

## Civil Society: Mutual Accountability Project

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Issue 13

# CS:MAP Newsletter

### Word from the Chief of Party, Civil Society: Mutual Accountability Project

I take immense pleasure in bringing to you yet another issue of the Civil Society: Mutual Accountability Project (CS:MAP) monthly newsletter. We have completed the first year of the publication of CS:MAP newsletter. I sincerely hope that this 13<sup>th</sup> issue will help us to reflect upon activities and achievements from the month of October 2018, share with and learn from one another, cherish the collective results that we have achieved this far, and aspire to do more towards advancing the Nepali public interest. As with the earlier issues, we anticipate that you will enjoy going through this edition, and provide feedback on making future editions even more interesting and fruitful.

Happy reading!

Bishnu Sapkota  
Chief of Party, CS:MAP; Country Director, FHI 360 Nepal

## Strengthening Enabling Environment for Civil Society and Media Organizations in Nepal

### Civil Society Discusses Laws and Policies on CSO Management and Operation

SAP Nepal organized a multi-stakeholders discussion on laws and policies related to CSO registration and operation in Nepal. The objective of this event held in Kathmandu on October 30, 2018 was to address concerns raised by civil society organizations. This was a timely discussion as the government is currently in the process of formulating an umbrella Act to govern CSOs. This new law will replace the Associations Registration Act, 1977, the National Directive Act, 1961, the Companies Act, 2006, and the Social Welfare Act, 1992 which currently govern the registration and operation of CSOs.

Rajendra Thapa, Undersecretary at the Nepal Law Commission, presented a brief outline of the new law being drafted. He stated that the Nepal Law Commission was in a preliminary phase of drafting the law. Thus, this consultation would help them to understand the context, needs and issues to be addressed, he added. He mainly highlighted upon the right of association registration, rights and role of CSO registrar office, types of organization, registration of INGOs, and tax issues among others.



CSO leaders Prof. Ganga Thapa, Nrishimha Kumar Khatri, Prof. Kapil Shrestha, Bharati Pathak, Chair of FECOFUN, Rajendra Aryal, ED of FEDWASUN raised different issues pertaining to different types of CSOs and emphasized on the need of a clear provision on the registration of federations as well as easy and speedy registration process for all CSOs.

They also suggested to have a legal provision for the renewal of CSOs every five years instead of the existing annual renewal.

Krishna Man Pradhan, Chair of Nepal Law Society, Subodh Raj Pyakurel, Chair of INSEC, Kedar Khadka, ED of GoGo Foundation appreciated the idea of holding a pre-consultation on the agenda and issues to be addressed by the new law on CSO registration and operation. Tax, financial source for CSOs, relation between national and international CSOs, government and CSOs were the key issues discussed and suggestions provided to incorporate into the new law. The event built an understanding between the Commission and the CSO groups for further engagement and collaboration to draft a law that would address the CSOs' concerns, acknowledge the spirit of the constitution and international principles and standards. The program was attended by 52 participants (17 female) including representatives of I/NGOs federations, bar associations, media, LGBTI groups, and CSO leaders. The Commission has been drafting the new law on CSO registration and operation.

### **Electoral Review: An Effort to Improve Electoral System**

The National Election Observation Committee (NEOC) organized a commentary-based interaction on "Electoral Review: Concerns and Commentaries - Phase I" in Kathmandu on October 31, 2018 with a view to improve the electoral system



of Nepal. Prof. Kapil Shrestha said that the culture of democracy predicates on how the members of Parliament and political parties behave. "Therefore, they have to start a comprehensive discourse on forming a clean and transparent government through free and fair elections," he added. He further said that the electoral system is not perfect anywhere, but certain benchmarks must be adhered to.

Former parliamentarian Khim Lal Devkota said that the provision of external voting system (to enable Nepali diaspora abroad to vote) should be introduced with care and caution as directed by the Supreme Court. The Election Code of Conduct is not a law and has overlapped with punitive aspect of law, he added. Tika Dahal,

Vice-chair of NDF-Nepal opined that formulation of a unified electoral law and brail ballot papers should be introduced for the ease of visually impaired voters. Advocate Ram Krishna Kafle said that the nature of the Code of Conduct is administrative and immediate action should be taken in case of non-compliance.

NEOC's Secretary General, Dr Gopal Krishna Siwakoti said that the program focused on the country's stand on electoral legal framework, especially the electoral policy, legal structure, crime and punishment and code of conduct. Krishna Man Shrestha, Secretary General of the General Election Observation Committee made a presentation on the "Electoral Law and Policy". The presentation focused on national and international provisions and obligations for holding democratic elections. Majority of the participants expressed their views regarding the weak implementation of the Election Code of Conduct and Campaign Finance Regulation in course of election. Chaired by NEOC's vice-chairperson Prof. Kapil Shrestha, 45 people (male 30, female 15) including electoral experts, former parliamentarians, civil society leaders, rights activists, academicians, researchers, Election Observation Coordination Group members and journalists participated in the interaction.

