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EVALUATION

Mid Term Evaluation for United States Agency for International Development/Nepal's Nepal Peace Support Project

July 2013

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Mid Term Evaluation for USAID/Nepal's Nepal Peace Support Project (NPSP)

July 2013

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ACRONYMS

ADB	Asian Development Bank
AED	Academy for Educational Development
CA	Constituent Assembly
CJ	Chief Justice
CPA	Comprehensive Peace Accord
CSO	Civil Society Organization
DAO	District Administration Office
DGO	Democracy and Governance Office
DRC	Dispute Resolution Committee
FDM	Foundation for Development Management
GON	Government of Nepal
LPC	Local Peace Committee
MoLJ	Ministry of Law and Justice
MoPR	Ministry of Peace and Reconstruction
NC	Nepali Congress
NPI	National/Nepal Peace Institute
NPSP	Nepal Peace Support Project
NTTP	Nepal Transition to Peace
PAPAD	Professional Alliance for Peace and Democracy
PM	Prime Minister
PRU	Peace and Research Unit
TAF	The Asia Foundation
TRC	Truth and Reconciliation Commission
UCPN (M)	Unified Communist Party of Nepal
UDMF	United Democratic Madhesi Front
UML	Unified Marxist Leninist
USAID	United States Agency for International Development
VDC	Village Development Committee

EXECUTIVE SUMMARY

USAID/Nepal has been providing continuous support to the peace process in Nepal since 2003. The Nepal Peace Support Project (NPSP) is one such effort of USAID to support the peace process negotiations and assist the peace process to reach its logical conclusion. The NPSP was previously implemented by the Academy of Educational Development (AED), but as of 2009, the project has been managed by The Asia Foundation (TAF).

The mid-term evaluation for USAID/Nepal's NPSP was conducted to assess the overall functioning of the project and progress towards stated goals. The study intended to assist the USAID in making modifications if necessary, and to help guide NPSP through program completion. The evaluation results are expected to help better understand the initial results achieved, to re-focus and strengthen the program and ensure sustainability of the project. In addition, the study has aimed to address the following questions:

1. Are the formal and informal structure supported by the project such as Local Peace Committees (LPCs), Nepal Transition to Peace (NTTP) Forum, Peace and Research Units (PRU), and various thematic groups effective and sustainable?
2. To what extent is the project on track to reach its overall goals and objectives?
3. What are the obstacles faced in achieving results and goals?
4. How relevant and effective are the current goals and objectives of the project in facilitating and contributing to Nepal's peace process? What adjustments to the program are recommended in light of changing political context?

The study made use of primary and secondary sources to collect information as required to address the evaluation questions. The nature of the data collected was primarily qualitative, obtained through interviews and focus group discussions. The study also utilized information documented by NPSP which assisted in triangulation of the interviews with what was documented by the management team.

The key findings of the study are as follows;

- NTTP is a well-accepted forum, as it provides a space where political parties can engage in negotiation and dialogue process to resolve contentious issues in the peace process and constitution making

- NTTP Forum has made major contributions to the peace process and constitution building:

- Facilitated talks between UDMF and the then government for the successful completion of Constituent Assembly (CA) elections in 2008
- Resolution of the Prachanda-President stalemate after the President's move to block the sacking of the Nepal Army's (NA) Commander in Chief by the then Prime Minister (PM)
- Agreement on mixed form of government in the Steckborn Conference
- Contributed to the formation of the Chief Justice (CJ)-led government, with the 11 and 25 points agreement being drafted by key NTTP members
- Facilitated talks between the Baidhya group and other political parties to bring them together for a round table meeting

- The national facilitators are widely respected within the NTTP Forum for their convening power and seniority which has made them acceptable to all the parties
- NPSP contributed to the knowledge building of political leaders on peace process and constitution making through exposure visits, experience sharing by international experts and providing research facility to NTTP members
- Thematic groups also work to build consensus on sensitive constitutional issues regarding marginalized groups through informal negotiations
- The PRU has been working to provide NPSP/NTTP with needed information for constitution drafting and peace-building by conducting research and workshops
- Though NPSP had supported initial cluster consultations for establishing the Truth and Reconciliation Commission (TRC), it has not played an active role since. Considering the controversy surrounding the recent TRC Bill, it is prudent for the NPSP/USAID to stay clear of the TRC in any form
- There is a clear need to formally and effectively institutionalize the LPCs
- There is a need to give NTTP continuity in the future by either establishing it as, i) a Foundation, governed by an independent, non-partisan board of trustees; ii) a Centre for Peace Studies, under a local university, or; iii) an autonomous institute which will receive budget from the Government of Nepal (GON), but will work independently of it.

INTRODUCTION

Beginning in 2003, upon the request of the GON, the USAID began providing assistance to the peace process negotiations, actors and institutions. The NPSP was conceptualized in 2004 and was finally launched in August 2005. From its inception to February 2009, the project was implemented by AED. In 2009, the Ministry of Peace and Reconstruction (MoPR) and other stakeholders requested USAID for continued support to the peace building process through the NPSP. The project management was then taken over by TAF, through whom, NPSP has been working to build capacity of the NTTP Forum, so it can function as an independent peace institution implementing peace process programs. Apart from this, NPSP also engages political leaders to build consensus around sensitive political issues and share it further with the larger political parties. The current phase of NPSP will come to an end on August 2014.

The mid-term evaluation of NPSP was conducted by Foundation for Development Management (FDM) during the months of June and July 2013. The main purpose of the evaluation was to assess the overall functioning of NPSP and to inform the key stakeholders; like USAID staff, implementing partner TAF, political parties and their constituents, NGOs and relevant Government of Nepal ministries and departments, especially the MoPR; about initial results achieved, help to re-focus and strengthen the program and also to reduce the risks of unintended consequences. The evaluation is intended to assist the project in making modifications if necessary, and to help guide NPSP through program completion. The major evaluation questions are as follows:

a. Are the formal and informal structures supported by the project such as LPCs, NTTP Forum, peace units, and various thematic groups effective and sustainable?

b. To what extent is the project on track to reach its overall goals and objectives?

c. What are the obstacles faced in achieving results and goals?

d. How relevant and effective are the current goals and objectives of the project in facilitating and contributing to Nepal's peace process? What adjustments to the program are recommended in light of changing political context?

Based on the aforementioned questions, evaluation method and approach were designed and finalized after initial meeting with the USAID. The evaluation team used qualitative methodologies and tools and made use of the interview method and focus group with the administration of a structured checklist.

BACKGROUND

The armed insurgency in Nepal was started by the Communist Party of Nepal (Maoist) (CPN-M) on 13 February 1996 with the aim of overthrowing Nepal's monarchy system and for establishing a People's Republic. In midst of the political crisis after the dissolution of the Parliament in 2002 and escalation of the war between the then Maoists and the State, after

the failure of the first round of peace talks; the British, American, Swiss and Norwegian missions in Nepal negotiated to create an informal platform where the political parties and the rebels could initiate dialogues to end the deadlock the country was in. The aim of this platform was to strengthen the Peace Negotiation Coordination Secretariat and in turn provide a ground for negotiations for peace. Eminent political personalities, like Padma Ratna Tuladhar and former Speaker Daman Nath Dhungana, who were already facilitating formal and informal talks between the parties and the rebelling faction were approached to provide their input on the feasibility of such a platform.

By August 2004, project conceptualization began after which AED, who was working on a similar project in Sri Lanka was asked by USAID-Nepal to submit a project proposal. Before the project was to be officially launched in February 2005, the royal takeover happened on February 1. Following this, USAID decided to suspend the project for a period of 100 days to ascertain the political context. After the stipulated time, the NPSP was finally launched in August 2005.

After AED withdrew from project implementation in 2009, the management of the project was handed over to TAF. TAF oversaw all the management and technical aspect of the NPSP, including all of its components, mainly the NTTP Forum. Established in 2005, the NTTP Forum is a national peace support program designed in consultation with the GON, its Peace Secretariat, and political parties to build their capacity to engage in the peace process, create an inclusive multi-party dialogue space to address all stakeholders' concerns, and institutionalize government peace structures.

Since then, the NTTP Forum has evolved to become an integral part of the peace process in Nepal. The success of the NTTP process is predicated on the natural evolution of the group of politicians, regardless of the political differences working as a team with the two national facilitators, Mr. Daman Nath Dhungana and Mr. Padma Ratna Tuladhar, playing a trusted and balanced role, and supported by a NPSP technical team.

NPSP has aimed to provide the political parties with access to a stable, trusted mechanism for Track-1.5 (official and unofficial discussions to resolve conflict) dialogue through a strengthened NTTP Forum and to support analysis of the key conflict issues facing the nation through technical assistance to the NTTP Forum. Time and again, the NTTP has brought the different political parties to dialogue in order to give continuity to the peace process, build trust among the parties and reinvigorate negotiations.

The three core objectives that were supposed to contribute to the broad goal of advancing Nepal's peace process from 2009 till 2012 are mentioned below:

a. To maintain and strengthen the NTTP Forum as a centre for Track 1.5 agenda setting, dialogue, and negotiation
b. To support the launch of key Transitional Peace Structures
c. To increase the base of support for Peace Units within their political parties

USAID's support for regular meetings and dialogue within the NTTP Forum established a basis for ongoing Track-1.5 negotiation among the major political actors, while support for the creation of PRU aim to enhance the capacity of the parties to understand the technical complexities of key conflict issues and develop negotiating positions and policy responses.

The support provided by USAID has been instrumental for NTTP to target the following revised objectives by the end of August 2014;

a. To strengthen the NTTP capacity to engage key stakeholders in the constitutional development and peace process
b. To build the capacity of political party PRU to serve as a resource on the peace process
c. To transform the NTTP Forum into a sustainable and independent national peace entity

It requires progressive efforts and concerns from all the stakeholders to attain the aforementioned contextual objectives within the remaining one year. Specifically, this particular mid-term evaluation project has tried to assess and evaluate the achievements of NPSP so far. Furthermore, the evaluation report is expected to be instrumental in providing necessary recommendations that could help in achieving NPSP's objectives on time.

METHODOLOGY AND APPROACH

Since NPSP is a unique project without any baseline information and standard log frame, it was difficult to attribute the real impact of the project. As the program has been evolving with the political situation of the country, one of the main attributes of this program is the *certainty of uncertainty*. This fact was considered while designing the evaluation methodology. Qualitative information based on episodic events, responses as well as quotes from interviews, and media scanning have been major sources of information for the evaluation. The evaluation tools and approach were finalized after initial meetings with the USAID and TAF teams.

DATA COLLECTION TECHNIQUES

The study adopted both primary and secondary sources to collect information as required to address the evaluation questions. The nature of data collected was primarily qualitative and the information was collected from different sources including interviews, focus group discussions (FGDs) and in-depth discussions. Since useful information was documented by the NPSP, document review has also been an important source of data. This has also helped in triangulation of the interviews with what was documented by the management team.

Planning meetings were held with the key staff of NPSP, USAID and TAF. The purpose of the meeting was to get a clear understanding of the assignment's scope of work and the different dimensions of NPSP. The consultation was also helpful in finalizing the evaluation design and tools.

Key informant interviews were conducted with the two national facilitators and the international facilitator. In addition, second tier leaders associated with NTTP Forum were interviewed (See Annex). Comparative analysis of the responses of the facilitators and the NTTP Forum members was done to analyze their responses against the project's objectives and their various components. This analytical process was useful to triangulate the information regarding the overall effectiveness of the program. Information was also collected from donor agencies supporting NPSP and individuals who could provide objective comments of the NTTP Forum. Meetings with concerned officials from the MoPR were also conducted to assess their take on the NPSP support to LPCs. Since transfer of officials to and from the Ministry is an undeniable fact, previous staff members of MoPR who were responsible for LPCs were also consulted.

Apart from interviews, FGDs were conducted with members of the youth thematic group and staff and members of LPCs in Bhaktapur and Kavre. Field visits to LPCs in Kavre and Bhaktapur were also instrumental in understanding the challenges of the LPC in the local context.

Project documents, monthly/episodic reports, annual reports, facilitators' notes and other articles, were reviewed to triangulate information from interviews and other consultations.

Evaluation Questions

Table 2.1 provides the list of evaluation questions used for the study:

Table 2.1: Evaluation Questions

Evaluation Questions	Methods	Respondents* *(full list of the respondents is given in the Annex)*
Are the formal and informal structure supported by the project such as LPC, NTTP Forum, peace units and various thematic groups effective and sustainable? **Issues to be explored** • Context and Rational • Structural provision • Management issues • Effectiveness • Sustainability	Interviews Group Discussion Informal meeting	NPSP/TAF, Development partners, NTTP Forum Members and facilitators, thematic group members, researchers, MoPR
To what extent is the project on track to reach its overall goals and objectives **Issues to be explored** • Relevancy of the project in the political transition • Project key milestones • Key Achievements (contribution to different components of peace process) through project support to informal structure such as NTTP Forum, Thematic Groups, Peace and Research Units, Local Peace Committees	Interview Group Discussion Informal meeting Review of Project Documents Review of monthly report and quarterly report of NPSP Analysis of meeting minutes of NTTP Forum Review of Reports prepared by thematic group and research units Meeting Notes prepared by International consultant	NPSP/TAF, Development partners, NTTP Forum Members and facilitators, thematic group members, researchers, MoPR

	Episodic event report Performance Monitoring Report Collection of case studies (Success as well as Lesson Learning)	
What are the obstacles faced in achieving results and goals? **Issues to be explored** • Project Management • Sensitivity of political process/ Transparency • Role and performance of facilitators • Uncertainty in political situation • Communicating decision of NTTP Forum to Political parties • Financial	Analysis of monthly, quarterly and annual reports, International consultant's report Interviews	NPSP/TAF, Development partners, NTTP Forum Members and facilitators, thematic group members, researchers, MoPR
How relevant and effective are current goals and objectives of the project in facilitating and contributing to Nepal's Peace Process? What adjustment to the program are recommended in light of changing political context? **Issues to be explored** • Short term recommendations • Long term recommendations	Discussion based on Finding	Team members of Evaluation Team

LIMITATIONS OF THE STUDY

One of the major limitations of the study was the reliance on the information provided by those directly involved in the NTTP process. Because of the sensitive nature of the project, the outcome of various meetings and discussions within and outside the NTTP Forum was not disclosed to the media. Therefore, it was difficult to collect outsiders' view on the project's performance. To overcome this limitation, media scan of events which have direct

bearing on the NTTP activities was conducted which was useful for the evaluation. Some examples of the media coverage are annexed in this report.

