

**THE  
CARTER CENTER**



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

**Quarterly Report #6**  
**January 1, 2011 – March 31, 2011**  
USAID Cooperative Agreement 367-A-09-00002

## **GENERAL PROJECT INFORMATION**

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**Project Title:** Observing Nepal's Peace Process and Constitution Drafting

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

**Project Duration:** September 3, 2009 – October 31, 2011

**Status of Report:** Quarterly

**Overall Project Budget: USD \$3,143,332**

**USAID Contribution: \$750,000**

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## **I. Overview of Planned Project Activities**

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

- Observe implementation of the peace process and constitution drafting with a focus on the local level;
- Conduct a limited observation of the Election Commission’s voter registration efforts
- Issue regular public and private reports on the Center’s findings, including recommendations and policy suggestions;
- Conduct high-level meetings with Nepali political leaders and policymakers to discuss the Center’s findings; and
- Hold regular briefings for project donors and relevant international stakeholders, as well as regular meetings with Nepali political and civil society leaders

## **II. Progress towards Stated Project Goal and Objectives**

### **A. ACTIVITY 1: OBSERVE NEPAL’S PEACE PROCESS AND CONSTITUTION DRAFTING**

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

- a. From early January to mid-February, TCC Nepal operated in a slightly scaled down structure with 6 international LTOs and 6 national LTOs. On February 13, 5 new LTOs deployed to Nepal to join the project. From February 13 – March 31, 10 international observers and 6 national observers (as well as one junior national observer) were deployed in the Center’s field offices throughout Nepal. At this time, the Center also expanded to add a small office in Janakpur, bringing the number of LTO field offices to a total of six (Dhangadhi, Nepalgunj, Pokhara, Janakpur, Kathmandu, and Biratnagar). As noted in the approved project proposal, the sixth field office was added in order to ensure better coverage of the Central and Eastern Tarai, and allow the Biratnagar team to spend more time in the Eastern Region hill and mountain districts.
- b. Progress on stated indicators for this output, during the reporting period of January 1, 2011 to March 31, 2011:
  - i. TCC observers were deployed for approximately 90 days, with staffing at moderately reduced levels as described above prior to February 13.
  - ii. The observer teams have visited 68 out of 75 districts in Nepal to date.
  - iii. Observers and staff held approximately 523 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 one training 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 TCC observers during this period covered: 1) Constitutional process and issues; 2) Identity-based groups; 3) Peace process and 4) Political parties, and 5) Security environment. Each of these topics was further broken down into sub-categories, and covered on all LTO district reports. LTOs also focused on political party youth wings (as covered in our February 28 report). Furthermore, LTOs focused on Local Peace Committees (LPCs), the ongoing voter registration process and political space, all of which will be covered in upcoming reports.

2. **Team international and Nepali national observers together.** In order to be more effective in their deployment areas and understand complicated local dynamics, international observers were paired with a Nepali national observer so they could 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.
3. **Conduct public opinion research such as polling or focus groups.** Though part of the cost extension proposal submitted in September 2010, the Carter Center has decided not conduct polling or focus groups as part of the project activity. This is mainly due to the delay in project funding confirmation – the final amount of project funds was not confirmed until March 2011. Additionally, because the Center was unable to secure sufficient support for the project to be fully funded, this activity line was cut. This will not affect the overall project goals because public polling and focus groups were not a part of the originally funded project that has been conducted since September 2009.
4. **Track CA and Government Activity.** The Center also lightly tracked 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 report and accompanying press statement titled “Carter Center: Clashes Between Political Party Youth Wings Have Decreased but YCL and UML Youth Force Continue to Seek Financial Gain” was released on February 28, 2011.
    1. The report was delivered to all 601 CA members as well as members of the CA Secretariat
    2. The report was delivered in hard copy to approximately 160 KTM contacts and by email to an additional 200 contacts in the international community, 50 civil society contacts, and approximately 700 media contacts (national, regional, and local).
    3. 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.
    4. The report received press coverage in most major English and Nepali papers.

