



## Constitution Building e-Bulletin

A quick and easy way to update yourself on the latest CCD news.

Dear friends,

Please find below the Constitution Building e-Bulletin, Volume 1, No. 6, 2010. It contains information and resources of interest and relevance to those working in the field of Constitution Building in Nepal, as well as other citizens who are interested in keeping up to date on the fast-moving events in Nepal's progress toward a new constitution. The update is developed in conjunction with partners, including the Constituent Assembly (CA), the UN, donors, media, CSOs, INGOs and others. This information will also be posted on the Centre for Constitutional Dialogue (CCD) web site (<http://www.ccd.org.np/new/>) for easy access. We encourage you to share any helpful resources and information with the CCD media team for inclusion in future updates and on the website. Please forward your information with necessary attachments and web links to [info@ccd.org.np](mailto:info@ccd.org.np)

We hope you will find issue No. 6 interesting and helpful.

Sincerely,

**Centre for Constitutional Dialogue (CCD)**

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### What's Happening at the Constituent Assembly (CA)

#### Recent Developments

1. The Constituent Assembly's constitution making work has been affected by the current political impasse since it convened on 18 July to approve the 11<sup>th</sup> amendment of the CA Calendar. The CA Gaps and Overlaps Committee (Preliminary Draft Reports Study

Committee)<sup>1</sup> has essentially completed its work but has not been able to come to a consensual conclusion. As per the plan, it has completed its work of reviewing the thematic committee reports and has prepared 175 questions that need to be settled through political consensus or, alternatively, subsequent voting at the CA Plenary.

2. Of the 175 questions, 97 are related to the report of the Constitutional Committee, 32 are related to the Fundamental Rights chapter, 16 are related to the Forms of Legislature, and 10 are related to the Forms of Governance. Some of the contentious issues are the extent of the right to self-determination, the difference between pluralism and a multi-party system, prerogative rights and compensation while undertaking land reform.
3. The committee formally planned to submit its work on 1 September but UCPN-M members of the Committee at the time refused to sign off on the report and the committee thus failed to formally submit it. However on 30 September the CA Gaps and Overlaps Committee handed over eight additional preliminary reports (three had already previously been submitted) to CA Chairman Subas Nembang.
4. After receiving the report, Nembang called a meeting of the parliamentary party leaders of all political parties represented in the CA on 3 October with a view to table the list of contentious issues for discussions. The constitution has a provision for calling such a meeting of political party leaders if disputes surface in connection with drafting the statute.
5. Following discussions of political party leaders and the CA, the CA plenary will, within four weeks, forward the preliminary reports to the Constitutional Committee, which is entrusted with preparing an integrated draft of the statute comprising all 11 thematic reports.



### **The Election Procedure for the Post of Prime Minister**

6. The ninth round of the prime ministerial voting in the legislature parliament on 30 September was again unsuccessful as Nepali Congress leader Ram Chandra Poudel, the sole candidate for the PM, secured only 105 votes. Two votes were cast against him while 61 stayed neutral. UCPN (Maoist) and UML did not participate in the voting. 168 lawmakers were present during the voting. The next run-off has been set for October 6.
7. The Interim Constitution requires a majority of votes of all existing members of the Legislature-Parliament for the election of the Prime Minister (Art. 38/2). This means that

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<sup>1</sup> The CA formed the Committee to identify if any of the 11 thematic reports contain contradictory provisions, repetitions, duplications, redundant provisions, or if the committees have missed any important subjects in their reports, and to address these shortcomings.

the successful candidate require the backing of 300 members (a majority of the currently 599 members), and not only a majority of those present.<sup>2</sup>

8. On 23 September the UCPN (Maoist) and CPN-UML each sent separate letters to the speaker, Subash Nembang, asking him to stop the ongoing process of electing the Prime Minister in order to look for new alternatives to the stalemate. Nembang told the leaders of both parties that the problem was beyond the provisions of the parliamentary regulations. He had earlier remarked that as a Speaker he has the right to untangle obstacles but has said he did not want to misuse that right. His remark was seen as suggesting a change to the current election procedure in order to restart the process which could include new candidacies for the election. According to the existing parameters set by the Interim Constitution and the prevailing rules of procedure, the process will have to continue until a new Prime Minister is finally elected.