Another issue for this study was field visits limited only to Bhaktapur and Kavre which are not representative of all LPCs, but further discussions have revealed that the nature of the institutional issues remained identical as they run on policy guidelines prepared by the MoPR. The only difference could be in the activities because of the leadership quality of the coordinators of LPCs in some districts.

Report Audience

The audience for this evaluation report are the USAID/Nepal Mission, specifically the Democracy and Governance Office (DGO), the Asia Bureau, and the implementing partner, TAF. An executive summary and recommendations will be provided to the CA secretaries and major political parties who have been working with NPSP.

DISCUSSION OF FINDINGS

EFFECTIVENESS, RELEVANCY AND SUSTAINABILITY OF INFORMAL STRUCTURES SUPPORTED BY THE NPSP

The NTTP Forum, Thematic Groups, PRU and LPCs were the four key informal structures created by NPSP to achieve its objectives. Despite difficulty in measuring the actual outcomes of the NPSP, an analysis of the activities reveals that some of these structures, such as the NTTP Forum, Women and Youth Thematic Groups and the NTTP Forum facilitators have been active and contributed to the peace building process and constitution making while others like the LPCs and the PRU have been less effective due to various reasons including political interference, resource scarcity, and lack of institutional mechanisms.

NTTP Forum and Thematic Groups

The available evidence suggests that informal structures like the NTTP Forum have been active even during difficult political transitions and have contributed significantly to the peace process *(See Table 3.1 for the important milestones of NTTP since the signing of Comprehensive Peace Accord (CPA) in 2006).* This has been possible due to the continuous interactions, negotiations and retreat facilitated by both national as well as international facilitators. By June 2013, NPSP facilitated 48 NTTP Forum meetings, 15 retreats, 13 negotiations, and 28 civil society interactions. NPSP has also facilitated over 100 informal interactions with civil society.

The NTTP Forum has been perceived by the Forum members as a highly effective informal platform to discuss political agendas. The flexibility and informal atmosphere, with highly respected facilitators are the hallmarks of the success of the NTTP Forum in ending several deadlocks, such as facilitation of talks to resolve the stalemate between the President and Prachanda, as well as the UCPN-Maoist and the then Prime Minister Madhav Kumar Nepal. The inputs gathered by the NTTP members through international exposure trips Peru and South Africa and the international facilitator's similar experience in countries like Sri Lanka also have been perceived as being highly beneficial. The week-long trip to Steckborn in Switzerland was also instrumental in providing an agreement on mixed form of governance for Nepal. Most of the members, however, feel that the NTTP needs to be more structured and properly managed in order for it to be more effective. As of now, majority of meetings are conducted and followed up in informal manner.

The four thematic groups (women, youth, Madhes and Janajati) attached to the NTTP structure were developed to bring influential voices from the marginalized communities to a broadly acceptable position. They have contributed to the constitution drafting and peace building process by working to build consensus on sensitive constitutional issues regarding marginalized groups through informal negotiations. Among the thematic groups, women and youth groups have been relatively more active in raising issues and agendas affecting their inclusion in the constitution making process.

The youth group was an initiative of the youth leaders of different political parties, who, after the second CA extension, decided to form an informal group which would contribute,

in any way possible, to peace building in the country. The group was later built into a thematic format of the NTTP Forum. The youth group consists of a smaller core group of twelve to fifteen members and an expanded group which includes more members as and when needed. The group has been constantly engaged in the dialogue process and has helped further the spirit of the NTTP's mandate by working as a pressure group in situations of political deadlock between parties. The youth thematic group was very influential in negotiating with the Professional Alliance for Peace and Democracy (PAPAD) over their protest about the appointment of the CJ-led government and was able to convince them of the necessity of the interim election government for the sole purpose of holding elections, as there was no other option left for the country due to serious objections of the political parties' towards each other's proposed prime ministerial candidate.

The different groups have raised agendas related to the constitutional drafting process through meetings, interactions and workshops where various issues like citizenship rights, Janajati and Madhes issues are discussed. Thirty meetings were conducted by women thematic group of which four meetings were focused on citizenship issues. Interaction programmes on fundamental rights on citizenship issues, electoral options, and ensuring 33 percent participation of women and how to increase their participation to 50 percent were also conducted. Janajati thematic group conducted twelve meetings, one interaction for conceptual clarity on Janajati issues and four workshops on pros and cons of ethnic federalism, and proportional representation of Janajatis in the CA. Under the youth group, two workshops for young CA members regarding peace and constitution writing were conducted. In addition, 6,750 youth participated in the workshops to improve public consultations on the constitution drafting process. Youth thematic group has also conducted twelve meetings, three interactions and one retreat program on youth representation within the central committees and politburo of parties and the CA, and creating harmony and increased understanding between youths of different political parties. Three meetings, four interactions and one workshop were conducted by the Madhes thematic group on creating a space for Madhesi parties in mainstream politics, proportional representation of Madhes in CA, and representation of Madhes in the security sector.

The issues under discussion were then communicated to the core NTTP Forum through the facilitators, and subsequently to the political parties through informal and formal meetings. This communication channel has brought about a number of positive changes like increase in the number of youth in the Central Working Committees and politburo of parties, increased understanding about issues of other political parties, and openness among the different parties to listen to each other's concerns.

Discussions with NTTP Forum members have shown mixed reactions on the role of the thematic groups within the Forum. Majority of NTTP Forum members believe that they are a useful means for understanding diverse perspectives by representing all segments of society on issues like ethnic federalism and citizenship, as these issues, though very important, could not be widely discussed at the CA for the chances of being politicized. Since NTTP is designed as an informal setting for dialogues to resolve deadlocks related mainly to these issues, the formation of thematic groups to discuss such important agendas was essential. However, though the discussion of these issues in thematic groups is very

crucial, the facilitators should be careful that this does not distract them from discourse on the main political concerns.

Peace and Research Unit

The NPSP has supported five major political parties[1] to maintain a PRU at NTTP Forum's office to serve as a technical knowledge resource unit for NTTP Forum activities, dialogue and negotiations. The PRU provides critical independent analysis and informal dialogue mechanisms for parties as they deepen their debate over complex policy challenges. This is done by soliciting independent opinions, both from general public, as well as concerned experts/specialists. The PRU has also conducted research on peace building processes practiced internationally such as, civil service structures under federalism, sharing resources among the states, and security arrangements for federal states. PRU coordinators, who serve as members of the NTTP Forum as well as are in their own parties' negotiating teams, are in a position to significantly influence party policy. The findings of the researches undertaken by the PRU are shared with NTTP Forum, which is then taken to the political parties by the concerned PRU coordinators.

The PRU also hosts independent researchers like Bipin Adhikari, and Geja Sharma Wagle, among others, who carry out research, analysis, field visits and compilation of data as necessary in the areas of conflict resolution and constitution building. The researchers have been provided support including training on research methods, assistance with compiling research data and analysis, and the provision of a research manual. During the project period, thirty eight political parties' peace unit workshops were conducted. The workshops were conducted to gather local people's perception on peace building and constitution making, and also served as a platform to disseminate information about the ongoing peace process. The PRU researchers have carried out field research on different topics, including the emerging conflict dynamic in Mustang and the Far-west. The PRU was also involved in the study on the integration of Maoist into NA, and the basis of rehabilitation packages provided to the demobilized armies of other countries, such as, South Africa, Guatemala, El Salvador, Mozambique and Burundi. These studies were perceived as highly useful in the negotiation process to decide on terms of ranking and training for the integration of the Maoist in NA.

In view of the knowledge deficit among political leaders on peace building and constitution writing, the importance of PRU cannot be undermined. There are several key findings on their performance, which are as follows;

- As mentioned earlier in the report, PRU's contribution to the NTTP Forum has been positive, although it is difficult to conclude if these positive changes can be directly attributed only to PRU
- Mechanism to communicate the findings of PRU to the NTTP Forum is not well established
- PRU findings are not disseminated to the wider audience including the stakeholders of NPSP

[1] The five parties are UCPN (Maoist), CPN (UML), NC, MPRF & Nepal Sadhvawana (A) Party

- Though the project's idea was to establish a separate PRU in each political party, this has not yet happened due to limited resources allocated to the PRU
- Level of motivation of PRU researchers are quite low due to their partial involvement
- Lack of capacity development opportunity for the researchers of the PRU

Transitional Peace Structures

Truth and Reconciliation Commission

The CPA envisioned a number of transitional peace structures as key elements of the peace process, building on which, NPSP strategized to support the launch of transitional peace structures, operating at both national and local levels. These structures have mainly focused on two areas: truth and reconciliation, and local level peace building. Cluster consultations were held with victims of conflict, political parties and civil society organizations to suggest amendments on the TRC Bill in order to make it more responsive to victims' concerns. The project supported two thematic consultations (women and children) on the TRC Bill. In addition, nine cluster consultations on the draft bill was conducted in which 225 people had participated.

The TRC Bill has seen only limited progress after the consultation process. Both MoPR and NPSP have played little, if any, role after the initial consultations due to the sensitive nature of the Bill. This was confirmed after interviews with MoPR representatives who maintained that the Ministry of Law and Justice (MoLJ) had been more active in drafting the Bill, in consultation with the political parties, which was subsequently approved by the President in March 2013. Though the ordinance has been passed, the Bill has not been enacted because of pending cases against it in the Supreme Court. The international community as well as national level civil society organizations (CSOs) have been very vocal about the shortcomings of the Bill. As the Bill has a provision to grant blanket amnesty even to serious offences, it fails to meet international standards. Because of this, most donor agencies are reluctant to be associated with the TRC in any form. Therefore, it can be said that there is a remote chance of NPSP involvement to support TRC implementation during its project timeline.

Local Peace Committees

The intention to form LPCs in all Village Development Committees (VDCs) and municipalities was to increase their reach at the community level and to universalize the concept and structures at the grassroots level. LPCs were designed to sustain peace by providing a common forum for people to locally implement national peace agreements. Initially, their main objective was to bring together political parties, NGOs, and relevant local government agencies to prevent potential conflict, resolve them as they arise, and promote peace in the district.

In response, NPSP added LPCs into its project component and sought to revitalize them through closely linked efforts to sensitize LPC members, stakeholders and the public to the powers and responsibilities of the LPCs, and to foster a sense of professionalism and local ownership among the members. This, in concert with devising toolkits and resource

manuals as well as training for selected members in core mediation and facilitation skills, had helped to establish LPCs as independent, grassroots conflict-resolution bodies, rather than local arenas for national political competition. With NPSP's support, four thousand toolkits were produced, with five hundred copies handed over to the MoPR and forty five copies to each district. Ten different workshops were organized with district officers and political parties on the various aspects of LPCs. Fifteen participants working in the areas of peace and conflict were trained as LPC facilitators and approximately one hundred and eighty four LPC members of seventy three districts were trained on roles and responsibility of LPCs.

Though NPSP had provided technical support to LPCs in its previous project phase, the support was later withdrawn because of high politicization and rampant corruption in the LPCs, in terms of allocating relief to victims, providing skill-based trainings and appointment of officials. When consulted, senior officials at MoPR felt that support provided by the NPSP was insignificant with regards to the requirements of the LPCs. Consequently, they have been seeking support from the Asian Development Bank (ADB) and GON. From a broader perspective, there is enough room to be sceptical about the performance of the LPCs which have been highly politicized over the past two years and also have a weak institutional structure. Some of the key findings of the LPC based on our field visits are summarized below:

- From the review of documents, it is evident that there is a systematic process of identifying war victims through DAO (District Administration Office) and LPCs, and also to provide compensation to particular victims. However there are variations. For instance, in Kavre district, the relief/compensation provided by the government has not reached the conflict victims as yet. Also, a lack of proper mechanism to identify and verify conflict victims has led the astute ones (like bike accident victims) to take advantage of the relief provided, while the genuine victims have been marginalized

- Some people displaced during the war have not been listed as victims or cannot be tracked. As the team was told by the LPC Secretary in Kavre, most of them are still psychologically traumatized to return to their villages

- Personal resentment among conflict victims toward the perpetrators still exists and there have not been any efforts to reconcile these resentments. The insufficient attention to the need to secure peace at local level could impose a threat to the sustainability of the national peace process

- The inability to encompass the representatives of all the actors in the conflict like Maoist cadres, NA, Nepal Police and Armed Police Force in the peace process via the LPCs, to share their experiences, has created a gap and misunderstanding which has not been resolved even after the conflict

- The absence of trained staff or coordinators in conflict management is a big challenge to overall effectiveness of the peace process

- Weak political leadership has given prominence to the questions related to accountability and transparency

RELEVANCY OF PROJECT GOALS AND OBJECTIVES

NPSP's goal to support the peace process and constitution making is highly relevant in the context of a still-pending Constitution. Since the political process demands continuous dialogue among key actors through long periods of time to settle the complexities in peace building and constitution making, the general consensus among the Forum members is that the NTTP Forum is an appropriate venue for such. Therefore, the project's objectives of providing support to the NTTP Forum is highly justifiable. With the passage of time and emergence of new political issues, the scope of work of the NTTP Forum may change, but the utility of the forum has been described as important by all critical players.

The second objective of the current project is to provide support to build capacity of the political parties' PRU to serve as a resource point for the peace process. Several research projects have been conducted at the request of the political parties by the PRU researchers on contemporary political issues, such as federalism on ethnic lines, forms of governance, and the role of judiciary and human rights bodies in the current political scenario. Also, many interaction programs were organized for central level politicians to understand the local aspirations and problems which have been attended by women and other disadvantaged groups. Although NPSP's support through the PRU has been perceived as beneficial by the NTTP Forum members, it is difficult to establish the utilization level of the disseminated knowledge, as has been mentioned earlier in the report. Based on the feedback received from the stakeholders, it was evident that the PRU should be institutionalized in each political party in the future. This will be the area where some support in the remaining phase of the NPSP will be relevant.

Thirdly, the objective to transform the NTTP Forum into a sustainable and independent national peace entity is highly relevant as the study also found growing concerns on how to make the project-created informal structure sustainable. This is a valid concern as it is not feasible for the donors to facilitate such forums for a long time.

