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Resilient nations.*

Annual Progress Report - 2011

Project Title

Award ID: 00049635
Award Title: Support to Participatory Constitution Building in Nepal
Project ID: 00060671
Source of Funds: UNDP, DFID, Denmark, Norway, British Embassy, and Austria
Implementation Modality: DIM
Project Beginning Year: 2008
Project Ending Year: June 2012

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1. Overview of the Project

The Support to Participatory Constitution Building in Nepal, a UNDP-project, intends to support an inclusive process that is being adopted by the Constitution Assembly in the preparation of the new constitution. The project started on 30 April, 2008 initially for a period of two years (to end at December 31, 2010) with an overall objective of strengthening national institutions and processes for making new constitution in line with the outputs of the Country Programme Action Plan (2008-2010). Since the constitution building process extended, looking at the need of the context, the project was also extended till December 31, 2011.

Increased access to and participation in constitution building and free and fair electoral processes is the main intended outcome of the project. The project has three outputs to meet the outcome. The output 1 is related to the capacity enhancement of Constituent Assembly (CA). To achieve this output, the project provided support to constituent assembly, particularly in expert advice and dialogue facilitation to bring consensus on key contentious issues of the constitution making process. The second output is related to participation of the public in the process of making constitution giving emphasis to addressing gender and social inclusion issues. For this, the project involved civil society organizations and media to monitor and update CA making process to the public. Similarly, the third output is related to the preparation of the transition planning and management. In this case, the project mainly focused on providing orientation to government officials on Federalism, transition planning, and

2011 was a significant and busy year for the SPCBN project and CCD. It saw a change of priority and emphasis in terms of activities and initiatives, a period of fundamental review of the project and its future, a significant downsizing of international staff and responses to challenges caused by the political instability in the executive and the uneven progress with respect to the peace process. The uncertainty with respect to funding was another challenge faced by the project.

Though a priority of the project in the first 2 years was on involving a wide cross section of people particularly from the marginalized groups in the constitution making process, given the inability of the Constituent Assembly (CA) to meet its deadlines and the difficult and often complex issues that needed to be addressed in the CA, the project shifted its focus to strategic interventions to facilitate the reaching of consensus and accommodation on key constitutional issues. This entailed the development of options to bridge the gaps between the main political actors drawing international and comparative best practices. Problem solving through the provision of technical assistance and dialogue facilitation became priorities of the project.

Dialogue facilitation was done in different ways according to the need and context. A series of meetings, some formal many informal, were held with political parties, party leaders, members of the sub-committees and CA members who sought clarification on options for consensus building and assistance in the formulation of positions. Memoranda, non papers, technical papers were also prepared to facilitate such engagement and interaction. Assistance was also provided to various groups within the CA, particularly the Women's and Indigenous Peoples' caucuses, to ensure that their concerns were not compromised unduly in the push to seek consensus. SPCBN organized a series of interaction between party members of these caucuses and their respective party leaders so that the concerns of these groups could be shared with the party leadership.

The project worked closely with CA members and different caucuses of CA, CA secretariat, civil society organization, and media and focused on facilitating dialogue and providing technical assistance on the contentious issues in the constitution making process.

- Through series of consultations and dialogue facilitation, CA members are close to agreement on a semi-presidential form of government and a mixed electoral system. In addition, CA members and political leaders have agreed to explore a 10 province federal model level balancing both identity and viability.
- Working jointly in partnership with the major stakeholders such as Nepal Bar association, constitutional lawyers group, Local Governance Association and other communities has contributed in providing recommendations on the contentious issues to CA.
- For the first time in the Constituent Assembly process, the indigenous peoples (IP) raised crucial IP issues among the dominant non-indigenous political leaders and Constituent Assembly members for their understanding and support. It created a legitimate space within each of the formal political party structures to openly discuss the priority IP issues.
- For the first time senior Dalits political leaders, Constituent Assembly members, Dalit activists came together to openly discuss on their common agenda to be ensured in the new Constitution. And they are now in the process of finalizing their common agendas which is a major achievement.
- With the support of the project, women's organizations launched a common advocacy campaign and handed over the "Women Rights in the Constitution" booklet and "women's agenda" to the President and Prime Minister.
- Although Women's main issues have been addressed by the thematic committee preliminary draft, the issue of equal citizenship right has remained as the issue of concern. The project therefore facilitated the discussions which are moving a step ahead in order to make leaders to re-open the issue for further discussion.
- Academic capacity of the organizations like Nepal Administrative Staff College and Public Administrative Association of Nepal strengthened on "Federalism, Administrative restructuring, and Transition Management". This will create awareness among the government officers on Federalism, Administrative restructuring, and Transition Management.
- The regional workshops organized in the districts resulted awareness among the district level government officers on Federalism, administrative restructuring, and transition management.
- Interprovincial dialogues organized by the project provided a platform for discussion on interprovincial issues and contributed to reduce differences.
- The local FMs, to sensitize local communities on the updates of constitution making process, have aired series of episodes of FM radio program in the districts.
- A total of 326 journalists trained on constitutional issues and their level of awareness and knowledge has significantly increased.

3. Achievements against Annual Work Plan (Annual Targets & Activities)

Annual Targets	Achievement (against Annual Targets)	Planned Activities	Achievements (against activities & actions)	Financial			
				Fund	Budget Code	Budget	Actual Expenditure
To assist the CA to prepare and draft a new Constitution and resolve contentious issues	100% achieved	Activity 1: Support CA and CA Secretariat					
		Action 1.1: Provide individual and group consultations on key Constitutional / Legislative issues to CA members	A total of 130 events (14 in group and 116 individual) consultations were provided on key constitutional and legal issues. A total of 530 individuals including 30 CA members benefited.	04000	74500	5,250	5,453.00
				30000	72500	4,748	3,316.40
				20700	73100	25,000	22,493.00
				04000	71400	37,157	36,783.11
		Action 1.2: Conduct research and publish technical papers and briefing package on key Constitutional Issues	<ul style="list-style-type: none"> • A total of 10 researches were conducted on key contentious issues. • Technical Paper series II on Social Inclusion published and disseminated. • Technical Paper series III has been published and disseminated. • A total of 4 documents related to constitution and legislation were reviewed and provided expert feedbacks/presentation to the concerned stakeholders such as NCARD Draft constitution, UNICEF/UNHCR Citizenship related SC decisions, FIIAN Nepal RTF Assessment, and Business related provision in Committee report and CA Members. 	30000	71300	10,000	9,500.00
30000	73100			20,000	20,495.00		
30000	74200			7,124	7,338.91		
20700	71400			30,000	32,507.00		
		04000	71400	29,589	29,381.77		

