

**THE
CARTER CENTER**



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

Quarterly Report #8
July 1, 2011 – September 30, 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 \$1,954,133

USAID Contribution: \$750,000

I. Overview of Planned Project Activities

As laid out in the “Project Overview” section of The Carter Center’s most recently approved project proposal, 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. The Carter Center operated with reduced staffed for most of the reporting period. International long-term observers (LTOs) departed Nepal on June 30, 2011 while we scaled back the project and worked on project extension request documents. National observers continued to conduct limited observation during the period. International headquarters staff remained in Nepal on a rotating basis throughout the summer. In mid-September, we deployed new international LTOs to Nepal to continue the project.
- b. Progress on stated indicators for this output, during the reporting period of July 1, 2011 to September 30, 2011:
 - i. The LTO debriefing concluded in the last week of June, at which time all international LTOs ended their contracts with The Carter Center.
 - ii. We recruited new observers, who deployed to Nepal on September 11.
 - iii. These TCC observers were deployed for approximately 19 days from July to September.
 - iv. The observer teams have visited 70 out of 75 districts in Nepal to date.
 - v. Observers and staff held approximately 143 meetings with stakeholders at the central and local levels.
 - vi. 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.

- vii. The Carter Center held training in September for long-term observers to better inform their work in the field and share findings between Kathmandu HQ and the LTOs.
 - viii. The scope of information sought by TCC observers during this period covered: 1) Constitutional process and issues; 2) Identity-based groups; 3) Peace process, 4) Political parties, and 5) Security environment. Each of these topics was further broken down into sub-categories, and covered in all LTO district reports. LTOs focused on Local Peace Committees (LPCs), the ongoing voter registration process and political space during this period.
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. 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. **Track CA and Government Activity.** The Center also 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.
 4. **Issue regular private and public reports to raise awareness.**
 - a. One report and accompanying press statement titled “The Carter Center: Second Interim Statement on the Voter Register with Photograph Program” was released on July 7, 2011.
 1. The report was delivered to the Election Commission and its staff including the Secretary, Joint Secretary, all Under-Secretaries, and all District Election Officers.
 2. It was also delivered to all 601 CA members as well as members of the CA Secretariat.
 3. 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).
 4. The report received press coverage in several major English and Nepali papers.
 - b. Another report titled “Political Space in Nepal: An Assessment of Recent Changes and Future Challenges” was released on August 4, 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 160 Kathmandu 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 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 many major English and Nepali papers.

5. **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 (Prime Minister Bhattarai, the Chief of Army Staff, Nepali Congress, RJP, Sadbhawana Party, MoPR, Acting Chief Election Commissioner and ECN Joint Secretaries), Nepali civil society (journalists, Dr. Devendra Raj Panday, NEOC) and members of the international community (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, 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.

6. **Conduct regular briefing sessions with international stakeholders and coordinate closely with national stakeholders.**
 - a. TCC did not hold any briefing sessions during this quarter because of the end of international field presence in June..
 - b. Center staff attended five international coordination meetings during this quarter.

7. **Communicate national findings to local level.** Observers 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 reports on Voter Registration and Political Space in their deployment areas; they met with groups and individuals to discuss the findings in person.

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 meet with a diverse range of citizens. 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 interviewing 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. Gender and social inclusiveness are also respected within the Carter Center’s staffing plan. During the reporting period, 44% (7 of 16) 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 five different nationalities and are 50% 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 report on voter registration in their deployment locations.**
 - a. Following the deployment of new LTOs in late September, teams visited four districts to assess the ongoing phase of “continuous voter registration.”
- 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. In late September we began to look for one short-term consultant to travel to Nepal in November 2011 to meet with election commission officials as well as UNDP, IFES, project donors, and others to directly inform the Center’s observation strategy.
- 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 several times with the ECN, UNDP, IFES, and NEOC. Specifically, the Center met several times with Acting Chief Commissioner Neel Kantha Uprety, Joint Secretary Rajendra Sharma, and Joint Secretary Sharada Trital. The Center also had multiple meetings with UNDP and IFES as well as one meeting with NEOC. All provided helpful consultation for our observation strategy as well as training and input for our LTO teams and observation documents.

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.
- B. Comments/feedback on TCC project this quarter:
 - a. The Indian Ambassador to Nepal indicated that the Ambassador of Australia spoke very highly of The Carter Center in their recent meeting and encouraged him to read our reports. He asked specifically about our findings on land return and land reform.
 - b. Media coverage of LPC report: quoted in op-ed in Kathmandu Post on 23 Sep.
 - c. Media coverage of land report: extensively quoted in Republica article on 10 Sep.
 - d. Prime Minister Baburam Bhattarai said “I have been following the reports you produce on various issues and find them quite useful.”
 - e. Tim Trenkle of U.S. Embassy said that he printed out the political space report and read it in its entirety, which he doesn’t often do for reports.

- f. Charlotte Duncan of DFID sent thanks for the “very useful” response to her query on the quality of the voter roll.
- g. Sanjay Rana of DFID ESP said our political space report has been very useful context for their meetings with local party members.
- h. We received positive feedback on Carter Center reports from Akhilesh Upadhyay, Editor of The Kathmandu Post
- i. We received positive feedback on the political space report from Australian Ambassador Susan Grace and a question about why we did not focus more on the Youth Force
- j. We received a letter from Kamal Thapa, leader of the RPP-N party, thanking us for the political space report
- k. Former Chief Election Commissioner Bhoj Raj Pokharel quoted from our political space report and also asked for suggestions on how the voter registration process was going in order to share these informally with the ECN
- l. A Maoist contact speaking to a TCC representative at the party office in Kathmandu said “I’m reading your political space report along with several of my comrades.”
- m. Maoist CA member Khimlal Devkota called our Field Office Representative directly to say thank you for the voter registration and political space reports. He said he would send further comments by email.
- n. Positive feedback on our voter registration report from: Chief Election Commissioner Neel Kantha Uprety (by email), ECN Joint Secretary Trital (KTM Post article), Head of BBC World Service (by email) and OHCHR representative (by email).
- o. Media coverage: Kathmandu Post (twice – July 8, 2011 and July 16, 2011), Naya Patrika, and The Himalayan Times.

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.
3. In an effort to reduce project costs after being prompted by donors, we decided to close down our office in Janakpur district (Central Tarai). While this addition was useful, it appeared that dynamics in the Eastern/Central Tarai were consistent enough that this team could be eliminated if there are not sufficient funds to cover these costs when extending the project.
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. We have now created a database where all information and reports can be stored and easily searched. This has proved to be a valuable asset to the project and has also contributed to increased report production.

V. Summary of Staffing Resources and Organisational Issues

As mentioned, we decided to cut the Janakpur-based team after donors asked us to reduce costs for the most recent project extension request documents.

VI. Future Issues of Relevance

- a. Anticipated future problems, delays, or conditions or constraints that may adversely impact implementation of the program.
 1. The August 31, 2011 constitutional deadline was extended to November 30, 2011. In response to this, The Carter Center extended its project as well. We submitted a formal project proposal and budget to donors and, at the time of this writing, have secured additional funds from DFID (through the Enabling State Program) and USAID, and are awaiting final word from Norway.
- 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. Possible security issues 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.
 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.