LGCDP-II Transition to Sub National Governance Programme

10th NATIONAL EXECUTIVE COMMITTEE MEETING

Aide Memoire

The 10th National Executive Committee (NEC) meeting of the Local Governace and Community Development Programme- Transition to sub National Governace Programme (LGCDP II-TSNGP) was held under the chairpersonship of Mr. Dinesh Kumar Thapaliya, Secretary, Ministry of Federal Affairs and General Administration (MoFAGA) on 25th June 2018 to discuss and extent the duration of LGCDP II- TSNGP until 31 December 2018, approve Annual Strategic Implementation Plan 2018/19 and to discuss the Provincial and Local Governance Support Programme (PLGSP). Honorable Minister, Mr. Lal Babu Pandit, Ministry of Federal Affairs and Genral Administration attened the meeting as the chief guest. Mr. Shankar Prasad Koirala, Secretary of Ministry of Federal Affairs & General Administration and Mr. Baikuntha Aryal, Secretary of National Natural Resource and Fiscal Commission along with members from Ministry of Finance, Office of the Primeminister and council of Ministers, Office of the Auditor Genderal in Nepal, Public Procurement Management Office, Local Government Associations were present in the meeting. Moreover, H.E Mr. Lasse Bjørn Johannessen, Ambassador, Embassy of Norway, Mr, Diepak Emler, Head of Cooperation SDC and DP Chair, Mr Rurik Marsden Obe, Head of DFID Nepal/ DP Co-Chair, Ms. Valerie Julliand, UN Resident Coordinator, Head of the Missions, Joint Secretaries and representatives from line ministries and development partner were also present in the meeting.

Opening remarks by Mr. Dinesh Kumar Thapaliya, Secretary MoFALD, and NEC chair.

Mr. Dinesh Kumar Thapaliya, welcomed chief guest Honorable Minister of MoFAGA, NEC members and other participants. In his openining remarks, Mr. Thapaliya mentioned that the Government of Nepal is serious about the transition to federal system and in this regard MoFAGA has prepared 35 models laws and provided to local government. He further mentioned that administrative restructuring work is in final stage and organizational structure of local government is in place. Moreover, provincial level structure as well as structure of the Ministries and been formulated. Additionally, GoN has allocated about 32 percent of the total national budget to the provincial and local governments for the FY 2018/19 in the form of fiscal equalization grants, conditional grants, but there is a need to enhance the capacity of sub-national government to use the resources optimally.

Mr. Thapaliya pointed out that adoption of constitution has highlighted the urgency to move on from LGCDP to a new programme in managing the transition to sub-national governance. However, the achievements of LGCDP is still relevant in the changed context in whatever environment LGCDP was implemented. Moreover, the Mid Term Review of LGCDP II has





pointed out the importance of continuing the programme like LGCDP in new modality in the changed context. In this context, MoFAGA jointly with development partners has prepared the Provincial and Local Governance Support Programme to strengthen intergovernmental and subnational governance systems and procedures as well as to enhance the capacity of sub-national governments to deliver services effectively to citizens. He further highlighted that discussion is underway to finalize the PLGSP programme document and it expected to be commenced from January 2019 for a period of four year. It will be a joint programme of the Government of Nepal and development partners in the area of capacity development of sub-national governance. He mentioned that since PLGSP is in discussion phase and LGCDP II -TSNGP is ending in mid-July 2018, so ministry wants to extend the duration of TSNGP for six months to conclude some of the ongoing activities and to achieve the trigger results of PLGSP.

Mr. Tahpaliya expressed gratitude to development partners for their coordinated support to build a stronger and democratic Nepal.

Opening remarks by H.E Lasse Bjørn Johannessen, Ambassador of Norway

H.E Mr. Lasse Bjørn Johannessen, congratulated MoFAGA for organizing the NEC meeting and mentioned that Norway is pleased to see that the LGCDP II, the TSNGP (Transition to Sub national Governance Programme) has been relevant and useful for the local governments. H.E Mr. Johannsen appreciated MoFAGA for organizing the fiduciary risk mitigation meeting on 12 June 2018 and for providing audit report, financial monitoring report and action plan documents that has helped development partners to know the progress and action taken by ministry to address fiduciary risk. He expressed that Norway is pleased to see MoFAGA commitment on reducing audit arrears. Furthermore, he mentioned that fiduciary risk assessment is necessary for developing an action plan for the new programme.

