are laid-out in the recently published Nepal Peace and Development Strategy (PDS) prepared by Nepal's international development partners, which takes stock of progress in implementing the Comprehensive Peace Agreement (CPA) and identifies the key peace-building challenges in the short and long term.<sup>1</sup> While most observers are cautiously optimistic, threats to peace in Nepal remain real and the situation remains unpredictable.

2. The UN system remains fully engaged with Nepal and recognizes the need to make a cohesive and effective contribution to the peace-building process as articulated in the PDS. While peace-building is expected to continue to be a core element of the next UN Development Assistance Framework (UNDAF) cycle that begins in January 2013, it is important to develop a strategy that responds to the period between now and then and also extends beyond the development sphere. This was reinforced by the Secretary-General's Policy Committee decision of 16 December 2010 that directed the UN Nepal Country Team to articulate a medium-term strategy for peace-building support to Nepal, intensify its support to the constitution writing process, and prepare to assist in the implementation of the final decisions on new federal structures.

3. This Peace-Building Strategy has been formulated to guide the UN's peace-building support to Nepal for the next two years. Situated within the wider framework of the PDS, the strategy outlines the scope of UN action necessary to achieve critical peace-building benchmarks in Nepal during the period and provides a platform to mobilize the necessary resources to undertake this action. The strategy will improve UN peace-building policy, planning and programming in Nepal by: i.) providing a common vision and shared strategic directions on key peace-building issues for the entire UN system in Nepal; ii.) aligning UN activities under this common vision, utilizing the collective resources and comparative advantages of UN actors; iii.) serving as the basis of inter-agency plans for specific integrated peace-building activities and resource mobilization; and iv.) establishing and strengthening coordination mechanisms necessary to implement and monitor progress on a coherent UN peace-building approach in Nepal.

4. The strategy serves as the vehicle to integrate the comparative development, human rights, political and humanitarian strengths of the UN (both in-country and at a global-level) to support Nepal in achieving tangible results not only in the peace process over the next two years but also against the long-term social, political and economic transformation agenda imbedded in the CPA. The strategy identifies four key priority areas for UN peace-building support over the next two years:

- support Nepal to achieve critical benchmarks in the peace-process;
- catalyze progress on the long-term structural transformation agenda embedded in the CPA;
- strengthen the linkages between peace-building in Nepal and global UN mechanisms and standards; and
- provide leadership and the means of coordinating strategic and coherent international peace-building support to Nepal.

## **II. What the UN can offer to peace-building efforts in Nepal**

5. The UN's infrastructure to support peace-building in Nepal spans a broad array of organizations and services. There are 23 UN funds, programmes, agencies, departments and offices resident in

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<sup>1</sup> Nepal's international development partners formulated the PDS through consultation with a cross-section of civil society, government and international actors. It is available at: [www.un.org.np/thematicareas/pds](http://www.un.org.np/thematicareas/pds).

Kathmandu<sup>2</sup> with over 2,000 staff members. Working with a range of partners, the UN delivered some \$186 million in assistance to Nepal in 2010. This in-country presence focuses on:

- *Development:* The UN Development Group is represented by a wide range of UN funds, programmes, and agencies in Nepal. Their common objective is to deliver coherent, effective and efficient support to Nepal in attaining the Millennium Development Goals and deliver tangible results in support of the development agenda of the government. The current 2008-12 UNDAF focuses on delivering results against the priority pillars: consolidating peace; quality basic services; sustainable livelihoods; and human rights, gender equality and social inclusion. Over \$21 million was delivered towards ‘consolidating peace’ over 2010 for programmes on constitution drafting, discharge and re-integration of combatants, support to children affected by armed conflict, mine action, transitional justice, rule of law, local peace committees, and women and children in the peace process.
- *Humanitarian support and preparedness:* The Nepal Humanitarian Country Team/Inter-Agency Standing Committee (HCT/IASC) is a unique inter-agency forum for coordination, policy development and decision-making involving UN and non-UN humanitarian partners. The HCT/IASC maintains the humanitarian cluster coordination mechanisms and contingency plans, but has also been instrumental in support to disaster preparedness planning with the Government of Nepal. HCT/IASC members have conducted disaster preparedness workshops in more than 30 districts nationwide and piloted the preparation of cluster-level District Contingency Plans in seven of the most vulnerable Terai districts. Over \$85 million was delivered by the UN on humanitarian assistance in 2010.
- *Human rights:* The mandate for a UN human rights monitoring mission in Nepal was set out in the April 2005 agreement for an OHCHR field presence. This key UN peace-building contribution was later reinforced by a CPA mandated OHCHR mission to monitor the human rights provisions of the Agreement (Article 9.1). The UN has a major role in the Nepal peace process through the OHCHR mission; while promoting accountability for human rights violations and supporting the development of national human rights protection mechanisms, OHCHR preventative monitoring also contributes to mitigating peace process related incidents through a human rights based approach. While a one-year continuation of OHCHR’s mission to independently monitor and report on the human rights situation in Nepal was agreed by OHCHR and the government on 9 June 2010<sup>3</sup>, the Secretary-General recommended a continuation of the OHCHR mandate beyond June 2011<sup>4</sup>. OHCHR also has responsibility to report on the Nepal human rights situation to the UN Human Rights Council through an annual report and other periodic reports. The UN monitoring and reporting mechanism on UN Security Council Resolution (UNSCR) 1612 remains responsible for monitoring the Nepal national action plan on the release and reintegration of discharged verified minors. Within their mandates, particular UN funds, programmes and agencies actively promote human rights and provide technical assistance to the Government, Constituent Assembly and other stakeholders; for example, ensuring a number of governance and legal reforms adhere to international human rights treaty obligations and standards, including the rights of children, the displaced and women. Human rights, gender equality and social inclusion programming under Priority Area D in the current UNDAF, includes support to: amend discriminatory legislation and policy; gender and inclusion sensitive planning, budgeting, and monitoring; capacity development of national human rights institutions; and strengthening inclusion aspects in the constitution-making, reintegration and transitional justice processes. Almost \$9 million of UN assistance was delivered under this area in 2010.
- *Political engagement:* Although the Security Council mandated UNMIN’s withdrawal from Nepal on 15 January 2011, UN political engagement with Nepal in support of the peace process continues through the work of the Department of Political Affairs and its Political Office on the ground in Nepal. This engagement helps to inform the Secretary-General and as

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<sup>2</sup> These are: DPA, FAO, IFAD, IOM, ILO, OCHA, OHCHR, UN HABITAT, UNAIDS, UNCDF, UNDP, UNDSS, UNESCO, UNFPA, UNHCR, UNIC, UNICEF, UNODC, UNMAT, UNV, UN Women, WFP, WHO.

<sup>3</sup> See: [http://nepal.ohchr.org/en/resources/Documents/English/mandate/OHCHR\\_agreement\\_with\\_Gov\\_of\\_Nepal\\_2010.pdf](http://nepal.ohchr.org/en/resources/Documents/English/mandate/OHCHR_agreement_with_Gov_of_Nepal_2010.pdf)

<sup>4</sup> The recommendation was a decision of the Secretary-General’s Policy Committee meeting on Nepal, 16 December 2010.

appropriate the Security Council. The presence of the Political Office in Nepal, attached to the Office of the Resident and Humanitarian Coordinator (RC/HC), enables senior UN officials to maintain channels of communication with Nepali stakeholders throughout the continuing transition period, and provide any assistance as may be requested by stakeholders. The situation will remain highly political in Nepal over the next two years. The UN's political involvement will remain important and could be scaled-up as required. Political developments need to be closely borne in mind as this strategy is implemented and the link between the development and political efforts will continue to be very important.

