Civil Society: Mutual Accountability Project

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CS:MAP Newsletter

Words 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. I sincerely hope that this 16th issue will help us to reflect upon activities and achievements from the month of January 2019, 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 advocates to improve draft of Social Organization Act 2018

The Nepal Law Commission (NLC) has prepared a draft of the Social Organization Act 2018, on behalf of the Ministry of Home Affairs, and the Ministry of Women, Children and Senior Citizens. Upon being endorsed by the federal parliament, this Act will serve as an umbrella Act governing the registration, renewal and functioning of civil society organizations (CSOs) in Nepal, repealing three existing laws: the Association Registration Act 1977, the National Directive Act 1961, and the Social Welfare Act 1992.

The CS:MAP CSO coalition lead – NGO Federation of Nepal (NFN), and national advocacy partners – SAP Nepal, Media Advocacy Group (MAG)/ Samjhauta Nepal, and INSEC, participated in consultations organized by NLC. NFN demanded that freedom of association be guaranteed by the new Act, as guaranteed by the constitution of Nepal.

The NFN organized advocacy meetings with Niru Pal, Chairperson of Women, Children, Senior Citizens and Social Welfare Committee of the Federal Parliament; Subash Chandra Nembang, deputy

parliamentary party leader of Nepal Communist Party; Tham Maya Thami, Minister for Women, Children and Senior Citizens; and Madhav Sharma, Chairman of NLC, in their respective offices. NFN current chairperson, Jit Ram Lama, and immediate past chairperson, Gopal Lamsal, shared CSO's concerns and urged for the scrapping of restrictive provisions from the draft.

INSEC and MAG/Samjhauta organized separate interactions among young CSO leaders on January 25, 2019, and SAP Nepal held a wider stakeholder meet on January 24, 2019. Rajendra Thapa, Under-Secretary of NLC presented major provisions of the draft. These activities helped the major stakeholders to understand the problematic provisions of the draft and to raise their voice against such restrictive provisions.

Resource book on civic engagement prepared and discussed

Ministry of Federal Affairs and General Administration (MOFAGA) and CS:MAP jointly organized a workshop to finalize the resource book on civic engagement on January 27, 2019 . The purpose of this book is to foster platforms and mechanisms for civil society and citizens to participate and play a role in strengthening governance, improving public policies and making service delivery more effective and efficient. This resource book will be further used by MOFAGA and government training academies to sensitize elected local representatives, government employees and stakeholders.

This book includes conceptual understanding and the legal provisions of civic engagement; frameworks, tools and guidelines of civic engagement in public policy formulation, planning and oversight; national and international best practices of civic engagement; and role of citizens, civil society and the government. Participants appreciated the draft and suggested for the inclusion of more local and international best practices, guidelines and structures, for different levels of engagement and to develop a sample policy for local governments.

There were 17 participants including the Secretary and Joint Secretaries of MOFAGA, Chairperson and Executive Directors of the Municipal Association of Nepal, and the National Association of Rural Municipality in Nepal, General Secretary of the Association of District Coordination Committees of Nepal, Deputy Mayors of Kathmandu and Lalitpur Metropolitan, Democracy and Governance Specialist of USAID, CS:MAP team and other experts.

Multi-stakeholder dialogue on CSO issues and existing laws

GoGo Foundation, convened a half-day multi-stakeholder dialogue with the members of the Gandaki Provincial Assembly and civil society leaders on January 18, 2019 in Pokhara. The objective was to enhance the understanding of stakeholders of Gandaki Province on issues concerning national and international legal standards of CSOs to strengthen CSOs' enabling environment in the changed political context.

Politicians and CSO leaders including Padma Pahari, President of NFN, Kaski Chapter; Netra Nath Adhikari, Speaker of the Gandaki Provincial Assembly; and Prabha Koirala, Member of Provincial Parliament (MP), were the

key participants in the event. The event provided an opportunity for dialogue on the challenges and issues confronting CSOs in the changed context and discussed how it was imperative for state actors to facilitate CSO work as opposed to exercise control, to provide space for the most marginalized voices represented by CSOs.