H.E Mr. Johannessen reiterated Norway's support for the extension of LGCDPII- TSNGP to mainstream gender and social inclusion and appreciated MoFAGA for promoting gender equality and social inclusion. He acknowledged the achievement of LGCDP II- TSNGP, reiterated the commitment to support Provincial and Local Governance Support Programme and shared his hope for MoFAGA to finalize the PLGSP document as soon as possible.

Opening remarks by Mr. Diepak Elmer, DP Chair/ Head of Cooperation SDC

Mr. Diepak Elmer welcomed all the participants on behalf of development partners and appreciated Government of Nepal's effort to institutionalizing the federalism by implementing it at all level of government and presenting the federal budget. Mr. Diepak commended MoFAGA efforts to capacitate local level government and provincial level government to enable them to carry out their authority as per the constitution and also expressed regards Honorable Minster, Secretary and LGCDP team for the commitment to capacitate local government.

He pointed out that LGCDP II- TTSNGP is coming to an end, there is a need to formally close the programme for having a new start and highlighted that Government of Nepal and development

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partners are together in designing new programme for enhancing the capacity of local government. He further added that development partners are committed to support government of Nepal in true spirit of federalism. He explained that considering the nature of programme, its ambition, the fluidity of the institutional context and the large number of stakeholders involved in programme design, many things need to be agreed first. This is one of the reasons for the delayed start of the program. He expressed hope that new program will start from Jan 2019 and developmement partners are committed to support the government to enhance the capacity of local government. However, there is still need of clarity on many issues mainly who and how will the programme be implemented, how will challenge fund be managed and how will the Provincial Center for Good Governance will be managed including its governance mechanism and accountability?

He hoped that PLGSP trigger results will be achieved by the end of 2018 as agreed and mentioned that development partners are committed to support the team to get trigger results for the start of the new programme. He requested MoFAGA to settle LGCDP audit arrears which will create enabling environment for development partners to commit for the new programme.

Mr. Elmer appreciated the team efforts and expressed that it is time to strengthen the local government with capacity building and reiterated that development partners commitment to support the programme at local and provincial level for Nepali people to process the federalism.

Status on Action Taken on 9th National Advisory Committee (NAC) meeting

Mr. Purusottam Nepal, National Programme Director presented in brief the status of action taken to address the decisions of the last NAC meeting. He mentioned that most of the actions were compiled, however two decisions, one related to establishing the mechanisam to coordinate with all DPs who are interested in supporting various capacity development activities for newly elected representative and another on the resolving audit arrears were partially compiled. Regarding audit arrears about 33% arrears have been settled and efforts are underway to settle remaining arrears.

Update on achievements of LGCDP-II-TSNGP.

Mr. Resham Lal Kandel, National Programme Manager highlighted in brief the status of LGCDP II- TSNGP

Following are the major achievements of LGCDP-II-TSNGP as of May 2018.

- 1. Outcome 1, Sub National Governance Institutionalization and Capacity Building: Interim organizational structures of LGs has been operationalized; 35 model laws developed and provide to local governments; Mayors, Deputy Mayors, Chairs and Vice Chairs, DCCs' elected representatives and LG staff oriented on various local governance issues; roaster of experts in 12 thematic areas prepared. District Coordination Committees are organizing 5 training packages to LG officials.
- 2. Outcome 2, Community mobilization sustained with the new SNGs: About 4371 social mobilizers have provided support to LGs and exit strategy for social mobilization is drafted.



About 3% CAC are federated into cooperatives out of 13040 Citizen Awareness Centres (CACs).

- 3. Outcome 3, Public Financial Management Strengthened: Some of LGs have adopted e-procurement system and orientation regarding the SuTRA is conducted in all provinces in coordination with Ministry of Finance (MoF).
- 4. Financial Delivery Status: The financial progress as of May 2018 is about 62%. Similarly, audit arrears settlement is 33%.
- 5. Joint Field Visit: MoFAGA and DPs visited 5 LGs of Province no 7 and major findings are as follows:
 - Basic infrastructure is lacking in most of the new LGs.
 - Human resources not yet fulfilled
 - Monitoring and Coordination mechanism among the provinces, DCCs and LGs is yet to be established and operationalized.

Synopsis of Proposed Provincial and Local Governance Support Programme (PLGSP)

Mr. Purusottam Nepal, National Programme Director highlighted in brief the goal, objectives, outcomes, outputs, implementation modality and organizational structure of PLGSP.