- b. A previous Carter Center report titled “Brief Overview of Political Dispute Resolution at the Local Level” was released immediately prior to this reporting period on December 30, 2010, so the feedback was received during this reporting period.
        - 1. The report was delivered in hard copy to 160 Kathmandu contacts and by email to an additional 200 contacts.
        - 2. The report was delivered to all 601 CA members as well as members of the CA Secretariat.
- 6. Engage with national and local political leaders to address political solutions, as appropriate.**
- a. The Carter Center held multiple meetings with senior government and political party officials (Nepali Congress, CPN-UML, UCPN-Maoist, Sadbhawana Party, MoPR, Acting Chief Election Commissioner), Nepali civil society (journalists, Advocacy Forum) and members of the international community (UNMIN, UNDP, UN RCHCO, IFES, ICG, and others) to discuss progress on the peace process and constitution drafting and share observer findings.
  - b. During this period and in regular meetings, some interlocutors have expressed positive feedback about TCC reports and have inquired about TCC LTO findings. They have also expressed a desire for continued Carter Center support to the peace process.
  - c. One high-level Atlanta mission was conducted during this period from January 12 – 25, 2011 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.
- 7. Conduct regular briefing sessions with international stakeholders and coordinate closely with national stakeholders.**
- a. TCC held one briefing sessions during this quarter (in February) for project donors and international stakeholders, which was attended by 30 people.
  - 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 seven international coordination meeting during this quarter.
- 8. 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 political party youth wings and political dispute resolution in their deployment areas; they met with groups and individuals to discuss the findings in person.
- 9. 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 (Madhesi, 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, 47% (8 out of 17) 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 eight different nationalities and are 40% female.

## B. ACTIVITY 2: Conduct a limited observation of voter registration

The Carter Center received a formal invitation from the Election Commission of Nepal (ECN) to observe the “Voter Register with Photograph Program.” Given the importance of an accurate voter list and a transparent and effective voter registration process, the Center is conducting a limited observation of the program.

- 1. Deploy existing observation teams to focus their efforts on voter registration in their regions of deployment at several points in time.**
  - a. Between February and March 2011, Carter Center LTOs visited 13 out of the 43 districts in which voter registration was taking place where they visited 25 voter registration places. During their visits, they collected both qualitative and quantitative information that formed the basis for the Center’s planned voter registration observation statement (released in the subsequent reporting period).
- 2. Hire short-term expert consultants to assist in the design and implementation of the voter registration observer training and deployment, collection of field data, and drafting of public reports.**
  - a. A two-person team composed of one short-term consultant and one Atlanta-based Carter Center staff person travelled to Nepal in mid-February to create a training program for Carter Center LTOs. This small team also met with the Election Commission of Nepal, UNDP, IFES, project donors, and others to better inform the Center’s observation strategy. Finally, the team created a voter registration observation form and checklist to be used by LTO teams, compiled the LTO team data, and began drafting the future voter registration observation statement during this period.
- 3. Collaborate closely with the ECN, UNDP, IFES and domestic observer networks and civil society organizations engaged with the process.**
  - a. During the reporting period, the Carter Center met multiple times with the ECN, UNDP, and IFES. Specifically, the Center met 2-3 times with Acting Chief Commissioner Neel Kantha Uprety and Joint Secretary Rajendra Sharma, as well as 3-5 times with UNDP and IFES. All three provided helpful

consultation for our observation strategy as well as training and input for our LTO teams and observation documents. During this period the Center did not have any interaction with domestic observers as no organizations were conducting observation activities. TCC plans to interact with NEOC in the subsequent reporting period as their observation efforts progress.

### **III. Summary of Relevance and Effectiveness**

- A. 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 three 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; 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; and c) providing an impartial review of and feedback on the ongoing voter registration program of the ECN.

#### Political Party Youth Wings Report

1. For the first time the Carter Center is aware of, a Carter Center report was referenced in Nepal's Parliament as part of ongoing discussions about impunity. Dr. Ram Sharan Mahat of the Nepali Congress brought a copy of the Carter Center's youth wings report onto the floor of Parliament on March 13, 2011 and asked the government for its response to the concerning activities noted in the report.
2. The youth wings report also received widespread national and international media coverage, for example:
  - i. A large, front-page story in the Kathmandu Post.
  - ii. The report was referenced as part of an Al Jazeera "special news report" on Nepal.
  - iii. A radio station in Australia aired a segment on political party youth wings in Nepal and interviewed Deputy Carter Center Representative Sam Frantz.
3. Additionally, The Carter Center received positive feedback on the report from a range of actors:
  - iv. Robert Piper, head of the UN in Nepal, wrote to thank us for our "excellent" and "very helpful" youth wings report.
  - v. The Political Officer at the US Embassy noted that they used the report as part of an internal document on the status of the Maoist party's activities in Nepal.
  - vi. The Political Affairs Officer at the European Union commented, "Your youth wings report is excellent."
  - vii. News Coordinator, Kantipur Daily: Thank you for the report. I like all TCC reports because they bring local information to the center.
  - viii. Chief of Protocol, Ministry of Foreign Affairs: I read the report and liked it.
  - ix. Deputy Director of Advocacy forum on youth wings report: This is a really good piece of work.