### **Public Outreach**

9. A workshop on “Indigenous Peoples Suggestions for the New Constitution” was conducted in Dhulikhel on 6-7 September 2010. UNDP’s Support to Participatory Constitution Building in Nepal (SPCBN) project has, since 2009, supported 18 Civil Society Outreach (CSO) partners, including a diverse range of civil society federations and associations, who have conducted community-level “Democracy Dialogues” in 3,915 VDCs of the 75 districts of the country on the CA thematic committee reports. The suggestions and feedback received from the Democracy Dialogues were shared with indigenous/ethnic scholars and experts, CA members of the UCPN (Maoist), UML, Nepali Congress, and the Nepal Rastriya Party, as well as five indigenous CSO partners. The suggestions and feedback on indigenous issues from this meeting can be found in a report called “Suggestions on Indigenous People’s Issues obtained from Democracy Dialogues” which is soon to be released.
10. SPCBN has now completed Federalism Dialogues in 12 of the 14 proposed Federal provinces. The programme aims to sensitize people and initiate dialogues on federalism, its application in Nepal, opportunities and challenges so that people can make their suggestions and recommendations for modification to the CA. These programmes target key local stakeholders who are provided with general insights of various dimensions of federalism from experts and who are given a chance to discuss the local context for establishing federalism. The programme is oriented toward building momentum created by the dialogues as a way of linking it to the particular local context in each proposed province.
11. International IDEA, in partnership with the Nepal Law Society and in association with the Constituent Assembly, has recently established Constitution Information Centres (CIC - *Sambidhan Suchana Kendra*) in each of the five Development Regions. They are to help the

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<sup>2</sup> There has been a mistranslation of Art. 38/2 in the bilingual edition of the Interim Constitution, which says that “the Prime Minister shall be elected by a majority of the total number of the members *present*”, whereas it should correctly read “elected by a majority of the *total existing number* of members” (emphasis added). UNDP regrets the error and apologizes for the confusion caused.

CA prepare for the public consultations on the draft constitution, as well as support the CA in reaching out to citizens. They provide information and documents from the CA, as well as partners supporting the constitution building process. The centres are located at the offices of the members of the Nepal Law Society in Biratnagar, Bharatpur, Pokhara, Nepalgunj and Dhangadi.

## Transition to a Federal State Structure

12. Despite the protracted delays in drafting the new Constitution, and in laying down the parameters for the new federal state structure, some important steps have been taken in terms of preparing for the period to follow the promulgation of the new Constitution. This is at least partly the result of persistent calls by international partners to start early in identifying the responsibilities, the sequence and timelines for the most important steps of the immediate implementation phase after the Constitution is completed.<sup>3</sup>
13. In May 2010, a UNDP paper on the "Management of the Transition towards a Federal System in Nepal" included the recommendation to establish "*a high level commission led by the Prime Minister to direct, manage and coordinate the transition into the federal system.*" Other partners, such as the World Bank, have also been advising the Government to establish such a commission. It would notably be different but possibly related to the State Restructuring Commission, provided for in the Interim Constitution.<sup>4</sup> The Prime Minister's office has agreed in principle to establish this transition planning commission and the cabinet is currently deliberating whether such commission should be established at the Prime Minister's office or at line agency level (e.g. at the Ministry of General Administration or the Ministry of Federalism, Parliamentary Affairs and Culture). A decision on the matter is expected in the coming days.
14. The Administrative Restructuring Commission (ARC), established in 2008 by decision of the Government of Nepal, has also played an increasingly active role. The ten-member commission is headed by the Minister for General Administration.<sup>5</sup> The ARC is currently preparing a detailed work plan and strategy for transitional arrangements with a specific reference to administrative reform with support from the World Bank. It has also proposed to form task forces in each Ministry to prepare transition plans and update the ARC on developments related to transitional arrangements. At present, the ARC is working on two study reports: 'Training Needs Assessment for Civil Service Personnel' and 'Metropolitan Police Arrangements'.

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<sup>3</sup> See for instance the paper "*The Management of the Transition towards a Federal System in Nepal – A Concept Paper*" by the UNDP consultant Dr. Bholu Chalise of May 2010.