		<ul style="list-style-type: none"> Regularly reviewed CA process, progress update, challenges and options and shared with the CA members, project teams, CSOs and other stakeholders. 				
	Action 1.3: Conduct dialogues with youth CA members on common youth agenda	<ul style="list-style-type: none"> A total of 3 Dialogue conducted with youth CA members and youth leaders of political parties focusing on youth issues in Democracy. A total of 23 youth leaders including 6 CA members and 8 female participated in the events. A total of 2 interactions were conducted on youth concerns in the new constitution. A total of 360 participants (including 16 youth CA members and 55 Female) participated. An intra-party youth network was created to make common concerns of youth and push to CA and party leaders. 	30000 30000 30000 30000 04000 04000	74500 71300 71600 72500 73100 71400	7,998 2,000 5,000 2,400 13,604 20,653	8,498.00 2,057.00 4,515.00 2,465.00 13,604.00 20,653.19
100% achieved	Action 1.4: Review Legislation to ensure compatibility with the Draft Constitution	A total of 3 legislations (bill) were reviewed to ensure the compatibility with the preliminary draft Constitution.	30000 30000 04000 04000 30000	71300 74500 71300 73100 71400	19,634 4,500 15,000 85,528 20,653	17,687.00 4,250.00 7,497.00 81,533.00 20,344.19
100% achieved	Action 1.5: Provide technical support to CA secretariat for internal media coverage.	Technical support was provided to the CA secretariat for Internal media coverage through Drishya Pvt Ltd and provided PA system.	30000 04000 04000	72100 74500 71300	30,000 4,500 7,253	26,766.00 4,250.00 6,746.00

	<p>Action 1.6: Support CA Secretariat in publishing civic education materials such as radio public service announcement (PSAs), TV PSAs, Comic books, leaflets and posters.</p>	<ul style="list-style-type: none"> • Three radio and TV PSA were made ready and comic books as well. The remaining parts such as printing and shooting have not been done because the draft constitution has not yet issued. • The project signed MOU with Equal Access to organize training for journalists who work outside of Kathmandu. The training was organized in 14 zones (one in each zone). A total of 407 journalists including 77 female participated. 	04000	72400	100,000	94,560.00
			30000	71400	54,093	57,636.00
			30000	71400	100,000	83,144.98
Fully Achieved	<p>Action 1.7: Conduct programmes with CA members, CA Caucuses and networks on gender and social inclusion issues to strengthen their knowledge to come up with the possible options.</p>	<ul style="list-style-type: none"> • Provided expert advice to facilitate common position on priority agenda of women, Indigenous, Dalit, and Madheshi Caucuses. • Provided expert to review the 11TCR Constitutional concepts that are still not clear and retrieve proposals from the Madheshi CA members. • Provided expert service to review Federalism concepts structures in the 11 TCR with Muslim CA Caucus. • An interaction programme was organized to develop common position on priority agenda of women, indigenous, dalit, madheshi caucuses. More than 191 participants including Deputy-Speaker Hon. Purna Kumari Subedi participated. • A programme on "Electoral System and Inclusive Representation" was conducted. The programme was attended by 29 high level CA members (18 Male, 11 Female) 	04000	71600	20,000	17,478.00
			04000	71300	10,000	9,500.00
			04000	72100	35,000	23,067.92
			30000	71400	35,128	33,025..63

including the Committee Chairs, Central Committee members of different political parties, senior political leaders, Member of Sub-Committee of Constitutional Committee, Coordinator and former Coordinators of different Caucus.

- A workshop on "State Restructuring and Dalit Issue" was organized. The programme was attended by 43 participants including the senior political leaders, senior CA members and CSO representatives. The programme came up with two intensive papers on Dalit issues which can be used as a resource for further discussion on the issue.
- Provided support to Indigenous People Caucus to organize the following dialogues.
 - ✓ Political Dialogue on Indigenous peoples rights and new Constitution was done where 108 participants from indigenous wings of Nepali Congress, Constituent Assembly members and Indigenous activists participated.
 - ✓ Political Dialogue on Indigenous peoples rights and new Constitution was done where 62 participants from indigenous wings of Maoist, Constituent Assembly members and Indigenous activists participated.

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| | | | <ul style="list-style-type: none">✓ Political Dialogue on Indigenous peoples rights and new Constitution was done where 55 participants from indigenous wings of UCPN-Maoist, Constituent Assembly members and Indigenous activists participated including Mohan Baidhya, Dev Gurung, C.P Gajurel, and Amik Sherchan.✓ A political Dialogue on issues of Indigenous Peoples rights in new Constitution among CPN-UML indigenous wings, indigenous Constituent Assembly members and indigenous activists was organized. The Programme was attended by 137 participants.✓ A Political dialogue on indigenous peoples and new Constitution among the non-indigenous senior political leaders from CPN-UML, indigenous Constituent Assembly members and indigenous activists was organized. The programme was attended by 113 participants including the senior political leaders; Jhala Nath Khanal, Bam Dev Gautam, Bishnu Poudyal, Ashok Rai, Shankar Pokhrel.✓ A Political Dialogue on Indigenous Peoples Right and | | | |
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new Constitution among the non-indigenous senior political leaders from smaller parties, indigenous Constituent Assembly members from smaller parties and indigenous activists was organized. The programme was attended by 51 participants including the senior leader like C.P. Mainali, Pari Thapa.