- x. Martin Stuerzinger, Senior Advisor for Peace building at the Swiss Embassy, said our youth wings report was “excellent”.
- xi. Drama Editor, BBC World Service Trust Nepal on the youth wings report: Thanks for passing along this very interesting piece of research. I am the editor of a drama which looks at gender relations and the roots of GBV. I note with interest how low female membership of these youth groups is, and yet the impact on women’s lives is, I would argue, very high.

#### Political Dispute Resolution Report

- 4. The Carter Center also received positive feedback on its report on political dispute resolution at the local level, which was released at the very end of the previous reporting period. Feedback that came in during this reporting period included:
  - xii. Joint Secretary at MoPR: I liked your concern on outreach strategies for conflict affected persons. The ministry wants to seek suggestions from organizations like the Carter Center, which has the field presence. Please let us know your feedback.
  - xiii. UNICEF: I read your report on conflict mediation. I liked it. I always read your reports.
  - xiv. INSEC: We read your reports. They are good.
  - xv. UN Peace Fund: I read your recent report. It was useful to understand local conflict. I heard TCC is planning to bring out a report on LPC. We will be happy to read the report. The UN Peace Fund is planning to prepare a report on political parties and dynamics. The TCC is the first in the list to talk about the issue. I think we will approach you for a discussion in the near future.
  - xvi. Australian Ambassador Susan Grace said she liked the recent political dispute resolution report but thought it came off too positive about informal dispute resolution mechanisms like mediation, etc.
  - xvii. UNDP’s John Tyynella said the political dispute resolution report was “excellent” and that he was investigating similar themes at the local level on conflict prevention issues and wanted to meet with our field teams.

#### **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 addition of a Kathmandu-based Research, Planning, and Drafting (RPD) team has increased our rate of report production. However, the fact that the team was not fully constituted until March 2011 unfortunately reduced its overall impact.
- 3. In response to the increasingly dynamic turns in the political and security situations in the Eastern and Central Tarai, as well as in the Eastern Hills, TCC established another LTO team based in Janakpur district (Central Tarai) to ensure better coverage of that

area of the country, as well as to allow the ER team more time to cover its hill and mountain districts.

4. Greater and more targeted outreach to Nepali civil society, non-print media, government officials and political leaders is required to ensure TCC findings and recommendations are used most effectively.
5. There are opportunities for the Carter Center to use its convening authority in areas where there are gaps in coordination (such as on interim relief to conflict victims) but the Center does not have the staff/resources to be the lead agency, as it is separate from our core project activity.
6. Lack of an organized way to track, access, search, and sort data has created a challenge for the project, given its unexpectedly long-term nature.

## **V. Summary of Staffing Resources and Organisational Issues**

As noted in the previous quarterly report, the Research, Planning, and Drafting (RPD) team (to assist in researching reporting topics, planning and developing observation forms, processing field data, and drafting reports) was partially staffed at the beginning of January 2011. The team was fully staffed as of early March 2011. The team will continue to function for the duration of the project.

Additionally, because cost extension proposals were approved by USAID and Norway and additional contributions made, the Center moved forward with the addition of one more field team, based in Janakpur. This team aims to strengthen reporting from the Central and Eastern Tarai and increase the time available for the Eastern Region team to spend in the Eastern hill and mountain districts.

Finally, the Center is working with a small technology company to design a simple database to help us better track, access, and search LTO field reports and findings over time.

## **VI. Future Issues of Relevance**

- a. Anticipated future problems, delays, or conditions or constraints that may adversely impact implementation of the program.
  1. The forthcoming May 28, 2011 constitutional deadline may have an effect on implementation of the program. As it is highly unlikely that there will be a constitution promulgated at that time, there remains some uncertainty about the future. The most likely scenario appears to be an extension of the CA (possibly for approximately 6 months). It appears less likely, although still possible, that the CA could be dissolved instead of extended, leading to political uncertainty and potential instability. Following the May 28 deadline, the Center will evaluate the best future course for the project, in consultation with project donors.
- b. Information on security issues, especially as these affect program integrity and safety of cooperating and implementing partners.

1. The LTO Project Coordinator in our Kathmandu office is responsible for management of the security for our staff in the field.
  2. Other security concerns include the violent/aggressive activities of armed groups in the Tarai and/or a small number of underground or semi-underground groups throughout the country. 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.
    - a. There has been an increase in IED explosions in the area near our Biratnagar field office. The Center is monitoring this issue carefully and will move the team to another location if required.
  3. The Carter Center does not work directly with implementing partners in Nepal.
- 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.