<sup>4</sup> The three major parties have already agreed to set up such a Commission, but preparations were halted when Madhesi parties and others strongly objected to such a Commission.

<sup>5</sup> Initially established with a one year mandate to advise the government on administrative structures/reforms in a future federal structure (excluding the Nepal Army and the Armed Police Force), its tenure was extended to one more year to November 2010. A further extension is being considered.

15. Generally, however, there continues to be a dearth of research, analysis and debate on how exactly the very complex new state structures proposed would work in practice. The complicated set of financial, operational, legal and political relationships between the levels of the federation, the provinces, the Autonomous Regions and other special structures, the districts, municipalities and VDCs remains largely unexplored and poorly understood.

## What's Happening at the Centre for Constitutional Dialogue (CCD)

### CCD Dialogue and Seminar Series



As part of the CCD Dialogue and Seminar Series, a special set of discussions and interactions on federalism, as well as on key constitutional issues were introduced in 2010. All dialogues, seminars and presentations by Nepali and international experts are designed to inform interested CA members, their staff, and the

general Nepali public on issues that must be addressed in the new Constitution and beyond for Nepal to transition to a successful federal state. As you read about these interesting programs, you may wish to know more. To obtain full presentations or PowerPoint slides for any of these programs please send an email request to: [info@ccd.org.np](mailto:info@ccd.org.np).

### CCD Dialogue and Seminar Series: Constitutional discussions and interactions

#### Striking a Balance between Identity and Viability - September 30

*Prof. Krishna Khanal [Professor, T.U.] presented to 39 participants, including 21 CA members. Thereafter, Prof. Dr. Lok Raj Baral [Renowned Professor and Chairperson of Nepal Contemporary Studies Center] and Prof. Dr. Om Gurung [Head of Central Department Sociology/Anthropology, T.U.] shared their comments and remarks with the participants.*

Prof. Khanal expressed the view that a wider discussion on federalism is needed. He noted that although most provinces have been decided on the basis of ethnic identity, there have been attempts to balance this by constituting provinces such as *Sunkoshi* and *Narayani*. He emphasized that all proposed provinces may not be equally prepared for going into federalism and pointed out the importance of non territorial federalism especially for the scattered *Muslim* and *Dalit* communities.



Prof. Om Gurung clarified that identity means ethnicity, culture and language among other factors. He pointed out only relying on current data to determine viability was erroneous as future potential of the provinces should be a main focus.

Prof. Lok Raj Baral emphasized that we need a better knowledge about population and other factors of the Nation in order to determine issues pertaining to federalism. He also cautioned that statistics can be misleading and it is important for the CA to go to the people to understand their views and expectations.

### **Constitutional Courts: Options for Nepal - September 23**

*Dr. Bhimarjun Acharya [Constitutional Law Expert] presented his views to 45 participants of which 13 were CA members. Thereafter, Mr. Kashiraj Dahal [Chairperson of Administrative Court] shared his comments and views with the participants.*

Dr. Bhimarjun Acharya focused on international experiences concerning Constitutional Courts. He pointed out that the issue of whether having a constitution court or not has generated a lot of discussion and is an issue which must be settled by the CA. He emphasized that if the Constitutional Court is created neutrally without political interference, then it will indeed be a valuable asset as it would decrease the case load in the Supreme Court. He, however, cautioned that if there is to be political pressure and interference with the Constitutional Court then there will be no use of having a separate court.



### **Managing the Transition to Provincial Units - September 16**

*Hon. Bob Rae [Canadian Member of Parliament and the Liberal Party's spokesman for international affairs], Dr. Marcus Brand [Policy Specialist- SPCBN] and John H. Sims [Civil litigator and an advisor to Canadian Ministers] presented their views to 64 participants of which 12 were CA members.*

Dr. Brand focused his presentation on the overview of Nepal's transition to federalism from a unitary State. He stated that the three main agendas for transition in Nepal would be the issue of federalization and state restructuring, democratization of institutions, and the issue of social inclusion and proportional representation.