- Interaction programme with Women's Caucus executive members to discuss on strategy development planning for the Caucus was organized. A Total of 16 participants participated the strategy meeting.
- Interaction programme on Social Inclusion in the context of new Constitution was organized. The programme was attended by 47 participants.
- Inter-party dialogues among the constituent assembly members and political leaders on the indigenous people's right in the new constitution were organized.
- Citizenship Dialogue was organized together with other stakeholders. The citizenship dialogue among the indigenous peoples within the indigenous caucus creates better understanding on the issue while drafting the new constitution. It creates environment to better argue their options and

			alternatives in the constituent assembly.				
To assist the CA and political leaders to achieve consensus on key contentious issues	100% target achieved	Activity 2: Facilitate dialogue to reach Consensus on Key Constitutional Issues					
		Action 2.1: Conduct 15 working sessions such as debates, dialogues, panel discussions, Interactions, workshops etc on key Constitutional Issues with CA members and CSOs at CCD.	<ul style="list-style-type: none"> A total of 21 working sessions (interaction, round table, panel discussion, workshop etc) were conducted on key constitution issues such as state restructuring, forms of government, constitution making process, issues of citizenship, independence of judiciary, human rights etc. A total of 1450 (495 female and 326 CA members) participated in the program. Professor Christina Murray was hired from 24 to 27 March, 2011 and provided space for sharing her experiences to CA members and other beneficiaries. 	30000	72100	4,500	4,195.00
		Action 2.2: Conduct Interactions/Learning sessions on Draft Constitution with key National Institution/Constitutional Bodies and Professional Organizations	A total of 15 events were jointly organized in partnership with national organization such as Nepal Bar Association, LG Association, Constitutional Lawyers' Forum, and Supreme Court Bar Association etc. OHCHR also partnered in one event. A total of 1809 (278 Female and 36 CA member) participated the programs.	04000	71300	4,417	4,201.00
				30000	74500	4,248	4,398.00
				30000	72100	8,261	8,111.00
				04000	71400	13,186	13,069.13
				04000	71400	51,841	49,841.00

		<p>Action 2.3: Conduct 10 dialogues on major unresolved constitutional issues with high level CA members and political leaders at regional and district level</p>	<ul style="list-style-type: none"> • A total of 10 dialogue facilitation meetings conducted with high level CA member, CA Secretariat, high level task force members, subcommittee to constitutional committee focusing to sort out the contentious issues. A total of 63 (50 CA Members, 5 Secretariat staffs and 8 experts) discussed on key contentious issues. • A dialogue with senior political leaders on women's issues to be incorporated in the new Constitution was organized. The programme was attended by 30 participants including the senior political leaders. Political leaders understood the thorough process adopted to identify the women's agenda, women's priority and expectation. • Dialogue with Dalit Constituent Assembly members, Dalit CSO representatives, and Dalit political leaders on identifying the Common Dalit Agendas was organized. It was attended by 49 participants. • Follow-up dialogue programme with Dalit Constituent Assembly members, Dalit Activists, Dalit political leaders on finalizing the Dalit common agendas was organized. The programme was attended by 53 participants. • A dialogue on Citizenship Provisions in the New Constitution was organized. The programme 	<p>26921 30000 04000 30000 30000 30000 04000 04000 04000</p>	<p>71300 71300 71300 72100 71600 72100 71400 73100 71400</p>	<p>20,489 3,949 7,495 4,500 21,000 43,000 12,917 23,142 35,159</p>	<p>18,270.00 4,309.00 7,850.00 4,675.00 19,098.00 42,395.00 12,917.00 24,260.00 34,041.00</p>
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was attended by 40 participants including 22 Constituent Assembly members representing from Constitutional Committee, Task Force, Women Caucus and senior political leaders.

- A dialogue on the rights of the marginalized, excluded and disadvantaged communities was completed.
- A dialogue with media persons on women's issues to be incorporated in the new Constitution was conducted. The programme was attended by 41 participants.
- A dialogue with representatives of Civil Society Organizations on women's issues to be incorporated in the new Constitution was organized. The programme was attended by 71 participants from various organizations working on women's issue.
- A Newa and Tamsaling Interprovincial dialogue was organized from February 24 to 26, 2011 at Gokarna: In this dialogue, there were altogether 45 participants. 11 CA members from proposed two provinces and state restructuring committee. Out of 45 participants, 36 male, and 9 female participants and as per caste wise: Tamang -22, Newar - 17, BC- 4, Magar-1 and Tharu-1.
- A Tamuwani, Narayani and Magrat Interprovincial dialogue was organized from March 9 to 11,

2011 at Pokhara: Altogether 38 (8 female) participants from three proposed provinces took part in the program. 10 CA members from proposed three provinces and state restructuring committee participated in the program.

- An Interprovincial Dialogue between proposed Kaptad, Karnali and Lumbini-Abadh-Tharuwan provinces was organized in Nepalgunj from April 4-5, 2011. The total participants were 42 where 20 CA members and 22 were local leaders and activists. Out of 50 participants, 37 (88 %) were male and 5 (12 %) were female.
- An Interprovincial Dialogue between Proposed Limbuwan-Kirant- Mithila-Bhojpura-Koch-Madhesh provinces was organized in Biratnagar from April 28-29, 2011. The total participants were 40 where 7 CA members and 33 were local leaders and activists. Out of 40 participants, 35 (88 %) were male, 5 (12 %) were female.
- A two days dialogue with traditional leaders of Tharu community was organized in Bardia. There were 1200 (35% female) participants.
- A dialogue with youth Leaders on State Restructuring and Federalism from 11-12 February was organized. There were 39 participants from different

political party wings e.g. ANNIFSU (R)-Maoist, NSU-NC, ANNIFSU-UML, Madhesi student wings. Among the participants 44% were BC, 18% Madhesi, 28% Indigenous and 10% Dalit.