The goal of the programme is the attainment of functional, sustainable, inclusive and accountable sub national government. The programme aims to strengthen intergovernmental and sub national governance systems and procedures and to enhance the capacity of sub national governments to deliver service effectively to citizens, including women and disadvantaged groups. There are three outcomes in the programme which are as follows:

- 1. System and procedures for basic functioning of inclusive and accountable local governments established and made operational.
- 2. Provincial government's capacity to cope with their mandate enhanced.
- 3. Federal ministries /agencies role in intergovernmental coordination and guidance streamlined and enhanced.

There is a provision of National Steering Committee chaired by Honarable Minister of MoFAGA, Programme Coordination Unit headed by National Programme Director/Joint Secretary of MoFAGA and Provincial Programme Implementation Unit headed by Provincial Programme Manager(Executive Director of proposed Provincial Ceneter for Good Governance).

Highlights of Annual Strategic Implementation Plan (Extended period July – Dec 2018)

Mr. Resham Lal Kandel, National Programme Manager explained in brief the strategy and guiding principle adopted in formulating ASIP 2018/19. The major activities included in ASIP are





assessing capacity needs assessment of LGs, piloting of Local Government Institutional Self Assessment, formulating Monitoring and Evaluation Framework, fiduciary risks assessment and establishing Provincial Center for Good Governance as implementing agency of PLGSP

The proposed budget is USD 4.09 million of GoN contribution is USD 0.69 million, JFA is USD 3.07 million. The budget for JFTA is USD 0.96 million.

Plenary Discussions

After the presentation by NPD and NPM, the floor was open for the discussions. Following are the major comments and feedback receive during the discussion session.

National Association of Rural Muncipalities in Nepal (NARMIN): Representative from NARMIN congratulated MoFAGA for their hard work on capacitating local level. NARMIN raised concern on lack of consultation with local level and provincial level is designing PLGSP programme document. Appreciated MoFAGA steps to have a consultation with provincial level but also reminded that for institutionalizing federalism in the spirit of the constitution, consultation at provincial level is not enough, it is essential to have communication with local and federal level for mutual consensus. Likewise, concern is raised on participation of government officials in the National Steering Committee and Provincial Steering Committee. NARMIN suggested that Provincial Steering Committee be chaired by Chief Minister instead of Principal Secretary.

Association of District Coordination Committee in Nepal (ADCCN): Representative from the ADCCN appreciated MoFAGA effort to develop a design on the new programme that will work on the capacitating the local level. Raised concern on participation of local level representatives including the DCC officials and LG Associations in the process of formulating PLGSP. She pointed out that in developing roaster of resource persons local experts should also be included as the trainers as they have knowledge on local level concerns. Emphasized for integrating the topics like women violence and gender-sensitive issues in the module as local level is giving emphasis on such issues.

Municipality Association of Nepal (MuAN): MuAN raised concern about the relevance of the programme in the spirit of federalism and recommended the Ministry on rethinking the design of the program for matching the whole governance system in the present context. Further pointed out three concerns on explaining the relevancy of the programme. First is on the voice of municipality to justify the relevance of the programme and ensure the consultation with the municipality for whom the programme is made, which will lead the municipality to own the programme. Second is on the representation system in provincial and local level. Third is on leadership who should lead in National/Provincial Steering Committee..

Development Partners (DP) chair: DP chair expressed that development partners have attentively listened to the comment raised in the meeting and is committed and ready to have a dialogue on the concerns raised for supporting federalism.

Secretary

Felicitation of Mr. Tom Winglfied and Ms. Sophie Kemkhadze

Honorable Minister Mr.Lal Babu Pandit thanked Ms.Sophie and Mr. Tom for their continuous support for LGCDP and appreciated their impeccable commitment and support toward strengthening local government through LGCDP-II. On behalf of MoFAGA, Honorable Minister Mr. Lal Babu Pandit presented Ms. Sophie and Mr. Tom with a token of appreciation.

Remarks by Ms. Vallerie Julliand, Resident Coordinator, UN.

Ms. Vallerie Julliand expressed her happiness for Minister of Federal Affairs and General Administration for organizing the National Executive Committee meeting as this is a very important forum to discuss the issue on the development and shared that DPs have a long relationship with the Ministry on local governance. She further appreciated the trust and partnership with the government of Nepal for implementation of LGCDP has which brought good results.