6. Through the existing configuration of UN actors in Nepal detailed above, the organization is uniquely placed to provide a core set of additional services critical for the support of peace-building in Nepal in the years ahead. These services include:

- management of sensitive activities requiring impartial third-party engagement;
- specialized technical support of national actors on a wide range of issues;
- access to global best practices in peace-building;
- expert analysis on peace-building issues; and
- support to the wider international community on strategy and coordination.

7. The UN in Nepal has a demonstrated track record in these areas. It played a vital third-party role in response to capacity support requirements for the 2008 CA elections, in implementing the politically sensitive discharge and rehabilitation of verified minors and late recruits from the Maoist army cantonments in 2010 and in implementing the monitoring and reporting mechanism for compliance with the UNSCR 1612-mandated Action Plan on the release and reintegration of verified minors. Further, the UN leads specialised international support to Nepal's national land mine and IED clearance efforts and to the drafting of legislation for key transitional justice<sup>5</sup> and rule of law issues affecting the nation, as well in catalysing national action plans on the global peace-building mechanisms of UNSCRs 1612 (on children affected by conflict), 1325 (on women, peace, and security) and 1820 (on sexual violence in situations of armed conflict). UN agencies and projects have also provided expert analysis and advice to the constitutional drafting process (including human rights-based and gender analysis of thematic committee working concept papers), reparations policy process through review of current interim-relief policies, and to the development of the human rights handbook for the Armed Police Force and the human rights standing order for the Nepal Police. Before its departure, UNMIN handed over to UNDP leadership for convening the working group of international actors prepared to support the eventual rehabilitation and integration process for the cantoned Maoist army. Importantly, the UN has been at the centre of ensuring a coherent international approach to peace-building in Nepal, having coordinated and facilitated the formulation of the PDS and being tasked to ensure coordination of its implementation.

8. Many of these UN peace-building activities have been financed by the UN Peace Fund for Nepal (UNPFN).<sup>6</sup> The UNPFN is designed to complement the national mechanism of the Nepal Peace Trust Fund (see below) through funding projects carried out by UN agencies aimed at supporting the implementation of the CPA, as well as the peace process more broadly. Since it was established in 2007, the UNPFN has funded 18 projects in five cluster themes (cantonment/reintegration; elections/governance/mediation; recovery/quick impact projects; security; and rights and reconciliation) for a total value of over \$32 million. The UNPFN has received strong best practice advice and support from the global UN Peacebuilding Fund, which continues to be the UNPFN's largest funding contributor. Although the UNPFN has contributed significantly to enhanced UN peace-building coordination, the present strategy will now provide a more fully encompassing framework for the fund.

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<sup>5</sup> These are the Truth and Reconciliation Commission and the Commission of Inquiry on Enforced Disappearances.

<sup>6</sup> The UNPFN is a multi-donor trust fund supported by the global UN Peacebuilding Fund and the governments of Canada, Denmark, Norway, Switzerland and the United Kingdom – see: <http://mdtf.undp.org/factsheet/fund/npf00>.

### III. Drawing on UN global policy guidance and standards

9. At the UN global practice level, the development of the present strategy responds to the 2009 ‘[Report of the Secretary-General on peacebuilding in the immediate aftermath of conflict \(A/63/881-S/2009/304\)](#)’ that advises how the UN can better establish cohesive peace-building visions and strategies in order to substantially increase the chances for sustainable peace and reduce the risk of relapse into conflict. The strategy also responds to UN reform requirements for coherent integrated strategies, better coordination, clarity on roles, stronger partnerships among key actors, and a move towards greater predictability and accountability.<sup>7</sup> Of course, the strategy also ultimately works towards Nepal’s achievement of the [UN Millennium Development Goals](#).

10. The strategy has also been developed in accordance with key global UN requirements and guidance for engaging in peace-building process, including:

- UNSCR 1325 on women, peace and security and UNSCR 1820 on sexual violence in conflict;<sup>8</sup>
- UNSCR 1612 on children in armed conflict;<sup>9</sup>
- UN Human Rights Council Resolution 9/10 on human rights and transitional justice, as well as the Guidance Note of the Secretary General on the UN Approach to Transitional Justice;<sup>10</sup>
- the UN Secretary-General’s guidance notes on a [UN approach to Rule of Law Assistance](#) and on [UN Assistance to Constitution-making processes](#), both developed in the framework of the Rule of Law Coordination and Resource Group;
- the [UN Policy for Post-Conflict Employment Creation](#); and
- the Revised UNDP-DPA Note of Guidance on Electoral Assistance.

11. More broadly, development of the strategy has been informed by the ongoing discussions in the “International Dialogue on Peacebuilding and Statebuilding” working groups, especially as they relate to planning and to aid effectiveness and the ‘Emerging lessons and practices in peacebuilding, 2007-2009’ report of Peacebuilding Commission Working Group on Lessons Learned.

### IV. Ensuring national ownership

12. Despite major achievements to-date in the peace process, no overarching multiparty national strategy has emerged to direct implementation of Nepal’s long-term transformation as laid out in the CPA. The architecture for multiparty dialogue envisioned by the CPA has not emerged as originally anticipated and a host of strategic peace-building institutions have yet to be established. The government’s next Three Year Plan for 2010/11–2012/13 is nearing completion and, as a positive sign, its Approach Paper indicates that it will include some strategic peace-building components, including Chapter 10 that is dedicated to ‘Peace, Rehabilitation and Inclusive Development’ and Chapter 11 dedicated to ‘Good Governance and Human Rights’. By default, the most important overall national strategic decision-making and planning framework for peace-building at present is the Nepal Peace Trust Fund (NPTF). The NPTF was established in February 2007 as a mechanism for donors to contribute to the peace process through support to the government. The Board of the NPTF includes representative from across government ministries and the five largest political parties in the CA. In recognition of its strategic nature, the PDS recommends greater international engagement and coordination with the NPTF, specifically using the NPTF Government of Nepal and Donor Advisory

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<sup>7</sup> See the full range of UN reform resources at: [www.undg.org/index.cfm?P=32](http://www.undg.org/index.cfm?P=32).

<sup>8</sup> Connected to the issues of gender and women, it is also important to be mindful of the [UN Secretary-General’s report on women’s participation in peacebuilding \(A/65/354-S/2010/466\)](#), from September 2010.

<sup>9</sup> For more information on UNSCR 1612, see the Office of the SRSG for Children and Armed Conflict: [www.un.org/children/conflict/english/keydocuments.html](http://www.un.org/children/conflict/english/keydocuments.html).

<sup>10</sup> Additional guidance on transitional justice instruments and policy is available on the UN Rule of Law website: [www.unrol.org/article.aspx?article\\_id=29](http://www.unrol.org/article.aspx?article_id=29).

Group (GoN-DAG) more intensively in the future to: consolidate and review peace-building programmes and resources; provide advice on issues and challenges in peace-building programmes; provide feedback on development partner programmes; and coordinate tasks among government and development partners in relation to future peace-building challenges. The UNPFN is intrinsically tied to the NPTF, sitting under the NPTF Board and having the Director of the NPTF as a member of the UNPFN Executive Committee.

13. Although a national strategic framework for peace-building is not in place, a number of key issue-specific strategic instruments have been established, including: the National Human Rights Action Plan; the UNSCR 1612-mandated Action plan on the release and reintegration of verified minors (which is monitored by the UN); the National Plan of Action for Children and Adolescents Affected by Conflict; the National Plan of Action on UNSCRs 1325 and 1820 on women's leadership in peace-building and conflict prevention and also emphasizing the prevention of and response to conflict-related sexual violence; the National Plan of Action on Bonded Labour; and the National Master Plan of Action on Child Labour. Several other strategies related to or reinforcing the peace-building process are in development or are awaiting endorsement, such as the National Plan of Action for Youth Employment in Nepal for 2010–2017 and the National Plan of Action on the implementation of ILO Convention 169.