Since donor support to the NTTP Forum has crossed the decade mark, the critical question that should be asked is *when is the right time to stop the support?* Although donors cannot and should not fund any project indefinitely, the USAID/Embassy of Switzerland should pull out of the program gradually, considering the fact that an ad hoc withdrawal may jeopardize the achievements made so far. In this context, the NPSP objectives of converting the NTTP forum into a National Peace Institute (NPI) is highly relevant. All stakeholders consulted accepted the unique contribution of the NTTP in the peace building and constitution making and underlined the need for continuation of this Forum on a permanent basis. Some NTTP Forum members, implementing partner TAF, and the USAID/DGO argue that in the long run, it should be managed through Nepal's own resources as the operational costs of this kind of project are not very high in terms of resource requirements. Some others like representatives from the Embassy of Switzerland felt that some form of donor support is required until the project becomes sustainable.

In terms of institutional arrangement for the NPI, overall consensus was that it should not be registered as an NGO. There was agreement on making it highly autonomous and free of political party and government control. Therefore, suggestions were made to establish it as a Foundation or a Centre for Peace Studies under a local university or an autonomous and credible institute. The general feeling was that whatever the institutional form it may take, it should retain its informality and flexibility. In the initial phase, donor support is required to create an endowment fund, after which the government should take the responsibility of running the day to day management. In the long run, donor support should be focused on the technical aspects with the provision of international experts and exposure visits as required. USAID's recently completed Democracy, Human Rights and Governance Assessment of Nepal (2012) also underlined the need to support a national level peace institution for conflict management in Nepal.

MAJOR ACHIEVEMENTS

Overall Contributions

NPSP's support has allowed the NTTP Forum to function as an informal, confidential, and low key process which the parties have used as a platform to negotiate details of many agreements. Whenever the peace process showed signs of faltering, the NTTP Forum has brought parties to the negotiating table in order to end the deadlock, rebuild trust, and reinvigorate dialogue. It is difficult to measure the impact of a peace process support program like NTTP Forum in quantitative terms; but the ownership and participation by the political parties in the NTTP Forum is likely its most significant achievement. Because of this engagement the NTTP Forum has been regarded as a credible, valuable, and fully owned informal Track 1.5 confidential national peace process support mechanism.

Process facilitation is one of the main strengths of the NTTP Forum which has helped to build trust among political leadership. During difficult and tense political stalemates, the NTTP was the only venue which was acceptable to all political parties. The Forum has been instrumental in building trust among different political actors and building an informal bond among the Forum's members.

Another key achievement of the NTTP is the promotion of team work, acceptance of each other's strengths, concerns and limitations and growing trust among the second tier leadership of major political parties. This has been a very significant achievement and has presented room for optimism that once these leaders assume the top leadership position in the parties, the possibility of co-working culture will further develop. According to a key informant,

> *"We were confident that if given the chance and decision making power, we could have taken the initiative to elect an all-party government as opposed to the CJ-led government. However, we were instructed to focus on drafting the 11 point and 25 point agreements to facilitate the government formation."*
>
> *-Khimlal Devkota, UCPN (Maoist)*

The NPSP has contributed positively in facilitating the peace process and constitution building, although it is difficult to state the actual outcome when the country is still awaiting the new Constitution after the dissolution of the CA in 2012. Mostly positive responses

were noted from all stakeholders, particularly the members of NTTP Forum on its utility in the difficult transition phase and the need for such a forum in the future as well. NTTP Forum provided a continuous dialogue space and exchange of ideas in a confidential and informal manner despite having ideologically different opinions based on one's political affiliation. It has given the members a neutral and non-confrontational venue to discuss their party mandate as well as their own take on matters of national importance. Since all matters are discussed in depth, it becomes easier to put all the differing perspectives on paper.

> *"It was only due to the great understanding of the second tier political leaders who attended the NTTP meetings that the political situation has not exacerbated from what it is now. As the second tier political leaders are in constant dialogue and can understand each other well, they could play a role within their respective political parties to convince the top leaders to be considerate in the limitations of the other parties; and therefore, be more open and flexible in their negotiation with other leaders. "*
>
> *- Youth Thematic Group*

It was also noted that the members and facilitators unanimously agreed that in the absence of such kind of platform, there was a possibility of widening disparity among political parties. Even though there exist other forums to facilitate the dialogue process, NTTP is the only forum that provides such an informal, low-key and confidential space for negotiations.

The NTTP Forum has immensely benefitted by the quality of international facilitators and convening power of national level facilitators. Because of its informal nature and structure, NTTP Forum has been able to facilitate dialogues even during extremely adverse situations and political deadlocks. Key to the success of the NTTP is the participation of its national facilitators who are highly respected and have the convening power because of their political standing and contribution to Nepali politics; the international facilitators such as Professors John Paul Lederach and Late Prof. John Darby of the Kroc Institute for International Peace Studies, too, are very well known internationally in the area of conflict management and peace building.

The NTTP Forum has also been very active at times of political impasse in the country. It was effective in ending the stalemate between the President and the then Prime Minister (PM) over the sacking of the Commander in Chief of the Nepal Army in 2009. With PM Prachanda's subsequent resignation, normal proceedings of the Parliament was obstructed by the Maoists. In April of that year, the NTTP Forum facilitators and members met the President, PM and other senior leaders to encourage them to work according to the spirit of the peace process. Consequently, a political dialogue was hosted for the senior leaders of the three largest parties to discuss ways to break the deadlock. Over the same period, numerous individual and group meetings took place to find ways to end the impasse and different techniques were employed, culminating in the decision of the Maoists to allow Parliament to function, thus easing the way to further negotiations. Considering the political situation, it was a significant achievement of the NTTP Forum as no one was in a position to predict what would happen if the deadlock persisted for long time (Nepal Transition to

Peace Initiative, Achievements 2009-2011).

Another crisis loomed in April 2010 as the Maoists and the ruling coalition adopted a confrontational mode and resorted to strikes and blockades to force the resignation of the then PM Madhav Kumar Nepal. The President, at the request of the NTTP Forum facilitators, hosted the first ever meeting of the chiefs of the three major parties. The rest of the month, the NTTP Forum played a central role in facilitating most of the high level negotiations that took place, and the facilitators assisted the big three parties to adopt a more conciliatory position on most of the outstanding issues (Nepal Transition to Peace Initiative, Achievements 2009-2011).

A further crisis in which the NTTP Forum played a vital role occurred after negotiations over the formation of a government of national consensus broke down in July 2010. NTTP Forum facilitators acted to sustain the dialogue process, meeting with the President, PM and top level leaders of the major parties. Over the following months, further meetings were held with the top leaders to convince them to resume the negotiation process, until, in November, Home Minister and NTTP Forum member Bhim Rawal was finally able to implement the long-standing NTTP Forum concept of having top five leaders from the big three parties start structured negotiations. The facilitators assisted Mr. Rawal in planning and hosting them. These were followed in February 2011 by confidential negotiations in Switzerland which resulted in the production of a joint text on the issues covered, subject to final agreement later by the senior leaders. Other NTTP Forum activity was focused on the build up to the May 2011 deadline for constitution writing, with the forum pushing the top leadership for a specific timeline on the peace process. Some NTTP Forum members were official negotiators representing their parties whilst others were responsible for drafting the informal agreement on extension that the parties finally signed.

Additionally, the NTTP Forum has also been very influential in negotiating between the different political parties for the appointment of the CJ-led government. With the failure of the parties to agree on an all-party government of national consensus, the NTTP Forum facilitated talks between the parties to get them to agree on the appointment of a CJ-led government, a proposal that was floated by the UCPN-Maoist in their general convention. An example of a CJ-led government in Bangladesh had also been introduced as a potential form of government for the purpose of holding elections in Nepal by Prof. Lederach. Once the four major parties had agreed on the formation of an interim election government, key NTTP Forum members drafted the 11 points and 25 points agreement to ensure the commitment of the four party leaders for holding CA elections.

Recently, the NTTP Forum has been playing an important role to negotiate between the Mohan Baidhya group and the major political parties to bring the former to participate in the upcoming CA elections. In June 2013, the retreat facilitated by Prof. Lederach was instrumental in raising the issue of a round-table conference for all parties which has been a demand of the Baidhya Group. In the month of July 2013, several informal meetings took place between government representatives and the Baidhya group in the NTTP Forum's office. As reported in the press, major political parties have agreed to sit for the round-table to end the current impasse. This is a significant achievement of the NTTP Forum *(See Annex for Media Coverage).*

Table 3.1: Chronological presentation of NTTP Forum's Contribution to the Peace Process and Constitution-building

Events	Year
Facilitation of talks between the Mohan Baidhya group and the other political parties to bring them together for a round table meeting	2013
Facilitation in the formation of the CJ-led government, with the 11 points and 25 points agreement being drafted by key NTTP Forum members	2013
Agreement on the number of soldier to be integrated into the Nepal Army	2012
Negotiation with the major political parties to ensure dialogues after the dissolution of the CA	2012
Organized a conference in Steckborn, Switzerland for NTTP members, which was instrumental in producing an agreement on the mixed form of governance model and Constitutional Court	2011
Negotiations with top leaders of political parties to stress on the importance of the term extension of the CA	2010
Facilitation of talks to end the deadlock between the Maoist and other opposition parties and the government led by Madhav Kumar Nepal over the formation of a national consensus government	2010
Resolution of the Prachanda-President stalemate after the President's move to block the sacking of the Commander in Chief of the Nepal Army, Rukmangad Katwal	2009
Facilitation of talks between the Maoists and the government to avoid possible bloodshed after 6 Maoist cadres were killed in Dang, two days before the CA elections	2008
Ensuring successful completion of the CA elections by facilitating talks between the United Democratic Madhesi Front (UDMF), who were threatening to boycott elections, and the government	2008
Facilitated in establishing the Peace Secretariat, establishment and capacity building of LPCs Committees	2007
Facilitated in writing the Comprehensive Peace Accord	2006

In addition to the above, NPSP/NTTP Forum has also contributed to the knowledge building of political leaders, which is very critical for peace building and constitution making. Unlike other mature democracies, the level of knowledge and understanding of the peace process is low in Nepal. This is especially prevalent in, but not limited to, the Maoist party which entered the peace process in 2006 after a decade of armed struggle (1996-2006). In this

context, NPSP has made efforts towards knowledge building through exposure visits, experience sharing by international experts and providing research facility to NTTP Forum members. These efforts have been effective in enhancing the knowledge of the NTTP members on the international peace process. These initiatives of NPSP have been well appreciated by majority of the NTTP Forum members. However, a clear need exists to initiate activities that can enhance the knowledge of political leaders of all levels on peace building which has been happening in piece-meal basis as of now. Consultations in the districts reveals that there is also knowledge deficit among journalists and the public sector officers working in the arena of peace building in Nepal which needs to be addressed by future projects.

When it comes to the role of the two national facilitators, they have been instrumental to ensure continuous engagement of the leaders in the NTTP Forum. Because of their political standing and the respect they generate from political actors, they have convening power and have been able to work as a link between the political parties and civil society during times of need. Despite their advancing age, most members believe that the facilitators have contributed positively to the peace building process. Nonetheless, there were some reservations raised against the facilitating skills of the two national facilitators who at times were not felt to be completely neutral because of their own political backgrounds. It was noted that this was because they are not trained facilitators but became such by default. It was also critiqued by some members that for a forum as dynamic as the NTTP, the facilitators needed to be more proactive in meeting top leaders on a periodic basis, so as to bring their perspectives to the Forum meetings. The facilitators need to intervene between the two tiers of the parties to cross-check if the discussions held in the NTTP Forum were well communicated by the NTTP Forum core members to their top leaders. Some members also believed that the facilitators had to be planning oriented. For instance,

> *"NTTP Forum is a beautiful platform where political leaders can vent out all their concerns, listen to each other, and understand each other's strengths and limitations. However, it has not been as assertive as it should have been. The facilitators should have been more proactive at times to push the NTTP agenda further. In view of the thorough knowledge, experience and respect that the facilitators carry with them, they should have made extra efforts to take the NTTP agenda to the top-level political leaders as well. The Forum has to be more systematically organized with a proper planning mechanism. The facilitators should always be on top about the current context and come out with work plan for future meetings/events accordingly."*
>
> *-Ishwor Pokhrel, General Secretary, Unified Marxist Leninist (UML)*

NTTP Forum members were, nevertheless, unanimous in their appreciation of the quality and contribution of the international experts, especially Prof. John Paul Lederach. The overall perception is that his contribution has been very significant to the facilitation process and is one of the strengths of the NPSP, benefitting the members and national facilitators alike with his expertise on the international peace processes.

NPSP has also contributed positively by mobilizing the media to raise civic awareness on peace building and constitution writing process. Since 2006, Nepali media has been

incidence-driven because of the broader transitional instability in the country. The front page of popular broadsheets are filled with sensational statements, crime reports, unruly protests, political abductions, supply scarcities, etc. Constitution writing process, procedural events and political statements manage to get some media attention, but contents are mostly crowded out by more sensational news. Since direct participation of the people in events such as dialogues, consultations and grassroots civic education is limited, broadening and deepening the discourse on constitutional development through a more engaged media was absolutely vital to generate ownership and participation in the CA process. Some activities conducted during the process, including formation of editor's roundtable on CA affairs, provision of journalism fellowship for CA affairs correspondents, and production of interactive Radio Program shows on constitutional issues for remote areas have had positive impact, though it is difficult to measure its tangible outcome. The participation of over 67 percent voters in the CA elections in 2008 is one of the testimonies of the successful media engagement.

In case of sensitive political issues, it is felt by most NTTP Forum members that the media should be carefully handled as it might jeopardize the whole negotiation process. One such example is the high level dialogue between the Baidhya group and the current government, which has to be a low key affair until the real outcome becomes visible. In this context, NPSP has tried to strike a proper balance on what should/should not be reported to the media due to sensitivity of the information. Another recent example is the wide coverage by the media on the Gokarna retreat which paved the way for a round-table conference between the political parties.

