



Indramaya Shrestha searches for belongings in the remains of her home which was destroyed when the earthquake struck Nepal in April, killing Indramaya's brother-in-law and leaving the family homeless. Photo: Aubrey Wade/Oxfam

REBUILDING A MORE RESILIENT NEPAL

Key recommendations for reconstruction and recovery

The April earthquake devastated Nepal, affecting more than eight million people. Nepalis have shown remarkable resilience in the face of the disaster, and six months on people are rebuilding their homes, their lives and their country. Reconstruction provides an opportunity to build back better and create a stronger, more equal country that is more able to cope with crises. However, this opportunity is being missed, leaving Nepal vulnerable to future shocks and disasters.

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EXECUTIVE SUMMARY

On 25 April 2015 at 11.56am local time, an earthquake of magnitude 7.6 struck Nepal. The country had not faced a disaster of comparable size for over 80 years.¹ A third of the population was affected, with almost 9,000 people killed, more than 22,000 injured and nearly 900,000 houses destroyed or damaged.

Six months since the earthquake, people are starting to rebuild and recover their lives. This paper considers the successes and challenges of the response so far, and looks at what must be done to ensure that Nepal recovers in a way which makes it more resilient and more equitable. The humanitarian response by the Government of Nepal and others has been largely successful. More than 79 percent of affected people in the 14 most affected districts have been provided with combinations of emergency shelter, food, household kits, blankets and other non-food items.² Everyone identified as being in need of support has received at least one kind. As efforts move towards reconstruction, the government and other humanitarian actors should maximize the opportunities this creates to 'build back better'.

However, these opportunities are not being realized. Despite being established a month after the earthquake, the National Reconstruction Authority, along with its reconstruction plans, remains in limbo. But people cannot wait for plans and processes and many have started to rebuild their homes and their lives. At the same time, nearly 59,000 people remain in more than 120 temporary settlements, some of which are due to close in October 2015.³

Delays in finalizing reconstruction plans mean people are unprepared for winter. At least 81,000 households are in need of durable shelter and additional support to cope with the climate. Families living in temporary shelters which do not afford good protection could face severe cold.

Cultural inequalities existed in Nepal long before the earthquake. The disaster has thrown these inequalities into sharp relief. For example, a high number of households have lost both the male head of the household and their houses, and yet only 19 percent of women have shared ownership of their homes.⁴ Female land ownership is also very low in Nepal, at just 28 percent before the earthquake. Although laws were passed in 2007 which allow shared ownership with husbands, women often haven't taken up the opportunity for joint registration and so lack documentation to prove links to the land. Without this documentation, they are also unable to access relief and support.

Reconstruction provides an opportunity to address this gender inequality and build back in a way that will enhance women's rights. For example, as houses are rebuilt, further promotion of shared ownership registration would increase the number of women owners.

'The earthquake made us homeless and jobless. We are in constant fear of being homeless again. We built a small house a year ago on a relative's land. But the earthquake destroyed it. All that's left is the remains of our house and the debt we took on to construct it.'

Ganga Parajuli, Nagarkot, 2015.
Oxfam interview.

'We somehow survived the monsoon [in temporary shelter after the earthquake] but we can't endure the winter if we do not get warm clothes and blankets. A house is the topmost priority for me. If I have one, I will at least feel safe.'

Kali Bayalkoti, Lalitpur, 2015.
Oxfam interview.

Box 1: The story of Kamala Khadka

Kamala Khadka from Dolakha is landless. She works for a landowner in his fields and was provided with a house on his land, but this was destroyed in the earthquake. Kamala's husband bought some corrugated iron sheets to construct a temporary shelter on the landowner's land. She has been unable to obtain any assistance from the government, including the initial Rs15,000 payment due to victims, because she doesn't own land and has no documentation. She says, '*We have not received any support. The government discriminates against us because we are landless. We are landless, but we are also victims.*'

The government, together with its development partners, must seize the opportunities presented by earthquake reconstruction to build a more equal and resilient Nepal.

Urgent recommendations

For Parliament:

- **Reinstate the National Reconstruction Authority through the passing of the Reconstruction Bill**, with all the powers and regulations that it was originally provided with. This is probably the most urgent task as it is needed to rebuild momentum in the reconstruction process, to build confidence among donors and implementing partners and, most importantly, to ensure that affected communities receive the information and support they are entitled to.

For national government, district authorities and implementing partners:

- **Provide people in temporary settlements with appropriate shelter materials – before the camps close.** Decisions on temporary settlements need to be clearly communicated to people living in them, and alternative arrangements made so that when they return to their land they are able to remain there.
- **Provide targeted support for landless and marginalized groups.** A plan which focuses on landless and marginalized people, including women, needs to be urgently developed because temporary shelter cannot legally be provided to people without land. Public land should be used to provide homes for landless people who have nowhere else to live.
- **Provide further support to households that will remain in temporary housing over the winter**, targeted at those most at risk from severe weather. This should include provisions such as blankets, mattresses, fuel and stoves, as well as adequate livestock shelter and grain storage so that food security is not undermined.
- **Communicate earthquake-resistant designs so households can build back safer.** The government should urgently and clearly communicate the appropriate models and materials for earthquake-resistant houses, and how and when funding can be accessed.

Further recommendations

The government, working with development partners and implementing agencies, should:

- Formalize principles for the reconstruction process that include:
 - **Equality and inclusion** – requiring a national working group, including representatives of women’s rights organizations, to set guidelines and evaluate progress; and a national plan that pays special attention to vulnerable and marginalized groups.
 - **Community engagement** at the centre – requiring clear mechanisms for the genuine participation and leadership of women and community groups in planning and implementation.
 - **Transparency and accountability** – requiring strong actions on communication, information-sharing, monitoring and accountability.
- Ensure that **food security and livelihoods recovery is prioritized and integrated with reconstruction plans** and processes. A systems approach to livelihoods recovery must be developed, which considers the broader impacts of natural disasters and climate change on livelihoods.
- Provide a **specific focus on vulnerable and marginalized groups, including women**, ensuring the collection and use of gender-disaggregated data, and meaningful representation of women and men from excluded groups in relevant decision-making structures.
- Ensure that **Disaster Risk Reduction is mainstreamed into reconstruction plans** and processes, and develop long-term plans to ensure that **Building Codes** are implemented and enforced. This would also include encouraging couples who rebuild to register their houses in joint ownership.