- A Sharing program with senior Political party leaders and CA members on 28 Feb-1 March 2011 was organized in Chitwan. A total of 13 senior political party leaders and CA members took part the program.
- A dialogue between Madheshi and Tharu Leaders was organized by from 11-12 July 2011. A total of 39 Madheshis and Tharus, including women and other Janajatis from eastern Tarai (Rajbanshi, Dhimal etc)" participated.
- A Dialogue on Division of State Powers and Local governance in Pokhara was organized from 24-26 Aug 2011. A total of 53 representatives from the local political parties, civil society organizations, FNCCI, bar association; Dalit and marginalized communities of the proposed three provinces (Tamuwan, Magarat and Narayani) participated.
- A dialogue on Division of State Powers and Local governance in Biratnagar was organized from 17-19 November 2011. A total of 50 (9 Female) representatives from

		<p>the local political parties, civil society organizations, FNCCI, Dalit and marginalized communities of the proposed three provinces (Limbuwan, Kirat and Madhes) participated.</p> <ul style="list-style-type: none"> • A Dialogue with Kamaiya Leaders and CA members was organized from 22-23 September 2011 at CCD. Altogether 52 participants (19 women) attended the program. 				
	Action 2.4: Develop options/consensus with international experts based on international norms/best practices on key contentious issues with party leaders	A total of 4 options paper (a comparative study based on international practices) on electoral system and forms of government, constitutional court and state restructuring was prepared and shared to task force members at their request.	04000 30000 30000 04000 04000	71200 72100 72100 71400 73100	28,137 4,500 4,261 6,917 16,858	29,974.57 4,635.00 4,126.00 6,534.00 18,455.00
	Action2.5: Analyze gender and social inclusion issues to ensure their rights in the constitution and conduct interaction workshops on those issues with high level CA members, political leaders.	<ul style="list-style-type: none"> • A programme on Women's Agenda to be incorporated in the New Constitution was organized. The programme was attended by 191 participants including the CA members, Polit Bureau members, Whips, Central Committee members of different political parties and CSO representatives. • A programme on "Inclusive Proportional Representation and Implementation of 33% Representation of Women" was conducted. The programme was attended by 95 participants including all the Whips of the major political parties. 	20700 30000 04000 04000 30000 04000 04000	71300 72100 71600 74500 71400 71400 73100 71400	10,316 6,075 20,384 18,261 12,643 36,169 116,000	9,998.00 5,568.00 20,256.64 18,388.00 13,223.57 32,968.48 113,801.00

- Women's organizations launched a common advocacy campaign to raise awareness of their rights and ensure their concerns are included in the constitution. They handed over the "Women Rights in the Constitution Booklet" to the President and Prime Minister after rallying for 3 hours in the Northern part of Kathmandu city by more than 500 women from different districts of Nepal. They also handed over a Memorandum to the President and Prime Minister with the Women's Agenda.
- A presentation on Women's Rights in the 11TC reports was organized where three experts and 5 CA members presented in their constituencies.
- A Constructive dialogue among women CA members and District leaders, political leaders, NGOs directors, Government representatives and intellectuals from Rolpa, Pyuthan and Dang was organized in Rolpa.
- Presentation/analysis and dialogue (by three experts and 5 CA members on Women's Rights in the 11TC Reports with Madhesi Women CA members and their constituencies.
- A Constructive dialogue among women CA members and District leaders, political leaders, NGOs directors, Government

		<p>representatives and intellectuals from Banke, Surkhet, Bardiya, Kanchanpur districts was organized.</p> <ul style="list-style-type: none"> • An interaction programme with 50 national level Maoist Party leaders was organized where they discussed mainly on women rights and gender issues in the constitution. • 11Thematic Committee Report reviewed from Women's perspective and published 5,000 copies. The document was handed over to the CA Chair, senior political leaders/CA members/representatives of different Caucuses/Committee Chairs. • Ms. Menaka Guruswami, International consultant was hired (from 13 November to 17 November 2011) to share her experiences with CA members and other stakeholders. 				
100% achieved	Activity 3: Develop vision and action plan for CCD as an independent national institution					
	Action 3.1: Review and assess CCD activities.	CCD activities were reviewed.	30000	71300	8,598	7,003.77
			30000	72100	4,500	4,535.00
			30000	74500	8,261	7,350.00
	Action 3.2: Develop vision, strategy, and action plan.	Draft report on vision, strategy, and action plan was developed.	30000	71300	3,216	2,520.56
			30000	72100	4,500	4,045.00

				30000	74500	925	911.00
To strengthen Nepali people's understanding of, and facilitate their involvement in drafting, the new constitution	100% achieved	Activity 4: Support public participation and engagement in the constitution making process					
		Action 4.1: Conduct monitoring of constitution making process including in partnership with media such as FM radio	<ul style="list-style-type: none"> A total of 15 Civil Society Organizations (CSOs) were supported under Micro-capital grant agreement. These CSOs are now working in the 240 constituencies by providing updates to the people. A total of 43 districts through local FMs have aired 16 episodes of FM radio program in order to sensitize community people on the updates of constitution making process. A planning workshop was organized in Park Village from 17-19 August 2011. A total of 36 CSO managers and Finance officers took part the program. Two facilitators training were held in CCD from 17-18 and 19-20 October 2011 aiming to orient facilitators on current CA updates and provide skills for facilitating the dialogues in constituency level. Total 100 (22 Female) facilitators were oriented. Moreover, conducted. One day Orientation Program for financial officers of at CCD on March 7, 2011. Altogether 9 finance officers attended the program where 4 were male and 5 were female. 	30000	72100	300,000	281,700.00
			30000	71600	90,000	81,235.00	
			30000	74500	78,987	67,758.88	
			30000	72500	11,013	11,313.00	
			04000	71300	62,982	67,390.00	
			30000	71300	7,018	7,018.00	
			20700	73100	25,000	27,540.00	
			04000	74100	158,540	155,733.00	

		<ul style="list-style-type: none"> • Three creative workshops were conducted by ACORAB with producers and radio journalists and CSO Managers in CCD from 20-21 September 2011 (37 participants), Chitwan from 16-7 October (21 participants) and Nepalgunj on 26 September (26 participants). • A total of 420 selected journalists including 87 female journalists from five development regions were oriented. • A total of 20 senior journalists belonging to major dailies, TV and Radio stations were given in-depth analytical briefing by the Constitutional experts on three major issues –State Restructuring, Forms of Governance and Electoral System. 				
	<p>Action 4.2: Analyze and submit findings of the monitoring of the constitution making process to CA</p>	<ul style="list-style-type: none"> • Interaction with Media: An interaction program was organized on 22 June 2011 in Kathmandu with key media reporters of constitution making process. There were 35 participants from these media houses for this interaction. Professor Lokraj Baral and Krishna Hachhethu presented the major focused contents of the state restructuring process and basis of federalism in Nepal. • National level Interaction/sharing of the findings of Democratic dialogues of 2010 was organized on January 9, 2011 at CCD.178 participants attended the programme, where 91 (51 %) were 	20700 04000 30000 30000 04000	71300 72500 71600 74500 74100	5,000 4,500 10,484 10,345 16,374	4,687.00 3,624.95 11,157.00 11,300.00 16,681.00

CA members, 52 (29 %) were civil from civil society, 32 (18 %) from different media, and 3 (2 %) from different international donor agencies. As per the gender wise, there were 126 male and female participants.

