

**THE
CARTER CENTER**



**Monitoring Nepal's Peace Process and
Constitution Drafting**

Quarterly Report #4
April 1, 2010 – June 30, 2010
USAID Cooperative Agreement 367-A-09-00002

GENERAL PROJECT INFORMATION

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Project Title: Monitoring Nepal's Peace Process and Constitution Drafting

Project Goal: A consolidated post-conflict democracy in Nepal.

Project Duration: September 3, 2009 –December 31, 2010

Status of Report: Quarterly

Overall Project Budget: USD \$1,954,133

USAID Contribution: \$500,000

I. Overview of Planned Project Activities

As laid out in the “Project Overview” section of The Carter Center’s approved project proposal, the Center’s project activities include:

- Conduct regional and district monitoring to track implementation of key political agreements; progress of the peace process; effectiveness of local governance; and public engagement, awareness and attitudes toward the CA process.
- Issue regular public reports that provide impartial information at the central, regional, and local levels. These reports raise awareness about the topics monitored and highlight concerns for relevant domestic and international stakeholders.
- Conduct high-level meetings with key Nepali actors to discuss the Center’s findings and hold regular briefings for project donors and relevant international stakeholders.

II. Progress towards Stated Project Goal and Objectives

1. Conduct regional and district monitoring to track the peace process, implementation of key political agreements, public engagement with the CA at the local level, and the effectiveness of local governance.

- a. The 15 Carter Center observers remained deployed throughout this reporting period in teams of three (2 international observers and 1 national observer in each team). Each team is based in their respective regional hub city (Biratnagar, Dhangadhi, Nepalganj, Pokhara, or Kathmandu) of the 5 development regions of Nepal.
- b. Progress on stated indicators for this output during the reporting period of April 1, 2010 – June 30, 2010:
 - i. Carter Center observers were deployed for approximately 90 days.
 - ii. The observer teams have visited 64 (of 75) districts in Nepal to date.
 - iii. Observers and staff held approximately 525 meetings with stakeholders at the central and local levels.
 - iv. LTOs and staff have not yet observed any public consultations because the project was not running during the first opinion collection period (February/March 2009) and the second opinion collection period has not yet taken place.
 - v. The Carter Center held two trainings for long-term observers to better inform their work in the field and share findings between Kathmandu HQ and the LTOs
 - vi. The scope of information sought by Carter Center observers during this period covered: 1) Constitutional process and issues; 2) Marginalized groups; 3) Peace process; and 4) Security environment. Each of these topics was further broken down into sub-categories and covered on all LTO district reports.

2. Communicate national findings to local level. Observers also share the national findings from TCC public reports in their deployment areas. They provide factual information on various parts of Nepal’s transition as requested by interested groups.

- a. Observers distributed TCC's public report on the security situation in their deployment areas during the months of January and February 2010, and distributed the report on federalism and constitutional issues during the months of February and March 2010. They also met with groups and individuals to discuss the findings in person.
- 3. Pair TCC monitors with Nepali partners.** In order to be more effective in their deployment areas and understand complicated local dynamics, international observers are paired with a Nepali national observer so they can maximize the combined strengths of national and international observers. Should there be any critical security concerns specific to Nepali national observers, the Center may re-evaluate this staffing arrangement in the relevant areas.
 - 4. Track CA and Government Activity.** The Center also lightly tracks the functioning of the Constituent Assembly and the government, watching especially for efforts to increase public participation and specifically that of historically marginalized groups such as Madhesis, Janajatis, Dalits and women.
 - 5. Issue regular private and public reports to raise awareness.**
 - a. One public report and accompanying press statement was released on June 22, 2010. This report was titled "Land Commitments in Nepal's Peace Process: What Has Been Achieved to Date?"
 - i. The report was distributed in Nepali and English to all 601 Constituent Assembly members, all 25 parties in Parliament, and approximately 150 Carter Center contacts at the national level.
 - ii. The report was distributed widely in Nepali by Carter Center staff via email. Copies of the "land" report have been sent to observers at the district level for distribution during their district meetings in the next quarter. Approximately 300 copies of the Center's "constitutional" report, mentioned in Quarterly Report #3, reached at least 300 local level contacts during the reporting period.
 - iii. Carter Center headquarters staff met with editors from most of the major English and Nepali papers prior to the release of the report in order to brief them on its contents and generate increased, accurate press coverage.
 - iv. The report received press coverage in most major English and Nepali papers as well as on FM radio stations.
 - b. One "white paper" on the pilot voter registration process was shared with the Election Commission of Nepal (ECN), international organizations providing technical assistance to ECN, and donors supporting the ECN on June 16, 2010. The paper was drafted in response to a request from ECN Acting Chief Election Commissioner Neel Kathna Uprety to observe the pilot voter registration exercise conducted in March and April 2010. The Carter Center met with Commissioner Uprety on June 15 to present the Center's assessment and recommendations.
 - 6. Engagement with national and local political leaders to address political solutions, as appropriate.**
 - a. The Carter Center has held multiple meetings with senior government and political party officials (Home Ministry, Constituent Assembly Members, Foreign Ministry, Ministry of Peace and Reconstruction, Nepali Congress,