## **V. Key milestones and risks in the short term**

14. The strategy is informed by the comprehensive contextual analysis found in the PDS, which highlights some remarkable achievements since the signing of the CPA on 21 November 2007, including: maintenance of the ceasefire; implementation of the CA elections; establishment of Nepal as a federal republic; and preparations for a new constitution. However, the PDS concludes that significant progress is required on immediate issues of CPA implementation, justice, recovery and consolidating the peace, as well as on most long-term transformational issues identified in the CPA, in order to deliver on national expectations.

15. Beyond the wider analysis of the PDS, it is important to flag expected key milestones and strategic risks for the peace process to which the UN may need to respond over the next two years:

16. *Maintaining the ceasefire and monitoring arms and armies:* UNMIN's monitoring and dispute resolution role in Nepal helped generate confidence and a sense of political space. With UNMIN's departure, these functions are being undertaken through the Special Committee (SC) for the Supervision, Integration and Rehabilitation of Maoist army personnel and its Secretariat. However, the SC Secretariat suffers from a lack of political consensus among its members, insufficient resources and limited operational capacity. While there have been no major incidents on the ground between the Nepal Army and the Maoist army and the risk of a potential resumption of hostilities between the forces remains low, the lack of a fully operational monitoring and dispute resolution mechanism to defuse potential issues is a cause for concern. Enhancing the capacity of the SC Secretariat is an urgent imperative as its role remains essential to maintaining the ceasefire.

17. *Integration and rehabilitation (I/R) of Maoist army personnel:* This issue has witnessed little tangible progress since 2007. Key milestones still to be achieved include: reaching agreement on the number of Maoist army personnel to be integrated into the security forces, on modalities for their integration and beginning the complex process of integration itself; socio-economic profiling to determine the different rehabilitation needs of former Maoist army personnel and dependents; the rehabilitation of those Maoist army personnel not integrated into the security services; and agreement on vetting mechanisms to evaluate the human rights records of the Maoist army and security forces personnel. This negotiated process is complex, politicized and pressurized, presenting numerous risks to both the I/R and the peace process if not implemented adequately. Although currently providing technical advice as requested to the SC Secretariat and convening international coordination on I/R, what future role the UN would be called to play in support of this process remains unclear. However,

the I/R process is likely to unfold rapidly once political breakthroughs are made and the UN must be able to respond accordingly if called upon to support rehabilitation issues with little notice.

18. *Democratization of the Nepal Army and security sector:* This is an integral element of the CPA that has received significantly little attention within Nepal's political discourse. The precise definition of 'democratization' of the Nepal Army is somewhat contested but is largely taken to mean strengthening democratic control and accountability of the Nepal Army, increasing the social representativeness of its ranks and ensuring its greater adherence to rule of law and human rights standards. Though a Committee headed by the Minister of Defense has submitted a plan to the cabinet for review, it still remains pending. This evolution of the Nepal Army is a corollary to the broader peace-building target of developing a security sector, including the Armed Police Force and Nepal Police, that enjoys the public's full trust, as well as being effective, appropriate, affordable, inclusive and accountable. These concrete steps towards are critical to the peace process.

19. *Accountability for human rights violations, establishment of key transitional justice institutions and measures to address the human rights root causes of conflict:* Addressing conflict-era and other human rights violations will be one of the most tangible signals that Nepal is moving towards sustainable peace by ending impunity and moving towards a culture of greater accountability, but the challenges are significant. Considerable political will must be dedicated to prosecuting those responsible for human rights violations and establishing the Commission of Inquiry on Disappearances (COID) and the Truth and Reconciliation Commission (TRC) inline with the international human rights standards and practices; and once eventually established, these commissions will require substantial material and technical assistance.<sup>11</sup> In the meantime, there is a critical opportunity to review reparations policies generally and ensure the development of a transparent and fair reparations framework that guides all reparations in a coordinated manner and recognizes all victims of the conflict, including survivors of torture and sexual- and gender-based violence. In addition to the establishment of these mechanisms, the obligation to prosecute serious human rights and humanitarian law violations through the regular criminal justice system, as part of the transitional justice process, will constitute a crucial but even greater challenge. Further measures should also address the specific human rights root causes of the conflict and appropriate remedial measures to ensure that conflict does not happen again. Such measures include the review and enactment of legislation, policies and measures to protect and promote the rights of the most marginalised individuals and groups in society and to promote access to justice for the victims of human rights violations. Initial steps towards eradicating historical marginalisation and entrenched discrimination reflect sustainable progress of the peace process.

20. *Constitution-drafting:* There has been notable progress in this fundamental task, but it is uncertain how much of the new draft constitution will be agreed upon by the already extended deadline of 28 May 2011, whether the new constitution will accord with international human rights standards to which Nepal is party and sufficiently meet national expectations. It may still be feasible for the CA to declare a new constitution by the May deadline in which the defining character of certain questions are settled, though not necessarily fully elaborated or implemented. This achievement will depend on significant compromise within the CA and a conducive political environment that does not currently exist. Public skepticism about reaching this deadline is increasingly palpable. Madheshi and other identity groups are vocal about the agitation and political instability that may ensue if their concerns are not addressed in a new constitution or if the drafting deadline lapses again. It is unknown at this point whether the political parties will be able to agree a plan of action to resolve major issues of contention in the draft constitution by the May deadline.

21. *Citizenship certificates, voter registration and elections:* Conducting elections under a newly-promulgated constitution is a major expected landmark. Obstacles of a legal, political or other nature could stand in the way of an inclusive electoral process in which all groups find realistic opportunities to participate and get represented. This requires, as in the lead-up to the 2008 election, an open dialogue with various stakeholders (including traditionally marginalized groups) and a careful

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<sup>11</sup> Bills for both transitional justice commissions remain pending in the Legislature-Parliament.

calibration of the rules that impact on the electoral process, including those relating to the electoral system and voting rights. The Supreme Court ruling of 7 February 2011, that only those Nepalis with a valid citizenship certificate are able to register as voters, could significantly impede achieving a timely and legitimate election. The ruling potentially disenfranchises large numbers of traditionally excluded identity groups and those in isolated locations who do not possess citizenship certificates and who encounter severe bureaucratic, policy, political and geographical barriers when seeking to acquire them. Grievance over access to citizenship documents is a flashpoint issue, especially in regard to ongoing voter registration and elections. The Supreme Court directed the government to improve access of legitimate claimants to citizen certificates, which should be seen as an important peace-building and conflict prevention priority. Other important risks to stability in the country around election time and afterwards could come from: unresolved integration issues and reconciliation issues; a lack of trust between electoral stakeholders; extremely high stakes in the election and a mixture of weak local governance and rule of law set against a proliferation of political youth wings, ‘armed groups’ and criminality. The factors needed to build confidence in the process and reduce risks of potential instability and conflict before and after elections are: a credible and widely respected Election Commission that relies on broad consultations with stakeholders; the commitment of parties and candidates to a code of conduct; shielding voters and candidates from the impact of youth wings; and transparent and accessible avenues of recourse against electoral violations.

*22. Implementation of federal state restructuring:* While federal state restructuring is seen by many as the primary instrument to deliver the aspirations of the peace process, the path towards federalism remains contentious, potentially destabilizing and could see an increase in identity-based political movements. Implementing a new structural model will necessarily cut into entrenched political, economic and social interests; the process could intensify identity and caste-based tensions and generate considerable resistance. The 2011 national census, scheduled to begin in June, could become a lightning rod for agitation as its results will do much to define the new federal structure, including resource allocations. This challenging restructuring will be exacerbated further in the event of insufficient planning and consultation for the implementation of state restructuring, or taking too long to implement – both potentially provoking reactions from historically disadvantaged groups who expect to benefit from federalist restructuring. Regardless of the pace of progress on this most contentious issue of the constitution-drafting process, consultation and planning for a phased implementation of restructuring needs to begin immediately.