1 INTRODUCTION

On 25 April 2015 at 11.56am local time, an earthquake of magnitude 7.6 struck Nepal. The country had not faced a disaster of comparable size for over 80 years.⁵ The earthquake was and continues to be followed by significant aftershocks and landslides, notably a magnitude 6.8 aftershock 17 days later in the Everest region.

The Government of Nepal's official data puts the death toll at 8,856,⁶ with over 22,300 casualties. Thirty-one out of 75 districts were affected and 14 were declared seriously affected. More than 605,254 houses were destroyed and 288,255 houses were damaged.⁷ The Government of Nepal estimates the total loss from the earthquake to be at least \$7bn.⁸

Over eight million people, nearly a third of the population, have been affected by the crisis.⁹ Many have lost their homes, their loved ones, their sense of security and their livelihood. The government estimates that an additional 2.5-3.5 percent of the population (at least 700,000 people) have fallen below the poverty line as a result. This is a huge burden on such a young democracy and a country that is working towards middle-income status.

Shelter is currently the biggest need, with 2.8 million people having had their house destroyed or damaged.¹⁰ Although much emergency shelter was provided, reconstruction must focus on permanent structures. There is a need to ensure that people 'build back better' by constructing earthquake-resistant houses, and there must be clear plans to manage the transition from temporary settlements to permanent housing.

The number of Village Development Committees (VDCs) classed as severely food insecure had fallen from 372 in May to 224 by July.¹¹ This is largely due to the work of the government and other organisations, which reached over two million people in the emergency response phase.¹² However, food security will remain a serious concern in the coming months. More than 1,800 small- and medium-scale irrigation systems have been damaged and need to be immediately repaired to help ensure good harvests this winter.¹³ Over 500,000 livestock were lost in the earthquake¹⁴ and there has been a subsequent loss of income from livestock in the affected districts.¹⁵ There is now an urgent need to recover agricultural activity so that people can support themselves.

Inequality and poverty based on gender and ethnicity were very much present in Nepal prior to the earthquake, with many inequalities entrenched within traditions and culture. The government and people of Nepal have a desire for a more equal and prosperous society, which is reflected in the new constitution and in a number of Acts passed since 2007. However, attitudes and norms are harder to change than policies.

The earthquake has exacerbated these inequalities. More women died than men, 55 percent compared to 45 percent, and women continue to be disproportionately affected by the disaster. For example, lack of a citizenship certificates impedes women's ability to claim aid or to own land or housing; the burden of household duties and care work has increased, with many women

having to walk further for water; and women face an increased risk of gender-based violence (GBV) since the earthquake.

Reconstruction provides an opportunity to address these inequalities, for example by encouraging shared ownership in land registration so that more women own land; ensuring safe water is piped to new houses so women don't have to walk far to get water; and by providing improved referral systems to enable women to report GBV.

Oxfam has been working in Nepal for more than 25 years and was among the first to respond to the earthquake, working with existing local partners to deliver essential aid. Oxfam works in partnership with the Government of Nepal in seven out of the 14 most affected districts. To date, Oxfam has supported over 445,687 people through provision of temporary shelter, chlorinated water, hygiene kits, and distribution of food and seeds to farmers.¹⁶

Oxfam's work will increasingly shift to developing the capacity of local and national partners to build communities' resilience to further shocks, and to support sustained development and secure livelihoods.

'The disadvantaged social groups in the poorer districts have suffered the largest damage and loss.'

Government of Nepal (2015)
Nepal Earthquake 2015: Post
Disaster Needs Assessment.



Residents survey damage and search for belongings amongst the rubble following the earthquake of magnitude 7.6 that hit Nepal on Saturday 25 April 2015. Photo: Aubrey Wade/Oxfam

2 PRINCIPLES FOR SUSTAINABLE RECONSTRUCTION

The earthquake was a tragedy, inflicting enormous and long-term suffering on millions of people. It also served to expose and exacerbate pre-existing vulnerabilities. Development indicators in Nepal had been improving but it remains one of the poorest countries in the world,¹⁷ with high inequalities between women and men, between different socio-economic groups and between urban and rural areas. These have amplified the impact of the disaster.

The reconstruction process is an opportunity to build a better Nepal, and the government is committed to the principle of build back better. It is estimated that reconstruction will cost \$6.7bn, which represents one-third of Nepal's GDP.¹⁸ The success of this huge reconstruction process will be determined by precisely how this money is spent and who benefits from it.

2.1 EQUALITY AND INCLUSION

Historically, inequality between women and men and between different socio-economic groups is deeply entrenched in the traditions and culture of Nepal. This is despite real attempts to address inequalities through legislation and policies, including in the new constitution. The reality is that women have a lower literacy rate than men (42 percent versus 75 percent),¹⁹ are less likely to have citizenship certificates than men, and are much less likely to own land.²⁰ Whilst officially banned, traditional norms of the caste system still govern much of daily life, such that Dalits and other lower caste groups continue to be marginalized; they also tend to live outside communities, without access to services.

The Post Disaster Needs Assessment (PDNA) rightly proposes that *'Rehabilitation should be equitable and inclusive.'*²¹

The World Bank recognized this in 2014, and identified 'inclusivity' as one of the 'three 'I's' needed for Nepal's development to middle-income country status.²² It places inclusion at the heart of Nepal's economic growth and development:

'Higher growth is a necessary but insufficient condition for reducing poverty and inequality at a fast pace... In order to walk the extra mile, active promotion through inclusive public policies will be needed to reach remaining pockets of deep, entrenched poverty, ensure that opportunities – not just income – are effectively available to all Nepalis and to provide those vulnerable with adequate protection against shocks.'

