

**THE
CARTER CENTER**



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

**Quarterly Report #11
April 1, 2012 – June 30, 2012**

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 \$1,638,419

USAID Contribution: \$999,953

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 April 1, 2012 to June 30, 2012:
 1. Observer teams have visited 74 out of 75 districts in Nepal to date.
 2. Observers and staff held approximately 314 meetings with stakeholders at the national and local levels.
 3. LTOs and staff have not yet observed any official public consultations of the Constituent Assembly because the project was not running during the first opinion collection period (February/March 2009) and a second opinion collection period did not take place during the tenure of the CA.
 4. The Carter Center held training in April, May, and June for long-term observers to better inform their work in the field and share findings between Kathmandu headquarters 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, return of PLA, the security environment, and citizen perceptions of constitutional issues and the national political process 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.
- 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 three public reports and six private reports during the period April 1 – June 30.

Public:

- a. “The Carter Center’s Information Sessions on the Election Commission of Nepal’s Voter Registration with Photograph Program” was published on May 9, 2012. The report summarized the concerns raised by stakeholders in Carter Center-sponsored discussion programs on the voter registration process, held in hub cities across Nepal. Conclusions and recommendations based on these discussions are offered for the Election Commission of Nepal and the Government of Nepal.
- b. President Carter released a statement on Nepal on May 24, 2012. In the statement, President Carter expressed concern about ongoing political violence and unrest, urged political leaders to work toward consensus and take steps to reduce tensions reduced tensions, and encouraged all Nepalis to remain committed to the democratic process.
- c. A report titled “Land Commitments in Nepal’s Peace Process: An Update on Implementation” was published June 20, 2012. The report provided an update on the status of implementation of land commitments at the local level.

Private:

- a. Five confidential situation updates were distributed on the environment in the country in the lead-up to the May 27 deadline.
 1. Updates were circulated to approximately 50 international and national contacts
- b. Private discussion paper “Carter Center observations on recent identity-based mobilization in Nepal” was distributed to international and national contacts in June 2012.

- 5) **Engage with national and local political leaders to address political solutions, as appropriate.**
 - a. 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, RPP, RJP, RPP-N, MJF-N, MJF-D, TMLP, Sadbhawana Party, MoPR, MoHA, Acting Chief Election Commissioner, CA Secretary, and others), Nepali civil society (journalists, INSEC, Advocacy Forum, 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.
 - 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 conducted two international stakeholders sessions during this period. The first was attended by 38 and the second by 39 representatives of international agencies, embassies and donors, and INGOs.
- b. Carter Center staff attended five international coordination meetings this period.

7) Communicate national findings to the 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, parties in local bodies, and political space in their deployment areas; they also had a small number of meetings 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 senior representatives of political parties, government agencies, security agencies, and civil society organizations 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 in relation to the issue of federalism.
- b. Gender and social inclusiveness are also respected within the Carter Center's staffing plan. During the reporting period, 56% (10 of 18) 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.

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 Election Commission's "display, claims, and objections" period and "Missed Voter Registration" exercise.

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 April 2012, one voter registration consultant travelled to Nepal to meet with ECN officials as well as UNDP, IFES, project donors, and others to inform the

Center's observation strategy. The consultant also updated Carter Center methodology for observation of voter registration, trained Carter Center field and headquarters staff, and assisted with data analysis and report drafting.

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; 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 (April 1, 2012 – June 30, 2012). This section is divided into three areas: 1) feedback and reactions to the reports released during this period; 2) feedback and reactions that came in during this period to previous Carter Center reports; and 3) miscellaneous feedback.
 1. Feedback and Reactions on TCC project this quarter:
 - *Kathmandu Post* Editor: Very happy to see a news story about TCC land report in his newspaper, noted KTM post editorial on same subject. Said he received calls and messages from some of his friends that the Carter Center also raised the issue of land reform, after KTM Post wrote about it. His contacts told him that they read TCC report on land issues and were happy to know TCC is also serious about this issue.
 - Positive comments on the compiled field reports from Tim Trenkle and Jason Meeks (US Embassy), Anagha Neelakantan (ICG), Prashant Jha (journalist) and others.
 - Thanks a lot, this is very useful and complements other reports in an excellent manner. – Martin Stuerzinger, Swiss Embassy.
 - Thanks for your good collaboration with RCHCO offices and input into their report of May 3. - Robert Piper, UN Resident Coordinator.
 2. Feedback and Reactions to confidential paper on identity-based mobilizations:
 - Thank you for sharing this excellent piece – Robert Piper, UN Resident & Humanitarian Coordinator.
 - Thanks for this excellent report. This is tremendously useful, as it is not just a list of events but a comprehensive analysis that provides comprehensive insights. The points for future consideration are especially useful for my work. – Martin Stuerzinger, Swiss Embassy.
 3. Feedback and Reactions to papers leading up to the May 27 deadline:
 - TCC's reports during this period have been very useful, especially the reporting from the FWR- Bishnu Adhikari, ESP.

- TCC reports are very useful, I read them consistently – Akhilesh Upadhyay, Editor of *Kathmandu Post*.
 - The reports are good but the newspapers are not covering them very well, you should do more advocacy with editors to see why they don't give you better coverage – Deepak Thapa, Social Science Baha.
 - Senior Army and retired Army officials complimented TCC reports, as told to Sarah Levit-Shore.
4. Feedback and Reactions from the local level:
- I used information from the recent TCC report on Voter Registration in my training of VDC Secretaries and Municipality Ward Secretaries on the upcoming phases of Voter Registration where I read out 2-3 lines exactly the same from the report. I found it very useful. I emphasized TCC's important findings on Citizenship Card access and instructed the participants to pay attention to Citizenship Card issues because they are important. – CDO of Kanchanpur.

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 had been 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

Nothing to report.

VI. Future Issues of Relevance

- a. Anticipated future problems, delays, or conditions or constraints that may adversely impact implementation of the program.
 - 1. The failure of the Constituent Assembly to promulgate a constitution by the May 27 deadline created greater uncertainty for democratic progress in Nepal. The future course of the constitutional process and peace process are unclear.
 - 2. The Election Commission remains restricted in planning or holding new elections until the Interim Constitution is amended and additional legal hurdles are removed.
 - 3. Skepticism from some portions of the civil service and political parties about the role of the international community in Nepal appears to be increasing.

- b. Information on security issues, especially as these affect program integrity and safety of cooperating and implementing partners.
 - 1. 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.
 - 2. 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. The Carter Center has reached a new grant agreement with the Norwegian Embassy valid through May 31, 2013.