She congratulated Government for recognizing the constitution and Ministry of Federal Affairs and General Administration (MoFAGA) for providing support during the transition for developing local and provincial government, their capacity development and action plan for those activities to strengthen sub-national government. She noted that capacity building at all level is difficult task and UN is committed to supporting this initative and by highlighted on the need to have whole of government approach to address all the needs including the gender-sensitive issues. She reiterated UN's committed to supporting government at all level to achieve the trigger results that will enable in the initiation of the programme from Jan 2019.

She appreciated the approach for enhancing good governance and sub-national capacity development and also appreciated the idea of challenge funds and a shared belief that such programme would develop positive and healthy relations between local and provincial level and reiterated that UN is supportive in the implementation of such mechanism.

She reiterated that UN is fully committed to supporting government at all level, federal, provincial, local and also civil society endeavors to have good governance at the local level to ensure federal Nepal is successful Nepal.

Remarks by Mr. Rurik Marsden, Head of DFID Nepal, DP Co-chair

Mr. Rurik Marsden, expressed thanks MoFAGA and especially to Minister for his participation, which shows there is strong start from the government for the next project with stressing that the capacity at the local level is a critical constraint for the successful implementation of federalism..

Mr. Marsden appreciated the participation of all the stakeholders as discussion and reflection have brought views from all the spheres of government and this has helped to open the discussion to move forward with a flexible approach for the appropriate structure of the project. Moving forward, he stressed that for PLGSP to succeed there are four important agendas consultation, the involvement of new entities that are growing at the local level, federal assessment, and audit arrears. Emphasizing the consultation, he further said taking views of different spheres of government is





important to make a clear design for the new programme and equally important is to get views from the political level that is in provincial and local level for their authorization, which is necessary for programme. Likewise, he also highlighted the participation of new entities at the local level could bring added value as they meet the need of local for the response of federalism. He suggested MoFAGA to have coordination with the government-an owned mechanism that is started by some other mediums to understand the growing picture what is need of federal structure.

He emphasized on audit arrears settlement and appreciated the commitment and efforts of MoFAGA on clearing the audit arrears because not completing audit arrears might bring the risk for development partners to remove the financial aid.

He appreciated the efforts and hard work on PLGSP, reiterated the commitment to work in partnership for brining all the stakeholders for this important work to make the federalism successful in Nepal.

Remarks by, Mr. Baikuntha Aryal, Head of National Natural Resource and Fiscal Commission, NNRFC.

Mr. Baikuntha Aryal congratulated MoFAGA and LGCDP team for bringing the capacity development program in local level and appreciate DP's support for this essential work. However, for the success of the programme, there are three things that need to be considered.

Firstly is in the duplication of the programme and how to remove this. There is another group named Federalism Working Group which is working in capacity development and also World Bank is working on capacity need assessment. So, to build the capacity development programme, it is a necessity to understand need first and then design a programme. Therefore, it is a recommendation to the Ministry to have communication with such initiatives for the coherence of the programme rather than duplication.

Second is on executing modality; there is about 92 % funds support from the government and only 8% technical assistant. The challenge has been that most of the allocated fund in the off treasury part have been utilized, however, the spending from treasury part has always seen as difficult. Therefore, talking about off treasury mechanism, how can we ensure effective programme implementation? The suggestion is to simplify the components of the programme for effective delivery. A good part of the on treasury programme is the challenge fund, but how will it be administered is the biggest question?

Third is regarding the National Executive Committee because it has questioned that is how can the committee be called executive committee if it doesn't execute anything? It can be either called advisory committee as before or steering committee. Also, DP's participation in steering committee is not applicable as it is solely government committee nevertheless DP's can participate as invitees and can complement the initiation of government.

He expressed readiness in supporting the programme for its effective implementation.

Closing remarks by Honorable Minister Mr. Lal Babu Pandit, Minister MoFAGA.



Honorable Minister Mr. Lal Babu Pandit thanked all participants for active participation and valuable suggestions and acknowledged that all the comments and feedback received will be taken into account in finalizing the PLGSP programme document. He stressed that there are many opportunities and challenges in moving from unitary system to federalism and Ministry needs support from all to move forward.