World Bank (2015)²³

The social disruption caused by the earthquake means the reconstruction process is an opportunity to address ingrained inequalities. To ensure this

opportunity is realized, equality and inclusion must be core principles of the reconstruction policies and plans. This will require special consideration for those who are vulnerable and marginalized, especially single women, female-headed households, elderly households, children, and marginalized groups such as Dalits. Ensuring a fair and strong democracy will also require increasing the role of women in leadership positions.

The government, working with development partners, should set up a **national working group** to develop criteria against which plans can be assessed for equity and inclusion, based on consultation and engagement with affected groups.

2.2 COMMUNITY-LED RECONSTRUCTION

The government's Post Disaster Needs Assessment (PDNA) agrees that there is a need for proper involvement of communities, especially marginalized groups:

'There are several aspects of recovery which can be implemented only by developing a national consensus. Strong political will, sustained resource mobilization and continuous dialogue with the affected people, are among the most important prerequisites of a recovery programme.'

Government of Nepal (2015)²⁴

Whilst principles can be set out at the national level to ensure a uniform and fair programme, in its implementation the national policy will require consultation and verification at the district level, and the fine detail must be attuned to local needs. The planning process can be more effective if there is close engagement with affected communities. This in turn will ensure that build back better is genuinely achieved, and that the reconstruction effort is sustainable.

There are already several community-level groups that provide rich opportunities for community consultation and participation. Village Disaster Relief Committees (VDRCs) provide one such mechanism. In some places they have existed for many years, while in others they were created after the earthquake. These can be strengthened to develop greater disaster risk reduction (DRR) plans.

Another mechanism is the Ward Citizens' Forum (WCF) which operates across the country and in some wards has supported the distribution of relief materials. Mothers' groups are another potential mechanism for community engagement; they are one of the most popular and established voluntary, non-formal organisations in Nepal.

These groups can play a key role in the reconstruction process and should be supported to do so. Working through these existing structures will avoid creating confusion by setting up parallel groups. Strategies need to be designed with community engagement at their centre.

The Ministry of Urban Development's Gender Equality and Social Inclusion (GESI) guidelines state that women's representation in committees and

stakeholder groups should be 33 percent, and preferably 50 percent.²⁵ The figure of 33 percent should be seen as a minimum requirement.

Box 2: The Ward Citizen Forum

After four years of calls to replace the coordinator of the Ward Citizen Forum, Kamala Pandey from Dhading was appointed – the first time a woman was appointed to the role. The first thing Kamala did was to gather a large group of women and successfully lobby the VDC for ten percent of its budget to reopen a local health clinic.

The government, together with its development partners, should:

- Develop clear **mechanisms for the genuine participation of communities, including women and marginalized groups**, at district and village levels. Strategies should be designed with community engagement at their centre. Special attention should be given to ensuring the participation and leadership of women and marginalized groups.
- **Empower communities** to strengthen governance. Communities have a key role to play in ensuring accountability and transparency in the delivery of reconstruction processes. For this to be effective, communities need to be empowered to know their rights and develop the skills to advocate for these rights. They need to be supported by programmes that build their capacity to negotiate, participate, advocate, monitor and network, according to their needs.

2.3 TRANSPARENCY AND ACCOUNTABILITY

It is six months since the earthquake, yet affected communities, District Disaster Relief Committees (DDRCs) and VDCs have had very little information about the government's reconstruction plans. As a result, district-level reconstruction plans have stalled.

Nepali people want to rebuild; they do not want to remain in temporary accommodation any longer than necessary. They need information on reconstruction plans and how money will be spent. Currently, their only information comes from rumours and hearsay. This has resulted in confusion, and in some cases has created tension and conflict in communities.

In order to inspire confidence among communities and donors on the reconstruction effort, the process should be made transparent, including by publishing plans and policy documents, and providing more information on budgets and funding.

Plans on how reconstruction will be implemented at the district level should be developed and should clarify structures and lines of accountability. They should be provided to both national government (for example to the National Reconstruction Authority) and made available at the village level (for example, shared via the VDCs). If additional structures are created, then a detailed

explanation of how these will work with existing district- and village-level structures will be necessary, to aid coordination and avoid duplication.

The government, together with its development partners and implementing agencies, should:

- Provide timely, accurate **public information** on its activities and funding, and operate in a participatory, community-led way. An open data portal could be set up and public auditing facilitated to assist with this.
- Develop **accountability mechanisms** with feedback loops to ensure that complaints are responded to in a timely and appropriate way. This should be accessible to all members of the community in a clear format. It should also establish monitoring, reporting, evaluation, learning and review systems.
- Develop a **communication strategy** and clearly communicate plans and implementation strategies to affected communities.

3 SHELTER, SETTLEMENTS AND LAND RIGHTS

Shelter is Nepal's most pressing need, with 605,254 houses destroyed and 288,255 damaged.²⁶ People whose houses were destroyed or damaged are currently living in temporary shelters. They are suffering in many ways: with the physical challenges of living in a confined space; with security concerns, particularly for women; and with exposure to extreme weather.

For example, in Sindhupalchowk in September,²⁷ women reported not having slept for several nights because they had to remove rainwater from their tents, which at one point came up to their knees; their children were also exhausted.

These harsh physical conditions are compounding the mental trauma that many people are experiencing as a result of having lost loved ones and living through a catastrophic earthquake and its serious aftershocks. The continuing aftershocks and landslides reinforce the deep fear among many people and prevent them from planning for the future.

The human cost of the disaster is high and should not be overlooked or simply accepted. Indeed, it should trigger swift action on reconstruction. It is not possible for people to remain in insubstantial and inappropriate temporary accommodation for an extended period of time without there being long-term consequences at a personal, societal and economic level.

As of late September, there remain over 120 settlements in the 14 most affected districts, housing almost 60,000 people.²⁸ Over 76 percent of people surveyed in the settlements in August said they did not think their most important needs were being met, and cited their biggest need as short- and longer-term shelter.²⁹

The PDNA has identified that from a housing perspective, women and marginalized groups are particularly affected:

'Women, Dalits and some ethnic groups have limited ownership of land, which could hinder their participation in the housing recovery programme and the benefits accruing from them.'