Contribution to Constitution Writing and Peace Building

Though at the outset it might look like that the NTTP Forum's efforts to contribute to constitution building was unsuccessful as CA was dissolved without promulgating the new Constitution, analysis of the process leading up till the dissolution of CA suggests that the contribution of the Forum will provide a basis for the formulation of the Constitution by the next CA. Several contentious issues related to constitution making have been settled by the political parties in which the NTTP Forum has contributed indirectly.

Another important observation is that the NTTP Forum had also contributed to the successful completion of the first CA elections in 2008. The instances given below suffice to substantiate this claim.

Box 3.1

At the time of the CA elections in 2008, the UDMF constituting the Sadhbhavana Party, Tarai Madhes Loktantrik Party and Madhesi Janadhikaar Forum announced a boycott of elections unless their demands were met. To diffuse the situation and to bring the dissident parties to poll, the two facilitators and members of the Peace and Conflict Management Committee (predecessor of NPSP) facilitated negotiations between the two factions and were successful in bringing the parties to a common ground and ensuring a successful election process.

Box 3.2

The two facilitators were also very instrumental in avoiding possible bloodshed following the assassination of six Maoist cadres in Dang, just two days before the elections. The facilitators were extremely effective in diffusing the situation by constantly being in touch with the Maoists and facilitating dialogue between the then PM G.P. Koirala and Prachanda, who were committed to holding the polls at all cost.

When measuring NTTP Forum's role in constitution building, the role of facilitators and Forum members was found to be significant in the first term-extension of the CA. Separate dialogues were held with the leaders of the major political parties, who were unsure about the extension. The leaders were convinced of the necessity of the CA extension and how a constitutional void would negatively impact the peace process, following which a draft for CA extension was prepared with the technical facilitation of the NTTP Forum members.

The NTTP Forum has also contributed in ironing out differences in key constitutional areas including mixed form of governance. One of NTTP Forum's major achievements has been the agreement on mixed form of governance, which was agreed upon during the Forum members' visit to Steckborn, Switzerland. Intense discussions, followed by constantly keeping the party leadership updated through a 24-hour hotline, resulted in all the parties agreeing on the mixed form of governance model. Though the agreement could not come to its logical fruition, it is expected that the next CA will take it as a stepping stone in settling the dispute on governance models.

It has also been observed that the NTTP Forum has contributed considerably to the Dispute Resolution Committee (DRC) formed under the chairmanship of Prachanda. Prior to formal meeting in the CA Secretariat, several rounds of informal meetings took place at the NTTP Forum to iron out the differences on several contentious constitutional issues. Because of this facilitation, the DRC was successful in reducing the number of issues under dispute significantly. Although the Constitution was not promulgated, the narrowing down of differences in opinions will be helpful in drafting a new constitution by the future CA.

NPSP support has been significant in facilitating important components of the peace process like the integration of ex-Maoist combatants in the Nepal Army. NTTP Forum was instrumental in bringing about a final agreement on the total number of combatants to be integrated in the Nepal Army. All the stakeholders agreed that this has been one of the major achievements of the NTTP Forum with them being engaged in intense discussions to decide the number of combatants.

As peace building was a new concept in Nepali politics, there was a clear knowledge deficit about the process to be followed to achieve peace in a fragile state like Nepal. This was especially true for the Maoists who joined the mainstream political process by giving up arms. The NPSP contributed in this area through a couple of initiatives. First, PRU was established at the NTTP Forum office, whose mandate was to conduct research on different aspect of peace process and make the findings available to the NTTP Forum members. The

ultimate aim of the Unit was to assist in the institutionalization of Peace Units in major political parties which is still a challenge to overcome. Likewise, NPSP has also contributed to bridging the knowledge deficit among the parliamentarians on constitution making and peace building by arranging observation tours to different countries as well as bringing international experts to discuss the constitution making process.

> *"The exposure trips organized by the NTTP Forum to South Africa and Peru have proved extremely useful to understand the peace process and constitution building process for Nepal"*
>
> *-Chitra Lekha Yadav, Nepali Congress (NC)*

As perceived by a majority of the key informants, these exposure trips were very positive since they helped to enhance their knowledge. However, the general feeling was that the number of exposure visits organized were far less than required. Such opportunities were also needed for the youth leaders of the political parties who will be the ones taking key positions in future.

OBSTACLES AND CHALLENGES

In spite of the efforts of the second tier leadership of political parties, the main objective of formulating a new Constitution has not yet been realized. There are several factors which have impeded the achievement of the overall objectives of constitution making and peace building in Nepal. This section lists some constraints faced by NPSP in fulfilling these objectives.

A key feature of Nepali politics is that there is a *certainty of uncertainty*, as Nepal's political scenario and peace process is influenced not only by the national political actors but is also dependent on the role played by international actors. There have been instances where the all party leadership have shown commitments to work further on the agreements negotiated at the NTTP Forum, but have not been able to follow up on their commitments because of some form of external pressure. In a country geographically situated like Nepal, the external power play will ultimately be one of the determinants of the direction that the peace process will take place in Nepal. Looking from another perspective, it could be a positive factor as well. For instance, if all political parties stand united on national matters, they will be able to minimize the effects of external factors. This has not happened so far due to vested interests of political parties as well as their leaders.

Composition of the NTTP Forum is also a major issue that needs to be resolved. The lack of adequate representation of women and other excluded groups, as well as the mechanism for including core members in the NTTP Forum is a critical issue.

Another major challenge faced by the NTTP Forum members has been the lack of sharing of Forum's discussions with the party leadership and making them aware of what has been agreed informally at the Forum. Some of the reasons cited for this were:

- the lack of ownership and understanding of the agreements on the part of leaders, who are not the members of the NTTP Forum and are, therefore, not convinced of the correctness and effectiveness of the decisions

- failure on the part of the NTTP Forum members to convince the top leaders as some of them are of comparatively junior standing in their respective parties and thus may not be influential enough to sway the party leadership
- vested interests and perspectives of the participating members, who, themselves, may not be in agreement with the outcomes of the discussions and thus may feel that conveying such information to the party leadership can deter their own personal interests

All key informants have unanimously agreed on the importance of the NTTP Forum, however a clear mechanism of interaction with top leaders as well as a forum for regular meetings among the party leadership is absent. It was gathered from the discussions with the NTTP Forum members that if the top leaders were approached en masse, it would prove to be more effective than reporting separately to their respective leadership. Alternatively, the Forum should hold joint meetings to disseminate information to all party leadership so that consensus will be possible.

One other challenge was the lack of monitoring mechanism and documentation of the discussions and agreements within the NTTP Forum**.** Though the NPSP team documents some of the meetings, there are other confidential meetings that are not attended by them. Since there is no documentation for these discussions, there have been backtrackings from the verbal agreements made earlier. Even when discussions are documented, there is no mechanism in place to update the members subsequently about the issues discussed in the past. Ideally, this should have been the role of facilitators but it has been reported that they have not been as proactive as they should have been.

Politics in Nepal suffers several organizational and managerial problems and the same can be said of the facilitators who lack the culture of strategizing and planning. The study team noted that there was no proper documentation and review of the topics under discussion in previous meetings, due to which, little or no follow up of the meetings took place. The facilitators also lacked a system of prior planning for meetings and even though they had flexibility to work as they liked, they were not seen to be proactive in terms of arranging meetings with NTTP Forum members and party leadership. This has hindered the NTTP Forum from being more effective.

Additionally, it was felt that socio-economic agendas outlined in the CPA have not been touched upon in the Forum's discussions, with political agenda, mainly the peace process, dominating the discourse. This was justified by some stakeholders who reiterated that, at present, bringing political stability to the country needed to be prioritized, following which there would be economic and social stability. There are some other members who think that the reason for the lack of socio-economic discussions at the NTTP could be the lack of experience of the facilitators themselves on this matter since both of them are from political background.

One other key issue for the NPSP/NTTP Forum is the indirect avoidance of key constitutional issues in the discussion platform. For the past few years, power sharing has

taken precedence over pressing constitutional issues such as federalism and forms of governance. However, many independent observers are of the thought that even if the CA election took place as planned, the constitution will not be promulgated unless the issues of federalism and governance are addressed effectively. It has thus become imperative that the future NTTP Forum meetings also cover the two issues under its discussion agenda instead of focusing only on the upcoming elections since the election alone is not sufficient for lasting peace.

Apart from the formation of the NTTP Forum, NPSP has also formed some thematic groups which are loosely based on the same informal nature as the NTTP Forum. Though there have been mixed reactions to the formation of the thematic groups, a majority of Forum members argue that these groups have provided a space for dialogue on contentious issues which, if addressed directly in the CA, would likely become politicized. The thematic groups also have a broadened socio-political perspective as compared to the NTTP Forum, because it has members representing civil society, especially in the women thematic group, as well. It was also observed that the women and youth thematic groups were more active when compared to the other groups.

Looking at the nature of the functions of the NTTP Forum, it appears that youth group is the most appropriate as well as active in the NTTP, though it also requires more capacity building support from the project. In view of the effective role that the youth thematic group is playing in addressing some political issues, as has been presented in the earlier sections, their increased capacity can be instrumental in settling many other important political issues about federalism, constitution making and peace building as they emerge in the future.

Another concern for the future of the NTTP Forum is the increasing age and declining health of the national facilitators. Although, it is difficult under the current circumstance to find the facilitators with as much convening power and respect as that of the current facilitators~~,~~ it has become a pressing need to find new facilitators. Considering this, NPSP has made a timely decision to introduce two new facilitators, Mr. Vidhyadhar Malik and Ms. Stella Tamang. Apart from this, there were suggestions from NTTP Forum members to introduce rotational facilitation practice among second tier leadership of the political parties as they are now fully conversant of the NTTP process. This is an interesting proposition but the question may arise about their competency since there is a marked difference between attending discussions and facilitating meetings. NPSP's current Advisor has also been mentioned as one of the promising facilitators because of his excellent rapport with key political leaders.

One other major issue that came up from consultations was the trade-off between transparency and confidentiality of the NTTP Forum. Many believe that every citizen has the right to information in a democratic country. Therefore, this argument justifies that the NTTP Forum should be open to the press. Another perception, however, is that since the issues under discussion are so sensitive, it is appropriate to maintain confidentiality until the

right time is there to make the information public. Both arguments look promising, but NPSP has been criticized widely for not being transparent to the wider audience. Given the sensitive nature of program, there is no need to disseminate every information of the NTTP Forum, but concrete results from the meetings should be shared with the media as soon as possible.

Lastly, sustainability of informal infrastructures including the NTTP Forum, Thematic Groups, PRUs and LPCs are other challenges of the NPSP. As discussed earlier, these informal structures are needed, but how to make them sustainable is a big issue. Consultations with senior level political leaders have revealed positive feedback, particularly about the NTTP Forum. Thus, it may be possible to mobilize political parties to make the NTTP Forum sustainable with policy as well as financial support. Policy support may be required to provide an institutional mould to the Forum in the form of a Foundation or other forms of institutional arrangements, while financial support is required to make the institution sustainable. Since managing such a forum is not very expensive, it would make more sense to mobilize local resources for the same. In the meantime, donors can provide support for start-up costs or endowment fund for such a forum to be institutionalized on a permanent basis.

Sustainability of Local Peace Committee is another major issue as politicization of the LPCs hinders peace building at the local level. In addition, institutionalization of LPCs is yet to take place. As of now, they are operating on an ad hoc basis as per the government's decision every year. This has retarded the institutional development of LPCs. There is also the need to explore sustainability option of PRUs and LPCs for long term peace building in Nepal.

Key Issues in NPSP Management

The key informants were appreciative about the operational and administrative support provided by the NPSP team and had no complaints on that front. They were of the view that the support provided by the NPSP team has led to the smooth operation of the activities of the NTTP Forum and the other thematic groups. The NPSP team arranged, managed and documented majority of the NTTP meetings, as well as provided their time and technical support, as and when needed. The team has also managed to develop an excellent rapport with the members of the NTTP Forum and the thematic groups which has further added to the effectiveness of the Forum.

Some concerns were expressed by the facilitators on the logistics facility provided to them, as there were certain factors that were hindering their effectiveness. One of their chief concerns was the lack of support staff/assistant to assist them with scheduling appointments, documentation, arranging for logistics etc. It was also found that providing them a vehicle with a private number plate would be convenient as this could facilitate their movement at all times, beyond office hours and during weekends. The lack of flexible funding for the facilitators also hinders them from organizing informal meetings with different groups outside the NPSP premises.

Additionally, the unique nature of the NPSP has created some procedural problems for the team as well as the management at TAF. As the NPSP is a complex, dynamic program, it

cannot be fitted in a regular project mould. The project deals with sensitive political issues as per their development. As a result, NPSP cannot be kept in the same straitjacket as other development projects. Because of the very nature of the intervention, where results may sometimes be achieved just in a day or may not be achieved for months at a time, TAF and NPSP may not be able to provide a monthly list of activities and outcomes in advance. For this reason, it is almost impossible for the management team to make actual forecast of expenses and also quantify the outcomes. In this situation, TAF has faced constraints in reporting the project progress in the prescribed manner.

CONCLUSION AND RECOMMENDATIONS

CONCLUSION

NPSP's two major objectives were to contribute to the peace building and constitution making process in Nepal. At the outset, both processes remain incomplete and when looked at this way, the project has not produced any quantifiable outcomes. However, the evaluation concurs at the uniqueness of this kind of process-based project which cannot be evaluated on the basis of its calculable outcomes. There are many other factors which are instrumental for the successful conclusion of peace building and constitution making in a fragile country like Nepal, and NPSP has attempted to contribute to this process through the formation of the NTTP Forum and its smooth functioning during the entire project period.

The study shows that the NTTP Forum has been an important instrument for advancing the political process in Nepal. The NTTP is a forum which has provided a trustworthy and confidential space to political parties to further the dialogue process at an informal level, by letting their guard down and discussing and negotiating contentious issues which have emerged as the peace process gained momentum. There was general consensus between the members of the NTTP Forum to give it continuity in one form or the other, till peace building, drafting of the new constitution and clarity on federalism is achieved. Some members have argued that it is needed even after the completion of the peace process and constitution building to look at other dimensions of conflict. The question is on the modality of this continuation and who should be involved in the process.

NPSP's current phase will come to an end in August 2014. Since USAID/Embassy of Switzerland and other donors have been providing funding and technical support for almost a decade, the crucial question that needs to be addressed is how far the support to peace process should continue. *Does the project have value for money in the context of prolonged political crisis?* In order to ensure the sustainability of NPSP's best practices, as well as to answer this question, the sections below will provide short and long-term recommendations to be considered by the donors.

