

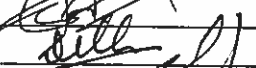
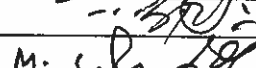
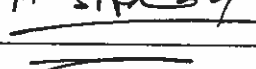
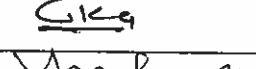
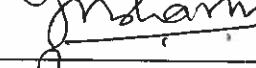



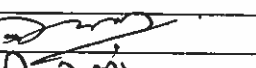




Supreme Court of Nepal
Strengthening the Rule of Law and Human Rights Protection System Programme
(ROLHR) in Nepal
First Project Executive Board (PEB) Meeting

Date : 25 July 2013
Time : 10:00 – 11:30
Venue : Supreme Court of Nepal, Hall no. 17

Participants present in the meeting:

S.N	Name	Designation	Office	Signature
01	Mr. Lohit Chandra shah	Registrar/NPD	Supreme Court	
02	Ms. Shoko Noda	Country Director	UNDP Nepal	
03	Mr. Bipul Neupane	Joint Registrar	Supreme Court	
04	Mr. Dilli Raj Ghimire	Joint Secretary	MoLJCAPA	
05	Mr. Sadhu Ram Sapkota	Joint Secretary	MoPR	
06	Mr. Mahesh Sharma Paudyal	Joint Government Attorney	OAG	
07	Mr. Tika Ram Bhattarai	Vice President	Nepal Bar Association	
08	Mr. Yam Nath Sharma	Assistant Country Director	UNDP, Nepal	
09	Mr. Tek Tamata	Programme Analyst	UNDP Nepal	
10	Ms Laura Nelson	Programme Officer	UNDP, Nepal	
11	Mr. Ziad Sheikh	Country Representative	UN Women, Nepal	
12	Ms. Sama Shrestha	Unit Manager (Peace and Security)	UN Women, Nepal	
13	Indu Tuladhar	Consultant	RoLHR	
14	Gopi Parajuli	Legal Aid Coordinator	RoLHR	
15	Roshani Poudyal	Legal Aid Officer	RoLHR	
16	Prem B. Bishwakarma	Administration & Finance Associate	ROLHR	

Agenda of the PEB Meeting

- Progress review of RoLHR Programme
- Endorsement of third Quarter Work Plan (QWP)
- Up-dates on NHRC component
- Asset handover
- AoB

I Moving Project Office to KSK Building and Handing Over of Assets to Supreme Court of Nepal

Meeting Overview

The first meeting of the Project Executive Board (PEB) of the Strengthening the Rule of Law and Human Rights Protection System in Nepal Programme (RoLHR) was convened on 25 July 2013. The meeting was chaired by Mr. Lohit Chandra Shah, National Program Director (NPD) and Registrar of the Supreme Court of Nepal. Mr. Shah welcomed and thanked all the members of the Executive Board and Staffs of the RoLHR program for their contribution and participation in the meeting.

Since it was the first PEB, the Chair asked all the participants to briefly introduce themselves and a round of introduction took place. Mr. Shah also stated the agenda of the meeting and requested all the participants to incorporate any further points they found relevant.

Ms. Indu Tuladhar, Consultant presented the quarterly progress report and up-dates from the Program Team perspective, and Mr. Prem Bishwakarma, Admin and Finance Associate, presented the financial progress up-dates. Recruitment progress and up-dates were presented by Mr. Tek Tamata, Programme Analyst, UNDP and Ms. Sama Shrestha, Unit Manager (Peace and Security), Un Women.

Afterwards, the Quarterly Work Plan (July-September 2013) was presented by Ms. Indu Tuladhar, Consultant RoLHR. All presentations are attached to these minutes.

Mr. Prem B. Bishwakarma, Administration and Finance Associate, presented the list of Procurement Requisitions for 2013 for review and endorsement by the Board.

Moving Project Office to KSK Building and Handing Over of Assets to Supreme Court of Nepal

Mr. Bishwakarma informed PEB members about the very limited office working space at the current location. As his action towards exploring the office space at KSK building and his discussion with ACD-Operation of UNDP, he has shared the working space availability and rental cost structure with the board meeting. After discussion on the issue the Board decided to mandate RoLHR project team to proceed with the contract agreement process, initially until the end of December 2013.

Mr. Bishwakarma also informed the Board about the requirement to hand over certain furniture to the Supreme Court, once project office has moved to KSK building. The PEB meeting mandated the project team to carry out the necessary action for handing over of furniture to Supreme Court of Nepal.

Discussions:



Mr. Dilli Raj Ghimire, Joint Secretary, MoLJCAPA, highlighted that the RoLHR programme is developed on the basis of UNDAF outcome -4. Given that the main objective of the program is to support vulnerable groups, he pointed out that the best result the project can achieve is to provide vulnerable people with high quality services. Regarding the separation of NHRC component, Mr Ghimire stated that since NHRC wishes to separate from the Programme, we need to rethink about the activities which we proposed under the NHRC and reallocate them under the respective organizations which are currently implementing major components of the RoLHR activities. Meanwhile, he also suggested exploring the root cause behind NHRC's desire to separate. Mr. Ghimire suggested the Board to have formal dialogue with NHRC to clarify the issue. He also suggested that since all the activities under the Programme target rule of law and broader human rights aspects, there is no need to change name/title of the project. More generally, Mr. Ghimire emphasized the importance of high-level coordination to enable the success of the program. He further emphasized that the concern expressed by various responsible partners of the programme, including NBA and OAG, must be taken into consideration when developing the next QWP. Mr. Ghimire also stressed that the Board must review certain activities under the transitional justice component, including the VSF and the envisioned high level justice reform working group, and develop a detail TOR for these activities before implementation is initiated. In conclusion, Mr. Ghimire expressed his commitment for successful implementation of the program and thanked the donor community for their support.