Government of Nepal (2015)³⁰

Box 3: The story of Thuli Kaanchi

Thuli Kaanchi Ban is a 54-year-old widow from Bhaktapur. Her husband died and her sons are not in contact with her. Her house was destroyed but she cannot prove ownership because it was registered in her husband's name. Thuli has no money; she lives in a religious building and receives food and accommodation in return for cleaning it. She has received very little support. Thuli left school at a young age and life was hard enough before the earthquake. Now she has nothing, and has no means to rebuild her home or her life.

The earthquake has highlighted existing social inequalities such as lack of citizenship certificates, lack of land ownership, and the problems landless people face in accessing emergency support. If these inequalities aren't addressed in reconstruction there is a danger that DRR schemes will reinforce inequalities, leaving the most vulnerable groups exposed to further disasters.

Given that further earthquakes are expected and could be even bigger than the one in April,³¹ it is essential that no time is wasted in building earthquake-resistant houses. Yet there has been no communication regarding earthquake-resistant rebuilding, and people are therefore rebuilding based on usual methods rather than waiting for guidance on best practice. This amounts to building back the risk – people will be no safer when the next earthquake hits. Ensuring widespread, consistent communication on earthquake-resistant rebuilding is therefore an urgent priority.

In the immediate term, there are also concerns about how to provide for people living in temporary settlements, especially those whose settlements are due to close in October. In the medium term, plans and policies need to be put in place to address existing social inequalities; to provide support to everyone, especially the most vulnerable; and to ensure that Nepal really does build back better.

3.1 FINANCIAL SUPPORT

The Government of Nepal has committed to provide affected households with Rs200,000 to support permanent rebuilding of houses. This is certainly welcome, as according to a survey in July of people living in settlements, 44 percent said they would wait for external assistance before rebuilding.³² However, when asked whether this assistance would be enough to rebuild their house, many laughed and said that it would mostly pay for clearing debris rather than building.³³ Thus the government finance should only be considered a contribution towards the cost of rebuilding.

'Our house was damaged by the earthquake and since then we have been living in this shelter,' says Radhika Majhi, who lives in a structure made of bamboo mats, tarpaulins and iron sheets. 'We share a toilet with other villagers; women like us face more difficulties around menstruation time.'

It is not clear where the additional money needed for rebuilding will come from. Many survey respondents said they had no way to find more money. Some said

they would sell land; one old lady said that even if she sold all her jewellery, it would not be enough; others replied that they would borrow money or take out a loan.

Given the lack of supplies for house building, the limited number of people trained to rebuild earthquake-resistant houses and the number of men who have migrated for work, there is a shortage of both materials and labour, pushing up the prices of both.

The commitment in the draft Reconstruction Bill to train construction workers in earthquake-resistant building techniques is therefore especially welcome, as is the commitment to providing information and training on how to rebuild safely. Both are absolutely necessary, but they are also likely to increase the costs associated with rebuilding.

Criteria for those most in need of additional, targeted support should be created. These should include households with particularly large families as well as single women, female-headed households, those with little financial capacity, and families with little labour capacity to rebuild, for example elderly households and those with disabled members.

3.2 LEGAL SUPPORT

Accessing government financial support is only possible if land and house ownership can be proven. This creates huge problems for people who have lost or never had the necessary documentation. In July, 16 percent of people in temporary settlements owned land but did not have the documentation to prove it.³⁴

The situation is worse for women. Although various laws allow women to inherit and share ownership of land, traditions remain strong and women continue to be discriminated against in this respect. Cultural norms may prevent women from being aware of their right to land ownership, obtaining ownership certificates or making a successful claim for what is legally theirs.

Box 4: Property rights and land ownership

A Dalit woman in Dhading had to fight her in-laws for a share of her husband's property after he died in the earthquake. Because she did not have a citizenship certificate, she also had to fight hard to claim a share for her son (citizenship is inherited from parents). Her in-laws thought that she would remarry and take the property out of the extended family.³⁵

Legal support is needed, particularly for women and for marginalized groups. Innovative solutions need to be found to help women claim their rights. An example this is the membership card provided to single women by Women for Human Rights, Oxfam's national partner, which can be used by women as proof of identity, enabling them to access public facilities and services.

Box 5: Remittances and citizenship

Rashmi's husband works in Malaysia. After the earthquake, he wanted to send remittances to support his family. But because Rashmi does not have a citizenship certificate and therefore cannot open a bank account, her husband was unable to transfer the money.

A plan which focuses on landless and marginalized people, including women, needs to be developed because temporary shelter cannot legally be provided to people without land. With winter approaching this requires urgent consideration.

The draft Reconstruction Bill focuses on those with land, and does not make particular provisions for those who are landless, beyond the clearing of illegal settlements. The Bill does, however, enable the National Reconstruction Authority to make use of public land and to acquire further land for use by those who are landless and have nowhere else to live; this should be put into effect immediately. Delays in acquiring the land and settling landless people could mean that the number of illegal settlements increases.

3.3 TEMPORARY SETTLEMENTS

In late September there were over 120 different settlements for displaced people across the 14 most affected districts.³⁶ A number of these settlements are due to close in October 2015, and this is causing great uncertainty; it was highlighted as one of the main concerns of people in temporary camps. Affected people in Sindupalchowk said that they will return to their land but don't have the materials they need to construct temporary shelters. Provisions need to be made to enable them to do so safely.

Many of those living in temporary settlements are landless and will have nowhere to return to when these camps close. In many cases they are from ethnically marginalized groups and have no means to obtain land. The initial emergency response has so far not been able to provide them with land on which to rebuild a home, or to give them other emergency supplies.

Box 6: The story of Astamaya Shrestha



Astamaya Shrestha, Sindhupalchowk. Photo: Bina Tandukar/Oxfam

Astamaya Shrestha is 91 and lives with five family members, including her disabled son, in a temporary shelter. She says:

'In my house there was a toilet and separate bathing space but the earthquake has swept away everything. Everyone in my family is now living together in the temporary shelter, including my sister-in-law who is now also a widow.'

In the case of the Pakistan earthquake of 2005, Oxfam found that the absence of a clear plan to support landless people within a year of the earthquake led to many living in illegal settlements, making it challenging to provide them with support.³⁷ In Nepal, this situation could be avoided if reconstruction plans make specific provisions for landless people, and if these are put in place urgently, before the temporary settlements start to close.