Hon. Bob Rae stated that state restructuring and restructuring of governance structure occurs the world over mainly for economic reasons and politics of identity. He pointed out that there



has to be a structure created for decentralization to take place, and that one must not wait for the Constitution to be written before coming up with mechanisms for transition and implementation. He suggested that the international community and experts can only share their experiences and lessons learned, but it will be up to the people of Nepal to devise a system suited for them. He also cautioned that if the period of status quo was to go on for a considerable time, then there would be stagnation and this could be detrimental to the future of the nation.

John H. Sims stressed the role of an effective public service institution in the context of federalism. He clarified that in the course of transition, it would be the public service institution which will be able to transform policies and plans into real life, and this should not be neglected at any cost. He also shared that writing the Constitution was not the end but a beginning because an enormous task would lie before us in moving toward federalism. He also spoke about the need to motivate and uplift the morale of those involved in public service so as to smooth the process of transition.

### **Provincial Legislature: Variations - September 9**

Dr. Marcus Brand [Policy Specialist- SPCBN], Dr. Bipin Adhikar [Senior Constitutional Expert] and Hon. Mangal Siddhi Manandhar presented their views on the issues to a total of 80 participants, of which 14 were CA members. Dr. Brand expressed that, although the various Committees have worked substantially in their respective fields, some important questions need to be addressed to clear confusion. The issue of the provincial legislature is one of them. He suggested that there is more than enough flexibility about unicameral or bicameral legislature as can be witnessed from international experience. Thereafter, Dr. Bipin Adhikari shared that a provincial legislature should be understood as an independent unit and not as something which is subordinate to the legislature of the Centre as it has its own distinct competencies and role to play. The Provincial Legislature will have functions of budgeting, collecting of taxes and revenues, making of provincial laws and other related functions.



### **Non-Territorial Federal Arrangements for Dalits, Muslim and Other Groups – September 2**

Mr. Michael Breen [Research and Policy Analyst from Australia] presented his views on the issue to a total of 61 participants, of which 10 were CA members. Thereafter, Hon. Mohna Ansari [Member, National Women Commission] and Advocate Yam Kisan were requested to comment and share their views to the participants. Mr. Breen expressed the idea of non-territorial federalism as a relatively new idea and it has not been practiced widely except in a few countries such as Belgium. However, it could be of great importance in managing federalism amidst great



diversity. Hon. Ansari stressed that the Muslim communities should be represented in politics as well as other organs of the State. Thereafter, Mr. Yam Kishan cautioned that Dalit's do not have a homogenous culture or language and thus, the process is more complex than what is generally understood.

## **CCD Dialogue and Seminar Series: Federalism in Nepal: How will it work?**

### **Jadan: How a Remote Himalayan Province Could Develop in a Federal State Structure**



On 26 Aug 2010, Hon. Tshimi Dorje Lama, Chhakka Bdr. Lama, Kapil Lama and Jiban Bdr. Shahi presented their views on the proposed remote province of Jadan by discussing the sustainability of Jadan with specific analysis relating to its small population size, landscape, poor economic and infrastructural development; and provided expert opinions, facts and figures, and public perceptions on the proposed province of Jadan. Dr. Pradip Upadhaya moderated the session. They identified the need of central government's support in the transition period and the development of the road network for Jadan as a must for its viability.

### **Practical Implications of Autonomous Regions and Special Regions**

This programme was conducted on 17 Aug 2010. Mr. Balkrishna Mabuhang presented his



views on the proposed state restructure on the basis of demographic distribution. He stated that the proposed boundaries between the states are not straight because the population of different ethnic groups are scattered. He also said that Janajati, Madhesi and Muslim people are demanding the rebuilding of the nation while other privileged groups are talking only of state restructuring wherein lies the present conflict. In response, the Honorable Sabitri Dura, CA Member, said that the proposed division of states must be a compromise between the parties and different interests. She also claimed that states without autonomy cannot entertain federalism in a real sense.

### **Other CCD-Sponsored Interaction Programmes**

#### **Discussion Programme with Judicial Leaders from Countries in Transition**

On August 27, 2010. Prof. Dr. N. R. Madhava Menon [Internationally renowned legal educator] and Prof. Dr. Paulus Effendi Lotulung [Deputy Chief Justice of the Indonesia Supreme Court], presented their views on various aspects of the 'Judiciary' and 'Constitutional law' to a total of 24 participants out of which 14 were CA members. Dr. Lotulung shared Indonesian judicial and Constitutional experiences and various measures adopted in this regard. He emphasized the





need for a Supreme Court to embody the following competencies, namely: to interpret the Constitution, to settle inter-state and inter-organ disputes, power to settle election disputes and power of impeachment.