The participants urged the state actors to view CSOs as development partners, and not competitors, of the government, and hence, not to shrink the operational space for CSOs. Majority of participants asserted that CSOs have played a significant role in the overall development of the country. Acknowledging the role of CSOs, Speaker Adhikari said that they had not been able to adequately acknowledge the importance of CSOs in making democracy vibrant. "CSOs have reached out to the people, given them the voice to make governments accountable, transparent and more responsive," he said. Because of the unethical interests of a few CSOs, we should not ignore the good work done by the majority, he added.

MP Prabha Koirala suggested that CSOs should not be suspected, overshadowed, or blamed for the malpractices of a few CSOs. Durga Prasad Khanal, Acting District Coordination Officer, was of the view that government agencies would not have any ill intention towards CSOs operation across the country were provided they remained transparent, accountable, and abided by prevailing laws.

In addition, Speaker Adhikari, MP Koirala and Kedar Khadka, Executive Director of GoGo Foundation, jointly launched the fourth edition of the CSO Sustainability Index (CSOSI) of 2017. A presentation on CSOSI 2017 focused on national and regional context including regional ranking of Nepal among nine South and South-east Asian nations. A total of 54 people (11 female) participated in the dialogue.

Civil Society and Media Engagement with Government for Effective Public Resources Use and Services Delivery

Local governments willing to adopt Open Government Partnership working modality

Elected representatives of seven local governments and civil society actors of Kavrepalanchowk district committed to explore the possibility of adopting and implementing Open Government Partnership (OGP) principles and working modality in their respective local government units.

They made the commitment in an interaction on OGP organized by Samudayik Sarathi in Dhulikhel, Kavrepalanchowk on January 28, 2019. The objective of the program was to enhance common understanding among civil society organizations (CSOs) and local governments on the principles of OGP and its working modality.

CS:MAP's Legal and Policy Adviser made a presentation on the concept and context of OGP and possible working modality in local governments. He shared examples on how OGP is being practiced in local governments in other countries as well as in Nepal. The initiatives taken by Neelakantha Municipality and Nepalgunj Sub-Metropolitan City were cited. Representatives of local governments shared their experiences on how they had been ensuring citizen engagement in their work. Most of them said that partnership with citizens and civil society organizations was in practice at different levels of governments but had yet to be institutionalized.

Local government representatives explained how they have already been practicing various mechanisms and principles of open governance, including the publication of data and information through their websites, mobile apps and notice boards; ensuring inclusion and inclusive structures in policy implementation; publication of Ward and municipality-level monthly expenditure statements; and conducting public hearings at *gaunpalika* and municipality level. Elected representatives and civil society members expressed their commitment to expand such discussions at the municipality-level for promoting OGP principles and practice.

The program was attended by 22 (14 female) people representing local governments and civil society organizations. Member of Parliament of Province 3, Goma Bhurtel was the chief guest at the event. Deputy Chairperson of District Coordination Committee, Deputy Mayor of Panauti, Deputy Mayor of Dhulikhel, Deputy Mayor of Panchkhal, Deputy Chairperson of Bethanchowk *gaunpalika*, Chairperson of Khanikhola *gaunpalika*, representative of NGO Federation of Nepal (NFN), and other CSO leaders took part in the interaction.

Local authorities commit to engage civil society in policy formulation

CS:MAP's CSO partner Community Development Center (CDC-Nepal) organized an interaction on "Civic Engagement in Local-level Policy Formulation Process" in Nuwakot district on January 9, 2019. The objective was to enhance understanding and clarity on the role of CSOs in the development of new policies, laws and acts, and to build consensus among stakeholders.

CSO expert Shiva Devkota presented a concept note on civic engagement in local-level policy reform and formulation in with the context of Nuwakot district. He explained the concept of civil society and its role in the changing context and emphasized on the issue of civic engagement in local-level policy formulation.

Representatives of political parties, local governments, media, legislative committees, and civil society expressed their views on the status of local-level policy formulation in the district. According to them, there was almost no civic engagement or citizen participation in the local-level policy-making process. They attributed this paucity of civic engagement to the lack of experience among elected representatives in policy making, and the propensity to adopt model policy templates provided by the provincial governments, as is. As a result, 12 local government units (two municipalities and 10 *gaunpalikas*) of Nuwakot were unable to increase civic engagement, partnership and coordination for local-level policy formulation, they added.