3.4 BUILD BACK BETTER

Disaster Risk Reduction (DRR) is essential to ensure that communities are more resilient to future earthquakes and other hazards. Before the earthquake, social understanding of and demand for DRR was generally very low, but safe housing is now a priority, and communities that Oxfam works with are extremely keen to build earthquake-resistant houses. However, approved earthquake-resistant designs have not been communicated to affected communities. People are therefore rebuilding their houses as before, meaning they will continue to be vulnerable to further earthquakes

Oxfam saw this happen after the Pakistan earthquake in 2005; another lesson we learned was that if guidelines on materials and designs were too strict and did not incorporate local knowledge and materials, many people incurred significant and unnecessary costs when rebuilding.³⁸

The Sendai Framework for Disaster Risk Reduction, which Nepal has adopted, states under priority four that:

'Disasters have also demonstrated that the recovery, rehabilitation and reconstruction phase... is an opportunity to Build Back Better through integrating disaster risk reduction measures. Women and persons with disabilities should publicly lead and promote gender-equitable and universally accessible approaches during the response and reconstruction phases.'

UNISDR (2015)³⁹

The reconstruction and recovery phases following the earthquake provide precisely such an opportunity to build back better and ensure greater resilience to earthquakes in the future. Yet lack of communication about earthquake-resistant designs and other measures to support build back better means that Nepal is in danger of not meeting its commitments under the Sendai Framework.

A recent report learning from the floods in Nepal in 2014 found that early warning systems were effective in ensuring that more people survived and saved their assets, and hence were able to recover more quickly.⁴⁰ There was good local capacity and awareness of risks, so local systems responded well to support recovery. This suggests that the most effective way to strengthen national disaster management is by supporting local capacity to respond to disasters.

There are some indications that further significant earthquakes are to be expected⁴¹ and that the nature of earthquakes is changing, meaning their impacts on structures will change.⁴² If these reports are correct, there is a need for robust DRR which includes extreme scenarios and uncertainty in its planning and takes a long-term approach.

The government has already undertaken significant work in this regard – particularly around developing earthquake-resistant house designs and making the decision that buildings can be repaired and made safe rather than demolished, as long as earthquake-resistant aspects can be retrofitted. But there is a lack of urgency in communicating these designs, enforcing the Building Code, and training construction workers and others without jobs in how to build back better.

Nepal has also adopted the recommendations of the Worldwide Initiative for Safe Schools (WISS),⁴³ which also seeks to learn from the Pakistan earthquake in 2005. The government committed to ensuring safe temporary learning centres for children, so that children and parents could return to normality after the disaster. Without the reconstruction plans, building permanent schools which are earthquake resistant has been delayed and children are continuing to either not attend school, where there are none available, or go to school in temporary centres. The government need to see the rebuilding of safe permanent schools as a priority.⁴⁴

3.5 WINTERISATION

Most people whose houses were destroyed or damaged in the earthquake remain in temporary shelters and are at risk from extreme temperatures in the winter, especially those living at altitudes higher than 1,500m. Tarpaulin or corrugated iron shelters provide very little protection from severe cold, ice and snow.

With winter fast approaching the main concern is retaining heat, whether that is through better household insulation, warm clothes, blankets and mattresses. Secondary to that is the need to generate further heat through stoves, fuel and hot water bottles. The Shelter Cluster has assessed that 81,000 people are in need of support with winterisation kits comprising of such items as well as vouchers or cash to obtain personal items such as warm clothes.⁴⁵

In a survey conducted by the Shelter Cluster in temporary settlements in five affected districts, 90 percent of people felt unprepared for winter; their main needs were blankets and warm clothes. At the highest altitudes everyone intended to move lower down for winter. Whilst 85 percent of people living in temporary settlements who responded to the survey felt their shelter was inadequate for winter, 79 percent intended to remain there.⁴⁶

Livestock also need shelter in the winter months. The designs for new livestock shelters produced by the Ministry of Agriculture start at Rs50,000, which is more than many people can afford. Oxfam has developed some alternative designs which are significantly cheaper and use local materials, but these need the endorsement of the Ministry before they can be shared. Endorsement must be given urgently so that these shelters can be built without delay, and people can continue to rely on livestock for food and income.

Due to the timely provision of seeds following the earthquake, rice will be harvested in late October. However, storage facilities are lacking and as a result, much of the rice harvested may be wasted. The government and delivery partners must provide acceptable community grain storage bins and household storage bags so that grain can be effectively stored over winter.

All these activities must be carried out urgently and coordination between cluster groups and the government is needed. If this support cannot be delivered by mid-November, then for many people it will be too late.

3.6 RECOMMENDATIONS:

The government, together with its development partners and implementing agencies, should:

- Provide **shelter materials to people living in temporary settlements** which are due to close in October, and to others returning to their own land, so that they can construct shelters. Decisions on temporary settlements need to be clearly communicated to people, and alternative arrangements made in consultation with the groups affected, so that when they return to their land they are able to remain there.
- Ensure that **landless people** have access to land where they can build shelters. This requires acquisition of public land, temporary shelter provisions, and legal support to prove tenure.
- Provide further support to households that will remain in temporary housing over the winter. This includes **winter preparation kits** (expected to include blankets, mattresses, stoves and fuel) and household insulation (which could be made from local materials). This should be targeted particularly at those most at risk from severe weather.
- Provide **legal support** for those who never had or who lost documentation, including land ownership documents, citizenship certificates, victim ID cards or other documentation, and for those involved in land disputes, to ensure that everyone who is eligible can access the support they need.
- Urgently and clearly **communicate** the models and materials for building earthquake-resistant houses and how and when funding can be accessed, including the criteria to access this support. Information should be accessible to all socio-economic and marginalized groups in a clear format, enabling people to make informed decisions about their shelter options and how to rebuild and increase their resilience in the longer term.
- Ensure that **DRR is mainstreamed into reconstruction plans** and processes, and develop long-term plans to ensure that **Building Codes** are implemented and enforced in the future.

