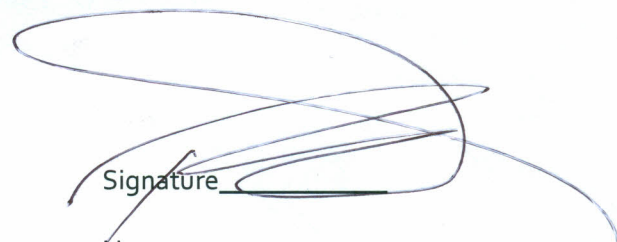


Annual Progress Report - 2008



Award ID	00045322
Award Title:	Support to the Constitution Building Process in Nepal
Project ID:	00060193
Source of Funds:	UNDP, BCPR, DFID and SDC
Implementation Modality:	DIM
Implementing Partner:	UNDP
Project Beginning Year:	2006
Project Ending Year:	2008

Signature 
Name: Larry Taman
International Project Manager

Signature 
Name _____
Executive- Project Board

Annual Progress Report – Part I

1. Overview of the Project

The Support to the Constitutional Building Process Project (SCBP) is committed to increase citizen's effective access to and participation in constitution building in Nepal.

The Project has been assisting the achievement of equitable citizen participation in constitution building, particularly for the historically discriminated and marginalized communities, through the new Constituent Assembly processes.

The capacities of Constituent Assembly (CA) delegates and technical advisors (*subject to the CA's request*) will be developed to assist in the preparation and approval of a new Nepali constitution. Through the Project it is planned that the Parliamentary Secretariat, committee systems and institutional procedures will be strengthened to support the CA.

In addition, a broad range of non-government and civil society organizations from all regions of the country will be supported to facilitate their participation, especially of the most often excluded groups, e.g. Dalits, Janjati, Adivasi (Indigenous), Madhesi and women, in the development of the new constitution.

2. Changes in the Development Context

During this January to May 2008 period, elections were held to the new Constituent Assembly. Until that time, the SCBP was working without the context of the Constituent Assembly, therefore limiting its work to civil society engagement. Now, with the sitting of the CA and the formation of a new coalition government, the next Project (starting in May 2008) can begin to effectively engage with both the CA members and the CA secretariat – essential for the fulfillment of the Project objectives.

3. Results in 2008

a. Progress towards CPAP Outcome and Output Indicators

If the project has an M & E Framework with an indicators tracking table, annex it here.

Annual Targets	Achievement (against Annual Targets)	Planned Activities	Achievements (against activities & actions)	Financial			
				Fund	Budget Code	Budget	Expenditure
1. A new Project document on Constitution-Building in Nepal developed.	100 % achievement. A new Project document prepared and approved for the Constitution Building Project in Nepal.	Activity Result 1: Formulation of a new project on Constitution Building in Nepal.					
			04000	71200	22,614	38,906	
			04000	71300	4,346	4,346	
			04110	71200	114,830	78,042	
			04110	71300	3,005	2,103	
			30000	71200	12,804	10,000	
			30000	71600	1,076	3,880	
			30000	71200	1,500	1,500	
			30000	71300	863	863	
						Sub total	
2. Five English and Nepal versions of conference reports published.	60 % achievement. Three Conference reports published in Nepali and in English and widely distributed to the communities, GON, CA members, CA secretariat, Civil societies, INGOs, donors and UN agencies	1.1 Consultations 1.2 Pre-Pac UNDP Activity Result 2: Organize meetings, seminars, workshops and conferences.	Several consultations were done within UNDP team and with concerned stakeholders including donor, GON and civil society organisations. A new project on constitution building process formulated, Pre- Pac done and project document approved.				
				04000	71200	3,569	0
				04000	71300	0	3,569
				04110	71200	11,960	16,350
				04110	71300	0	886
				04110	71600	0	6659
				04110	74200	0	300
				04110	74500	1,900	9061
				30000	71600	0	0
				30000	74500	16	807
			Sub total			17,445	37,633