The elected representatives expressed their commitment to engage civil society in future policy formulation efforts at the local level. They also agreed to partner with civil society and local media for promoting open government partnership (OGP) principles and to render the district as a model for OGP implementation. CDC-Nepal also convened a press meet in which journalists agreed to follow up on the commitments made towards ensuring civic engagement in policy formulation.

Chairperson of FNJ, Nuwakot Chapter, Kapil Dev Khanal assured that they would carry out investigative reporting on the situation of civic engagement in policy formulation; transparency and accountability in respective *gaunpalikas;* and share such reports in upcoming interactions. A total of 22 representatives (16 female), including participants from the District Coordination Committee of Nuwakot, took part.

Common Assembly takes the initiative to keep the historical city of Gorkha clean

The Common Assembly (CA) of Gorkha Municipality Ward 8 frequently raised the need for an effective waste management system in their Ward. They had also conducted a cleaning campaign upon receiving a training on waste management on August 18, 2018. Accordingly, the *Namuna Pratikshalaya Tole Bikash Samiti* had been

carrying out cleaning campaigns in the Ward, every month.

Following the waste management training, local people started separating biodegradable and non-biodegradable waste. Their request for 50% subsidy to establish compost bins in every household was accepted by the local government, with local people contributing 50% - establishing a very good example of a public private partnership model.

Now, every household in the Ward prepare and use organic manure. The initiation has also helped to keep the historical city clean and while promoting organic vegetable farming for local consumption, thereby contributing both to local health and economy.

Following the CA decision taken through a meeting held on December 05, 2018, a letter was submitted to the Gorkha Ward 8 chairperson, drawing attention to the need for the waste management system be expanded to other Wards of Gorkha municipality. The CA and coalition members also conducted a meeting with the Gorkha Municipality to expand this campaign to the other Wards. As a result, the municipality provided waste management orientation to 39 *Tole Bikash* organizations on January 20, 2019. Mayor Rajan Raj Pant appreciated the changed behavior of the people, who now separate biodegradable and non-biodegradable waste.

The orientation has helped make waste management system effective in Gorkha Municipality. The local people have realized the importance of waste management and adopted it as a practice. Mohasin Alimiya, District Officer of CS:MAP's implementing partner for Gorkha district, SOCH Nepal, was delighted that the project was able to bring together the local government and the people, thereby contributing to waste management.

Cohesion between government and CSOs a must for prosperity

CS:MAP partner for Dolakha district, HURADEC, in coordination with the Ramechhap chapter of NFN, organized an interaction on "Government and Civil Society Relationship" at Manthali of Ramechhap district on January 9, 2019 with the objective of furthering engagement and partnership between civil society organizations (CSOs) and the local and provincial governments.

Shanti Prasad Paudel, Member of Parliament of Province 3, said that meaningful cohesion between Government and civil society is required for sustainable development and prosperity. He emphasized on the need for solidarity among CSOs and government. He also appreciated the role of the CSOs in restoring democracy in Nepal.

Prem Bahadur Khadka, chief of District Coordination Committee, expressed his commitment to collaborate with civil society in formulating new policies and laws and their implementation. He also said that sustainable development will be meaningful only when there is a strong civil society.

Ramesh Kumar Basnet, Mayor of Manthali Municipality, said he was committed to having third-party monitoring of his municipality-level programs and activities and also pledged to bring people engaged in corruption to book. Krishna Prasad Sharma, Chief District Officer of Ramechhap, said that he would make efforts to establish cohesive relationships between government and CSOs in the district and was ready for resolving problems facing the CSOs and carrying out joint initiatives.

Bhuwan Kumar Shrestha, Chair of NFN, Ramechhap Chapter; Ramesh Dhungel, Chair, Federation of Nepali Journalists (FNJ), Ramechhap Chapter; Jagannath Dahal, General Secretary of Ramechhap Chambers of Commerce; and advocate Jhamka Kandel were other speakers. A total of 48 people (15 female) participated in the interaction.

Civil society pledges support to policy formulation process

DEC Nepal organized an interaction on "Role of Civil Society in Local-level Policy Formulation Process" at the district headquarters of Dhading on December 26, 2018. The aim of the interaction was to promote the engagement of civil society organizations (CSOs) with local governments in policy formulation.

The interaction focused on the importance of civic engagement and current practices within local governments, acknowledging the limited or near nonexistent discourse with civil society in law formulation.