4 FOOD SECURITY AND LIVELIHOODS

The earthquake had significant impacts on food security as people lost their assets, access to productive land and employment. In the six most affected rural districts, 75-85 percent of households are dependent on agriculture for income.⁴⁷ These districts also produce a significant amount of the country's maize, millet, potatoes, milk and meat. Thus loss of crops and livestock has a big effect on food security across the country, not only on the districts and farmers directly involved in its production.⁴⁸

Food security and livelihoods work needs to transition from relief to resilience. Livelihoods must be strengthened so that people are less vulnerable to the range of shocks they face – including floods, landslides and droughts.

4.1 AGRICULTURE RECOVERY

Box 7: The story of Dil Bahadur Nuwakoti

Dil Bahadur Nuwakoti lives with his wife and children in Nuwakot. His house was completely flattened in the earthquake, which destroyed all his stored grain and seeds for planting. Whilst he has been able to assemble a temporary shelter for his family, providing enough food is a problem.

Dil Bahadur owns a hectare of farming land and also farmed land for a landlord. Following the earthquake he tried to find work as a labourer, but struggled because the markets weren't functioning. Oxfam provided his family with food supplies and vouchers to purchase seeds, tools, fertilizer and pesticides so that he could start growing food again.

He says, 'Now I am relieved because I don't have to worry about food; I can cultivate it in my own farm.' He adds that if it weren't for the vouchers it would have been difficult for him to cope. Dil Bahadur is hopeful that he can now manage his limited income to provide healthcare, education and shelter for his family.

Agriculture was very badly hit in the earthquake and requires investment. Irrigation systems urgently need to be repaired or constructed to ensure that crop productivity, especially rice, is maintained. The earthquake and aftershocks damaged more than 1,800 small and medium irrigation systems upon which rice farming relies. It may take over two years to fully repair these systems.⁴⁹ While this is a challenge, it also presents an opportunity to overcome Nepal's persistently low agricultural productivity levels before the earthquake – again, to build back better.

Whilst the draft Reconstruction Bill focuses on shelter reconstruction, there is a need for plans and policies to link with wider recovery strategies such as the rebuilding of irrigation systems. It is also necessary to ensure that land is better

allocated through the reconstruction processes, so that more space is provided for arable land. Combined with repairs to damaged irrigation systems and the construction of new ones to serve more land, this will help to ensure greater resilience in agriculture. In addition, measures to ensure the health and survival of livestock will improve the nutrition of affected communities and provide farmers with surplus milk, meat, eggs and other products to sell in markets, aiding market recovery, particularly in rural areas.⁵⁰

There is an urgent need to ensure that crops, especially rice, which will be harvested in October, can be adequately stored by households. At the moment this is a significant need and the storage facilities are insufficient. Normally crops are stored in the beams of a house. However, for those in temporary shelters, this isn't possible; there is little room for people, let alone crops.

Box 8: The story of Pampha KC

Pampha KC from Bhaktapur is using his damaged house as a livestock shed. He would like to pull the house down but can't afford to. Pampha is concerned about storing rice and other grains during winter; he fears losing everything if the house falls down, and with livestock in the safest part of the house there is little room for anything else.

Communities are taking various approaches to address this issue. Some people in Bhaktapur reported that they will probably store grain outside; however, grain needs to stay warm and dry so this risks damaging the crop. Others, in Nuwakot, are looking at community storage solutions. Where there are existing community mechanisms, for example community co-operatives, these seem to be working well; however, it may be hard to set these up from scratch. The government has put some support in place to address these issues, but these programmes need to be adapted so that they are also available to the most vulnerable people. For example, an innovative government livestock insurance programme requires the claimant to submit photographs of the dead animal; many poor people are therefore unable to claim as they don't own a camera. This programme could easily be made accessible to everyone, for example by having local authority officers verify livestock deaths.

4.2 WOMEN AND LIVELIHOODS

'The landslide took away our corn, and there was nothing we could do. How can we feed ourselves if we just stay at home? My husband is disabled and I'm the one who has to earn.'

Dil Maya Sunar, Sindhupalchowk⁵¹

Dil Maya Sunar's story is typical of women farmers whose land was swept away by the earthquake and who have no access to other jobs. Women are more reliant on agriculture for their livelihoods than men,⁵² and the rise in male migration has increased the number of female-headed households and the number of women farmers. In Dhading, 95 percent of women were involved in agriculture prior to the earthquake.⁵³ Thus women's involvement in livelihoods and reconstruction processes at all levels is crucial.

The draft Reconstruction Bill rightly identifies key actions for livelihoods recovery, especially for agriculture, such as continuing seed distribution programmes until agricultural production can return to normal. Given the significant loss of stored grain such as rice, millet and maize (over 40 percent of households reported near total loss of stored rice),⁵⁴ engaging communities, especially women farmers, to identify their needs and scope new land for arable use, along with the use of new technology, could help to reduce the burden on women.

A further problem for female-headed households is that the daily wage rate for women is often lower than that of men for the same work. The recommendation in the GESI⁵⁵ that women are paid the same as men for the same work is welcome; however, traditional practices and norms often mean that these policies are not implemented. District and municipal staff need to be aware of such issues and identify them early on, and enforce policies where necessary.

Box 9: The story of Kamsiya



Kamsiya sitting outside her temporary shelter that Oxfam provided.
Photo: Ambe Suresh/Oxfam

The earthquake took everything from Kamsiya – her husband, her home and her livelihood. Despite searching for hours, she never found her husband's body.

Kamsiya is a farmer, but all her sheep were killed in the disaster. Now that she is a widow, she faces discrimination and is at heightened risk from gender-based violence.

