

Project Executive Board Meeting Minutes

29 March, 2012

Support to Participatory Constitution Building in Nepal, Sanepa

Present:

Chair: Robert Piper, Resident Representative

St. Beneficiary: Mukunda Sharma, Spokesperson, CA Secretariat

Netra Timsina, President, NGO Federation

Project Manager: Rohan Edrisinha, International Project Manager, SPCBN

Project Assurance: Kalpana Sarkar, Programme Officer, Governance Unit/ UNDP

Others Present: Jorn Sorensen, Deputy Country Director, UNDP

Asbjorn Lovbraek, Counsellor , Norwegian Embassy

Krishna Khanal, Senior National Advisor to SPCBN-UNDP

Bishnu Adhikari, Governance Advisor, ESP-DFID

Bandhu Rajan, Programme Manager, DFID

Martin Stuerzinger, Senior Advisor for Peace Building, Swiss Embassy

Mie Vestergaard, Embassy of Denmark

Mr. Robert Piper welcomed the members of the Board.

Prof. Krishna Khanal led the discussion on the political context and scenarios for the next few months. He highlighted the linkages between peace process related issues and progress with respect to constitution making. The outstanding issues with respect to constitution making where consensus was needed were state restructuring, forms of government, electoral systems and citizenship.

The Board reflected on the significance of the Supreme Court decision of the previous day which in effect rejected an attempt to review its previous decision that held that the 27 May 2012 deadline for the Constituent Assembly (CA) to adopt a Constitution, could not be extended. Various scenarios were discussed. Most members seemed to agree that even if a Constitution

was adopted by the end of May and the Constituent Assembly dissolved, the constitution making process would continue for several months thereafter, perhaps under the aegis of the Legislature Parliament. Some members did not rule out the possibility of a short extension of the term of the CA on the production of a substantial draft Constitution before 27 May.

Mr. Rohan Edrisinha presented a report on SPCBN's activities from 1 January to 15 March 2012. He pointed out that the project had moved to its new premises and commenced functioning with its reduced number of staff. He stated that the project had taken the evaluation team's recommendations into consideration as it engaged in its activities which were designed primarily to facilitate consensus on the contentious constitutional issues and prepare for the transition and implementation of the new constitution. He highlighted in particular the follow up work to the State Restructuring Commission report and several initiatives with members of the Dalit community to assist them in identifying constitutional options and mechanisms to address their aspirations. He said that the Supreme Court decision would inject a sense of urgency to the constitution making process and that the project would adjust its work plan to respond to this new development. He added that if the constitution were indeed adopted by 27 May 2012, the project would focus on translation, review and summary of the document to facilitate a civic education process, assist in addressing the outstanding issues that were likely to exist and transition and implementation challenges in the final month of June.

The board members expressed general satisfaction with the work of the project and its plans for the next 3 months. Mr. Lovbraek stated that it was important for the project to conduct the occasional event that was open to the public and welcomed the plans to conduct a civic education programme after the draft constitution was produced. Mr. Bishnu Adhikari commended the project for the work accomplished despite the challenges of downsizing and relocation. Mr. Timsina stressed the importance of the project continuing to facilitate public engagement until its termination.

The next agenda item was the future of the project. Mr. Piper said that he had requested the project to develop two scenarios for a possible extension of the project beyond June 2012 in order to facilitate discussion on the issue of whether the project should be extended or not. The two scenarios were

- a) An extension of the project until September 2012 with a wind up/liquidation phase from October to December 2012; Cost-approx. US \$ 665,994.
- b) An extension of the project until December 2012 with a project wind up/liquidation phase from November to January 2013. (the months of November and December would involve an overlap of activities and winding up). Cost- approx US \$ 1257,464.

Mr. Jorn Sorensen presented the budgetary implications of the two scenarios. Mr. Edrisinha outlined the priorities in terms of the activities during a possible extension. After discussion it was agreed that if the project was extended the project should focus on civic education, transition

and implementation challenges with particular emphasis on state restructuring and inclusion and facilitate greater interaction between the bureaucracy and members of the CA/Legislature Parliament.

The issue of whether the project should be extended, and if so, for what length of time, was discussed at length. Messrs Bandu Ranjan and Adhkari suggested that a decision be postponed until after the situation with respect to the 27 May deadline became clearer. Mr. Piper responded that the danger with postponing a decision until the end of May or early June was that the project might lose some of its good staff as their contracts were only until the end of June. Mr. Martin Stuerzinger supported an extension of the project until the end of the year while Mr. Mukunda Sharma thought that since the constitution making process would continue even in a different form after June, the project should continue until the end of the year.

It was finally agreed in principle that the project should be extended beyond June 2012; that there would be a short special meeting of the Board to decide whether the extension should be until September with a short wind up phase or December 2012, including a wind up phase, at the end of April or the beginning of May; and that given the agreement in principle UNDP could go ahead and explore funding options for the extension. It was also agreed that a revised budget be prepared for the December 2012 end of project scenario.

Summary of the Decisions-

The Board

- Endorsed the first quarter progress report.
- approved the revised work plan until June 2012.
- approved in principle the extension of the project beyond June 2012.
- agreed to meet at the end of April/beginning of May to take a final decision on whether the project should be extended until September or December 2012.
- encouraged UNDP to explore funding options for an extension.
- approved a proposal to handover/auction the project's surplus assets. The Board suggested the project give priority to the GON, then to other UNDP projects and civil society with auction as the third priority.

Robert Piper
Resident Representative