### **GESI Envisioned in Umbrella Act for National Mass Communication**

Media Advocacy Group and Samjhauta Nepal shared a vision for incorporating gender equality and social inclusion (GESI) within the Umbrella Act for National Mass Communication with lawmakers on September 30, 2018 in Kathmandu. CS:MAP developed the GESI vision by reviewing GESI provisions enshrined in the Constitution of Nepal 2015, National Mass Communication Policy, 2073, and previous media laws and international standards.



Parliamentarian, Bimala BK (Member of Women and Social Committee of the Parliament), Dev Prakash Tripathi (Member of the Task Force to Study the Impact of Criminal Code Act, 2017 on

the Press Freedom and Freedom of Expression), Ishwori Prasad Ojha from Press Council Nepal, Dipendra Maharjan from Ministry of Communications and Information Technology and Meera Rajbhandari from FNJ were the panelists in the discussions.

Tripathi, one of the panelists, said that for the media to be GESI-friendly, it must have GESI in its content, language, participation, environment and infrastructure but the media have been stereotyping women in traditional gender roles. He emphasized on the need to abolish these malpractices in the media.

## Government Engagement for Effective Public Resource Use and Service Delivery

### Sajhedari Manch Formed in Different Districts

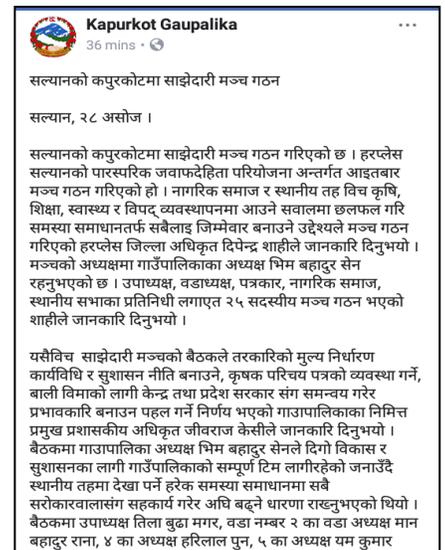
With the devolution of power to the local governments within a new federal system, the relocation of the civic engagement platform, *Sajhedari Manch*, from the district to *gaunpalika* level has gained momentum. HRPLSC has formed *Sajhedari Manch* platforms in Kapurkot *gaunpalika*, Salyan; Sarumarani *gaunpalika*, Pyuthan and in Tribeni *gaunpalika*, Rolpa. *Sajhedari Manch* comprises the mayor/deputy mayor, chair/deputy chair of local governments, Ward chairpersons, chiefs of health, agriculture, education, disaster risk reduction units of local governments, representatives from civil society, the private sector, media, Common Assembly members and representatives from the marginalized groups, among others. Members range from 25 to 30 people.



Similarly, Samudayik Sarathi formed four *Sajhedari Manch* platforms in Panauti municipality and Roshi *gaunpalika* of Kavrepalanchowk and Barhabise municipality and Bhotekoshi *gaunpalika* of Sindhupalchowk districts. During the formation of *Sajhedari Manch* in Panauti municipality, Mayor Bhim

Neupane said that the *Manch* will provide opportunity for interface between citizens and local government to address issues raised by the citizens.

Formation of *Sajhedari Manch* at municipality level will create opportunities for citizens and service providers to discuss issues on public service delivery and public resource use. Thus, Common Assembly (CA) meeting serves twin purpose - a civic engagement platform at community level (as no such civic platforms currently exist) and a forum for interface (citizens and service providers) on public service delivery issues. Particularly policy-related issues and problems identified by the CA meetings are taken further to *Sajhedari Manch* at municipality/*gaunpalika* level. *Sajhedari Manch* will resolve such issues by formulating action plan that will be made public through *Sajha Sabha* at district level on a bi-annual basis.



The district-level Public-Private Working Group formed by CS:MAP has been shifted to *gaunpalika* level. The local government has started to formulate and implement different policies, laws and directives as per the federal structure. Similarly, such district-level mechanisms are being relocated to the local government level to align the mechanisms with the government structure with an aim to address the local issues at the local level.

Tamakoshi *gaunpalika* of Dolakha also formed a *Sajhedari Manch* on October 7, 2018 during an interaction organized by HURADEC Dolakha where different good governance issues related to education, health, agriculture and DRR were discussed. This forum consists of 13 members including coordinator Ishwar Chandra Pokharel, Coordinator Urmila KC, Vice Chair Dipesh Kattel, Chief Administrative Officer, and Ward chairpersons.



Khadadevi *gaunpalika* of Ramechhap district has also formed a *Sajhedari Manch* with 27 members. The *Manch* is coordinated by Chairperson of *gaunpalika* Prem Bahadur Tamang including vice chair, chief administrative officer, executive board members, and Ward chairpersons are also the members of the forum.