## **VI. UN peace-building goal and priority areas**

23. Over the course of Nepal’s transition of the next two years, the overarching goal of the UN is to support the government and other stakeholders to catalyse action on the transformative agenda of the CPA, whilst supporting the fragile and political peace process and not overstepping what must be a locally driven agenda.

24. To achieve this goal, the strategy has identified four priority areas as the focus for UN peace-building activities over the next two years:

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| <ul style="list-style-type: none"><li><b>A. Support Nepal to achieve critical benchmarks in the peace process;</b></li><li><b>B. Catalyze progress on the long-term structural transformation agenda embedded in the CPA;</b></li><li><b>C. Strengthen the linkages between peace-building in Nepal and global UN mechanisms and standards; and</b></li><li><b>D. Provide leadership and the means of coordinating strategic and coherent international peace-building support to Nepal.</b></li></ul> |
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**Priority Area A: Support Nepal to achieve critical benchmarks in the peace process**

25. Nepal's peace process is a nationally-owned and driven one. Towards this, the UN will seek to apply its various comparative development, humanitarian, human rights and political advantages to support national authorities in achieving the following eleven critical peace-building benchmarks over the next two years:

- An immediate and consensually-agreed solution to the integration of Maoist army personnel;
- Successful advancement toward social and economic rehabilitation of non-integrated Maoist army personnel through processes that adhere to international standards and guidelines;
- Implementation of a processes for the democratization of the Nepal Army and security sector, including independent oversight mechanisms, in line with international standards and guidelines;
- Successful social and economic rehabilitation of late recruits and all children affected by conflict that adheres to international standards and guidelines, including UNSCR 1612;
- Development and adoption of a new constitution that restructures the state to meet the diverse aspirations of Nepalis and is in accordance with Nepal's international treaty obligations<sup>12</sup>;
- Agreement on a national plan of action for the implementation of the new constitution, particularly for federal state restructuring and progressive realisation of social, economic and cultural rights;
- Credible, legitimate and socially inclusive implementation of the national census, voter registration and national and local elections—in accordance with international human rights standards and in an environment free from violence—as important steps in ensuring a smooth transition from an interim period and contributing to national reconciliation;
- Establishment of the TRC and COID by adopting comprehensive legislative framework in line with international human rights standards and best practices, ensuring the safe participation of traditionally excluded groups, children and women in transitional justice processes;
- Adoption and implementation of a comprehensive policy on reparations, complemented by an outreach strategy that ensures all conflict victims can access their entitlements;
- Prosecution of serious cases of human rights violations, committed both during and after the conflict, ensuring proper accountability; and
- Implementation of the comprehensive national IDP policy and guidelines.

**Priority Area B: Catalyze progress on the long-term structural transformation agenda embedded in the CPA**

26. The UN recognizes that making a start on the long-term structural reforms at the heart of the CPA is every bit as urgent as delivering the immediate political components of the agreement. With over four years having passed since the signing of the CPA and development issues remaining largely unaddressed, there are risks that disillusionment with the process could undermine public support for peace. There is a pressing need to begin delivering on the aspirations for reformulating national values in terms of rights, equality, inclusion and embarking upon the political, socio-economic and governance transformation outlined in the CPA.

27. The PDS outlines the core transformation issues of the CPA in detail and identifies key priority actions that could be taken in response. Within this framework, the UN is committed to catalyzing concrete steps towards addressing the eight long-term issues of:

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<sup>12</sup> These obligations include the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child.

- Social inclusion – Including potential support towards: better capturing data disaggregated on the basis of sex and social group; improving use of gender and social inclusion information in ongoing sector-wide approaches; affirmative action efforts; eliminating discriminatory laws; expanding inclusive scholarships; outreach on ILO 169; targeting funds and implementing programmes based on thorough needs analyses; and greater sensitivity to inclusion at all levels of intervention.
- Rule of law – Including potential support towards: implementing new legislative codes; effective prosecutions and the enforcement of judgments; scaling-up of access to justice efforts (mediation and legal aid); more inclusive judiciary and security services; improving vital events registration / verification and citizenship documentation; and developing a rule-of-law sector strategy.
- Security sector transformation – Including potential support towards: developing a National Security Strategy and strengthening the legal and policy framework; improving police performance; and developing effective civilian oversight mechanisms.
- Land reform – Including potential support towards: an end to bonded labour; increasing women’s access to land and property; restoring and replacing destroyed cadastral maps and land records; implementation of a national land policy and land-use policy; administration, data collection and management of land records; and capacity-building for land management.
- Good governance – Including potential support towards: strengthening the demand side of local governance to improve the accountability, transparency and effectiveness of service provision; improving the government’s regulatory framework; strengthening media’s role as a watchdog for good governance and democracy; and strengthening oversight and support to specific initiatives combating corruption.
- Equality and inclusive growth – Including potential support towards: expanding and improving equitable access to employment opportunities, education and training and productive assets; more effective social protection measures, including cash transfers; improving collection of data on inequality; accelerating infrastructure delivery; and improving regulation of labour migration.
- State restructuring – Including potential support towards: establishing transition and restructuring coordination mechanisms; putting place resources for planning; building the capacity of government bodies involved in transition; and strengthen capacities to deliver gender-sensitive, human-rights-based and inclusive services.
- Employment acceleration – Including potential support towards: developing a national action plan for employment; inclusive government employment schemes; creating favourable conditions for investment and sustainable enterprises; expanding technical and vocational training; targeted microfinance schemes; and measures to ameliorate the consequences of the enormous Nepali population living overseas as international labour migrants.

28. The framework for UN support priorities within each of these long-term issue areas is derived from the PDS Action Plan and is elaborated in further detail in Annex 1 to this strategy. The ability to maintain momentum on these issues may be further challenged if tensions rise surrounding the implementation of an expected new federal state model. In this context, significant engagement at all levels will be necessary to encourage Nepali leaders to take on still outstanding fundamental issues, such as land reform and rule of law, in a sustained manner.

**Priority Area C: Strengthen the linkages between peace-building in Nepal and global UN mechanisms and standards**

29. UN peace-building support to Nepal goes beyond the country-level and will include engagement through global UN mechanisms and promotion of international standards by:

- Maintaining a strategic political channel through which to deliver the UN’s continued diplomatic support for a successful and sustainable conclusion to the peace process – The UN

will lend political support and encourage the parties to find a consensual solution to the integration of Maoist army personnel, consider the scope of technical assistance that may be required to ensure that rehabilitation is a success, move forward on the democratization of the Nepal Army and find solutions for delivering a new inclusive constitution. This capacity will also enable political engagement before and after elections that will likely be marked by increasing tensions and uncertainty. Supported by a Political Office in Kathmandu, this engagement will involve reporting to the UNSC as required, regular visits by senior UN officials, maintaining channels of communication and extending advisory support to the UNCT;