Mr. Tika Ram Bhattarai, Vice President, NBA, suggested that in the programme document, Annual Work Plan and Quarterly Work Plan NBA's role and responsibilities should be clearly described. He stated that he will only able to give their official view regarding the programme activities after reviewing the documents and its board meeting. In terms of the NHRC component, as human rights is a common agenda of all the programme partners, Mr Bhattarai did not consider it necessary to change the name of the programme. He also shared NBA's plan to develop an overall justice sector reform policy, and requested support for this from the RoLHR programme. Finally, Mr. Bhattarai recommended strengthening of the existing District Legal Aid Committees instead of the creation of a new mechanism, and called for bi-monthly PEB Meetings in order to develop ownership of all partners to the programme.

Mr. Mahesh Sharma Poudel, Joint Attorney, OAG, thanked the Board for inviting to join as a member of the Project Executive Board meeting. Mr. Poudel went on to express his concern that the QWP has lacking program activities specifically related to OAG. Thus, he emphasized that the QWP should be further developed to include activities on capacity building of OAG and reflect a clear role of OAG in implementation of the programme.

Mr. Sadharam Sapakpta, Joint secretary, MoPR, thanked the Supreme Court of Nepal for hosting the PEB Meeting. He went on to express his concern regarding the implementation modality of the transitional justice related programme component, which according to the Programme Document is the Direct Implementation Modality (DIM), whereas the rest of the components are to be



implemented via the National Implementation Modality (NIM) . MMr Sapakota advised the project board and particularly UNDP to change this to bring the transitional justice component under NIM as well. Further to this point, Mr. Sapakota informed the Board that MoPR is currently implementing 64 projects under the NPTF mechanism, of which 28 projects are already completed. His main concern was how to avoid duplication of activities. Thus, he requested UNDP to carefully consider these activities during both design-and implementing phase. Finally, Mr. Sapakpta also raised the issue on separation of NHRC, and said that the board should explore the reasons behind the request for separation.

Mr.Tek Tamata, Programme Analyst, UNDP stressed that the Program needs to develop a common understanding regarding justice sector reform and rule of law strategies. Mr. Tamata further mentioned that the Programme aims to support existing legal frameworks for legal aid issues rather developing new mechanisms, and that even the socio- legal aid component will be established the existing mechanism. Mr. Tamata also provided further clarification as to why the NHRC component has been separated from the Programme, based on the reasons NHRC has provided to UNDP. Mr. Tamata also clarified the idea and logic behind forming a highlight level task force to look after the issues related to justice and transitional justice.

In response to the concerns raised by the representatives from NBA and OAG, Mr.Tamata clarified that the Programme Document and the AWP encompasses a holistic program of activities which can accommodate all the concerns raised. However, the details of these activities will be up for further discussions as implementation goes forward.

Mr.Bipul Neupane, Joint Register, SC, also stressed the point that the RoLHR Programme does not and should not only reflect the agenda of the Supreme Court of Nepal, but rather all the Justice sectors actors are key stakeholders and implementing partners of the Programme. Mr Neupane emphasized on the joint ownership on programme by all the stakeholders of Justice Sectors.

Mr.Zaid Shekh, UN Women, Country Representative, referred to the high level coordination mechanism as an important tool to link the Programme to UNDAF outcome 4 & 8 and ensure high-level coordination. Regarding the Transitional Justice component, Mr. Shekh explained that the DIM modality was chosen due to the political nature and sensitivity of this component. However, he stated that UN Women is open to further discussion of this matter. With regards to separation of HR component, Mr. Shekh suggested that the Programme name remained unchanged.

Shoko Noda, Country Representative, UNDP Nepal Country Office, thanked all the board members and the Supreme Court of Nepal for its generous leadership and commitment towards implementation of the ROLHR Programme. Ms. Noda expressed great encouragement by the strong national ownership to the Programme shown by the Board Members. Ms. Noda went to add that NHRC's request for separation is accepted by UNDP with due respect for their independence and autonomy, and she also shared that Denmark, Norway and Finland have all made informal commitments to support the Programme. Regarding the transitional justice component Ms. Noda expressed UNDP's willingness to engage in further dialogues about alternative implementation



modalities, including by moving certain activities from this component to other (NIM) components of the Programme.

Decisions:

The meeting was concluded by the Chair, Mr. Lohit Chand Shah, NPD. The Chair summarized the outcome of the discussions as follows:

- Quarterly progress endorsed
- 3rd Quarterly work plan (July to September 2013) with total amount of USD 695,562.79 endorsed
- Project name remain the same
- The separation of NHRC component from the project log frame Programme discussed and agreed provided that a consultation with NHRC will be required to have further information about the reason. PEB mandated Mr. Tek Tamata, Program Analyst, and UNDP to take lead role for these consultations. If NHRC is still does not agreed to join in the programme hereafter discussion, a Memorandum of Understanding will need to be developed and attached with to the programme document, stating the separation of the HR component.
- Project Executive Board members thoroughly reviewed the list of requisition of Project Management Unit, National Dalit Commission, Ministry of Law and Justice, Supreme Court of Nepal, Office of Attorney General, etc. and decided to endorse the procurement plan. PEB asked ROLHR project team to initiate procurement of listed equipments as soon as possible.
- Assets will be handed over to the Supreme Court of Nepal.



Strengthen the Rule of Law and Human Rights Protection System in Nepal Program
Project Executive Board Meeting

25 July 2013

Venue: Supreme Court Meeting Hall

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