SHORT TERM RECOMMENDATIONS

NPSP should continue providing support to the NTTP Forum until the end of December 2016 for two reasons. As things stand now, it is expected that the second CA election will be held in November 2013. In this regard, the NTTP Forum could provide an important space to discuss different issues relating to the election, in order to conduct it in free and fair manner. In addition, the NTTP Forum, through its thematic groups, could exert pressure to the different party leadership for adequate representation of women, Janajati and other socially excluded groups in the election process. Also, the NTTP Forum could be an important platform which can enforce the election code of conduct by the parties themselves.

After the next CA election, senior leaders of political parties should work collectively to forge consensus on federalism and the form of governance. Since the issue of federalism has been the main bone of contention in the last CA, this could well be one of the major

challenges for political parties to overcome in the coming days. NPSP and its facilitators should mobilize the NTTP Forum to initiate discussions on these agenda. By recommending this, the team's intention is not to undermine the CA, but to ensure that the NTTP Forum facilitates the CA to resolve contentious issues in a fair manner. One way of doing this could be the proposed roundtable conference, which can form a task force to focus on federalism-related issues with the NTTP Forum being an appropriate place to host such a task force.

Regarding the LPCs, the team endorses the decision taken by the NPSP/USAID to pull out as appropriate strategy, as other donors and the GON are currently assisting LPCs. However, in the long run, LPC activities should come under the proposed NPI as this would provide neutrality to the LPCs, to address local peace building issues, its capacity building and institutional development. Detailed scoping for this should be done at the time of formation of the NPI in consultation with MoPR. Since the TRC is mired with controversies and does not conform to international standards by giving blanket amnesty to various criminal activities, it is appropriate for the NPSP to distance itself from any kind of support to this initiative. Formation of the TRC is a sensitive issue to be handled and thus should be left to Nepali stakeholders.

Concerning the PRU, the team recommends the following;

- Prepare and implement strategy to disseminate outcome of the research conducted by NPSP to the wider audience
- Involve thematic groups in future research projects
- Initiate a set up process for PRU in each political party with the provision of technical and logistic support for long term institutionalization
- Provide capacity building opportunity to the researchers working in the PRU, both in the NTTP and political parties

In terms of overall management of the NTTP Forum, we recommend the following to be implemented as soon as possible:

- Maintain a system to ensure that the agreements made in the NTTP Forum have been followed up by the leaders
- Explore the involvement of top leaders of political parties in the NTTP process by proactive facilitation, like meeting leaders on a regular basis to inform them of the outcomes of NTTP Forum meetings, and also seek their inputs on other contemporary political matters)
- Continue NTTP Forum's political neutrality
- Maintain flexibility of the Forum keeping in mind the larger objective of the project

- Explore the possibility of introducing young group of facilitators. In the interim, rotational facilitation system should be introduced among the NTTP members
- Strengthen the secretariat of the NTTP by preparing work plans and agendas for NTTP meetings, preparing minutes and its sharing, monitoring and follow up mechanism of the meetings' informal decisions, increasing budget for fulltime staff and logistic arrangements for national facilitators
- Continue providing flexibility to NPSP in terms of planning, implementation and expenditure forecasting
- Maintain confidentiality of the NTTP Forums' agreements/decisions until they are fully owned by the political parties, especially the top leadership
- Increase the budget for active thematic groups such as Youth Group and Women's Group for various activities like interaction programs, workshops, field research, capacity building and exposure visits

LONG TERM RECOMMENDATIONS

The team perceives an immense value of the NTTP Forum even after the proposed CA election in November 2013. Given the nature of confrontational politics, smooth political transition cannot be expected in the near future. Since the most likely scenario will be a hung parliament, political instability is bound to happen. As in the past, there will be a need for a neutral place like the NTTP Forum to discuss differences and to build trust among the political leaders. The NPSP should continue to provide a venue until its current project life ends. Since a forum like the NTTP is required even after the conclusion of the peace process and constitution building, it is recommended that NPI be established as a long term solution to deal with this issue.

It is also felt that establishing the NPI in itself is not an easy task, given the political sensitivity of the issue. Since USAID and the Swiss Government have invested so much time effort on the NPSP, it would be appropriate to spend a few more years to institutionalize the NPI. As the country is heading towards election, it may be difficult for NPSP to mobilize political actors for institutionalization of NPI at present. Since the institutionalization is a time consuming process, it is recommended that USAID be involved at least until the NPI is formed and established, which, it is believed, will take a minimum of thirty months. Therefore, it is recommended to extend this project until 31 December 2016 by which NPI will be fully functional, in terms of its own operational legislative and financial support through the GON.

Some Ideas for the Proposed NPI

Since the idea of establishing the peace institute has been endorsed by all major political parties as well as the facilitators, we recommend this as one of the important action points for NPSP from now onwards. The team endorses some of the ideas and suggestions put forward by Prof. John Paul Lederach regarding the NPI. The summary provided will act as useful guidelines for the establishment of NPI but it is felt that the NPSP/USAID should

commission a separate consultancy/study in order to establish the NPI as it requires long term engagement with several actors. Some of the preliminary ideas regarding the scope of work, institutional modality and financial sustainability regarding NPI are presented below.

NPI should assist to increase capacity for conflict analysis pattern forecasting, and preventive dialogue around strategic issues emergent in Nepal while continuously providing space for dialogue on short-term crisis issues. Since emerging strategic issues will not be confined to conflict, NPI should be armed to take up broader socio-economic empowerment agendas as well. Appropriate organizational structure should be formulated in relation to the goals, purpose, objectives and activities of the organization. Some of core functions of the NPI would be;

- Research and Policy on conflict trends, issues and crises emergent in Nepal and the wider region. Key partner organizations will include universities, Ministries, Nepali NGOs and other peace institute at regional/international level

- Sustaining dialogue on strategic national issues; there is a clear need to develop and actively implement pro-active proposals for dialogue initiatives around strategic issues that include but may go beyond the political forum NTTP has provided for politicians

- Provide conflict engagement and transformation capacity in key local conflicts. This involves working in close partnership and networks with local levels of conflict with a focus on strategic concerns, particularly natural resources conflicts, boundary and identity issues, and crisis emergent as a federal model implements constitutional mandates

- Provide education and training based on experience and best practices; the NPI should offer regular education and training capacities to increase understanding and skill in the core areas of expertise, particularly dialogue and conflict engagement and transformation

- Some of the likely strategic issue that will be flash points of conflict after the peace process has concluded and the new constitution has been approved should be in the areas of natural resource conflicts (land, water and forest), post constitution issues around identity, boundaries and implementation of federalism, emergent Western region ethnic and identity conflicts, etc.

Institutional Mechanism for Proposed Nepal Peace Institute

Alternative # 1 Nepal Peace Foundation

- One way would be establishing Nepal Peace Foundation with an independent board of trustees with the purpose of sustaining a non-partisan image and provide for an accountable and transparent organization

- Create an advisory board of politicians, starting with key people who participated over the last 10 years with NTTP. This board is not the Board of Trustees. The Board will provide guidelines for research, activity and initiatives will be discussed with key politicians seeking their counsel, and leadership of the institution would remain open for their suggestions as well. Advisory does not have financial oversight or control of decisions

- Seek start-up funds for the first few years (2-3 Years) from international community while making the case that the Foundation would benefit from endowment gifts from some of them to assure long-term viability and independence

- Seek regular budget support from government or key ministries for a range of supportive activities

The following table presents the pros and cons for establishment of a Nepal peace Foundation:

Pros	Cons
• Independent status • Flexibility • Quick decision making • Collective ownership • Will help in sustainability of the project • Possibility of attracting high profile experts	• Time consuming process for resources mobilization at desired level • Common property syndrome • Difficult to mobilize volunteerism (in case of selection of trustees)

Alternative # 2 Centre for Peace Studies (Under National University)

There are also some suggestions to establish the NTTP Forum as a Centre for Peace Studies affiliated to a national university to provide it legitimacy and long term sustainability. This centre should be housed in a prestigious university so that it gets academic rigor, respect, and regular funding from the government. The purpose, core functions and activities remain the same as explained earlier. The Centre should be given full autonomy to operational flexibility in terms of management, resource mobilization and networking with several actors working in the peace process. The table below provides the pros and cons for the formation of a Centre for Peace Studies under a national university in Nepal.

Pros	Cons
• Credible • Academic rigor • Sustainable • International linkages	• Possibility of being politicized in terms of appointments, management • Difficult to find funding for core expenses

• Easier resource mobilization through project grants	• Disturbance in working due to students' strikes • Quality might suffer

Alternative # 3 Autonomous Institute like the Nepal Administrative Staff College

The autonomous institute will get budgetary support from the government but works independently of it. This requires a separate Act to be approved by the Parliament. In this case, the Institute should be given full autonomy to operational flexibility in terms of management, resource mobilization and networking with several actors working in the peace process. The following table lists the pros and cons for this particular alternative:

Pros	Cons
• Assurance of regular funding from government • Operational flexibility • Sustainable • Possibility of resource mobilization • Possibility to draw experts	• Time consuming establishment process (to draft a separate Act etc.) • Bureaucratic interference

The following tables provide short and long term agency-specific recommendations:

Table 4.1: Short Term Recommendations

Recommendations	Agency
Continue providing support to NPSP till the end of 2016 for implementing the following recommendations: • Continue informal dialogue process with various political parties and thematic groups • Lobby with party leadership for increasing the representation of women, Madhesi, youth, Janajati and other marginalized groups • Build consensus through profound dialogues with political parties for developing election code of conduct	USAID/Embassy of Switzerland

• Provide support to forge consensus on federalism and form of governance among senior leaders • NTTP Forum to engage with CA Thematic Groups to support the process of getting further clarity on matters of federalism	
Continue disengagement with LPC until the formation of a separate, independent institute like NPI	USAID
Strengthen PRU by taking into account the following specific recommendations • Prepare and implement strategy to disseminate outcome of the research conducted by NPSP to the wider audience • Involve thematic groups in future research projects • Invest in building the capacity of researchers working in the PRU, both in NTTP and political parties • Set up PRU in each political party and make provision for adequate and timely technical and logistic support for its long term sustainability	NPSP/TAF
Improve the overall management of NTTP by implementing following recommendations: • Develop a system to follow up on the agreements/decisions made in the NTTP Forum meetings • Ensure the involvement of top leaders of major political	NPSP/TAF

parties in the NTTP process • Continue ensuring political neutrality in the NTTP Forum • Maintain NTTP Forum's flexibility being guided by the larger objective of constitution drafting and peace building • Introduce rotational facilitation system among the NTTP members until young group of facilitators are identified • Strengthen the secretariat of the NTTP Forum by increasing budget for fulltime staff and for logistic support (vehicle, incidentals, support staff etc.) for national facilitators • Continue providing flexibility to NPSP in terms of planning, implementation and expenditure forecasting • Maintain confidentiality of the NTTP Forum's agreements/decisions until they are fully owned by the political parties, especially the top leadership • Increase budget for active thematic groups such as Youth Group and Women's Group for various activities like interaction programs, field research, capacity building and exposure visits	

Table 4.2: Long Term Recommendations

Recommendations	Agency
• Establishment of NPI based on the three alternatives and their pros and cons, as suggested by the study team • Constitute a scoping committee to further detail out the best possible alternative, taking into account the pros and cons of each of the three alternatives suggested by this study, as well as those recommended by the committee • Set up the NPI by January 1, 2017	USAID/Embassy of Switzerland

ANNEXES

Annex I: *Evaluation Statement of Work*

STATEMENT OF WORK (SOW)

Mid Term Evaluation for USAID/Nepal
Nepal Peace Support Project (NPSP)

1. Introduction

This purpose of statement of work (SOW) is to contract professional services to conduct a mid-term evaluation of USAID Nepal's Nepal Peace Support Project (NPSP) implemented by The Asia Foundation. NPSPis a $4.1 m. project forover fiveyears began in March 2009 and will be implemented till August 2014. The mid-term evaluation will be used to validate effectiveness of project approaches and activities as well as make adjustments as needed in the remaining period of project implementation. Evaluation findings will have different audiences which will consists of USAID staff and implementing partner, political parties and their constituents, CA secretariat, non-governmental organization (NGOs) and relevant Government of Nepal (GON) personnel plus ministries and departments.

This evaluation will focus on activities implemented during March 2009 to March –April 2013 to: a) examine the process of application, implementation, and effectiveness of completed and ongoing interventions; b) investigate intended and unintended consequences of the program, and c) to determine what are the lessons learned and recommend what adjustments can be made to the program to maximize improve impact project effectiveness and sustainability.

2. Project Information

Background:

Beginning in 2003, upon the request of the Government of Nepal (GON), USAID has provided critical assistance and support to the peace process negotiations, actors, and institutions. NPSP was first implemented by the Academy for Educational Development from August 2005 to February 2009. In 2009, the Ministry of Peace and Reconstruction and other peace stakeholders requested USAID continue this assistance until the peace process reached a "logical conclusion."USAID assistance provided to TAF from March 2009 due to the evolving political situation and the continued need for NPSP's assistance, particularly to the Nepal Transition to Peace (NTTP) Forum and its work in the consensus building and constitution drafting processes. During the period USAID granted TAF five modifications (cost and time extensions) due to the evolving political situation in Nepal.

Initially, TAF's interventions were supposed to contribute to the broad **goal** of advancing Nepal's peace process by achieving three core **objectives:** to maintain and strengthen the NTTP Forum as a center for Track 1.5 agenda setting, dialogue, and negotiation; to support the launch of key Transitional Peace Structures; and to increase the base of

support for Peace Units within their political parties.

TAF applied a sequenced approach to its support for the NTTP Forum, initially maintaining the Forum's physical and human assets, and subsequently introducing capacity-development activities designed to increase the Forum's ability to define and carry out a forward-looking agenda for negotiation and consensus-building.