Likewise, Community Development Center (CDC)-Nepal, organized a *gaunpalika*-level meeting on October 25, 2018 at Kalika *gaunpalika*, Rasuwa with the objective of forming a new *gaunpalika*-level *Sajhedari Manch* at Kalika *gaunpalika* and sharing the key achievements of district-level Public-Private Working Group (PPWG) and providing a learning opportunity.

The *Manch* was formed comprising 31 members (10 female and 21 male) in Kalika *gaunpalika*. Laxmi Phuyal spoke about the objectives and structure of *the Manch*. Besides, she highlighted the role of *the Manch* in focusing upon and strengthening the areas of public service delivery, and public resource use. Total 31 (10 female and 21 male) members from different sectors i.e. *gaunpalika* members, Ward chairpersons, representatives of sectoral branches like Health, Education, Agriculture and DRR and other NGOs and media were present at the meeting.

Sita Kumari Adhikari, Chair of Kalika *gaunpalika* committed to resolve the issues related to public service delivery, accountability, transparency, use of social audit tools in *gaunpalika* to become one of the better-governed local units of the district. She said that the *gaunpalika* would conduct public hearing at *gaunpalika* level for the first time with the technical support of CDC-Nepal and media. Other CSO partners in 33 districts also coordinated and conducted preliminary meetings to form *Sajhedari Manch* in each working local unit.

### **Sajha Sabha Conducted in Dang**

RWDC, convened *Sajha Sabha* with an objective of improving public service delivery, policy advocacy and good governance at Ghorahi, Dang on October 25, 2018. Public agenda and complaints were presented, discussed on and were addressed by Narulal Chaudhary, Chief of Ghorahi Sub-metropolis. Issues related to health, education, agriculture, DRR and other sectors were raised during the *Sabha*. The issue of sickle cell anemia which is endemic to the Tharu people was raised with an emphasis. Chaudhary committed to ensure free lab test for entire Tharu community in government hospitals and arrange for a sophisticated testing equipment this year. Chaudhary said, "We will initiate a life-time treatment for the sickle cell anemic people in coordination with the provincial and federal governments soon."



Chaudhary further said, "Sickle cell anemic people will get treatment from health clinics at 19 Wards of Ghorahi Sub-metropolis."

The Mayor also expressed commitment to carry out the following major activities this year:

- Allocate budget for technical education of freed Kamlaharies and Kamaiyas
- Establish agriculture and veterinary service center accessible to farmers
- Manage agricultural tools and equipment for improving agriculture sector
- Manage budget for agriculture subsidy to areas likes bee keeping, mushroom and tomato farming, fishery by developing fixed criteria
- Establish technical college at Ghorahi Sub-metropolis
- Manage budget for gender-friendly toilet at community schools of the Sub-metropolis
- Ensure social accountability mechanism in the entire wards of Ghorahi Sub-metropolis



### **Sajha Boli Radio Program: A Good Source of Information for Deputy Mayor**

"Sajha Boli" radio program has become a good source of information for me. The program is helping me to collect information on recent updates on laws, programs and policies of the government," said Prem Kumari Sunar, Deputy Mayor of Musikot municipality in Rukum. Sunar was participating in a meeting on gender-based violence when a monitoring team from Equal Access met her in Rukum in September 2018.



"I found the radio program useful and informative to understand the issues related to health, education, agriculture, disaster risk reduction, gender equality and social inclusion, and I listen whenever I get time despite my busy daily schedule," added Sunar. As an elected representative of the people, she deals with different issues every day. "As I am also the chief of the Judicial Committee of the Municipality, it's mandatory for me to remain up-to-date on the laws, policies and programs of the government," she said. Each episode of the radio program is important to her to get updates on governance, transparency, accountability, local-level planning and the implementation of plans.

She regularly participates in the Content Advisory Group (CAG) meeting organized by *Sano Bheri* FM since its first meeting held in July 2016. Deputy Mayor Sunar describes how the CAG meetings are useful to her: The CAG meeting is a good opportunity to interact with different stakeholders, journalists and civil society members. The process of understanding issues from people through such meetings to produce the radio program is quite innovative approach to me. It helps in covering and raising the genuine and relevant issues and concerns of the people. The CAG meetings are also helping me to get updates on public service delivery of the municipality and get feedback from the participants in the meetings. When I get the call from *Sano Bheri* FM, the local producer of *Sajha Boli*, I allocate my time to attend the meeting accordingly.

"The content of the *Sajha Boli* radio program is not only informing the listeners, but also helping us to know the rights and responsibilities of the elected representatives and service delivery agencies towards the citizens. The radio program is also making us alert and accountable as citizens are more aware of their rights from the content broadcast through the radio programs," Sunar said.

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