- Support the implementation of the National Plan of Action for Children Affected by Armed Conflict – UNICEF will provide financial and technical assistance to the Ministry of Peace and Reconstruction and promote the engagement of key civil society organizations. UN efforts for monitoring and reporting on compliance with the UNSCR 1612-mandated Action Plan on the release and reintegration of verified minors will also be maintained.
- Supporting Nepal to implement recommendations of the Universal Periodic Review (UPR) – Together with recommendations from other UN treaty bodies and special procedures, a successful implementation of the UPR recommendations is expected to make concrete contributions towards combating impunity and addressing the human rights related root causes of conflict in Nepal;
- Supporting implementation of the Nepal National Action Plan on UNSCRs 1325 and 1820 – UN WOMEN will continue to provide capacity development support to the High Level Steering Committee (HLSC) formed for the implementation of the NAP and other relevant government agencies and civil society organizations, strengthening gender sensitivity in transitional justice and supporting the assessment of GBV prevalence, trends and legal recourses. UN WOMEN is developing future programming focused on strengthening implementation of the women, peace and security agenda in Nepal in order to promote gender responsive laws, policies and programmes in relation to the priorities of conflict-affected women and girls and enhance the meaningful participation of women and girls in peace building processes.
- Supporting Nepal to finalize and implement the National Plan of Action on ILO Convention 169 – The draft was prepared by the Ministry of Local Development with ILO technical and financial assistance and in close consultation with all line ministries and concerned IPs organizations. It is awaiting finalization and endorsement.
- Enhanced clearance procedures for peacekeeping – Promoting accountability principles for the security sector by developing enhanced UN policy on clearance procedures for participation on UN Peacekeeping operations (led by DPKO and OHCHR, in consultation with OHRM).

**Priority Area D: Provide leadership and the means of coordination strategic and coherent international peace-building support to Nepal**

30. The UN possesses a strong convening power and is valued for its impartiality, longstanding presence and extensive geographic coverage in the country. These comparative advantages enable the UN to exercise a powerful advocacy and leadership role for forging more coherent and strategic international efforts in support of peace-building in Nepal. To this end, the UN will:

- Continue a critical role of trend spotting, prevention and crisis response – The Political Office, UN field coordination offices and the OHCHR field network provide a comprehensive network through which to identify potential trends and crisis that may challenge the peace building process. Coordinating information and synthesizing analysis amongst UN entities will provide an effective means to inform the implementation of the strategy in regards to the: political space and its challenges to the peace process;

implementation of the human rights components of the peace process<sup>13</sup>; natural and humanitarian disasters; impact of conflict on development; and risks to development partners' operational space;

- Catalyze improved coherence and coordination – Necessary efforts include establishing a more integrated peace-building coordination architecture between government, donors and the UN<sup>14</sup>, strengthening existing peace-building coordination mechanisms<sup>15</sup> and establishing new forums and mechanisms where gaps exist;
- Promote the realization conflict sensitivity and 'do-no-harm' (DNH) commitments of the PDS – The UN is committed to an expanded interagency strategy on DNH, including through the extension of advisory and capacity building services to UN, donor, government and implementing partners.

## **VII. Implementation and coordination of the strategy**

31. The strategy is an attempt to outline a cohesive and collaborative contribution by the UN 'as one' towards the wider priorities of the PDS and in support of peace-building in Nepal. Of course, there are existing constraints and challenges to achieving this ambition. As well as the wider community of international development partners, the UN needs to strengthen, improve and connect coordination mechanisms within and across issue areas. Much of the UN peace-building programming proposed in the strategy remains aspirational and has not secured the necessary levels of predictable funding to sustain these activities for the next 2 years. Importantly, and highlighted in the Secretary-General's report on peace-building in the aftermath of conflict, there is a challenge to maintain support for the capacity of the RC/HC's Office over the transitional period in order to provide the services necessary for the strategy to find life and not become a 'paper exercise'. As resources provided for humanitarian coordination wind down, it is crucial that they are replaced with those necessary for the RC/HC's Office to take on increasing assessment, planning and coordination tasks in support of the UNCT's peace-building activities.

32. The UNCT will manage and oversee the implementation of the strategy, supported by an RC/HC's Office that will monitor and track progress against the strategy's goals and priorities and ensure they are practically linked to the UNDAF and PDS.<sup>16</sup> The RC/HC's Office will also mobilize an effective UNCT communications strategy that delivers key messages on current peace-building issues of common concern, as well as advocacy for 'do-no-harm', conflict sensitive approaches to development, conflict analysis and the MDGs. The UNCT is additionally supported by the deployment of the Department of Political Affairs Political Liaison Office in Kathmandu.

33. As the strategy outlines the scope of proposed UN peace-building action, the UNCT will utilize it as the platform to mobilize the necessary resources to undertake this action. The strategy will form the basis for re-defining the strategic framework for the UNPFN and the mobilization of funding for the UNPFN. It will particularly serve as the foundation for an application of additional funding from the UN Peacebuilding Fund.

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<sup>13</sup> In this regard, the UN will advocate for the continuation of the OHCHR mission mandate beyond June 2011, as recommended by the UN Secretary-General.

<sup>14</sup> This will be achieved principally through the NPTF GoN-DAG and closer alignment between the NPTF and UNPFN.

<sup>15</sup> A number of key existing mechanisms include the: I/R International Community Coordination Group; Justice and Security Coordination Group; Transitional Justice Working Group; Gender and Transitional Justice Working Group; UN Interagency Senior Advisory Committee and Technical Support Team on Mainstreaming Conflict Sensitivity; UN Monitoring and Reporting Mechanism for UNSCR 1612; Peace Support Working Group for UNSCRs 1325 and 1825; and Social Inclusion Action Group.

<sup>16</sup> An expanded RC/HC Office has been established to provide integrated coordination, planning, advocacy, analysis, information management and communications support on a range of peace-building, humanitarian and development issues. It is intended as a temporary structure in response to the support surge required by the UNCT to cope with the specific challenges of Nepal's transition. The RC/HC Office is financed by contributions from AusAID, UNDP-BCPR, DFID-CHASE, DFID-Nepal, Norway, Switzerland, Denmark, Finland, UN-OCHA, UNDP-Nepal and UN-DOCO from 2011-12.

## **VIII. Risks**

34. The single greatest obstacle confronting UN support to peace-building in Nepal is the potential for continued protracted political stalemate. First and foremost, peace-building is a national challenge and responsibility; progress will be dependent upon the success of Nepal's leaders to find peaceful, negotiated solutions on the complex issues of the peace process. Any future deadlock between the major parties severely complicates and curtails the scope of the UN's peace-building support.

35. Linked to this issue are the varied institutional weaknesses and resource constraints of the state to accomplish key peace-building tasks. A number of peace-building tasks are highly specialized (e.g. rehabilitation of former combatants, truth and reconciliation, state restructuring, etc.) and Nepal capacities will need to be successfully developed within compressed timeframes. Beyond Kathmandu Valley and district headquarters, the practical 'footprint' of the state in many areas of Nepal remains severely limited. Success at the local level and effective local governance are where peace-building hangs in the balance. Endemic corruption at all levels acts as a multiplier to these challenges. While the UN is structured to support national authorities and invest in national capacity development, the UN will necessarily be constrained by the varying institutional capacities of the Nepal state.

36. UN efforts in Nepal are also hindered by a continuing lack of concrete steps taken by national authorities to comprehensively address impunity. The envisioned TRC and COID have not yet been established, it is still unclear whether these institutions will be established in line with international human rights standards and some observers point to the risks that the commissions may be de-prioritized after the promulgation of the new constitution and the following general elections. No person has yet been prosecuted in civilian courts for serious human rights abuses committed during or after the conflict and other emblematic cases of human rights violations. There have been few efforts to strengthening rule of law institutions including establishing accountability mechanisms in the Nepal Police, Armed Police Force and the Nepal Army. Again, the effectiveness of UN transitional justice and human rights support to peace-building will be limited to the extent that there is national ownership of these issues.