Goal andObjectives:

From September 2012 to August 2014 the proposed project interventions will contribute to the goal of advancing Nepal's peace process by achieving the following objectives:

Objective1: To strengthen NTTP capacity to engage key stakeholders in the constitutional development and peaceprocess

Objective2: To build the capacity of Political Party Peace and Research Units to serve as a resource on the peace process

Objective 3: To transform the NTTP Forum into a sustainable and independent national peace entity

The NPSP supports the Mission's upcoming Country Development Cooperation Strategy's (2013-2017) Development Objective 1: Governance systems made more effective, participatory, and accountable by contributing to the achievement of all three intermediate results. In line with Intermediate Result (IR) 1.1, NPSP is working to build the capacity of the NTTP Forum so that it can function as an independent peace institution, capable of implementing peace process programs. Consistent with IR 1.2, NPSP engages citizens in the political process by engaging political party leaders to build a consensus around sensitive political issues and in turn sharing this information with the larger political parties and constituents. In support of IR 1.3, NPSP assists the GON to develop and implement its legal, regulatory, and policy frameworks relating to the peace process, such as the draft Truth and Reconciliation Commission, legislation and other draft bills necessary to move the peace and constitution drafting process forward.

Major Achievements:

During this process, the NPSP facilitated negotiations on ten contentious issues: integration and rehabilitation of ex-combatants; the CA extensions; state restructuring and federalism; the electoral system; the judiciary and transitional justice; forms of governance; power- sharing; structured dialogue; trust building; and deadlock breaking negotiations. Many of the negotiations resulted in draft legislation and action, while other negotiations continue.

Some ofthe major accomplishments of NPSP till August 2012 include:

Training on role and responsibilities of Local Peace Committee (LPC) provided to

184 LPC members from 73 districts

Trained as 15 LPC facilitators to address peace and conflict in their communities

Completed 17 field visits and civil society interactions with political party members. Formed four sub-groups on youth, women, Madhesh and Janajatis to bring them to the table and formulate their agendas

Facilitated 36 NTTP Forum meetings, 10 retreats, 11 negotiations, and 18 civil society interactions

Facilitated more than 100 meetings for NTTP stakeholders

3. The Evaluation: Purpose, Audience & Use

A.Purpose

USAID/Nepal seeks the services of a qualified, international or local organization or individual with expertise in monitoring and evaluating development projects to conduct a mid-term evaluation for USAID/Nepal's Nepal Peace Support Project (NPSP) being implemented by The Asia Foundation.

This external evaluation will come at the chronological mid-point of the NPSP. The mid-term evaluation will assess the overall functioning of the project and progress towards stated goals. It is intended to assist the Mission in making modifications if necessary, and to help guide NPSP through program completion. The evaluation will help all involved to better understand the initial results achieved, and helpto re-focus and strengthen the program.

The evaluation team should tailor recommendations so that they help to future programming for the Agency. The evaluation will provide direction that should improve achievement of results and also reduce the risk of unintended consequences.

The evaluation team will also need to consider the external environment, project methodology, and the escalation of activities when assessing opportunities and threats.

The focus of the evaluation is defined by the evaluation questions in the next section.

B. Audience and Intended Use

The audience of this evaluation report will be the USAID/Nepal Mission, specifically the Democracy and Governance Office (DGO), the Asia Bureau, and the implementing partner TAF. An executive summary and recommendations will be provided to the Constituent Assembly secretaries, major political parties which have been working with NPSP. USAID will use the report to shape any follow-on activity. TAF will learn about their strengths and weaknesses, adjusting their programs accordingly.

4. Evaluation Questions

The evaluation design should be framed in order to answer thekeyevaluation questions listed below.

1. Are the formal and informal structure supported by the project such as Local

Peace Committees, NTTP Forum, peace units, and various thematic groups effective and sustainable?

2. To what extent is the project on track to reach its overall goals and objectives?
3. What are the obstacles faced in achieving results and goals?
4. How relevant and effective are the current goals and objectives of the project in facilitating and contributing to Nepal's peace process? What adjustments to the program are recommended in light of changing political context?

5. Evaluation Method

This mid-term evaluation will be a rapid appraisal and evaluators should employ a participatory (between USAID, implementing partners and beneficiaries) approach when possible. The evaluators will use a wide range of methods and approaches for collecting and analyzing the information required to assess the evaluation objectives and answer the presented questions. Information can be collected through a review and analysis of secondary information paired with collection and analysis of primary information. Triangulation of findings will be required to address inherent bias. The evaluation team should also be prepared to conduct interviews with key informants, as well as conducting site visits and team planning meetings.

The evaluation team should make a presentation of its evaluation methodology to the technical team in the DGO of USAID/Nepal before finalizing the methodology. As a lessons learned from previous evaluations, the mid-term evaluation needs to be carried to the extent possible in a positive and participatory approach.

It is anticipated that the evaluation team leader, assisted by the one evaluation members, will facilitate and conduct a day team planning meeting before starting the evaluation. USAID/Nepal's focal person will participate in the team planning meeting and other DGO staff may be involved as appropriate. The agenda will include, but not be limited to the following items:

- Clarify team members' roles and responsibilities;
- Establish a team atmosphere, share individual working styles, and agree on procedures for resolving differences of opinion;
- Finalize a work plan for the evaluation;
- Review and develop final evaluation questions;
- Review and finalize the assignment timeline and share with USAID; Finalize data collection plans and tools
- Review and clarify any logistical and administrative procedures for the assignment;
- Develop a preliminary draft outline of the team's report; and

-
- Assign drafting responsibilities for the final report.

Collection of primary data must emphasize a participatory approach with stakeholders and beneficiaries. Semi-structured interviews with focus groups and key informants can be interspersed for flexibility and efficiency. Roundtables and short workshops might also be appropriate for assessment and learning with implementing partner, USAID staff, Non-Government Organizations (NGOs), relevant donors and Government of Nepal/Ministry of Peace and Reconstruction. Evaluators should rely on a number of sources and techniques to answer the evaluation questions. Evaluators should select the sites and activities independently.

6. Data Collection Methods and Sources

NPSP mid-term evaluation team will:

- Review NPSP documents, work plans, Monitoring & Evaluation plan, performance monitoring plan, monthly reports and quarterly reports.
- Interview key stakeholders including donors, government counterparts, political parties, and civil society representatives
- Interview NPSP TAF key staff
- Review additional documents/reports made available bythe DGOTeam

7. Data Analysis Methods

Priorto thestart of data collection, the evaluation team will develop and present, for USAID review and approval, a data analysis plan that details how stakeholder interviews will be transcribe and analyzed; what procedures will be used to analyze qualitative data from key stakeholder interviews; and how the evaluation willweigh and integrate qualitative data from these sources with quantitative data from project monitoring records to reach conclusions.

8. Timeline and Deliverables(s)

A.Timeline:

The time line for this SOW is May to June 2013. Given the 30-day period for the evaluation, this timeline includes some flexibility for unexpected interruptions or non-working days if needed.

Estimated Numbero f Days	**Activities**	**Remarks**
1-3	Documentation review and planning	International consultants can work from abroad.
4-8	Field work, Interview/discussion in Kathmandu	Nepal

9-13	Analysis and Internal team review of findings	Nepal
14-15	Debriefing; prepare and deliver a presentation, as scheduled by USAID/Nepal, to outline major findings / recommendations	Nepal
16-20	Finalization ofdraft report and submission to USAID	International consultants can work from abroad.

The evaluation timeline provided above is a guide that will need to be refined. Submission of the final draft report will be made no later than 20 days after field work is completed. USAID/Nepal will provide comments within 7 working days of the submission of the draft report. A revised final draft will be submitted within 7 working days after receipt of comments from USAID/Nepal. The evaluation report will be final only after it is cleared in writing by USAID/Nepal.

B. Deliverables

To make the field time as efficient as possible, preparation must include completing a majority of the documentation review, establishing interview guides, developing team protocol and responsibilities, and establishing the evaluation schedule.

Deliverables include a presentation and a final evaluation report with recommendations, as outlined below.

1. Presentation of evaluation methodology to USAID before beginning the evaluation.
2. Detailed work plan for the entire period of the evaluation for approval by the AOR.
3. Two Power Point Presentations on important findings and recommendations to an audience of USAID/Nepal Mission, partners, donors, and Government Of Nepal/Ministry of Peace and Reconstruction.
4. Two hard copies of evaluation report, 30 pages Maximum (excluding graphs, diagrams, tables, annexes, cover pages, and table of contents) with good quality spiral binding.
5. An electronic copy of evaluation report, in MS Word and PDFformat.

   Raw data and records both quantitative and qualitative (e.g. interview transcripts, survey responses etc.) in electronic form collected by the evaluation team separately from the report. All quantitative data collected should be in an easily readable format; organized and fully documented for use by those not fully familiar with the project or the evaluation; owned by USAID and made available to the public barring rare exceptions.

6. All instruments used for collecting data during the evaluation included as annexes in the report.

The evaluation report should demonstrate a clear line of analysis between findings, conclusions and recommendations. The report must be in concise and clear English with visual summaries such as graphics, charts and summary data tables. The evaluation report should meet the criteria outlined in reporting guidelines mention in next section number 9.

9. Reporting Guidelines

USAID/Nepal requires that the team review USAID's *Criteria to Ensure the Quality of the Evaluation Report,* which can be accessed online at: http://transition.usaid.gov/evaluation/USAIDEvaluationPolicy.pdf

As mentioned above, findings from the evaluation will be presented in a draft report at a full briefing with USAID/Nepal. The format for the evaluation reports are as follows:

1. **Executive Summary**– concisely state the most salient findings and recommendations (2-3 pp);

2. **Table of Contents** (1pp);

3. **Introduction**– purpose, audience, and synopsis of task (1-2pp);

4. **Background**– brief overview of USAID Nepal's NPSP program strategy and activities implemented to advance Nepal's peace process (2-3pp);

5. **Methodology**– describe evaluation methods, including constraints and gaps (1-2p);

6. **Findings/Conclusions** (10-15pp);

7. **Recommendations/Future Directions** (2-3pp)

8. **References** (including bibliographical documentation, meetings, interviews and focus group discussions);

9. **Annexes** – annexes that document the evaluation methods, schedules, interview lists and table– should be succinct, pertinent and readable.

The final report must be clear and grammatically correct to be accepted by USAID/Nepal. It is required that the mid-term evaluation report be prepared and orally presented by a native or highly proficient English speaker. A full version of the evaluation report must be submitted to USAID/Nepal in hard copy as well as electronically. The report format must be restricted to Microsoft products and 12-point type font should be used throughout the body of the report, with page margins 1" top/bottom and left/right. The report should not exceed 30 pages, excluding references and annexes.

The evaluation team leader must also submit one electronic or hard copy of the mid-term evaluations no later than 30 days after completion to the Development Experience Clearinghouse (DEC) with a cover sheet indicating the type of evaluation and the design.

The DEC evaluation submission must also include a 3-5 pages summary of the purpose, background of the project, main evaluation questions, methods, findings, conclusions, recommendations and lessons learned (if applicable) from the evaluation.

Development experience documentation may be submitted

- Online: **http://www.usaid.gov/results-anddata/information-resources/development-experience-clearinghouse-dec**

- By mail (for pouch delivery):

USAID Development ExperienceClearinghouse

M/CIO/ITSD/KM/DE
C RRBM.01-010

Washington, DC 20523-6100

Forquestions on DEC submissions, contact

M/CIO/ITSD/KM/DEC
Telephone: +1 202-712-0579

E-mail: **DocSubmit@usaid.gov**

10. Composition of the Evaluation Team: conflicts of interest

The evaluation team must be made up of 2 non-USAID development professionals with expertise in democracy and governance.

Team Leader: The Team Leader must have a minimum of Master's degree; Ph.D. is preferable, in the areas of political science or social science or a related subject area. The team leader must have at least 10 years of relevant experience in program design, monitoring and evaluation. He/ She must have broad technical experience with the function and operation of peace process, political parties and their constituents, constitution writing and establishing transitional structures in a post conflict country like Nepal. Team Leader must have extensive analytical experience, which equips him/her to conduct high-quality and in- depth analysis of the political, preferably with specific knowledge critical issues in Nepal. Knowledge of Democracy Right and Governance (DRG) transition literature would be useful.

Team Member: A political or social scientist, having at least Master Degree; Ph.D. is preferable; in the areas of political science or social science or a related subject area. At least 10 years of experience in design, monitoring and evaluation of democracy and governance projects or communitydevelopment projects. He/ She must have broad

technical experience with the function and operation of peace process, political parties and their constituents, constitution writing and establishing transitional structures in a post conflict country like Nepal. Specific and extensive Nepal knowledge is required. An ability to conduct interviews and discussions in Nepali and English is required.

The offeror must disclose in its proposal any real or potential conflicts of interest, such as those identified in Attachment 4, on the part of the offeror or any member of the evaluation team.

11. Source and Nationality Requirements for Procurement of Commodities and Services Financed by USAID

Foreign Assistance Act Section 604(a) authorizes procurement "from the United States, recipient country or developing countries," which is implemented by 22 CFR Part 228 and USAID's Automated Directives System Chapter 310 ("ADS 310"). The authorized source for this procurement is Geographic Code937, as defined in ADS 310. Suppliers with a nationality outside of the United States, the recipient countryor developing countries will onlybeconsideredforthis procurement ifawaiver is authorized under 22CFR Part 228 Subpart D.

12. Logistics and USAID participation

The evaluation team is responsible for managing all logistics required for completing the evaluation. This includes but is not limited to arranging for transportation, meeting venues and appointments for meetings. TAF staff may assist in organizing meetings.

USAID/DGO will provide key documents and background materials for reading and help arrange the in-briefing and debriefing. Exact participation of USAID will be determined after the selection of the consultants, but someone from USAID may accompany in key meetings with senior political leaders, Government of Nepal officials and with selected stakeholders.

The USAID/Nepal DGO staff will provide contacts for meetings and a list of the suggested site visits for the team to arrange meetings. Narendra Mishra, Local Governance Specialist will work as mission contact point forthis task.

13. Budget

The Offeror is expected to submit a proposed budget along with proposed team members. The items in the proposed budget should include consultancy fees, per diem, in-country airfare, vehicle rental, group accident insurance and other direct cost such as stationery, photocopy, utilities/venue rental, etc.

The group accident insurance is compulsory for the members and is the responsibility of the contractor. Total estimated cost of the award is between $30,000 to $33,000. Cost proposal should be submitted in both US$ and local currency using$1:Rs.80 exchange rate. Offerors are expected to submit a cost estimate as per the template below.