The interaction came up with the following key action points: CSOs should play a strong role in raising voices of marginalized sections of society in policy formulation processes; ensure civic space and civic participation in the local-level policy formulation; ensure civic engagement in resource tracking and management to advocate for equitable resource sharing and effective utilization of development budget.

The interaction also formed a task force and agreed to handover a memorandum to all local government units for ensuring effective participation of civil society in the policy formulation process. A total of 30 people (8 female) participated in the interaction including representatives from NFN, Dhading Chapter; FNJ, Dhading Chapter; local CSOs; Ward chairperson of Neelakantha Municipality and Siddhalekh *gaunpalika;* and civil society champions.

Municipality responds to issues raised by CA

Amargadhi Municipality in Dadeldhura has taken the initiative to resolve the issues raised by the Common Assembly (CA) and the district coalition network following a meeting held on December 20, 2018.

CA and district coalition members along with CSO activists handed over memoranda on different occasions, highlighting the lack of information with regard to delay in distribution of quality seeds, and the establishing of fair criteria for the classification of farmers – including the provision of identity cards for farmers. The local media also played a crucial role in raising public awareness on the issue, supporting regular interactions between the CA, coalition and local government.

As a result of constructive civic engagement, the Mayor of Amargadhi Municipality, Bisheshwar Prasad Ojha, expressed commitment to address these issues. With regular follow-up by CA and coalition members, the municipality finally decided to develop guidelines and procedures for agricultural subsidy distribution and to categorize farmers based on their agriculture work. The CA and district coalition are now committed to carry out regular follow up.

Local governments conduct public hearing

The Barhabise Municipality in Sindhupalchowk district conducted a public hearing on December 10, 2018. It was the second public hearing organized by the municipality this year.

Samudayik Sarathi provided technical support to the municipality in organizing the public hearing last year. This year, the Barhabise municipality organized the public hearing on its own initiation.

CS:MAP supports the framing of governance policy for local government

HRPLSC has provided technical support to local governments in different districts for framing governance policies and guidelines. As an example of participation of CSOs in local level policy making, Sarumarani *gaunpalika* in Pyuthan sought technical support from HRPLSC in drafting its governance policy.

HRPLSC supported the *gaunpalika* in drafting the governance policy in consultation with experts. The draft was taken for discussion with stakeholders at the *gaunpalika* first, and was later approved by the village assembly on January 11, 2019. The newly approved policy ensures citizen participation, use of social accountability tools, use of ICT for feedback mechanism and proactive disclosure of information to citizens, among others.

HRPLSC had first raised the issue of developing governance policy by *gaunpalika* at a *Sajhedari Manch* meeting a few months ago which was later proactively pushed forward by *gaunpalika,* seeking technical support for drafting the policy.

Orientation on ICT tools to promote OLGDS

DEC Nepal conducted a one-day orientation on the *Sajha Sabha* app and ICT tools, for the CA and LDAG members and general public, in coordination with the Neelakantha Municipality, Dhading on January 24, 2019.

The objective was to provide awareness about the municipality's efforts on the utilization of ICT tools through the development and use of the mobile app - *Mero Neelakantha Mero Mobile*, Facebook page and website, as part of the Open Local Government Digital System (OLGDS).

Participants were oriented on the use of the '*Sajha Sabha* App' and the municipal apps, website and Facebook page and on the process for handling issues and complaints for decision making or responses. CS:MAP Community Reporters also shared information on how to access and utilize the *'MeroReport'* web portal.

The participants said that the *Sajha Sabha, Mero Neelakantha Mero Mobile* apps were helpful for lodging local problems for redressal, for tracking status of reform, to learn of municipality activities and efforts, and to access information such as citizen charter policies and procedures, updates, municipality decisions, among others.

Hom Nath Rijal, Chair of Ward 3 expressed his commitment to use people-friendly mechanisms and promote public access to information related to the municipality's efforts. Participants also committed to use the *Sajha Sabha* app, the municipality website and ICT tools for seeking information and addressing local challenges. DEC Nepal also conducted similar orientations in Siddhalekh *gaunpalika* in Dhading and Manahari *gaunpalika* in Makawanpur district. A total of 29 people (3 female) participated in the program.

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