	<p>3. Publication of bilingual version of Interim Constitution, conference reports related to constitution building process and updating of website.</p> <p>100 % achievement. 5000 copies of bilingual version of Interim Constitution published and widely distributed final draft conference reports ready for publication, website updating is ongoing.</p>	<p>2.1 Conduct one conference on corruption in a federal system.</p> <p>2.2 Conduct 8 high-level meetings and seminars with federalism working group meetings, disability, refugees and Madhesi group meetings.</p> <p>2.3 Conduct one media workshop on constitution issues for journalists.</p> <p>2.4 Translation of five reports.</p>	<p>Conference on Corruption in Federal System was held in May 2008 with 41 participants.</p> <p>8 high level meetings were conducted with Madhesi, Janajati, Disability. High-level workshops with the Sr. Federalism Working Group were held in February and May (in collaboration with GTZ. A one day conference on Water and the Constitution with reference to Federalism was held on May 30th with 51 participants.</p> <p>This workshop has not yet been completed.</p> <p>Three major workshop reports have been finalized and translated into Nepali. 2500 copies distributed to the wider range of recipients including CA members, Civil societies, Libraries, INGOs, donors and UN agencies.</p>	<p>04000</p> <p>04000</p> <p>04000</p> <p>04110</p> <p>30000</p> <p>30000</p> <p>30000</p> <p>30000</p> <p>Sub total</p>	<p>71300</p> <p>74200</p> <p>74500</p> <p>74200</p> <p>71300</p> <p>72300</p> <p>74200</p> <p>74500</p> <p>66,163</p>	<p>1,800</p> <p>1,342</p> <p>92</p> <p>55,400</p> <p>0</p> <p>3,883</p> <p>2854</p> <p>791</p> <p>48,486</p>	<p>1,800</p> <p>1,342</p> <p>92</p> <p>38,514</p> <p>0</p> <p>3,884</p> <p>2854</p> <p>0</p> <p>48,486</p>
	<p>Activity Result 3.1: Publish 5000 copies of the Nepali and English bilingual version of the IC.</p> <p>3.2 Production and publication of Constitution Building materials (3 briefing papers; Dalit, corruption, water; research paper on int'l constitution, federalism & reprinting of federalism introduction.</p> <p>Activity Result 4. Programme Support</p>	<p>5000 copies of bilingual version of the Interim Constitution 2007 have been published and distributed widely in Nepal.</p> <p>5000 copies of Federalism primer in Nepali reprinted and distributed widely in Nepal. Final draft of Dalit briefing paper is ready for publication.</p>	<p>04000</p> <p>04000</p> <p>04000</p> <p>04000</p> <p>04000</p>	<p>71300</p> <p>71400</p> <p>71600</p> <p>72400</p> <p>72500</p>	<p>20,640</p> <p>6,158</p> <p>0</p> <p>818</p> <p>832</p>	<p>20,640</p> <p>6,158</p> <p>-2,590</p> <p>881</p> <p>832</p>	

	04000	72800	156	156
	04000	73100	34,415	34,415
	04000	73400	125	125
	04000	74500	18,469	2,286
	04110	71400	0	430
	04110	71600	0	65
	04110	72300	0	217
	04110	73400	0	42
	04110	76100	0	88
	30000	71300	0	625
	30000	71600	0	-0.42
	30000	73500	3,579	
	30000	73500	2,855	0
	30000	74500	0	-500
	30000	75000	3,997	0
	30000	75000	5,020	4,150
	30000	75100	0	-2,867
	30000	76100	0	-87
	Sub total		97,064	66,066
	TOTAL			

c. Other Results contributing to the Output and/or Outcome

During the period of time between the signing of the Comprehensive Peace Accord and the election of the new Constituent Assembly, the Project was pro-active in reaching out to historically marginalized communities through a series of national workshops, both at Kathmandu and, where possible, at the regional level. These workshops were very effective in building a close network of relationships between the Project staff and these disadvantaged groups.

Through the Project, a national Kathmandu Charter of Dalit Rights (2007) was prepared, finalized, published and disseminated widely through the media and in meetings with the Prime Minister, as well as the major political parties.