S.N.	Cost Element	Unit	No. of Unit	Rate	Amount
1	Consultancy Fees Team Leader Team Member Per diem (In-country) Airfare (In-country) Per diem Airfare	Days Days Days for 2 persons			
2	Vehicle Rental (In Field) Group Accident Insurance Other Direct Costs*	RoundTrip			
3	**Total Direct Costs**				
4	Overhead Costs %	Days RoundTrip			
6					
	GrandTotal				

General Instructions to the Offeror:

1. Proposal and curriculum vitae shall be written in English and typed.
2. Interested Offerors should submit application either:
   (i) E-mail to KathmanduOAA@usaid.gov, the attachments must be compatible with MSWORD, MSExcel.This is the preferred method.
   (ii) Regular mail–sending paper proposal, however the issuing office receives regular international mail only once a week. All mail is subject to US Embassy electronic imagery scanning methods, physical inspection, and is not date and time stamped prior to receipt by USAID/Nepal, OAA and may delay the receipt of the proposal ;or

(iii) Hand delivery (including commercial courier) to the following address: Office of Acquisition and Assistance (OAA)

USAID/Nepal
U.S. Embassy
G.P.O.
Box295
Maharajgunj

Kathmandu, Nepal

(iv) Technical and cost proposal must be the separate documents

3. Government Obligation

The USAID/Nepal is not obligated to make an award or to pay for any costs incurred by the Offeror in preparation of a proposal in response hereto.

Annex 2: *List of Persons Interviewed*

The Asia Foundation, Nepal Peace Support Project

1. Bishnu Sapkota, Program Advisor (Nepal Peace Support Project)
2. Dr. Sagar Prasai, Deputy Country Representative

NTTP Forum Facilitators

1. Daman Nath Dhungana
2. Padma Ratna Tuladhar
3. Prof. John Paul Lederach

NTTP Forum Members

1. Bimalendra Nidhi, Nepali Congress
2. Chitralekha Yadav, Nepali Congress
3. Bhim Rawal, CPN-UML
4. Ishwor Pokhrel, CPN-UML
5. Khim Lal Devkota, UCPN-Maoist
6. Ratneswor Kayastha, Madhesi Janadhikar Forum-Nepal

Youth Thematic Group, NTTP Forum

1. Surendra Raj Pandey, Nepali Congress
2. Kiran Yadav, Nepal Congress
3. Yogesh Bhattarai, CPN-UML
4. Rabindra Adhikari, CPN-UML
5. Balawati Sharma, UCPN-Maoist
6. Jeetendra Sonal, Terai Madhes Loktantrik Party

Peace and Research Unit, NTTP Forum

1. Dhurba Wagle
2. Geja Sharma

Embassy of Switzerland

1. Martin Stuerzinger, Senior Advisor for Peacebuilding

Independent Observers

1. Sharada Jnwali, Consultant, Asian Development Bank
2. Bipin Adhikari, Constitutional Expert

Ministry of Peace and Reconstruction

1. Laxmi Sharma
2. Shaym Shundar Sharma

3: Media Coverage

The Annapurna Post, 9 July 2013

काठमाडौं, मंगलबार, २५ असार २०७० • आषाढ शुक्लपक्ष प्रतिपदा, नेपाल संवत ११३३ Tuesday, July 9

गोलमेचमा अमेरिकी पहल

माधव दुङ्गेल

काठमाडौं, २४ असार : नेकपा-माओवादीले अघि सारेको गोलमेच सम्मेलन प्रस्तावमा प्रमुख राजनीतिक शक्तिहरूलाई सहमत गराउन अमेरिकी विज्ञले पहल गरेको खुल्न आएको छ। दुई साताअघि काठमाडौंस्थित गोकर्ण रिसोर्टमा प्रमुख दलका मध्यम कदका प्रभावशाली नेताहरूको आवासीय बैठक गरी यस्तो पहल भएको हो।

बैठकमा अमेरिकी विशेषज्ञ जोन पल लेडेरकले नेताहरूलाई नेकपा-माओवादीले अघि सारेको गोलमेचबारे सकारात्मक बन्न आग्रह गरेका थिए। 'प्रमुख राजनीतिक फर्मेसनमध्ये एकले राउन्ड टेबलको प्रस्ताव गरेको छ, यसलाई अयथार्थवादी भनेर प्रायः बेवास्ता गर्ने गरिएको छ', बैठकमा लेडेरकले लिखित प्रस्ताव पेस गरेका थिए, 'तर राउन्ड टेबलको प्रस्तावभित्रका आधारभूत चासोका विषय छलफलका लागि योग्य छन्।'

लेडेरकले गोलमेचमा जोड दिँदै भनेका थिए, 'यसले आधारभूत रूपमा दुईवटा महत्त्वपूर्ण विषय समेटेको छ- सर्वदलीय संवादको आवश्यकता र संविधानलाई अन्तिम रूप दिन बाँकी चुरा तथा गहिरा विषयलाई गम्भीरताका साथ सम्बोधन गरिनुपर्ने आवश्यकता।'

एक सहभागीले दिएको जानकारीअनुसार बैठकमा एमाओवादी नेताहरू वर्षमान पुन, लीलामणि पोखरेल र खिमलाल देवकोटा थिए। त्यस्तै कांग्रेसका विमलेन्द्र निधि, अर्जुननरसिंह केसी र प्रकाशशरण महत, एमालेका ईश्वर पोखरेल, भीम रावल र प्रदीप ज्ञवाली तथा तमलोपा उपाध्यक्ष हृदयेश त्रिपाठी र फोरम लोकतान्त्रिकका जितेन्द्र देव सहभागी थिए नेकपा-माओवादीका सुरेश आलेमगरलाई आमन्त्रण गरिए पनि उनी पार्टी बैठक परेकाले सहभागी भएनन्।

'नेपाल ट्रान्जिसन टु पिस' नामक संस्थाको आयोजनामा असार ८ र ९ गते उक्त बैठक आयोजना गरिएको थियो। संस्थाका तर्फबाट सहजकर्ताका रूपमा पूर्वसभामुख दमननाथ ढुंगाना र मानवअधिकारवादी पद्मरत्न तुलाधरले काम गर्दै आएका छन्। अढाइ वर्षअघि संविधानका विवादित विषयबारे प्रमुख तीन दलबीच रिबट्जरल्याण्डको जुरिचमा यसै संस्थाको पहलमा सहमति भएको थियो, जुन पछि तोडिएको थियो।

अमेरिकी सरकारका प्रतिनिधिका रूपमा विभिन्न द्वन्द्वग्रस्त मुलुकमा काम गरिसकेका लेडेरक द्वन्द्व संवाद विशेषज्ञ हुन्। बैठकमा आफ्नो धारणा प्रस्तुत गर्नुअघि उनले माओवादी अध्यक्ष मोहन वैद्यसँग पनि भेट गरेका थिए। भेटमा वैद्यले आफूहरू सशस्त्र द्वन्द्वमा फर्किन नचाहेको बताउँदै गोलमेच सम्मेलनबाटै संविधानका विवादित विषयमा सहमति खोज्न चाहेको स्पष्ट पारेको स्रोतको दाबी छ।

लेडेरकले वैद्यसहित प्रमुख दलका शीर्ष नेताहरू र नागरिक समाजका अगुवासँग पनि छलफल गरेपछि बैठकमा निष्कर्ष प्रस्तुत गरेको बताएका थिए। एमाले नेता रावलका अनुसार बैठकमा वर्तमान संकटपूर्ण परिस्थितिको निकासका लागि विभिन्न विकल्पबारे छलफल भएको थियो। 'बैठकमा कुनै पनि निर्णयमा हस्ताक्षरचाहिँ गरिएन', रावलले अन्नपूर्ण पोष्टसँग भने, 'गोलमेच सम्मेलनबारे लचिलो हुने भन्ने निष्कर्ष बैठकको थियो।'

बाँकी पृष्ठ २ मा

गोलमेचमा...

माओवादी मागबारे अत्यन्त अनुदार ढंगले पेस हुँदै आएका दलहरू उक्त पहलपछि लचिलो हुँदै आएका थिए। बैठकको ठीक दुई सातापछि शनिबार प्रमुख दल गोलमेच सम्मेलनमा जान सहमत भएका थिए।

कांग्रेस नेता महतले बैठक गोलमेच सम्मेलनमै छलफल गर्ने भनेर नडाकिएको बताए। 'अहिलेको राजनीतिक प्रक्रिया कसरी अघि बढाउने विकल्पबारे छलफल भएको थियो', उनले भने, 'समग्र प्रक्रियाबारे छलफल गर्दा माओवादीले अघि सारेको गोलमेच सम्मेलनको कुरा पनि आयो।

गैरदलीय सरकारले गराउने संविधानसभा चुनाव अस्वीकार गर्दै आएको माओवादीले गोलमेच सम्मेलनबाटै संविधानका विवादित विषय टुंग्याउन सकिने बताउँदै आएको छ। पार्टी नेता आलेमगर त गोलमेचबाटै संविधान बनाएर त्यसको आधारमा व्यवस्थापिका-संसद्को चुनाव गराएर संविधान पारित गर्न सकिने बताउँछन्। उनले भने, 'विगतमा संविधानसभाजस्तो आधिकारिक अंगले पनि संविधान बनाउन नसकेको अनुभव छ, गोलमेचले नयाँ संविधान नै बनाए पनि केही फरक पर्दैन।'

लेडेरकले मंसिर ४ गतेका लागि घोषित निर्वाचन सुनिश्चित गर्न साउन-मसान्तसम्म महत्त्वपूर्ण उपलब्धि भइसक्नुपर्ने बताउँदै भनेका थिए, 'समय छोटो छ। त्यसकारण म सुझाउन चाहन्छु- प्रमुख नेताहरूबीच घनीभूत संवाद, गुनासो सम्बोधन गरेर सबै दललाई सँगै ल्याउने समावेशी उपाय तथा संविधान लेख्ने सार्वजनिक प्रतिबद्धता आवश्यक छ।' उनले संविधानसभा चुनाव भएको ९० दिनभित्र संविधान बनाएर सबैलाई आश्चर्यचकित बनाउनुपर्नेमा पनि जोड दिएका थिए।

लेडेरकले नेताहरूलाई गोलमेच सम्मेलनबारे सकारात्मक पहल गर्न आग्रह गर्दै उत्तरी आयरल्यान्डको डब्लिन फोरमको अनुभव उदाहरणका रूपमा पेस गरेका थिए।

गोलमेचबारे सकारात्मक पहल गर्न आग्रह गर्दै डब्लिन फोरमको अनुभव उदाहरणका रुपमा पेस।

'फोरमले औपचारिक राजनीतिक प्रक्रियाका लागि एउटा समानान्तर राउन्ड टेबल प्रक्रिया सुरु गऱ्यो, जहाँ सबै राजनीतिक दलले आफ्ना प्रस्ताव प्रस्तुत गर्न सक्थे', उनको प्रस्तुतिमा उल्लेख थियो, 'यसमा औपचारिक रूपमा बहिष्कार गरिएका दल पनि सामेल थिए।'

डब्लिन फोरम राउन्ड टेबलबारे उनले व्याख्या पनि गरेका थिए। 'डब्लिन राउन्ड टेबलको भौतिक स्थान थियो, सुझावहरू संयोजन गर्ने संयोजकहरू थिए, त्यसले संवादका लागि स्थान ओगटेको थियो र सर्वसम्मतिका विचार संकलन गरेर व्यापक उपयोगका लागि प्रकाशित गरिएको थियो। यसले सन् १९९४ मा ४१ वटा बैठक गरेको थियो र सन् १९९५ मा एउटा महत्त्वपूर्ण दस्ताबेज अगाडि ल्याएको थियो, जुन संयुक्त फ्रेमवर्क दस्ताबेजका रूपमा परिचित भयो।'

Interview with Padma Ratna Tuladhar, The Kathmandu Post

Interview with Padma Ratna Tuladhar

In the difficult times before the Maoists joined mainstream politics, two persons who were close to parliamentary parties gained national and international reputation as mediators between the aboveground parties and then-underground Maoists. One was former Health Minister **Padma Ratna Tuladhar** (the other was former Speaker of Parliament Daman Nath Dhungana), who was an official facilitator of the first two formal talks, in 2001 and 2003, between the then Maoist rebels and the government. In the current context, the High-level Political Committee has agreed to the demands of the breakaway Mohan Baidya-led CPN-Maoist to sit for roundtable talks. The Post's ***Pranab Kharel, Kamal Dev Bhattarai*** and ***Pranaya SJB Rana*** spoke to Tuladhar about the history and process of roundtable talks and their possible use as a platform to resolve outstanding contentious issues of the old Constituent Assembly (CA).

Could you tell us a little about the history of roundtable talks in Nepal?

The roundtable has been a part of the CPN-Maoist's main demands ever since the 'people's war'. Back then, the royal palace and the seven political parties, including the Nepali Congress and the CPN-UML, refused to hold a roundtable. Even after the peace process started and the first date for the Constituent Assembly elections had been fixed, talks were deadlocked for a while with the Maoists demanding a roundtable and a full proportional election system. Since neither of these demands was acceptable to the seven parties, civil society was called on to resolve the deadlock. I organised a meeting and we made it known that there should be elections and consensus. I remember telling Prachanda in English, 'the name of the game is compromise'. Compromise does not mean that you give up your core beliefs. It just means that you weigh the options and evaluate which one will gain broad support. As a result, the roundtable did not happen then. Four years later, the CA was dissolved for being unable to write a constitution. Seeing that certain pillars of the peace process were at risk and there were going to be elections to a second CA, the CPN-Maoist once again demanded a roundtable or an all-party meeting.

What is the difference between the roundtable demanded earlier by the Maoists and the roundtable that will be held now?

The issues are pretty much the same. It seems that the old CPN-Maoist and the new CPN-Maoist share a similar orientation. They believe that the majority will be on their side as people are looking for freedom and an outlet and thus, will decide against the status-quo and the establishment. Based on these beliefs, they are demanding a roundtable. But it was precisely because of these reasons that the roundtable wasn't held earlier.

Why have parties agreed to hold a roundtable now?