- Fourteen English Federalism Dialogue Reports were translated into Nepali Language and printed 700 copies of each report. These reports distributed to CA members, civil society leaders, participants of different programs.
- A total of 414 additional VDC level dialogues conducted focused on marginalized communities in 2011. (Terai Dalits, Badi, Muslim, Thami, Meche, Koche, Urau, Chepang, Jirel, Dura) with participation of total 22763. 25% Terai Dalit, 16% Hill Dalit, 13% Terai Janjati, 13% Hill Janjati 9% muslim, 1% others (Ekal Mahila, Freed Kamaiya, HIV and Landless) and 23 Mixed (Hill B/C, Other Madeshi Caste, Other Hill Janjati).
- Civic awareness booklet on 11 thematic committee reports in different language like Nepali, Urdu, Bhote, Maithali, Bhojpuri and English has been updated and translated. These booklets published in the support of Chemonics and distributed in different communities
- The Video Documentary of democratic dialogues named

			“Voices from below” has been made Nepali version and completed it in April month.				
	100 percent achieved.	Action 4.3: Support 8 Constitution Information Centers in partnership with Nepal Law Society and IDEA and in collaboration with CA Secretariat/ CA Civic Relations Committee, CA Public Opinion Collection and Coordination Committees	<ul style="list-style-type: none"> The project provided support to Constitution Information Centre (CIC) through Nepal Law Society under Micro-capital Grant Agreement. District and VDC-level workshops in Jumla, Janankpur and Ilam were organized in 2011. A total of 6250 people participated in the district and village level one-day workshop with 3860 male 2390 female. More than 25,000 citizen’s awareness booklet was distributed from the CICs. 	30000	72600	30,000	32,081.80
				30000	72100	18,017	15,817,14
GON and partners are well prepared for the state restructuring and administrative reform required after the promulgation	100% achieved	Activity 5: Support to constitution implementation and transition					
		Action 5.1: Continue supporting the CA/LP/GoN and other partners to assess transitional issues	<ul style="list-style-type: none"> An event was organized to share the outcomes of regional workshops on state restructuring and transition planning from six districts (Biratnagar, Nepalgunj, Dadelhdhura, Bharatpur, Pokhara and Ilam) in which 29 participants including 3 CA members; 14 government officials; 6 CSO-representatives and 6 representatives from UN and Development agencies. Participated. A paper on “Strategy for Restructuring” has been finalized and a document on “Transition Strategy” was developed and shared among the SPCBN staffs and UNDP-officials. An event on “the emerging structure 	04000	72100	14,221	15,431.00
				30000	71300	14,500	14,840.00
				04000	72500	5,000	4,6920.00
				04000	72100	8,261	8,097.70
				04000	73100	10,649	10,649.00
				04000	71400	35,786	37,369.00

		<p>of judiciary” .in partnership with Nepal Bar Association (NBA) was organized where 55 officials from judicial institutions and development partners Christina Murray along with other experts presented their opinions on the Constitutional Court provision in the event.</p> <ul style="list-style-type: none"> • Three bi-lateral meetings were conducted with the National Judiciary Academy (NJA) officials, • An event on “Federalism and State Restructuring and Role of Public Enterprises in a federal Nepal” was held in August with the Inter Corporation Employees’ Association of Nepal. Altogether 71 participants (5 CA/male, 1 CA/female, 58 male and 7 female) attended the event. 				
	<p>Action 5.2: Organize field based consultations/workshops for govt. officials, LP and the CA on State Restructuring, Federalism and Transition Planning</p>	<p>Four Regional Workshops on “State Restructuring, Federalism, and Transition Management” were conducted each in Pokhara, Illam Dhanusha, and Gorkha for government officials and key civil society organizations. A total of 43 participants at Pokhara, (M-42, F-1), 35 (M-32, F-3) at Ilam, 49 (M-45, F-4)) at Dhanusha and 33 (3 female) at Gorkha participated in the workshops. Four more workshops will be completed in December 2011. A Consultation meeting on Transition and Implementation was organized jointly by CBA, NBA, Embassy of Switzerland, International IDEA and UNDP/SPCBN at Godawari. Altogether</p>	<p>30000 04000 04000 04000 04000 04000</p>	<p>72100 71300 72500 72100 73100 71400</p>	<p>10,792 4,500 5,000 8,261 9,351 95,253</p>	<p>10,614.00 4,180.80 5,150.00 7,781.29 9,351.00 97,583.00</p>

		<p>39 (30 male, 9 female) representatives CA members, constitutional experts, CA Secretariat officials, CA sub-committee members, civil society attended the meeting.</p> <p>Another consultation meeting was organized from 4 to 5 November 2011 at Godawari. Altogether 27 representatives (6 females) from CA members (7 members), constitutional experts, CA Secretariat officials, CA sub-committee members, and civil society</p>				
	<p>Action 5.3: Strengthen the capacity of the national institutions by conducting training programmes and developing background readers, training modules on the topic of state restructuring, federalism and transition planning in terms of the provisions outlined in the CA reports</p>	<ul style="list-style-type: none"> • The seven policy papers of the 14 Proposed Provinces were translated into Nepal. • Letter of Agreement with Nepal Administrative Staff College was signed to complete the following activities. <p>Three-day TOT on “State Restructuring, Federalism and Transition Planning” was successfully conducted in July 2011 in Kathmandu; 15 professional NASC trainers (14 male, 1 female) actively participated in the programme.</p> <ul style="list-style-type: none"> ○ A TOT manual on “Federalism and Transition Management” was developed and printed. ○ Training cum workshop on “Federalism and Transition Management” for 23 government officers including two females from various ministries was organized from 20 to 22 November at 	<p>04000</p> <p>30000</p> <p>30000</p> <p>30000</p> <p>04000</p> <p>04000</p>	<p>72100</p> <p>71300</p> <p>72500</p> <p>72100</p> <p>73100</p> <p>71400</p>	<p>11,305</p> <p>4,500</p> <p>5,000</p> <p>8,233</p> <p>9,351</p> <p>104,307</p>	<p>9,922.20</p> <p>4,011.00</p> <p>5,223.00</p> <p>5,890.34</p> <p>8,449.00</p> <p>107,864.00</p>