Prof. Dr. Madhava Menon stated that the Nepalese constitutional process had been extraordinary in terms of seeking inclusion and making the process participatory. He emphasized that the Constitution is a living document and it evolves over time, making it a living document. He discussed the independence and accountability of the judiciary along with the elements of Constitution.

## Outside Agency Programmes Conducted at CCD

### International Experience on Police Service Delivery under Federalism



This presentation and discussion programme was organized by UK Department for International Development (DFID) and conducted and supported by the CCD on 15 Sep 2010. Prof. Dr. Otwin Marenin [Program in Criminal Justice at Washington State University, U.S.A.] and Dr. Philipp H. Fluri [Deputy Director, Centre for the Democratic Control of Armed Forces, Geneva, Switzerland] presented their views to 33 participants of which nine were CA members. For comparison in the Nepali context, Dr. Marenin presented the international experience with police service delivery in six diverse countries where Federalism has been adopted.

## Interview with Shanti Devi Chamar, Woman CA Member

### A Catalyst for Social Change

Shanti Devi Chamar, a CA member of the CPN-UML, who was the chairperson of Kapilvastu's Village Development Programme (VDP) before entering into politics.<sup>6</sup> She was made chairperson due to the fact that she the only woman in the area who had passed her SLCs. She worked hard at her position as she realized how difficult it was to get services from the ward office and district development committee. She was initially elected as ward chair in local elections on a Nepali Congress (NC) ticket. While working in the ward, however, she suffered from discrimination for being a Dalit. She says, as a result, her voice was never heard and she was not even allowed to sit with upper cast people of the committee. When she raised her

<sup>6</sup> VDPs are found in 65 districts and are supported by UNDP's Decentralized Local Governance Support Program

voice against this discrimination she says she was harassed and therefore she decided to resign from the NC and join the CPN-UML as she felt it was a less discriminatory party. Her eyes filled with tears when she told the CCD CB e-Bulletin how she was once given food in a rusty plate because she was a Dalit woman.

**CCD: Tell us about your election as a CA member?**

**Chamar:** Well, you might be aware that women are discriminated against in the Terai. We hardly have any opportunity to interact with male members of our society. This leads to a very limited number of women who enter politics or engage in other similar social activities. As I was already active in the CPN-UML in quite a senior position, my party rewarded me with the opportunity to become a CA member under the Proportional Representation (PR) system.



*Photo: Nepali Times*

**CCD: Can you share an instance when you faced discrimination as a Dalit woman?**

**Chamar:** I was once the enumerator in the Terai for collecting data on reproductive health. I went to a so-called upper caste household to collect data and was forced to wait a half hour in the hot June mid-day sun before I could collect the needed data. When I asked for water at the end of the data collection, I was directed towards a public tap.

**CCD: Have you experienced any difference in behavior after becoming a CA member?**

**Chamar:** My experiences show that the degree of discrimination largely depends on economic status. The discrimination that I mentioned above happened when we lived in a hand to mouth situation. But when I joined active politics and my family also started earning better the situation became very different. Now, it's totally different. That said, discrimination still exists, particularly in areas where the level of education is low. That is to say education has brought changes against such malpractices. So the level of discrimination now is less than before.

**CCD: You are currently involved in the historic task of constitution writing. How have you been raising the issue of Dalits women with reference to the new constitution?**

**Chamar:** I have been raising the issues of Dalits and Dalit women in my CA Committee, the Committee on State Restructuring and Distribution of State Power. Special provisions have been mentioned for Dalit women including the opportunity to education, employment and ownership of land. Though there are dissenting opinions on the report, I am hopeful that there won't be differences of opinion with regard to providing rights and justice to Dalit women. I have also submitted a dissenting opinion on the report demanding 7% reservations at the local level, as well.

**CCD: Like the women and indigenous caucuses, do you also feel that there should a Dalit CA women caucus, as well?**

**Chamar:** Though there is a caucus of Dalit CA members, there is no separate caucus for Dalit women CA members. This caucus is comprised of 49 Dalit CA members. We have prepared a 20-point demand. This was based on an analysis of the thematic committee reports.