37. Lastly, the UN is constrained by limited available resources for peace-building activities. Although over \$32 million has been mobilized directly through the UNPFN for UN peace-building activities over the last 4 years, the scope and scale of potential UN peace-building support to long-term development issues is now expanding: UN actors are already engaged on or are actively considering engagement on 114 specific areas of support outlined in the PDS Action Plan. A key determining factor for whether the UN will be able to live-up to expectations on these actions points is the effective and predictable mobilization of necessary resources.

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ANNEX 1

**Priority Area B: Catalyzing progress on the long-term structural transformation agenda embedded in the CPA**

The below is an elaborated overview of proposed UN actions in support of Priority Area B in the UN Peace-Building Strategy:

<b>B.1. Social inclusion</b>	<b>UN Agencies</b>
<p>While some achievements have been made in the political representation of women and traditionally excluded groups, there are many issues still to be addressed. The UN can advise on how inclusion can be addressed in the new constitution, as well as through checks and balances in the eventual new federal governance structure. To assist Nepal in making concrete steps towards improved social inclusion, the UN can also support government, national institutions and civil society to:</p> <ul style="list-style-type: none"> <li>• eradicate discriminatory laws, policies and practices and strengthen criminal prosecution of caste- and gender-based offences, promoting access to justice for victims;</li> <li>• generate common understanding of ILO 169;</li> <li>• improve the generation and use of gender equity and social inclusion information and analysis;</li> <li>• promote affirmative action processes and meaningful proportional representation of the socially excluded groups in all sectors of governance;</li> <li>• better target funds and implementation of programmes based on thorough needs analyses and mainstreaming of inclusion.</li> </ul>	<p><b>ILO</b> provides technical and financial support to promote the endorsement of the National Plan of Action on ILO Convention 169 and its effective implementation. ILO is exploring opportunities to mobilize resources for a second phase of the ILO Convention 169 project, focusing on awareness raising, capacity building and action programmes on the implementation of some rights indicated in C.169.</p>
	<p><b>OHCHR</b> monitors and investigates emblematic cases of caste and gender-based discrimination and advocates for the victim’s access to justice and legal remedies. It supports NGO networks that work on caste-based discrimination and sexual and gender-based violence, as well as implements capacity building activities with the National Dalit Commission and the National Women’s Commission including through joint monitoring missions. OHCHR gives technical support to the Government to initiate, review and amend existing discriminatory legal provisions. OHCHR further facilitates dialogue to ensure that indigenous rights are reflected in the new constitution in line with international standards. The Office also supports the LGBTI community when advocating to acquire citizenship.</p>
	<p><b>UNDP’s</b> Access to Justice project addresses gender-based violence (GBV) through the provision of legal aid desks to police station and legal services to victims, as well as tracking GBV prosecutions. This programme also reviews and proposes revisions to discriminatory laws. UNDP has analyzed progress towards the MDGs from GESI perspective by: including more disaggregated data by sex and social groups; by analyzing policies and programs from GESI perspectives under each goal; and, by suggesting policy interventions to address GESI problems. UNDP supports the National Planning Commission’s (NPC’s) planning and monitoring capacities, including the use of gender and inclusion sensitive data and analysis.</p>
	<p><b>UNFPA</b> currently: supports the National Judicial Academy to incorporate GBV, disappearance and torture in the human rights training manual; support the incorporation of GBV in the curricula of journalists, police and health workers; conducts awareness raising to empower the victims of GBV through dissemination of laws in simple language; and is conducting a GBV tracking study, suicide study and pilot on community level GBV response and prevention. UNFPA also implements a number of activities that could be scaled-up, including: multi-sectoral response to GBV through training; support to implementation of NAP on UNSCR 1325 and 1820 and sectoral plans; and capacity building of socially excluded and marginalized communities to increase their access to and utilization of reproductive health services.</p>
<p><b>UNICEF</b> provides technical assistance to relevant central and local level government authorities in the area of legal reforms to ensure the adequate protection of children and promotes the meaningful participation of civil society organizations in this dialogue.</p>	

	<p><b>UN Women</b> supports an ongoing assessment of GBV prevalence, trends and legal recourses in 10 districts. UN WOMEN is developing future programming focused on strengthening implementation of the women, peace and security agenda in Nepal in order to promote gender responsive laws, polices and programmes in relation to the priorities of conflict-affected women and girls and enhance the meaningful participation of women and girls in peace building processes.</p>
<p><b>B.2. Rule of law</b></p>	<p><b>UN Agencies</b></p>
<p>It is imperative to increase access to justice in Nepal and confront issues of corruption, political interference, impunity and resource constraints. To assist Nepal in making concrete steps towards improved rule of law, the UN can support government, national institutions and civil society to:</p> <ul style="list-style-type: none"> <li>• revise and implement new legislative codes, including criminal codes and criminal procedure codes, consistent with Nepal’s international human rights obligations;</li> <li>• enhance the independence and capacity of the judiciary;</li> <li>• develop capacity for effective prosecutions and the enforcement of court judgements;</li> <li>• scale-up access to justice efforts;</li> <li>• increase access to formal and traditional justice mechanisms within a human rights framework, especially for women and social excluded groups;</li> <li>• create a more inclusive judiciary and security services;</li> <li>• strengthen the National Human Rights Commission and implement the National Human Rights Action Plan;</li> <li>• improve access to vital events recording and citizenship documentation;</li> <li>• implement justice for children reforms;</li> <li>• develop a long-term strategy for the rule-of-law sector.</li> </ul>	<p><b>IOM</b> is exploring opportunities to promote access to justice (particularly on issues such as land, education, health, citizenship and ‘lack of voice’ on decisions that affect life chances) for marginalized segments of society in general and trafficked women, Dalits and some sections of ethnic minorities. IOM is also examining potential to strengthen the capacity of the NHRC, National Dalit Commission and National Women’s Commission, and Judiciary academy.</p> <p><b>OHCHR</b> monitors and investigates emblematic cases of human rights and humanitarian law violations and provides technical advice to the relevant authorities. It supports the MoPR and other stakeholders to ensure a transitional justice process in accordance with international human rights standards and facilitates consultations with conflict victims and parliamentarians on the transitional justice draft bills. OHCHR is supporting stakeholders in drafting a new criminal code and a criminal procedural code and advocates for the criminalization of torture and enforced disappearances. It works with the office of the Attorney General to prosecute human rights crimes and provides human rights trainings to various judicial actors. OHCHR helps the Supreme Court to publish a Human Rights Compendium of its own decisions, closely works with the NHRC and advocates for the swift passage of its constituting law in conformity with the Paris Principles (relating to the Status of NHRIs) and continues to advocate for the implementation of NHRC recommendations.</p> <p><b>UNDP’s</b> Access to Justice project will continue under a new programme for Rule of Law and Human Rights, which will incorporate UNDP’s work with the National Human Rights Commission (NHRC). Activities will include support to the drafting and submission of Civil and Criminal Codes/Procedures, integration of court referred mediation in the justice system, development of strategic plans for the NHRC and Supreme Court, as well as drafting and submission of the Human Rights Commission bill to the Government of Nepal.</p> <p><b>UNESCO</b> is planning to assist the government in reviewing its records and archives management legislation.</p> <p><b>UNHCR</b> advocates for improving access to citizenship documentation with the government directly and indirectly, but is also exploring opportunities to launch a wider programme of campaigning and citizenship documentation support.</p> <p><b>UNICEF</b> provides: technical assistance for legal reforms; capacity building and improvements in vital events recording, including birth registration and legal identity documents; support to the establishment of Para-Legal Committees in all 75 districts and in approximately 1,300 VDC. UNICEF supports capacity building of law enforcement and judicial authorities in child-sensitive investigative and court procedures, as well as for a child-sensitive justice system for children in selected districts and community-based diversion and restorative justice systems for juveniles in conflict with the law in selected districts.</p> <p><b>UN Women</b> supports capacity development for government and civil society on gender sensitive transitional justice.</p>