			<p>Staff college.</p> <ul style="list-style-type: none"> • One day interaction workshop on “Federalism, Administrative Restructure and Transition management” jointly organized with Public Administrative Association of Nepal (PAAN). Altogether 56 government officers including high level and Chief Secretary participated. • Conducted two Monthly Coordination Meetings on 13 Jan 2011 and 17 Feb 2011 (total 44 participants; 17 female, 27 male) respectively. • Produced and widely shared four different types of analytical maps within the project units as well as with other network members. • 30th issue of a bi-weekly, analytical Briefing Note on the constitution building process was prepared for the Resident Coordinator (for further distribution with strategic partners of the UNCT). • Prepared targeted materials such as Briefing Notes, PowerPoint presentations and briefed coordination partners, UN agencies about the constitution building process and related support activities. 			
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4.1 Gender Equality, Women's Empowerment, and Social Inclusion

Gender and social inclusion approach was adopted in the project implementation as practical as possible. Some significant achievements on ensuring gender and social inclusion as cross cutting issues are as follows:

SPCBN was successful in reviewing all the thematic committee preliminary reports from the gender perspective and provided recommendations where the issues were not addressed properly. It has supported the Women Caucus to come up together to discuss on the major women's issues in the new Constitution and further advocacy to ensure in the Constitution. In addition to this, the project supported the women's organizations namely women's networks particularly working on women's issues to bring the gender perspective in the new constitution and reviewed all the 11 thematic committee reports from the civil society side and published the document with alternative language and was widely distributed/disseminated to the Rt. Hon Prime Minister, Hon. Speaker of CA, Deputy Speaker, major political party leaders, CA members, to the Women Caucus, to the representatives of civil society organizations. The major political party leaders committed for raising the women's issue during their discussion in their respective parties, in CA and in all the forums which is meant to discuss on the constitutional issues.

Various programmes had been conducted on Citizenship and successful in raising this issue as an issue that needs further discussion, attention from the political parties and CA members. It is still under discussion and the project had been facilitating/ supporting to further the discussion for ensuring equal citizenship rights to women and no child should be stateless in Nepal. The project also facilitated/supported capacity development programmes particularly targeting to CA members particularly women, Madehsi, Dalits, Indigenous Peoples, marginalized and excluded communities to empower them, to strengthen their constitutional knowledge and to internalize their issues in the new Constitution.

The major effort is to review all the thematic committee reports from Indigenous people's perspective and also from Dalit perspective to ensure their rights in the new Constitution. The compiled document with the proposed language came out and was widely disseminated and shared among the respective communities representatives, to the senior political leaders, senior CA members etc. In the review of the document and preparation of the alternative language, the project had worked closely with the Indigenous Peoples Caucus and the Dalit Caucus and the representatives of the respective communities to build consensus on their common agendas and issues for the new Constitution. Series of dialogues were conducted with the IP leaders and non-IP leaders on the issues of indigenous people to make them aware on the IP issues, to sensitize them and it has also created a favourable environment in the parties to discuss on the IP issues openly and frankly.

The major effort of the project was to bring the Dalits representatives together to discuss on their issues and successful to come up with Dalit's common agenda for the new Constitution. The project is also supporting to widely disseminate the Dalit common agenda at the regional level and bring consensus on the issue.

Interaction session was separately organized on womens participation in the judiciary; few specific sessions were organized with Tharu, Madhesi and Dalit community to help them to consolidate their concerns in the new constitution. Technical Paper Series II was focused on social inclusion in 8 theme of social inclusion. An approach of inviting participant from diverse group was applied as a result a total of 773 women participated in the interactions.

Of the 440 journalists who were trained, total of 80 journalists were female making it 18.18 percentages. Even then, female journalists from marginalized group, dalit and backward community too were encouraged to participate in the programme. The selection criteria was made as such that more number of female journalists could participate in the training. The result is very exciting as the female journalists were the one who were one of the regular writers on constitutional issues from the districts in local and regional newspapers.

Outreach initiatives focused to ensure gender equality, women empowerment and social inclusion in its regional, constituency and VDC level dialogues programs. In the VDC and constituency level dialogues, one of the major contents of dialogues were about inclusion of ethnic, Dalit, women and marginalized community and their issues on its discussion agenda and gave priority to ensure participation of these sectors. As the participants of the program, out of 1660 attended 28.85 % were female.

Female participation were equally encouraged in the events organized on transition planning despite the ratio of female officers in the government agencies is below the standard level.

The project had used the expertise of developing countries like India to strengthen the knowledge of the CA members and the civil society organizations representatives.

The project supports the Constituent Assembly The project had used the expertise of developing countries like India to strengthen the knowledge of the CA members and the civil society organizations representatives. The project supports the Constituent Assembly member to attend the XVth Feminist Capacity Building Course on Gender, Sustainable Livelihoods, Human Rights and Peace programme for a month which enhances her knowledge. Also the project facilitated the CA members and civil society representatives of various divers groups to participate in the South Asia Regional Conference on Women's Political Leadership workshop to increase the women's leadership in decision making level.

In addition to this, the project has brought the experts to discuss on the social inclusion which enhances the knowledge of CA members and civil society representatives on the constitutional issues.

4.2 South-South Cooperation

In 2011, SPCBN has received technical expertise from other countries on specific issues and shared with the project beneficiaries such as CA member, CSO, CA secretariat. International consultants from other countries were also involved to share their experience. For instance, Mr. Kore Vollan for electoral system, Ms. Mara Malagodi for religion and constitution, Mr. John Sims for transition and implementation, Ms. Menaka Guruswami for Social Inclusion, Mr. Michael Breen for non tutorial federalism and Ms.Christina Murray for Independence of Judiciary and constitutional court.

The project also used the expertise of developing countries like India to strengthen the knowledge of the CA members and the civil society organizations representatives. The project supports the Constituent Assembly member to attend the XVth Feminist Capacity Building Course on Gender, Sustainable Livelihoods, Human Rights and Peace programme for a month which enhances her knowledge. Also the project facilitated the CA members and civil society representatives of various divers groups to participate in the South Asia Regional Conference on Women's Political Leadership workshop to increase the women's leadership in decision making level.