**CCD: Lastly, how hopeful are you about the promulgation of the constitution by May 2011?**

**Chamar:** In my opinion the political deadlock must be ended and a national consensus government must be formed for speeding up the constitution writing process. If this does not happen, it will be difficult for us to get a constitution by next May. However, we women will continue to make efforts together for a timely statute. In my opinion we must rise above partisan interests to achieve the greater interests of the nation

## **BBC World Service Trust Activities**

### **Sajha Sawal Update**

During this period, Sajha Sawal has been quite global! We aired one programme which had been presented and produced from the US - looking at the Nepali Diaspora, the focus for Episode 144 was to what extent there was Foreign Intervention in Nepali politics and our most recent programme discussed the question of "What kind of Welfare State there should be in the new Constitution?" The first programme in US was on 'Views of the Nepalese Diaspora on Nepal's Peace Process and Constitution Writing.' This programme was recorded on 27<sup>th</sup> June at Hotel Radisson Cross Key, Baltimore, with 80 audience members from different walks of life and included businessmen, job-holders, teachers and students.

**To what extent is there Foreign Intervention in Nepal?** This discussion was topical following talks with the Indian Prime-minister special envoy, Shaym Sararn, after the Nepali Constituent Assembly failed to elect a prime minister in the third round of voting. The three panelists were:

- Ramkumar Sharma (Central Committee Member, UCPN Maoist)
- Gagan Thapa (C.A. Member Nepali Congress)
- Prof. P. Kharel (Analyst)

All the panelists agreed that there is an increasing degree of Foreign Intervention partly due to the lack of political consensus amongst the main parties here. Gagan Thapa said that if the country could economically prosper and stand on its own this would play a key part in stamping out foreign intervention. Prof. Kharel said "we cannot stop foreign influence". He urged the leaders to "stand on their own to stop intervention". He went on to say "poverty is not the

only reason for intervention. The geo-political situation of the country is also the reason for increasing foreign interests." At the end of the programme we invited more comments by giving the email address of the Nepali Service. On our Facebook page, listeners and viewers thanked us for raising these issues.

### **What kind of Welfare State will there be Under the New Constitution?**

More than a thousand of suicide cases have been reported over the last four months. The trend of committing suicide has risen across the country in recent months because of various factors including; poverty, depression, unemployment; break up in love affairs and marriage. Sajha Sawal's discussion examined the subject of social welfare state and what sort of provision should be there in the new constitution and what kind of support network the civil society can expect.

The panellists of the program were:

- C.K. Lal (Sociologist, Anthropologist)
- Binda Pandey (CA Member, Chairperson thematic committee on Fundamental Rights and Directive Principles)
- Dr. Nirakar Man Shrestha (Psychoanalyst)

Front Row Guest - Shanta Nepali (CA Member, UML Sociologist)

All the panellists agreed that Nepal is presently not a social welfare state and it faces many challenges to earn this status. The new constitution should guarantee the basic fundamental rights of people and address these issues.

**CK Lal (Sociologist, Anthropologist):** "The massive change in our social value system, changing modality of family (being more individualistic) and the rapid growth of a market oriented society has replaced the old social, cultural religious system and has established an entirely new system. That means those who can struggle will survive and those who can't will demise. We are exactly in that position right now." He believes that now we are running in the stage of statelessness. Those who are already capable can help themselves but those who are helpless and hopeless cannot; they need and even expect support from the state. He further added that people need to be independent through job creation and better employment and not dependent on the Government as he thinks Nepal in the end cannot afford to operate as full welfare state.

**Binda Pandey:** In the draft constitution we tried to address these kinds of issues by coming up with dozens of provisions on an individual's right to health, employment, education and land reformation. She argued that a new kind of tax system should be implemented so that the poor and needy people will benefit. The Government, she says can't provide employment and food to each and every person but can, at least, make such provisions so that they will learn to be self sufficient and financially independent.