<p><b>B.3. Security sector transformation</b></p>	<p><b>UN Agencies</b></p>
<p>A security sector that is effective, appropriate, affordable, inclusive and accountable to the democratically elected government is an integral part of a successful peace process in Nepal. While the CPA calls for ‘democratization’ of the Nepal Army and policing needs to be generally strengthened and better integrated. Once political consensus has emerged to support such objectives, the UN could support government, national institutions and civil society to make concrete steps towards security sector transformation in areas such as:</p> <ul style="list-style-type: none"> <li>• development of a National Security Strategy;</li> <li>• development of a comprehensive legal and policy framework that adheres to international instruments and obligations;</li> <li>• measures to improve police performance, increased respect and protection for human rights, and reduce political interference in the police;</li> <li>• development of effective civilian oversight mechanisms.</li> </ul>	<p><b>IOM</b> is exploring how it can assist the government to review and widen the scope of international commitments reflected in the legal and policy framework of Nepal’s security sector, particularly focusing on women, children, migration, trafficking, people living with HIV, cultural heritage and ethnic minorities. There is a need fill gaps between policy commitment and day-to-day practices in the security sector, particularly through creating pragmatic strategies to enhance the life chances of ‘vulnerable’ people.</p> <p><b>OHCHR</b> works with the Nepal Police, the Armed Police Force as well as the Nepal Army towards mainstreaming human rights awareness into their training, examinations and promotions. In addition. OHCHR supports the three security forces in establishing internal and external mechanisms to address human rights violations including internal vetting mechanisms for the NP and APF and provides training for NP and APF on excessive use of force and the rule of law. OHCHR continues to advocate for civilian courts’ jurisdiction over offences of civilian nature committed by military persons and to engage the NP and APF on serious cases of human rights violations.</p> <p><b>UNDP’s</b> Access to Justice project has established legal aid desks in police stations and supported lawyers working closely with police officers to ensure that fair and equitable procedures are followed. In 2011, UNDP will focus on capacity development of Metropolitan Police and Senior Management of the Nepal Police as well as the Nepal Police Gender Equality Initiative Phase II and Democratic Policing.</p> <p><b>UNICEF</b> supports capacity building of law enforcement authorities in child-sensitive investigative procedures.</p> <p><b>UN Women</b> supports capacity development of the Nepal Army and Ministry of Defense for the integration of gender perspectives in security sector.</p>
<p><b>B.4. Land reform</b></p>	<p><b>UN Agencies</b></p>
<p>Expectations of reforms are high in what will be a highly political process. The UN could support government, national institutions and civil society to make concrete steps towards land reform in such areas as:</p> <ul style="list-style-type: none"> <li>• promoting an enabling environment and facilitating dialogue in order to catalyze consensus on land reform;</li> <li>• reinvigorating movement on the Land Commission, including implementation of the Commission’s report (once released) with particular focus on equitable access to land, increasing agricultural production and land conservation;</li> <li>• developing a national land policy and a land-use policy;</li> <li>• assistance packages to bonded labourers in the agricultural sector;</li> <li>• increasing women’s and traditionally excluded groups access to land and property;</li> <li>• restoring destroyed land records and surveying public/government land;</li> </ul>	<p><b>FAO</b> supports the government’s review of selected land-related laws and in preparing an action plan for their improvement. Subject to the mobilization of resources from development partners, FAO could assist revision of these laws. FAO is currently piloting the restoration of land records through a participatory and inclusive process in Achham District, from which a full proposal will be developed for scaling-up the work to cover all districts where land records have been destroyed. FAO is exploring opportunities to support the design and implementation of national packages for bonded labourers in the agricultural sector and supporting their access to basic services.</p> <p><b>ILO</b> leads the design of a UN joint programme on bonded labour, supporting revision and promoting the endorsement of the National Action Plan on Bonded Labour. ILO is exploring opportunities to further support implementation of the revised National Action Plan once it is endorsed.</p> <p><b>IOM</b> is exploring how it can: contribute to the development of a restitution / compensation policy for seized property; support and provide technical assistance to the establishment of an independent land dispute resolution mechanism; and work with relevant institutions to increase the access of women and excluded groups to land and property.</p> <p><b>OHCHR</b> monitors the five-point agreement between the Government of Nepal and Rashtriya Haliya Mukti Samaj Mahasangh (RHMSF) regarding the full rehabilitation of the Haliya community, as well as provides technical inputs to the Haliya draft bill (including supporting the RHMSF in organizing regional consultations on the draft bill) and the rehabilitation modalities for Haliyas.</p>

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<ul style="list-style-type: none"> <li>• increasing land management capacities, particularly at decentralized levels;</li> <li>• developing of an independent inventory of property seized during and after the conflict;</li> <li>• establishing independent property dispute resolution mechanisms that are sensitive to social inclusion and gender considerations.</li> </ul>	<p><b>UNDP's</b> Peace-Building and Recovery Unit is exploring opportunities to respond to emerging requests to support land reform in Nepal.</p> <p><b>UN-HABITAT</b> supports the dissemination of its Global Land Tool Network in Nepal, which identifies 18 key global land tools which need to be addressed in order to deal with poverty and land issues at the country level. UN-HABITAT is exploring how to use this and other activities to support wider actions necessary for future land reform processes.</p>
<p><b>B.5. Good governance</b></p>	<p><b>UN Agencies</b></p>
<p>The CPA reaffirms Nepal's commitment to representative, accountable, transparent and participatory democracy. To assist Nepal in making concrete steps on this complex and multidimensional project, the UN can support government, national institutions and civil society to:</p> <ul style="list-style-type: none"> <li>• strengthen the demand side of local governance and civil society monitoring to improve service delivery;</li> <li>• improve the government's financial regulatory framework;</li> <li>• restructure the civil service to meet the needs of a inclusive bureaucracy in a federal system;</li> <li>• strengthen initiatives to combat corruption;</li> <li>• strengthen media's role as a watchdog for good governance and democracy;</li> <li>• develop greater capacities at the level of local governance (crucial in light of eventual federal state restructuring).</li> </ul>	<p><b>UNDP</b> strengthens local governance and community development through the Local Government Capacity Development Programme (LGCDP), supports effective and transparent aid management with the continued implementation and utilization of the Aid Management Database and combats impunity with a new programme on Public Administration Reform and Anti-Corruption.</p> <p><b>UNESCO</b> supports the increased awareness of freedom of expression and right to information and is planning to support the building of media's capacity to report on and support the peace building process, particularly constitution building, state-restructuring and elections.</p> <p><b>UNFPA</b> supports: strengthening local government structures to engage local stakeholders in local self-governance; empowering right-holders to make basic service delivery mechanisms more inclusive, transparent, accountable and locally acceptable; ensuring participation of youth, women and marginalized groups in bottom-up planning processes and social audits for their improved representation local plans and resource allocation; strengthening the capacity of local governance units (such as DDCs, DPHO, etc.) to provide essential social and health services which are responsive to local needs and priorities through technical inputs to district-level planning workshops; supporting DDCs in operationalizing social audit/public hearing on basic service delivery and SRH rights; and strengthening the institutional capacity of Health Facility Management Committees for delivering essential reproductive health services.</p> <p><b>UN-HABITAT</b> supports the capacity building of municipalities and civil society organizations on good urban governance practices and improved service delivery, as well as supporting municipalities in inclusive municipal planning process.</p> <p><b>UNICEF</b> supports schools as 'Zones of Peace', which contributes to rights protection, accountable and transparent service delivery, and the Ministry of Local Development in implementing the Child Friendly Local Governance Strategy and the Local Governance Community Development Programme, which have initiatives that can be taken to scale.</p>
<p><b>B.6. Equality and inclusive growth</b></p>	<p><b>UN Agencies</b></p>
<p>The challenges are to promote economic, social and gender inclusion by involve access to employment opportunities, education and training, productive assets and social protection. To assist Nepal in making concrete steps towards greater equality and inclusive growth, the UN can support government, national institutions and civil society to:</p>	<p><b>ILO</b> provides technical and financial support for the: formulation and finalization of a national social protection framework by following the UN Social Protection Floor Initiative; implementation of social security reform, including on how to use 1% social security tax; improvement of Employment Generation Programme in the Karnali zone; introduction of employment guarantee programme, including both legislation and design of the programme; and implementation of labour market governance programme, including labour laws reform, social security reform, establishment of a new industrial relations institution, improvement of labour inspection system</p>