We have a non-party government but there is an understanding that decisions will be made politically. The four major parties have been taking these decisions based on their size in the old CA. Until the CPN-Maoist, there wasn't any force that could challenge the position of these parties. If the parties ignore the challenges of the CPN-Maoist, elections will be uncertain; even if they are held, they might not be peaceful; even if they are peaceful, they might not be legitimate. There are two schools of thought right now. One is that there are no alternatives to elections and the other is that a CA elected from this election will not write a constitution for the people. The old CA was divided on a few contentious issues, namely federalism and forms of governance. One expert has suggested that the parties assure the people that they will come up with a draft of the constitution within ninety days of the new CA. But there haven't been any serious talks to this end.

Do you think the roundtable can be a platform to resolve contentious issues of the old CA?

Yes, it can. This is one of the reasons why the CPN-Maoist has demanded the roundtable. They have been saying, let us sit down and resolve these issues. Let us also take ownership of the 80-90 percent of the work that the old CA had completed. So for the CPN-Maoist, the roundtable is not limited to elections. But the other parties don't seem to understand this. Issues will not be resolved at the very beginning of talks. As talks progress, some issues will be resolved while anything can happen with others. If there is a lack of trust and hence, a lack of consensus, then even this roundtable will not be able to provide a solution. Now that the CPN-Maoist has agreed to talks, the government and major parties will also need to demonstrate some flexibility.

What might the roundtable look like?

The form of the roundtable has yet to be decided. For example, what will be the basis for participation in the roundtable? Will it be parties from the old CA? If so, the CPN-Maoist itself wasn't present in the old CA. If it is parties that are currently registered with the Election Commission, the CPN-Maoist isn't registered either. There also needs to be a mandate for the roundtable. If Kamal Thapa raises the issue of reinstating the monarchy, can this be decided by the roundtable? Furthermore, on what basis will decisions be made? A situation may arise where the four parties are on one side and a dozen smaller parties on the other side. So decisions on the basis of majority might not acceptable to the four parties. On the other hand, the smaller parties will not agree to simply endorse decisions made by the four parties. These issues have not come up yet. Daman ji and I have been called facilitators and informally, we still are. So will we be formal facilitators? Should we call the parties together?

If these issues have not been decided, how legitimate will the roundtable be?

Right now, if the major parties agree, then their decision seems to gain constitutional, political and legal legitimacy. The 11-point and 25-point agreement, the date for the next CA elections, whether to have a threshold or not, all of these decisions have been taken politically by the major parties. Even in the roundtable, if the major forces take a decision that is supported by the majority, it will gain legitimacy. But the problem remains whether to treat all parties as equals or if the four largest forces gain the rights they had in the old CA. The CPN-Maoist will not allow this. They believe that as the CA has already been dissolved, all parties are equal now.

Given all these issues, will this roundtable be able to provide an outlet?

For there to be such a guarantee, parties need to be serious about the process of the roundtable. Holding a roundtable is definitely a good thing but that by itself cannot provide solutions. For that, all parties need to recognise the serious situation we are in. Just one or two parties cannot take decisions on their own. If the roundtable cannot decide, there are also talks of going for a referendum on contentious issues. But there are many such issues. Will we present just one contentious issue or all of them for a referendum? In addition, the call is not just for a roundtable of political parties but of all stakeholders. More than a hundred parties have already been registered and more forces will need to be accommodated, including ethnic groups. The problem is that the CPN-Maoist and the major parties don't seem to agree on the reason the roundtable is being called for. The main issues of discussion will definitely be the elections and the government to be formed after elections but there are also demands to replace the Chief Justice-led government with a party-led one and to disband the High-level Political Committee. Only when these issues are dealt with and contentious issues of the previous CA are resolved, then elections will be free and fair, a constitution will be written, political stability will return to the country and development will take place.

As the roundtable itself could go on for months, do you think elections will take place in November?

There are already two sides. The CPN-Maoist on one hand wants to hold a roundtable at any cost, even if it means pushing back elections. On the other side are a few parties who want to go to elections in November at any cost, even if the CPN-Maoist doesn't take part. But one good thing that has happened is that the CPN-Maoist's demand for a roundtable has been accepted. So parties must be doing their internal homework and an environment for talks is being created. Before senior leaders sit for talks, mid-level leaders can do so. Responsible parties need to be serious about not repeating mistakes made in the past.

Source: *http://www.ekantipur.com/the-kathmandu-post/2013/07/14/oped/monday-interview--holding-a-roundtable-alone-cannot-provide-solutions/251174.html*

The Himalayan Times, 26 June 2013

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Parties open to round table conference idea

Prakash Acharya

Kathmandu, June 25

Major political forces are mulling over CPN-Maoist's proposal to have a round table conference of all the political parties that can function without hampering the process to hold the Constituent Assembly election.

According to the proposal, Khil Raj Regmi-led interim election government will remain and the polls will be held on November 19, as fixed by the government.

The round table conference will try to consolidate the achievements of the last CA and resolve the contentious issues, politicians involved in the negotiations said. It will also bring on board the CPN-Maoist, which has been complaining about being sidelined from the political process after the dissolution of the CA in May 2012.

The proposal adds that the High Level Political Committee can be dissolved or replaced by any other mechanism that is represented by all major political forces.

The round table mechanism, proposed by the CPN-M, had so far been disregarded by others as meaningless but of late there is renewed interest in the concept. UCPN-M leader Barshaman Pun confirmed that the parties had begun informal talks on the round table conference. However, formal discussion on the proposal are yet to take place, as UCPN-M and Bijaya Kumar Gachhadar-led Madhesi Janaadhikar Forum (Democratic) are not keen to bring the process. Secondly, the Baidhya-led Maoist is not ready to formally talk with either the HLPC or the government. "The irritants should be removed within the next two weeks to ensure the November poll," CPN-UML leader Pradip Gyawali told *THT*.

Nepali Congress leader Arjun Narsingh KC said the round table proposal was under discussion at an informal level among the parties. "Since this is not a regular parliamentary election and the CA is being formed for a long term cause, almost all political forces have realised that major political parties, such as CPN-M, should not be excluded from the process," he said.

Another NC leader Prakash Sharan Mahat said the 11-point agreement of March 13 and 25-point presidential decree could be reviewed to involve the agitating parties in the poll process. "A new mechanism comprising major parties can replace the High Level Political Committee and such a mechanism could be used to forge a consensus in the round table conference," he said, adding that the Cabinet could also be expanded to include the representatives of agitating parties.

Mahat said although the CPN-M wanted the new constitution to be promulgated through the round table conference, other parties were not ready to accept that. "Round table conference can be a forum to bring all agitating parties on board the poll process, consolidate the achievements of the past Constituent Assembly and forge

Bid to rope in CPN-M

- Khil Raj Regmi-led government to remain
- Polls to be held on November 19
- HLPC could be dissolved
- Cabinet could be expanded to accommodate agitating parties

Annex 4: *Checklist for Interviews*

Questions to NPSP

Major Achievements

- What are the key milestones/major events of the NPSP from 2009 to 2013?
- How did these milestones contribute to the process of constitution making and peace building?
- What are some of the key activities which are contributing to constitution making and peace building?
- What role did NTTP Forum play during critical political transition such as collapse of dialogues between Maoist and Government on Peace Process, dissolution of CA, resignation of PMs (Prachanda, Madhav Nepal, and Jhalnath Khanal)?
- What is the role of NTTP forum in discussing key constitutional issues such as federalism and system of governance?
- What would have happened if there was no NTTP Forum? Does it make significant differences?
- What are the key achievement of thematic groups?
- What would have happened if there were no Thematic Groups? Does it make significant differences?
- Is it fair to claim that Thematic Groups have made contributions in advocating thematic agendas in the constitutional development process?
- What are the key achievement of Peace and Research Unit of NTTP Forum?
- Since one of the objectives of Peace and Research Unit was to provide technical support to NTTP Forum on constitution making and peace building, do you think the NTTP Forum have been adequately benefitted by the work of the Peace Unit?
- How far has the Peace and Research Unit been successful in disseminating the understanding of NTTP forum at local level?

Relevancy and Sustainability

- Is NTTP Forum adequately represented by, Janajati, Madhesis, women and youth of the political parties?
- In the present context, how active is the NTTP Forum?
- How frequent are the meetings of NTTP Forum held and what is the level of participation?
- What mechanisms are in place to monitor the implementation of NTTP forum's decision?
- Do you think that it is possible to convert NTTP into permanent peace institute? What kinds of support are needed for such transformation?

- Since the new date for the election has been finalized, what are the Forum's actions/strategies to make it happen this time?

Role of Facilitators

- What role did NTTP Forum play during critical political transitions such as the collapse of dialogues between Maoist and Government on Peace Process, dissolution of CA, resignation of PMs (Prachanda, Madhav Nepal, and Jhalnath Khanal)?
- What is the role of NTTP forum in discussing the key constitutional issues such as federalism and system of governance?
- Is there any specific contributions NTTP Forum has made to constitutional development since 2009 (after CA election) in spite of dissolution of CA in 2012? If yes, what should be done to institutionalize the process?
- How effective was the operational and administrative support provided to the NTTP Forum?
- How effective was the technical support provided to NTTP facilitators by international exposure and support from international resource person?
- What were the major obstacles faced during the process of facilitation?
- What do you think is the causal factor leading to these obstacles?
- Have you done anything to contain or minimize obstacles?
- How could have the project supported to overcome such obstacles?
- How do you rate your performance as a facilitator? Is there anything that could help to improve your performance?

NTTP Forum

- What role did NTTP Forum play during critical political transitions such as the collapse of dialogues between Maoist and Government on Peace Process, dissolution of CA, resignation of PMs (Prachanda, Madhav Nepal, and Jhalnath Khanal)?
- What is the role of NTTP Forum in discussing the key constitutional issues such as federalism and system of governance?
- Is there any specific support the NTTP Forum has provided to Dispute Resolution Committee headed by Prachanda which has been instrumental in narrowing the differences in contentious issues?
- Is it fair to claim that NTTP Forum have made some contribution in the successful integration of Maoist combatants in NA?
- What would have happened if there was no NTTP Forum? Does it make significant differences?
- How effective was the operational and administrative support provided to the NTTP Forum?
- How effective was the technical support provided to NTTP Forum by international exposure and support from international resource person?

- How would you rate the facilitation provided by the facilitators? What would you recommend to make the facilitation process even more effective?
- What motivates the members of political parties and other groups to join NTTP Forum which is managed by outsiders/facilitators?
- What are the major challenges of NTTP Forum?

Relevancy and Sustainability

- In the present context, how active is the NTTP Forum?
- How frequent are the meeting of NTTP Forum held and what is the level of participation?
- What mechanisms are in place to monitor the implementation of NTTP Forum's decision?
- Do you think that it is possible to convert NTTP into permanent peace institute? What kinds of support are needed for such transformation?
- Since the new date for the election has been finalized, what are the Forum's actions/strategies to make it happen this time?

Thematic Groups

- What was the idea behind conceptualization of the thematic groups? Have they been able to achieve their objectives?
- What are the major contributions made by the thematic groups?
- Are the major issues and concerns been rightly addressed by political parties while engaging in constitutional development process?
- How effective were interactions and meetings on various thematic issues?
- How effective was the workshop organized by experts on thematic issues?
- How effective was the operational and administrative support provided to the thematic groups?
- How effective was the technical support provided to thematic groups by international exposure and support from international resource person?

- What would have happened if there were no thematic groups? Does it make significant differences?

- Is it fair to claim that the thematic groups have made contributions in advocating thematic agendas in the constitutional development process?

Relevancy and Sustainability

- In the present context, how active are thematic groups?
- How frequent are the meetings of the thematic groups held, and what is the level of participation?
- What mechanisms are in place to monitor the implementation of thematic group decisions?

Peace and Research Unit

- Do you think that the Peace and Research Unit has made significant technical contribution in the overall dialogue process of NTTP Forum?
- What kind of contribution has the Peace and Research Unit provided to NTTP Forum?
- How effective was the operational and administrative support provided to the Peace and Research Unit?
- How effective was the technical support provided to Peace and Research Unit by international exposure and support from international resource person?
- What would have happen if there was no Peace and Research Unit? Does it make significant differences?
- What are the major challenges faced by Peace and Research Unit?

Relevancy and sustainability

- In the present context, how active is the Peace and Research Unit?
- What is the current state of Peace and Research Units established in political parties?
- Have the members of political parties been able to use the resources provided by the Peace and Research Unit?
- How useful was Peace and Research Unit in the eye of youth members of political parties?
- Has Peace and Research Unit been owned by key stakeholders?

LPCs

- What was the idea behind conceptualization of the LPCs? Have they been able to achieve their objectives?
- How can the role played by LPCs in local conflict resolution/linking local and national politics be strengthened?
- How far has TAF has been successful in revitalizing LPCs through capacity building support?
- How far have the LPCs been utilizing the capacity building support provided by NPSP?
- What kinds of CB support do the LPCs require in the future?
- Is there any role NPSP can play in its remaining period to make LPCs sustainable?

Annex 5: Bibliography

Lederach, J.P. 2013. *Bringing the NTTP legacy forward- A Concept Note for a National Peace Institute* (Unpublished)

Lederach, J.P. 2013. *Observations from NTTP Retreat* (Unpublished)

Minsitry of Peace and Reconstruction. 2011. *A Toolkit for Local Peace Committees*. Peace Mechanism Coordination Division, Ministry of Peace and reconstruction. Government of Nepal

Ministry of Peace and Reconstruction. 2013. Peace: A Compilation of Directives. Ministry of Peace and Reconstruction. Government of Nepal

The Asia Foundation. 2009. *Nepal Peace Support Project: Annual Report* (Unpublished)

The Asia Foundation. 2010. *Nepal Peace Support Project: Annual Report* (Unpublished)

The Asia Foundation. 2011. *Nepal Peace Support Project: Annual Report* (Unpublished)

The Asia Foundation. 2012. *Nepal Peace Support Project: Annual Report* (Unpublished)

The Asia Foundation. 2011. *Nepal Transition to Peace Initiative: Achievements* (Unpublished)

The Asia Foundation. 2012. *Nepal Peace Support Project: Implementation Plan* (Unpublished)

The Asia Foundation. 2012. *Nepal Peace Support Project: Project Document* (Unpublished)

The Asia Foundation. 2009-2012. *Nepal Peace Support Project: Monthly Reports* (Unpublished)