4.3 Are specific models of practices from other developing country/countries being adopted by Nepal or is Nepal promoting its model/practices in other developing country/countries with the support of the project/UNDP? Please specify.

NA

4.4 Capacity Development

The project contributed on capacity building of its beneficiaries such as CA, CA members, CA secretariat, CSOs, various networks and caucuses for youth, women, indigenous people, dalit so that they would be empowered to identify and lobby for their issues regarding inclusion at all levels.

This year, SPCBN was successful to harness the journalism skills of 440 journalists across the countries through the two - day media orientation on constitutional issues and also provided basic journalism and journalism code of conduct trainings to the journalists of remote Jumla districts. Total of 12 female journalists the three day training and the result was very good. There was an improvement in the way they write and cover stories. There is a sea-change in the way the 440 journalists who took the trainings cover news and write articles. Their stories have become more balanced, accurate and backed with facts, figures and logic which are indeed a big achievement in the project's part.

Project contributed to enhance capacity of female CA members and women networks. For example: With the support of the project, women's organizations launched a common advocacy campaign and handed over the "Women Rights in the Constitution" booklet and "women's agenda" to the President and Prime Minister.

Outreach program targeted to implement its objectives through enhancing the capacity of Civil Society Organizations and their human resources side by side. During the project period, SPCBN conducted various capacity building trainings e.g. facilitators training, Training for Documentation and Finance Officers of CSOs and Review and Strategic Planning with Managers. Similarly, throughout its dialogue program in regional level, it focused on enhance the knowledge level on state restructuring, federalism and local governance to the local level key stakeholders. Similarly, the project has been supporting the non-governmental organizations to handle some of the activities independently which strengthened their capacity in terms of handling the projects, improving their accounting system, improving their report writing capacity, dealing with the international agencies etc.

Likewise, working together with Nepal Administrative Staff College and Public Administrative Association of Nepal has resulted increased knowledge of their personnel particularly in Federalism, Administrative Restructuring, and Transition Management.

Implementation Challenges

5.1 Describe any implementation challenges you have faced during the implantation of the project in 2011, as well as your responses.

The significant challenge for the project was the political instability due to concentration of formation of government and delay in reaching to the agreement in contentious issues and also stagnant peace process delayed in bringing draft of the constitution. However, it resulted into repeated revision of work plan, approaches and strategy. Some challenges that the project faced are as follows.

The project has been successful in collecting public views by conducting Constituency level Dialogues in 240 electoral constituencies and Regional Dialogues on division of state powers and local governance. Cynicism remains, however, as to whether the citizen's views will ultimately be incorporated into the final product.

Due to the delay in writing of the draft constitution the project's dialogues were held on the basis of the updates of constituent assembly changing its original strategy. Instead of consultation on draft constitution, 3rd phase focused on monitoring the CA through local media. In addition, the on-going political situation and party whips to CA members often hampered the participation of CA members in these constituency dialogues. Without promulgation of the constitution, delivery of agenda related to federalism, state restructuring and transition planning was difficult to convince the beneficiaries.

UNDP process for procurement approval and urgency of the program some time could not match. For instance, UNDP Norms not to pay CA member as resource person has also created problem to meet their expectation from the project. It was difficult to mobilize the CA members as resource persons due to the UN rules and regulations. Similarly, the delay in processing the documents in selecting the vendors and signing of MOUs with other partners, really affected the work plan. Likewise, Hotel booking for the events in line with the UNDP-operation norms restricted

5.2 Update the Risk and Issues Logs in the templates provided below. The updated risk and issue logs should follow the same format as in the QPRs.

Risk Log Matrix

#	Description	Category	Impact & Probability	Countermeasures / Mngt response	Owner	Author	Date Identified	Last Update	Status
1	Since the project is being downsized and is going to close after June 2012, the public outreach programme has not been budgeted.	Organizational Operational	The process of making new constitution will be less participative and inclusive. P = 4	There is possibility of carrying out public consultation provided that the project gets additional fund.	IPM	IPM	December 2011		Risk
2	The project is going to close CCD from 1 January 2012.	Organizational Operational	Establishing relation with key and influential political leaders and CA members will be diluted. P 4	The project has hired Prof Krishna Khanal and he will maintain the relation with them.	IPM Prof Khanal	IPM Prof. Khanal	December 2011		Risk
3	The duration of the promulgation of the draft Constitution has been extended to 28 November 2011. In such case, there will be minimum time for public consultation because the project duration is till December 2011.	Political	The process of making new constitution will be less participative and inclusive. P = 4	. It is not possible to manage the public consultation unless the project is extended for the next year. .	IPM	IPM	September 2011	December 2011	dead
3	Inability to	Political	The objectives of	The strategic vision	IPM and	IPM and	July 2010	December	dead

	establish relation with bigger and influential political leaders.	Strategic	the project will be diluted and this has impact on the content of the constitution and constitution making process. P = 4	of Centre for Constitution Dialogue (CCD) is going to be developed.	CCD-Director	CCD-Director		r 2011	
4	The constitution building process will be affected by the on-going political instability leading to a possible need to extend the project	Environmental Political	The draft constitution might not be ready for public consultation and the implementation of the activities of the project might jeopardise. P = 4	The activities will be revised and planned to go for dialogues with the high level political leaders and CA members on contentious issues.	IPM and CCD-Director	IPM and CCD-Director	January 2011	December 2011	decreasing
4	Integration of Maoist armed cadres into Nepal Army will affect in the constitution making process.	Environmental Political Security	The draft constitution might not be ready for outreach and the implementation of the activities of the project might jeopardise. P = 4	The Key Contentious issues have been more focused.	IPM	IPM	June 2010	December 2011	The risk is decreasing.
5	CA may withdraw support from the project leading to the need to reprogram.	Organizational Operational	The project will lose the cooperation and support from CA members and its objectives will be	The project is closing its activities after June 2012.	IPM	IPM	November, 2009	December 2011	dead

			diluted. P1						
6	Administration cost is higher than program cost	Operational Strategic	The implementation of the programme activities will be less effective due to having less programme cost. P2	The project has reduced unnecessary expenditure and it has been downsized.	IPM	IPM	October 2010	December 2011	The risk is decreasing
7	Donors may not show interest in channeling their resources through UNDP, the project strategy and framework will need to be reviewed and revised.	Operational Financial	The project has to rely on UNDP- core fund and it will be difficult to meet the expenses of the project. P3	The project has got fund to run it till its close.	IPM	IPM	September 2011	December 2011	dead