Oxfam provided Kamsiya with temporary shelter and a hygiene kit for safety, privacy and personal hygiene. Now she needs long-term support to rebuild her home and livelihood.⁵⁶

4.3 RECOMMENDATIONS

The government, together with its development partners and implementing agencies, should:

- Ensure that **food security and livelihoods recovery is prioritized and integrated fully with reconstruction plans** and processes. A systems approach to livelihoods recovery must be developed, which considers the broader impacts of natural disasters and climate change on livelihoods.
- Ensure that food security and livelihood approaches are developed at the **local level** with communities, and are led by communities based on their needs, especially with the participation and special attention to the needs of women and marginalized groups.
- Ensure that policies such as **Equal Pay for Equal Work** are enforced at the VDC and district levels, and that policies to reduce burdens on women such as housework and childcare are implemented.
- **Engage with women** on how the burden of care and housework on their time can be managed, to identify innovative solutions and enable women to participate more actively in reconstruction processes.
- **Ensure land use policies are considered** in reconstruction so that sufficient land can be allocated for arable use, and that **irrigation systems are** repaired and extended so that resilience can be developed in livelihoods.
- Ensure that people are adequately prepared for winter, including through provision of sufficient community **grain storage** and **livestock shelters**.

5 GENDER EQUALITY AND INCLUSION

Nepal is a patriarchal society with a history of discrimination based on gender, caste and social standing. This manifests in a preference for male babies, exclusion of women from social and political arenas, stigmatization of widows, and forced and child marriage.⁵⁷ The earthquake has exacerbated these inequalities, making women more vulnerable. Women, especially single women, have struggled to obtain the victim ID cards that are needed to access relief.⁵⁸

Box 10: The story of Sulochna

With her house completely destroyed by the earthquake, Sulochna, a 28-year-old widow in Dhading, receives no support from her family or community. In the initial days after the earthquake she received some food aid from local NGOs, but after that she could not get any aid from the government as she did not have a citizenship certificate. With no economic support, Sulochna is unable to hire labourers to clear the debris of her house. Neighbours are not willing to help because of the stigma attached to widowhood. Sulochna managed to create an insecure temporary shelter next to her destroyed house, where she lives while awaiting government support.⁵⁹

Reconstruction presents Nepal with an opportunity to improve equality and social inclusion for women. Legislation already exists to enable women to have shared ownership of land with their husband or other male relatives. As people begin to rebuild and obtain new land tenure documentation, there is a real opportunity to ensure that women are jointly registered as owners.

5.1 CITIZENSHIP AND VICTIM ID CARDS

A citizenship certificate is needed to obtain a victim ID card, which is needed to access relief. In 2011, nearly 24 percent of the population did not have a citizenship certificate, and 26 percent of women lacked a certificate compared to 13 percent of men. The lack of victim ID cards is also partly due to a lack of awareness among women about its use and necessity; some women have been put off claiming one because of uncooperative attitudes from family members.⁶⁰

Many of those who previously had documentation lost it in the earthquake. At least 40 percent of people living in temporary settlements don't have any documentation. Community members can informally identify people who lack

official documents. However, lack of transparency in beneficiary selection, given local political and social situations, has resulted in some people not being able to obtain victim ID cards and therefore being unable to access the support they are entitled to.⁶¹

5.2 LAND OWNERSHIP AND PROPERTY RIGHTS

Women are able to have joint land ownership with their husbands since Acts were introduced from 2007 which enabled women to do so. Since then, the number of women owning land increased from 10 percent in 2012 to 19 percent in 2014. The new constitution also enables single women to inherit their father's property, whilst they remain unmarried. Nevertheless, traditions are strongly held and women still face unequal access to property and land.

The reconstruction process affords an opportunity for more women to obtain land and property registration, and to increase the number of women with land ownership by encouraging couples to jointly register. This will also make it easier for women to make claims to the land or property and to any associated rights (such as money to rebuild), even if their husband is not present.

Box 11: The story of Rukmani



Rukmani standing in front of her improved temporary shelter. Photo: Maheshwor Rijai/Oxfam

Rukmani Nepal lives in Sindhupalchowk and is 78. Her husband died 20 years ago and her only child died soon after childbirth so she has no one to take care of her. She has a small amount of land but her frailty means that even before the earthquake she struggled to grow enough to survive. Now her crops and house have been destroyed by the earthquake. At first, she lived under tarpaulin on her land, after the Nepal Army cleared the debris. However, as a woman living alone the shelter wasn't safe for her, so Oxfam's partner Gramin Mahila Shreejanshil Pariwar built Rukmani a shelter out of corrugated iron and provided her with mats and a hygiene kit. Since then she has been able to manage better, and has even constructed a small kitchen.

'I am getting old so I am happy that you support me and my community.'

5.3 WOMEN-HEADED HOUSEHOLDS AND SINGLE WOMEN

In 2011, the number of female-headed households was approximately 28 percent.⁶² Given ongoing male migration and loss of life in the earthquake, it is very likely that this percentage has increased.

The Government of Nepal recognizes that women, especially single women, need special consideration as part of the reconstruction process and within the draft Reconstruction Bill. The PDNA also identifies female-headed households as requiring particular attention, especially households with women whose husbands were killed in the earthquake or have migrated. These women are at a particular disadvantage because they do not have the capacity for heavy physical labour such as moving rubble and sifting through bricks for reuse. Thus it will take them longer to recover and rebuild, even if they have citizenship or victim ID cards.

'Conflict has taken our husbands, and the earthquake has taken our houses.'

Widow in Gorkha

Box 12: The story of Kaushila

Kaushila, a single 29-year-old from Bhaktapur, lives with her elderly father and nephew. Her father is unwell and her nephew is still a child, so Kaushila takes care of them both; this is in addition to her work as a mustard farmer, which the family depend on for their survival. Following the earthquake she says she cried a lot and had no idea how she would cope. The Ward Citizen Forum identified Kaushila as being extremely vulnerable and provided her with six labourers to repair the family's mud house. Without this support it would have been impossible for them to manage.

Reconstruction plans and processes at the national and district levels need to put in place special provisions targeting single women and female-headed households for support; plans that are more robust and impartial than informal identification by community members.

5.4 GENDER-BASED VIOLENCE

Before the earthquake, domestic violence accounted for the majority of gender-based violence (GBV) in Nepal. In 2012-13, it accounted for 61 percent of all reported cases. Prior to the earthquake, nationally, 22 percent of women aged 15–49 had experienced at least one incident of physical violence and 12 percent had experienced at least one incident of sexual violence. A third of married women had experienced emotional, physical or sexual violence from their spouse and 17 percent reported experiencing it within the past 12 months.⁶³ Under-reporting is rife, with women being discouraged from reporting due to cultural norms. In particular, domestic violence is seen as a private family matter.

