

THE CARTER CENTER



Observing Nepal's Peace Process and Constitution Drafting

Quarterly Report #15
April 1, 2013- June 30, 2013

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 – December 31, 2013

Status of Report: Quarterly

Overall Project Budget: USD \$1,638,419
USAID Contribution: \$999,953

I. 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- June 30, 2013:
 1. Observer teams deployed in October have visited all 75 districts in Nepal to date.
 2. Staff held approximately 640 meetings this quarter— 80 at Headquarters and 560 field team interviews
 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. Two LTO training sessions were held this quarter, one in April and the second in June.
 5. The scope of information sought by TCC observers and staff during this period covered: 1) the constitutional process and issues; 2) voter registration; 3) identity-based groups; 4) the peace process, 5) political parties, and 6) the security environment. Each of these topics was further

broken down into various sub-categories, such as identity politics, return of PLA, the security environment, and citizen perceptions of constitutional issues and the national political process during this period. 5 regional stakeholder sessions were held this quarter.

- 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 two public reports, briefings, or statements during this reporting period.

 - a. Carter Center Special Report: Recent Voter Registration Findings (Mar. 14-31 2013)
 - b. Bi-Monthly Political Observation Report (March/April 2013)
- 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, CPN-M, 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 one international stakeholder session and five regional stakeholder sessions during this quarter.
 - b. Carter Center staff attended three international coordination meetings this period.
 - c. TCC staff have continued the monthly meetings with the US Government Peace and Democracy Implementers, including Ambassador Peter W. Bodde, new Political/Economic Office Chief Michael B. Goldman, Trish Mohoney, Deputy Chief of Mission, as well as, IFES, NDI, TAF and PACT.
 - d. TCC staff have also met Saferworld (new USAID implementing partners in Nepal) intermittently during the quarter.
- 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.
- 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 per cent 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.
 - b. Observers made follow-up enquiries with DEOs and other local government and election officials about voter registration, obstructions, and other potential election security risks.
 - c. Recent voter registration was presented at an international stakeholders session on June 28.
 - d. The Carter Center is developing a spread-sheet of potential conflict areas ahead of the next election.
- 2. Deploy existing observation teams to report on local governance in their deployment locations.**
 - a. Teams visited multiple districts as part of their continued observation of local governance.
 - b. Observers visited a broad range of stakeholders (e.g. political parties, civil society groups, police, local government officials, media, and citizens) at both the district and VDC-level to make their assessment on the topic.
 - c. They also made follow-up enquiries with DAOs and local government officials about specific issues related to local governance, including user group formation and ward citizen forums.
 - d. Initial findings on local governance were presented at an international stakeholders session on June 28.
 - e. The Carter Center is developing a draft report on local governance. A final report is to be published in late August/early September 2013.
- 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.

- b. Election Observers Working Group: Participants (NDI, TAF, UNDP-ESP, NEOC, EOC-N) attended three roundtable coordination meetings hosted by NDI to discuss preparations for their respective observations of the next election. This information is stored by NDI in a project matrix. NEOC also provided a presentation of their voter education and training-of-trainers programs.
- c. Carter Center representatives attended a dinner hosted by NDI that included USAID, IFES, UNDP-ESP, US Embassy, and ECN. The dinner was held to welcome the arrival of Cathy Allen who is working to increase women's participation in the Nepali parliament. Also in attendance were Hisila Yami, a leading voice in politics and wife of Dr. Bhattarai, and new ECN commissioner Ila Sharma. Participants discussed preparations for November elections, the role of women in Nepali politics and other areas of current affairs.

II. 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, 2013 – June 30, 2013)

This section is divided into two areas: 1) feedback and reactions to regional stakeholder sessions, and 2) miscellaneous feedback.

1. Feedback and Reactions from the local level:
 - Sindhupalchowk: TCC Should hold interaction meetings. TCC replied that it meets stakeholders individually to protect their privacy and promote their confidence to speak freely.
 - Khotang: Suggested TCC also observes election in very remote places and not only places accessible by road. Observers replied that TCC does travel to remote places before and during elections by helicopter and on foot but that we would forward the suggestion to HQ.
 - Kailali: Thanked TCC for visiting and said he hopes TCC's reports will reach concerned authorities.
 - Surkhet: The Carter Center's observation and reports have raised the real situation of local level to the national level and international community in Nepal, "giving us a platform to share that Nepalis are capable and are doing their best to develop and make changes in all aspects."
 - Surkhet: The information TCC collects and shares has motivated their party to work for betterment.
2. Miscellaneous Feedback
 - "You are one of the few organizations with a genuine grassroots presence in Nepal. We [at the embassy] have found your reporting to be invaluable."-Amb. Susan Grace, Australia

III. 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 and the quality of the reports we produce. We will therefore boost our resources for this team for the Monsoon period. This is especially important as one of our RPD Officers will leave in August 2013 to go to university in the U.S., and because of the announcement to hold elections on Nov. 19
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 as there were not sufficient funds to cover these costs when extending the project. That said, we are considering opening an office here for the election period given the importance all political parties have placed on securing votes in the Tarai.
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.

IV. Summary of Staffing Resources and Organizational Issues

Nothing to report.

V. 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 created greater uncertainty for democratic progress in Nepal. However, the High Level Political Mechanism (HLPM) has pushed for an interim election government, which was met with mixed responses from Nepalis and resulted in successful bandhs throughout the country in the early spring. The future course of the constitutional process and peace process are unclear.
 2. The HLPM's Election Commission remains restricted in planning or holding new elections, with an original target date in early June that has now been pushed to November 19, 2013. Resistance by Nepal's major political parties and those who continue to boycott the process, means the commission continues to face resistance when pushing ahead with electoral laws.

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. Nothing to report at this time