<ul style="list-style-type: none"> <li>• strengthen social protection measures, particularly social protection schemes for children below 5 years of age in targeted districts;</li> <li>• deliver basic social services, including health, education, water and sanitation, women’s empowerment, food security and child protection;</li> <li>• improve cash transfers to those in the poorest geographical areas;</li> <li>• improve data collection and analysis on inequality;</li> <li>• accelerate infrastructure delivery;</li> <li>• improve regulation of labour migration;</li> <li>• universalization of the child grant</li> </ul>	<p>and improvement of collective bargaining system.</p> <p><b>IOM</b> provides: income generation activities to victims of trafficking in collaboration with private sectors; capacity building to the government and civil society to enhance positive impact of labour migration; and policy reviews for improvement to migration related issues.</p> <p><b>UNDP’s</b> LGCDP programme actively strengthens social protection measures. The Public-Private Partnerships for Urban Environment (PPPUE) improves basic service delivery in municipalities across Nepal as well as strengthens public and private sector links. UNDP facilitates micro-finance links through several of project such as Energy Access Facilities (EAFs), Micro-Enterprise Development Programme (MEDEP), and Small Grant Programme (SGP). The Livelihood Recovery for Peace (LRP) project, though new, has made many significant achievements with regards to infrastructure delivery and will continue to do so. UNDP’s NPC project also works to improve data collection and analysis on inequality by supporting the NPC to make it’s planning and monitoring systems inclusive as well as helping NPC to strategize to meet MDG goals.</p> <p><b>UNESCO</b> supports: national efforts to achieve literacy for all; capacity building of education officials and practitioners on early childhood development; enhanced policy, planning and monitoring for achieving the goals of EFA by strengthening education management information systems; national efforts for improving quality education in the context of SSRP through capacity development and research; peace, civic and human rights education and education for sustainable development with a particular focus on school and teacher training curricula; and gender equality, inclusive education and multilingual education through research and capacity development of key stakeholders.</p> <p><b>UNFPA</b> advocates for the empowerment of socially excluded women. It supports government capacity building (including the gender audit of the Ministry of Health and Population and institutionalizing the District Poverty Monitory Analysis System in districts with the Ministry of Local Development to monitor progress towards poverty reduction goals) and the government to integrate population situation analysis and population dynamics into their plans/programmes to better address poverty and sustainable development. UNFPA implements a number of activities that could be scaled-up, including: empowering adolescent girls through life skills training and scholarship to socially excluded groups; supporting the Central Bureau of Statistics to collect, process, analyze and disseminate gender-sensitive and socially-inclusive data; and providing Rural Health services through mobile camps focused on the reproductive health needs of women from socially marginalized communities in remote districts.</p> <p><b>UNICEF</b> provides technical assistance for capacity building, data collection and analysis and delivery system inputs to improve the effectiveness of social protection measures, in particular first phase targets of the poorest geographical areas and subsequent universalization of child grant.</p>
<p><b>B.7. State restructuring</b></p> <p>There is great uncertainty and lack of political consensus on state restructuring at present and there will be significant challenges during implementation of restructuring, whether in managing the process itself, grievance over models that do not meet expectations, and in the ability development assistance to be delivered within an emerging devolved governance structure. To assist Nepal in its</p>	<p><b>UN Agencies</b></p> <p><b>UNDP’s</b> Support to Participatory Constitution Building Project (SPCBP), which has facilitated thousands of democracy dialogues and the establishment of the Centre for Constitutional Dialogue (CCD), acts as the basis for UNDP support to the constitution-making / state restructuring / federalism processes under the new UNDP Governance and Rule of Law cluster.</p>

<p>initial steps towards state restructuring, the UN can support government, national institutions and civil society to:</p> <ul style="list-style-type: none"> <li>• establish transition and restructuring coordination and planning mechanisms, including assistance to any eventual State Restructuring Commission;</li> <li>• examine cost and resource implications for the process;</li> <li>• build the technical capacity of government bodies involved in the transition and strengthen abilities to deliver gender, human-rights and inclusion sensitive services;</li> <li>• reform or develop legislation necessary for the restructuring process.</li> </ul>	<p><b>UNESCO</b> supports the planning of effective delivery of education services under future federal structures by generating understanding and informed discussion amongst key stakeholders on education and federalism.</p>
<p><b>B.8. Employment acceleration</b></p>	<p><b>UNICEF</b> provides technical assistance for analysis and planning needed by existing and new government bodies involved to ensure human rights and social inclusion.</p>
<p>Increased jobs and incomes, particularly to empower young people, are needed to provide a tangible peace dividend. To assist Nepal in steps towards accelerating employment generation, the UN can support government, national institutions and civil society to:</p> <ul style="list-style-type: none"> <li>• implement the National Action Plan for Youth Employment and develop the national action plan for employment;</li> <li>• provide job creation opportunities and skill enhancement for young people;</li> <li>• establish inclusive government employment schemes;</li> <li>• create favourable conditions for investment and sustainable enterprises;</li> <li>• expand technical and vocational training opportunities and targeted microfinance schemes to excluded groups and women;</li> <li>• improve labour market information systems;</li> <li>• undertake measures to improve management of labour migration issues and remittances.</li> </ul>	<p><b>UN Agencies</b></p> <p><b>FAO</b>, together with <b>ILO</b>, has implemented the Jobs for Peace project which aims to create employment opportunities for 12,500 youths in Para and Rautahat Districts. FAO is exploring opportunities to scale-up this pilot for larger application.</p> <p><b>ILO</b> provides technical and financial supports for the: implementation of National Action Plan for Youth Employment and development of a national coherent policy and action plan for employment; implementation of integrated ‘jobs for peace’ programmes through local economic development, including vocational training, enterprise development, financial services and employment intensive infrastructure programme; technical and financial support to the capacity building support of the recently established Foreign Employment Tribunal, which deals with trafficking in relation to migration, especially of women and young girls, and for the establishment of a new industrial relations institution (i.e. National Labour Relations Commission). Further resources will be required to continue these last two activities. <b>ILO</b> also proposes to mobilize resources to introduce a comprehensive labour market information and analysis system for Nepal.</p> <p><b>IOM</b> provides: income generation activities to victims of trafficking in collaboration with private sectors; services including information dissemination and counseling to the migrants through Migrant Resource Center; training to improve remittance management; and technical assistance to MoPR in implementing employment and self-employment programme to conflict affected persons.</p> <p><b>UNDP</b> supports micro-enterprise formation through the fourth phase of MEDEP as well as to facilitate access to finance, private public partnerships, and livelihood recovery for peace. These initiatives will be incorporated into a downstream poverty programme under a new UNDP Poverty Alleviation Cluster, complimented by an upstream, policy oriented programme.</p>

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