

**THE  
CARTER CENTER**



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

**Quarterly Report #10**  
**January 1, 2012 – March 31, 2012**  
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, 2012

**Status of Report:** Quarterly

**Overall Project Budget: USD \$1,638,000 (August 1, 2011 – October 31, 2012)**

**USAID Contribution: \$999,953**

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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 of Nepal’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. Progress on stated indicators for this output, during the reporting period of January 1, 2012 to March 31, 2012:
  1. The observer teams have visited 73 out of 75 districts in Nepal to date. This quarter teams have visited approximately 22 districts.
  2. Observers and staff held approximately 343 meetings with stakeholders at the central and local levels.
  3. 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.
  4. The Carter Center held a training in February for long-term observers to better inform their work in the field and share findings between Kathmandu HQ and the LTOs.
  5. The scope of information sought by TCC observers during this period covered: 1) the constitutional process and issues; 2) identity-based groups; 3) the peace process, 4) political parties, 5) the security environment; and 6) voter registration. Each of these topics was further broken down into various sub-categories and covered in all LTO district reports. In particular, LTOs focused on the ongoing voter registration process, identity politics, the security environment, local governance, and conflict-era land issues 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 and national observers are paired so they can maximize the combined strengths of national and international observers. During this reporting period, national observers continued to work with their international counterparts, maintaining the opportunity for capacity building.
- 3) **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.
- 4) **Issue regular private and public reports to raise awareness.**  
 The Carter Center released one public report and one open letter from President Carter during the period of January 1 – March 31.
  - a) The report was focused on voter registration and the press release heading read: “Over 10 Million Nepalis Registered to vote, Ensuring Access for Remaining Unregistered Voters Crucial.” The report was released on January 31, 2012.
  - b) The open letter was released on March 14, 2012 and urged Nepal’s political parties to make progress on integration of Maoist combatants and drafting of a new constitution.
    1. Both the report and the open letter were delivered to all 601 CA members as well as members of the CA Secretariat.
    2. Both documents were also 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. Both documents received press coverage in major English and Nepali papers as well as attention from Nepali political actors and members of the international community.
- 5) **Engage with national and local political leaders to address political solutions, as appropriate.**
  - a. President Carter sent letters in early March 2012 to Prime Minister Baburam Bhattarai, Maoist Party Chairman Prachanda, NC Party President Sushil Koirala, CPN-UML Party Chairman Jhalanath Khanal, and to the leaders comprising the United Democratic Madhesi Front. The Prime Minister’s Office released President Carter’s letter to the press, where it received positive news coverage.
  - b. Associate Director of the Democracy Program Dr. David Pottie came to Kathmandu in January 2012 to participate in meetings with political leaders to assess the political situation prior to the constitutional deadline, and to brief project donors and meet with members of Nepali civil society and the international community.
  - c. The Carter Center held multiple meetings at the national and local levels with senior government and political party members (Nepali Congress, CPN-UML, UCPN-Maoist, RJP, TMLP, Sadbhawana Party, Acting Chief Election Commissioner, AISC Secretariat, and others), Nepali civil society (journalists, NEFIN, NEOC, and others) and members of the international community (UNDP, IOM, ICTJ, IFES, ICG, NDI, TAF, UN RCHCO and others) to discuss progress on the peace process and constitution drafting and share findings from the observers.

- d. 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 conducted one international stakeholders sessions during this period, each of which was attended by a record of nearly 50 people representing different international agencies. This briefing session focused on identity politics findings at the local level, as well as PLA, security, local governance and other issues.
  - b. Center staff attended 7 international coordination meetings this period.
- 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 in their deployment areas;
  - b. Carter Center LTOs also held regional debriefing sessions with Nepali stakeholders in five hub districts (Kailali, Banke, Kaski, Dhanusha, and Morang) to discuss the voter registration process. It was the first time that the Center has held such formal sessions and they went quite positively and were appreciated by most participants.
- 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 imbalance 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 (Madhesi, Janajatis, Dalits, “backwards groups”, etc) in order to get their views, particularly as related to the issue of federalism.
  - b. Gender and social inclusiveness are also respected within the Carter Center’s staffing plan. During the reporting period, 50% (8 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 six different nationalities and are 50% female.
  - c. One of our interpreters from a marginalized group was promoted to Junior National LTO this period in order to promote capacity building.