GBV has increased since the earthquake, with domestic violence accounting for half of the cases reported to the Women's Rehabilitation Centre (WOREC) from

mid-June to mid-July 2015.⁶⁴ There are limited resources available for women to report incidents in earthquake-affected areas, and in 75 percent of temporary settlements there is no provision at all.⁶⁵ Women and girls in these camps are also at increased risk from GBV due to low provision of separated latrines and bathing areas, and a lack of locks and lighting in the latrines. Of 146 sites assessed, only six percent had separate bathing areas for women and 23 percent had separate latrines.⁶⁶

Trafficking for sexual and/or labour exploitation is common in Nepal. The National Human Rights Commission of Nepal estimates that 29,000 people were trafficked in 2013.⁶⁷ Traffickers often prey on existing socio-economic vulnerabilities, luring poor rural women and girls away with promises of work, education opportunities or marriage. Women make up 86 percent of people trafficked each year. Sindhupalchowk and Nuwakot had already been identified as areas of high trafficking prior to the earthquake.

Since the earthquake, trafficking has increased due to the rise in economic and social vulnerabilities. Protection Cluster partners report having prevented at least 513 women and children from being trafficked since April 2015.⁶⁸

'Women, girls and children cannot stay safe. In these situations, women and girls and children are always vulnerable.'

Suku Maya Tamang, who lives in a temporary settlement in Sindhupalchowk

5.5 RECOMMENDATIONS

The government, together with its development partners and implementing agencies, should:

- Strengthen prevention, monitoring and referral systems to encourage the reporting of GBV cases and the provision of counselling and other services, linking networks of government and civil society helpdesks to provide support and expand services.
- Develop systems to capture data more effectively – including **primary data which is gender and age disaggregated** – at district and village levels. This should include data on the reconstruction process, of cases and incidence of GBV including domestic violence, and of trafficking, so that patterns can be more effectively analyzed.
- Strengthen meaningful **representation of women and men from excluded groups** in district structures including the District Disaster Relief Committees (DDRCs), according to Disaster Management Guidelines, and ensure at least 33 percent representation by women in all state mechanisms including local committees.
- Ensure that **victim ID cards** are given on the basis of need/right rather than the possession of documentation or through complex informal identification processes.
- Create awareness campaigns and provide more safe and robust reporting and referral mechanisms that women can trust, enabling them to self-report **GBV**.
- Develop a national plan which recognizes that **vulnerable and marginalized groups, especially women and girls, need special attention** in the reconstruction process and establishes agreed criteria to identify those people who are vulnerable and marginalized.

6 CONCLUSIONS AND RECOMMENDATIONS

Six months since the earthquake, Nepal has moved from emergency response to the early recovery phase. Much has been achieved by all involved and this achievement should not be under-estimated, given the challenging conditions.

However, setbacks in formalizing the National Reconstruction Authority have led to a serious delay in reconstruction. The lack of clear plans developed at the national level for early recovery and beyond is causing confusion, indecision and delays in implementation at the district and VDC levels. This has also led to frustration between communities, implementing partners and local authorities.

There is an urgent need to bring reconstruction back on course so that people and the country can build back better. The window of opportunity to ensure that houses are rebuilt to earthquake-resistant designs is closing, as more and more people are now rebuilding without this information.

This report provides a number of recommendations in each section, all of which are crucial to successful reconstruction. But there are a number of urgent issues which need to be resolved immediately, before winter sets in, or affected people's vulnerabilities will be significantly increased and there is a danger of serious food insecurity.

Urgent recommendations

For Parliament:

- **Reinstate the National Reconstruction Authority through the passing of the Reconstruction Bill**, with all the powers and regulations that it was originally provided with. This is probably the most urgent task as it is needed to rebuild momentum in the reconstruction process, to build confidence with donors and implementing partners and, most importantly, to ensure that affected communities receive the information and support they are entitled to.

For national government, district authorities and implementing partners:

- **Provide people in temporary settlements with appropriate shelter materials – before the camps close.** Decisions on temporary settlements need to be clearly communicated to people living in them, and alternative arrangements made so that when they return to their land they are able to remain there.
- **Provide targeted support for landless and marginalized groups.** A plan which focuses on landless and marginalized people, including women, needs to be urgently developed because temporary shelter cannot legally be provided to people without land. Public land should be used to provide homes for landless people with nowhere else to live.
- **Provide further support to households that will remain in temporary housing over the winter**, targeted at those most at risk from severe weather. This should include provisions such as blankets, mattresses, fuel

and stoves as well as adequate livestock shelter and grain storage so that food security is not undermined.

- **Communicate earthquake-resistant designs so households can build back safer.** The government should urgently and clearly communicate the appropriate models and materials for earthquake-resistant houses, and how and when funding can be accessed.

Further recommendations

The government, working with development partners and implementing agencies, should:

- Formalize principles for the reconstruction process that include:
 - **Equality and inclusion** – requiring a national working group, including representatives of women’s rights organizations, to set guidelines and evaluate progress; and a national plan that pays special attention to vulnerable and marginalized groups.
 - **Community engagement** at the centre – requiring clear mechanisms for the genuine participation and leadership of women and community groups in planning and implementation.
 - **Transparency and accountability** – requiring strong actions on communication, information-sharing, monitoring and accountability.
- Ensure that **food security and livelihoods recovery is prioritized and integrated with reconstruction plans** and processes. A systems approach to livelihoods recovery must be developed, which considers the broader impacts of natural disasters and climate change on livelihoods.
- Provide a **specific focus on vulnerable and marginalized groups, including women**, ensuring the collection and use of gender-disaggregated data, and meaningful representation of women and men from excluded groups in relevant decision-making structures.
- Ensure that **DRR is mainstreamed into reconstruction plans** and processes, and develop long-term plans to ensure that **Building Codes** are implemented and enforced. This would also include encouraging couples who rebuild to register their houses in joint ownership.

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