- b. One high-level Atlanta mission was conducted during this period from April 7 - 20, 2010, to assess the progress of the peace process and constitution drafting at the central level, share findings from the observers in the field, and meet with high level political and civil society leaders as well as journalists. During this mission, Carter Center representatives also travelled to New Delhi to meet with Indian officials to gain a better understanding of the Indian perspective on the Nepali political situation.
- c. During this mission and in regular meetings, some interlocutors have expressed positive feedback about the Carter Center reports and have inquired about Carter Center LTO findings. They have also expressed a desire for continued Carter Center support to the peace process.

7. Conduct regular briefing sessions held with international stakeholders.

- a. The Carter Center held two briefing sessions during this quarter for international stakeholders, which have been well-attended (approximately 35 participants per session from a wide range of Embassies, donor organizations, and INGOs including NDI, TAF, ICRC, International IDEA, UNDP, UNMIN, and other organizations).
- b. Sessions have received positive feedback and continue to have high attendance, thus demonstrating that the participants find them to be useful. The Country Representative has also received numerous informal comments from participants indicating that they find the sessions useful for their own activities.
- c. Center staff attended at least seven international coordination meetings during this quarter.

8. Ensure gender and social inclusiveness in the project activities, beneficiaries, and staff.

- a. Gender and social inclusiveness are carefully respected in all project activities. LTO teams have been explicitly instructed to speak to a diverse range of citizens when they are out in the field. While often meetings held at district headquarters level are disproportionately attended by men (given that the majority of political party, government official, security official, and civil society representatives are male), observers attempt to address this balance by also meeting with women civil society members and discussing with groups of women at the village level. Additionally, observers make a special effort to meet with representatives of other marginalized groups (Madhesis, janajatis, Dalits, “backwards regions”, etc) in order to get their views, particularly as related to the issue of federalism – a major issue for these groups.
- b. Gender and social inclusiveness are also respected within the Carter Center’s staffing plan. During the reporting period, 66% (10 out of 15) of the Center’s national staff belong to a marginalized group (specifically, we have women, Janajati, Madhesi, and Muslim staff). Additionally, our international observers represent seven different nationalities and are 40% female.

III. Summary of Relevance and Effectiveness

During the reporting period, both national and international actors have communicated to the Carter Center that its presence in Nepal is relevant and effective. From their perspective, the two main contributions of the Carter Center are: a) keeping pressure on all key actors to move the peace process forward and draft the new constitution; and b) providing direct information from around the country about current dynamics and trends in the field, as well as possible early warning signs of conflict/violence. Specific indicators for the project's relevance and effectiveness are below:

1. The TCC public report on land issues received widespread news coverage in both the Nepali- and English-language press as well as positive feedback from Carter Center contacts and others. For example, following the release of the Center's land report in June, Gunaraj Luitel, assistant editor at Nagarik daily, media personality Hari Phuyal, and Gopal Khanal, chief reporter at Kantipur daily each spoke of the high quality of the report. Phuyal noted that the land report was "excellent" while Khanal noted that the land report, as other TCC reports, was "well-researched and informative."
2. Both international community organizations (UNMIN, ICG, OHCHR, etc.) and Nepali political leaders such as Dr. Baburam Bhattarai, UCPN[M] Vice Chairman, Ram Chandra Poudel, NC Vice President, and Nilambar Acharya, Chairman of Constitutional Committee) have made positive comments directly to the Carter Center about the Center's reports during this period. For example, joint secretary and advisor to Prime Minister MK Nepal, Madhu Regmi, wrote a thank you note to the Carter Center that said its report on land would "help [them] in framing appropriate policies and programs in relation to scientific land reform." Meanwhile, the head of the United Nations Mission in Nepal, Karin Landgren, sent a note to the Center referring to its land report as "excellent" and "a useful reference with sound recommendations."
3. There has been positive feedback from international community members who have attended TCC briefing sessions (both informal, verbal positive feedback and positive feedback formally through anonymous evaluations of the sessions).
4. There is continued awareness at the local level of the international community's support for the peace process and constitution drafting (as demonstrated by LTO team visits to 64 districts during the course of the project).

IV. Summary of Lessons Learned

1. It continues to be useful to do significant future planning regarding possible report topics and creation of thematic specific reporting forms.
2. The complex nature of peace and constitutional process issues being observed would be aided by additional research on topics such as land and federalism, possibly through the establishment of a research team dedicated to helping observers develop a better sense of the issues and context.
3. The increasingly dynamic turns in the political and security situations in the Eastern and Central Tarai, as well as in the Eastern Hills, points to the need for

increased attention to those regions, possibly through the establishment of another LTO team based in Janakpur.

4. Continued reliance on public opinion survey data in Carter Center reports to support LTOs' qualitative findings speaks to a potential need to commission surveys directly in order to ensure that they overlap with the thematic topics of future reports.

V. Summary of Staffing Resources and Organisational Issues

Due to the pending project extension, staff asked several of the LTOs to stay on with the project during the summer months in a scaled down staffing structure. Five of the LTOs agreed to stay on with the project past their original contract end date of June 30, 2010.

VI. Future Issues of Relevance

- a. Anticipated future problems, delays, or conditions or constraints that may adversely impact implementation of the program.
 - i. As flagged in our Quarterly Report #3, the constitution was not drafted by the May 28 deadline and the Constituent Assembly extended its deadline by one year to May 2011. At the time of writing this report, The Carter Center has sufficient project savings to continue conducting program activities for another six months and has submitted no cost extension requests to project donors through January 2011. Given the CA extension, the Center is discussing internally whether and how to pursue additional financial support from donors to continue observing the peace and constitution process beyond its current grant period. Pending the outcome of internal discussion, the Center will discuss with donors the possibility of obtaining additional funds to extend the current program.
- b. Information on security issues, especially as these affect program integrity and safety of cooperating and implementing partners.
 1. The Carter Center has one full-time staff person (the Security Coordinator) in our Kathmandu office dedicated to monitoring the security of our staff in the field.
 2. The violent/aggressive activity of certain indigenous groups or armed groups in the Tarai is an ongoing security concern. However, in our assessment, none of these appear to be immediate security concerns. Should the security risk increase, we will employ a range of options, the most severe of which would be pulling teams back to Kathmandu headquarters.
 3. Other possible security problems could arise to due to the uncertain political environment currently in Nepal. There has not been a Prime Minister since MK Nepal resigned, and at the time of this writing it was not clear whether or not the parties could come to agreement and move forward.

4. The Carter Center does not work with implementing partners in Nepal so this is not a direct concern.
- c. Information on new opportunities for program expansion
 1. Nothing to report at this time.
 - d. Other pertinent information
 1. Nothing to report at this time.