**Dr. Nirakar Man Shrestha - (Psychoanalyst):** The gap between the haves and the have-nots is the major problem. The State should be aware and address this issue as soon as possible before the gap becomes wider. Research shows that within the last 27 years, suicide cases have almost doubled and this is due to depression. The major reasons behind people being depressed are social and political. "According to Dr. Shrestha, "If people can't get support from their family, society and even from state they will be stressed and this leads to them committing suicide." He believes that the rate will be less if those who are less well-off, living in villages and rural areas are treated the same as those living in towns and cities. Everyone he says is entitled to the same facilities such as health, education, employment and strong social security.

**(Front row guest)**

**Sharada Nepali (CA Member who recently attempted to commit suicide)**

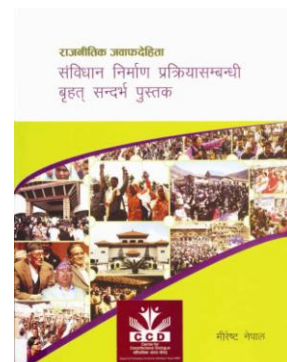
"I am feeling quite good these days. I feel a new kind of hope within me. Now we have formed a new party and this will help me find a new direction in my life. I think it's the state responsibility to create hope within its people and the disparity among rich and poor should be abolished. "

#### **Audience comments**

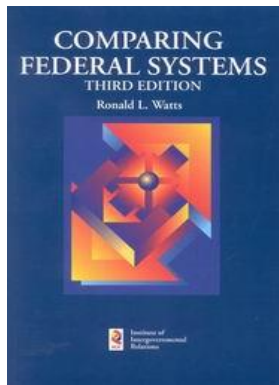
- Health, education, shelter, employment and other basic needs should be guaranteed by the Government and a better provision of allowances.
- Political parties should be more accountable.
- Political parties should ensure that its people are represented better and more fairly in the Constitution.
- Needy people are not getting proper facilities whereas those who are close to the political leaders are benefiting. This kind of system should come to an end.
- The State has to come up with different techniques and new policies to address the issues of the poor and needy people.

## **CB Resources and Recent Publications**

**Political Accountability: Resource Book on Constitution Making Processes** edited by Kumar Yatru and published by Mirest Nepal in the year 2010. It is collection of research based papers presented by several experts. The book deals with Constituent Assembly and constitution making process. A lot of effort has been made to ensure the usefulness of this book to the members of the Constituent Assembly, its technical hands and also the stakeholders working in the constitution making process. The book is in Nepali Languages.



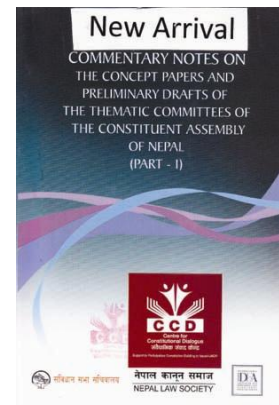
**Comparing Federal Systems** by Ronald L Watts is fully updated; this third edition encompasses reference to a wider range of federations and federal experiments. Included are mature federations such as Switzerland, Canada, Austria, Germany, and India; emergent federations such as Mexico, Malaysia, Pakistan, Spain, Brazil, Belgium, Russia, Argentina, Ethiopia, South Africa, Nigeria, and Venezuela; micro-federations such as Micronesia, Belau, St. Kitts and Nevis, and Comoros; federal-confederal hybrids such as the United Arab Emirates and the European



Union; and post-conflict federal experiments such as Bosnia and Herzegovina, Sudan, Iraq, and Congo. Federations that have failed are also discussed. Watts looks at interactions between social diversity and political institutions, the distribution of powers and finances, processes contributing to flexibility or rigidity in adjustment, the extent of internal symmetry or asymmetry, the character of representation in federal institutions, the role of constitutions and courts, provisions for constitutional rights and succession, the degree of centralization and non-centralization, and the pathology of federations."

**Commentary Notes on the Concept Papers and Preliminary Drafts of the Thematic Committees of the Constituent Assembly of Nepal (Part I)**

jointly published by Nepal Law Society, Idea International and Constituent Assembly of Nepal. In this book 6 concept papers and preliminary drafts prepared by the thematic committees have been reviewed by experts and put forward suggestions after analyzing the strengths and weaknesses found in the preliminary drafts from the viewpoint of legal and constitutional norms.



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