A series of in-depth reports were edited and finalized during this period, as well, on subjects of national importance to the constitution-building process, including on: Federalism and State Restructuring in Nepal and Human Rights, Diversity and Social Justice. These include:

1. Human Rights, Diversity and Social Justice
Report of Conference organized 29-30 April 2007, Biratnagar, Nepal, printed July 2008
2. Human Rights Diversity and Social justice (*in Nepali*), printed August 2008
3. Federalism and State Restructuring in Nepal
The Challenge for the Constitution Assembly
Report of a Conference organized 23-24 March 2007, Godavari, Nepal, April 2008
4. Federalism and State Restructuring in Nepal (*in Nepali*) April 2008
5. Constitution Making in Nepal (*Nepali version*), February 2008
6. The Interim Constitution of Nepal, 2063 (2007) (*Bilingual*)
As amended by the First, Second and Third amendments, January 2008

Additional reports will be finalized during the start-up of the follow-on Project.

4. Contribution to Capacity Development

The UNDP's strategy, 'Support to Participatory Constitution Building in Nepal' (SPCBN), is premised on two key outputs. The first output deals with building the capacity of the Constituent Assembly and its secretariat through technical support, while the second output deals with supporting selected civil society organizations to mobilize the participations of marginalized communities and groups of individuals in the constitution making process.

To achieve the second output, UNDP seeks to design a 'civil society support strategy', which will point out key outputs and activities, working modality and required inputs for effective implementation of the strategy.

Therefore, appreciating the fact that different stakeholders, including donors and I/NGOs are involved variously in supporting Nepal's constitution building process, UNDP carried out a donor and I/NGO mapping exercise. This exercise is aimed at guiding the development of UNDP's CSO support strategy by identifying gaps and to avoid duplication of other existing initiatives.

Also, as there was no elected Constituent Assembly during this period of Project implementation, most of the efforts were concentrated on bringing marginalized people and their issues to national

attention, as well as prepare substantial background reports on some of the most complex and essential issues for the future Constituent Assembly.

By engaging a wider, more diverse civil society than had previously been engaged in the drafting of the earlier 1990 constitution, the Project contributed effectively to strengthening the role of civil society in earliest stages of constitution-building.

5. Contribution to Gender Equality, Women's Empowerment, and Social Inclusion

Some of the main problems to-date in reaching gender equality and social inclusion have to do with the existing social and political structures which have historically limited the access to power by both women and numerous marginalized groups, especially the Dalit, Janjati/Adivasi and Madhesi. As the GON civil service is predominantly high-caste male, there has been a profound exclusion of these communities from the higher levels of decision-making authority within the government.

Yet, because the Project document clearly identifies such historically marginalized communities as target audiences for the Constitution-Building Project, greater effort has been given to ensure that these communities have actively participated in the early planning stages of the Project.

In addition, wherever possible, at the national or regional workshops that the Project has held, an active effort has been made to ensure that both the formal speakers, as well as the participants, have come from a broadly diverse range of Nepali citizens.

6. Partnerships

The Project coordinated closely with a wide range of civil society and GON offices during the preparation of the various workshops and conferences held regarding constitution-building in Nepal. International specialists also assisted in the preparation of these workshops. Mr. Bob Rae, past president of the Forum of Federations, Professor M.P. Singh, head of the National University of Juridical Sciences, Kolkata, and Dr. Nicole Topperwien, consultant to the Swiss Foreign Ministry, e.g., assisted with the Federalism and State Restructuring conference in Nepal.

7. Implementation Challenges

During this period, there was no Constituent Assembly with which to plan, coordinate and implement activities related to the preparation of a new constitution for Nepal. This, perforce, limited the flexibility of the Project to engage the CA members with civil society and their constituents.

However, with the CA elections having taken place, it is believed that greater emphasis can be given to coordinating the Project's civil society outreach initiatives with the CA Secretariat and CA members.

8. Lessons learned and next steps

- Continuing sensitivity to need for inclusion – in terms especially of Madhesis, Dalits, Janajatis and women
- Some scepticisms about the value of workshops and a sense that there are other ways of getting information across
- Need for flexibility – in terms of responding to changing needs, unexpected changes in political scene

- Need for a greater dedicated translation capacity in such a Unit
- Need for coordination to avoid duplication of efforts and overloading Nepali key actors with numerous workshops