## 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. Teams visited multiple districts to assess the ongoing phases of voter registration during the 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.**

In March 2012, we recruited voter registration consultant Jonathan Stonestreet to travel to Nepal for 10 days to meet with ECN officials as well as UNDP, IFES, project donors, and others to inform the Center's observation strategy and monitor the Voter Registration process.

**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. 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 (January 1 – March 31, 2012).

A selection of national level feedback:

- The Head of the EU mission as well as EU officers commented on the usefulness of TCC's reports.
- A GIZ officer asked whether TCC's project had been successfully extended and commented on the usefulness of TCC's reporting.
- Former Chief Election Commissioner Bhoj Raj Pokharel noted that many people were talking about PC's letter to the Prime Minister.
- Multiple positive comments on our international stakeholder session.
- Mahantha Thakur (Head of TMDP): "I have read your reports on voter registration and the citizenship issue, they are very good."
- Indian DCM: "I know TCC's reports. I read the one on land issues, and it was well done and useful."
- Member of Norwegian Delegation from Oslo: "Yes, I have heard of the Carter Center's work even though I am in Oslo and have been reading your reports."
- Chief Election Commissioner: "It is important for the Carter Center to stay engaged in Nepal through the next national elections."

A selection of local level feedback:

- Received media coverage on the regional stakeholder sessions on voter registration in Pokhara, Janakpur, Nepalgunj, and Dhangadhi.

- Nawalparasi UML District Chair - Appreciative of the role that TCC plays in “bringing peace” to Nepal.
- Doti NC - Said he wanted "TCC to play a bigger role as we're the one organization he trusts." He noted that leaders in the central level are not connected to people and he wants us to draw more comparisons between local level and the national level to "show what's really going on."
- Doti UCPN-M - Said they respected TCC's work and that we want to help Nepal.
- Darchula RPP-N - Appreciate TCC visiting the region district by district and hope we'll be back again in the future.
- Darchula VDC Sec - Noted that TCC visits to remote VDCs was very much appreciated. Wanted to thank us on behalf of the people from the VDC.

#### **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. 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.
3. 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.
4. TCC held “regional stakeholders sessions” for the first time ever this period. We learned that these sessions: a) require much more preparation and Kathmandu headquarters work than initially anticipated, b) also require significant team resources, c) are appreciated by participants and could certainly be continued in the future, and d) can be extremely sensitive and in some cases difficult depending on the topic. While TCC may choose to do these again in the future, they will displace other activities (such as report writing) and therefore planning should be carefully considered.
5. TCC has struggled to process the identity politics data we have been collecting at the local level due to its highly complex nature. This has led to a situation in which we have too much data to process and not enough resources to take care of it in Kathmandu. The lessons learned include: a) when dealing with complicated data, it is critical to plan out sufficient time for analysis and writing in Kathmandu, and b) if our “conveyer belt” approach to report writing (as soon as one topic starts moving off the conveyer belt another must be put on) means that if we have a problem with a report, we no longer have the capacity to deal with it, without it affecting all other reporting work in the office.

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

We promoted one high-performing interpreter to Junior National LTO positions in order to promote capacity building within our staff.

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

- a. Anticipated future problems, delays, or conditions or constraints that may adversely impact implementation of the program.

1. It remains unclear exactly what will happen around the May 2012 constitutional deadline, although it seems positive that a draft constitution or framework constitution could be produced. It is likely that the number of bandhs (strikes) and protests will increase around this deadline, making it more difficult to perform our observation work.
  2. The project cycle is nearing its end, and so a large amount of core staff time will need to be devoted to future project planning given the likely project extension that is upcoming.
  3. It is likely that we will lose multiple staff members in our Kathmandu headquarters office in the lead up to the next project extension, and we will need to find a smooth and successful way to transition the project into its new leadership. Most specifically, our LTO Coordinator is likely to depart during the next period. Several months afterwards, many other senior positions may come open.
  4. The Ministry of Foreign Affairs has imposed new rules regulating internationals meeting with Chief District Officers and Ministry-level officials. These new rules have made it more difficult for TCC teams to get information from district officials such as CDOs and SPs in some districts.
- b. Information on security issues, especially as these affect program integrity and safety of cooperating and implementing partners.
1. See point number 1 in the above section regarding increase of protest programs across the country, which could affect program integrity and security. However it is not expected that this will have a significant impact or force stoppage of the field level observation.
  2. Possible security issues include low-level insecurity in the Tarai, the small number of underground or semi-underground groups throughout the country, and the potential for unrest, instability or violence around protests such as bandhs or protests regarding federalism. 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.