Issue Log Matrix

Award ID: 00049635 Award Title: Support to Participatory Constitution Building in Nepal (SPCBN) Year: 2012 Quarter: Q1					
ID	Type	Date Identified	Description and Comments	Status	Status Change Date
49635	Problem	June 2011	Due to the unpredictable nature and volatility of the political process, it is sometimes difficult to meet the demands emerging from CA sub-committees and Caucuses in line with the due process and norms and procedures of UNDP. Process and norms require proper planning and requests have to be placed in time which is sometimes not feasible considering the urgent demands of CA and Caucuses.	The project is working together with the CA Secretariat and Caucuses to prepare regular quarterly action plan and prepare for future stages of the constitution drafting and outreach. It has improved.	August 2011
49635	Problem	June 2011	The Project is often requested to provide relevant and timely substantive advice to the CA and its individual members for the drafting process. There is a preference for experienced and known national, and sometimes comparative/ international advice, and for receiving advice primarily on a request basis rather than by responding proactively to offers by the UN and its partners.	Issues related to Nepal's constitution drafting remain more political rather than technical. There is some acceptance of international expertise, particularly on issues identified by the CA and Secretariat, e.g., with regard to the state restructuring and federalization issues.	December 2011

49635	Problem	September 2011	There continues to be the desire to assist the CA and its Secretariat in preparing more professionally for drafting constitution during 2012. Without the CA taking the lead and doing so early, the project's ability to assist in preparing for a national outreach campaign will be hampered.	The project has developed a tentative strategic plan to cope with the constraint.	December 2011
	Problem	June 2011	Due to the absence of a draft Constitution and the delay in submitting the State Restructuring Committee report to the Constitutional Committee, it continues to be quite sensitive to work on any specific preparations with regard to the country's transition to federalism and state restructuring. However, given the scale of the task and the necessity of having clear language in the constitution on the transfer of such authorities to provincial and/or local government, further discussions are required within the CA. Such preparations must be made well before the promulgation of the new Constitution.	The project has been increasing its interactions with senior political and CA leaders through dialogue facilitation activities. In addition, a series of programs have been organized w/ GoN counterparts in the field that have received positively. However, there is still much sensitivity both by the CA and the civil service on UNDP or other donors taking these discussions or planning very far forward at this time.	
49635	Other	June 2011	The vision and responsibilities of the CCD in the coming years has to be defined in the context of our priority to develop CCD as a fully autonomous national institution by the end of the Project. The CCD will have to be upgraded professionally in certain fields, as well as streamlined to provide more effective and acceptable technical support in implementing the provisions of the new constitution, as well as providing advice on the transition to the new federal republic of Nepal.	The CCD has completed its mission by providing platform to CA members and CSOs in enhancing their capacities for drafting the new constitution.	December 2011

49635	Other	June 2011	Limited donor support in 2011 for the Project has left the staff uncertain about their futures and seeking alternative employment opportunities.	Management and staffing have been reduced in 2011.	December 2011
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6. Lessons learned and next steps

6.1 Describe the main lessons learnt that can be drawn from the year's experiences. Please mention any "best or "worst" practices which UNDP should be aware of. Please be specific and focus on 2011.

In early stage project worked with general CA members, most of them did not have power to influence decision CA. Therefore, the project changed the approach and started working directly with high level CA members. Dialogue facilitation with high level task force and dispute settlement committee members proved very effective to resolve the contentious issues. The discussion in informal setting with close group proved to be fruitful to agree on viable options.

Publication of technical papers, options papers and brief assessment helped to increase better understanding on the issues. It helped CA member and other stakeholders to review their position to be more realistic. Ultimately, significant numbers of disputes were settled down by CA mechanism.

One of the learning for the project has been the joint programs. Unlike the early years, the project now has started to organize programs jointly with influential organizations like Nepal BAR, Supreme Court, and Constitutional Lawyers' Forum, Nepal Law Society. Working this way has minimized the idea of foreign interference among CA members and political leaders and has doubled the influence and expertise. On the other hand, capacity of such national agencies/ organizations has been enhanced.

The use of Civil Society Organizations/NGOs for the Constituency level Dialogues has proven a very effective and low cost model of civic education and community outreach.

In the early stages, the project organized various events for caucuses and they came as mere participants but as part of their empowerment, the project started planning with them and supports them in their plans. Now they organize their own activities and the sense of ownership has increased. They, now seek support from other organizations to which is the positive aspect of their empowerment.

Bringing international experts and sharing their experiences to the project beneficiaries indicates that it has changed the differences in the knowledge. For instance, Ms. Menaka Guruswami succeeded to enhance the insight knowledge of the beneficiaries in inclusion related issues.

At this stage of the project outreach interventions are lessened and media capacity building and mobilization has been focused. This has capacitated the journalist on the content and skills, which is expected to reach to household with much awareness and influence.

6.2 For projects continuing in 2012, describe priority actions for the following year to overcome any constraints, build on achievements and partnerships, and use the lessons learnt during the previous year. In particular, please make clear recommendations for any required corrective action, for review by the project board.

Major targets for 2012 (Constitution Project)

- Assist CA to resolve the contentious issues related to the drafting of the new constitution.
- Assist CA and relevant Govt ministries to prepare for the transition and implementation of the new constitution.
- Assist CA in public consultation on the draft Constitution.
- Strengthen capacity of Nepalese Media with respect to constitutional issues and challenges of transition and implementation.

Major target for 2012 (Public administration reform and state restructuring)

- Support GON for the development of Civil Service Act along with public administration reform initiatives as per new constitution
- Providing TA support to the state restructuring process at central and provincial level

7. Implementation Status of DIX or NIX Audit Action Plan (if applicable)

Update the implementation status against each audit/ spot check recommendations for 2011 in the table below

Not applicable