Honorable Minister Mr. Pandit expressed hope in getting support from all in enhancing the capacity of provincial and local government. Additionally, he mentioned that Ministry has understood on developing the transparent working procedure as mentioned in the constitution and for creating it, there is a need of support from everyone and reiterated that he is hopeful to get the support to move forward. Likewise, Honorable Minister also gave emphasis on settling audit arrears and mentioned that Ministry is committed and is working hard to find the solution for reducing the audit arrears in view of concern of development partners on this regard.

Closing Remark, Mr. Shankar Prasad Koirala, General Administration, Ministry of Federal Affairs and General Administration (MoFAGA).

Mr. Shankar Prasad Koirala mentioned views and comments received from the participants is important. He further said that after constitution implementation, there was need for restructuring the administration in federal, provincial and local level. The priority was to allocate the staff in those level for better functioning of the administration. As per the restructuring about 90% work is completed and staff are allocated in the places in respective positions. There is need of more support to work out the allocations.

Mr. Koirala emphasized that there is need of collaboration, coordination and partnerships to build more stronger mechanism for enhancing the capacity of local level. He thanked all for their active participation and views and said there should be initiation from Ministry to incorporate all the issues raised whike finalizing the PLGSP programme document.

Mr. Koirala thanked Honorable Minister for his leadership and requested development partners for support in successful implementation of new programme.

Key Decisions:

- 1. The Committee expressed satisfaction on progress made by LGCDP- II-TSNGP in FY 2017/18 and acknowledged the receipt of relevant documents as defined in the JFA for its discussions and deliberations including: LGCDP-II-TSNGP Progress Report (APR), audited FMR for 2016-17 and approved all these reports.
- The NEC appreciated MoFAGA especially LGCDP II-TSNGP for successfully implementating the ASIP 2017/18 and thanked, MoFAGA and concerned stakeholders for their efforts to carry out LGCDP-II-TSNGP activities smoothly despite all the challenges.
- 3. The NEC took note of the Provincial and Local Governance Support Programme (PLGSP) document and agreed in principle the programme document for further consideration of the Government of Nepal. The NEC recommended for elaborating the trigger results and





Strategic Implementation Plan and submit along with prodoc by September 2018 to endorse by NEC in the next meeting.

- 4. The NEC endorsed the recommendation made by the Joint Task Force on 7th May 2018 and to elaborate the trigger results and, to be achieved by 31st Dec 2018 in the revised prodoc of Provincial and Local Governance Support Programme (PLGSP). The NEC recommended to finalize the PLGSP prodoc by incorporating the comments and suggestions received from officials of provincial government, local government and LG Association.
- 5. The NEC agreed for extension of the LGCDP-II TSNGP for six month (July 2018 to December 2018) to meet the trigger results and support activities that will formally close down LGCDP-II-TSNGP and to facilitate in meeting the trigger results that will enable in declaring PLGSP effective.
- 6. The NEC recommended LGCDP-II-TSNGP management to submit the LGCDP-II programme completion report with focus on key lesson learn and achievement that has contributed towards federalization in Nepal.
- 7. The NEC recommended to extend the duration of the current Joint Task Force until November 2018 with additional mandate to review the trigger results and present it in the next NEC meeting
- 8. The NEC approved the Annual Strategic Implementation Plan of LGCDP-II TSNGP covering a period July December 2018 but the expenditure related to PCGG can be used only after the formal decision to establish the center is taken and the approval of the capcity needs assessment report by the Joint Task force.
- 9. The NEC recommended MoFAGA to resolve all the audit arrears/Issues related to LGCDP and prepare detail audit report addressing audit issues raised by OAGN audit report by the end of next fiscal year (2075/76).
- 10. The NEC recommended the extension of the current Joint Financing Arrangement and the Technical Assistance (UNJP/PPSF) for additional six month (16 July 2018- 31 December 2018) to facilitate the transition period from LGCDP II- TSNGP to the new Provincial and Local Governace Support Programme.
- 11. The NEC expressed its deep appreciation to Mr. Tom Wingfield, Team Leader, Governance DFID Nepal and Ms. Sophie Kemkhadze, Deputy Country Director, UNDP Nepal for their impeccable commitment and support toward strengthening local government through LGCDP-II. The committee expressed best wishes to both of them for success in future endeavors as they are leaving Nepal after successfully completing their tenure.

List of Participants

राष्ट्रिय कार्यकारी समिति (The National Executive Committee - NEC) को बैठक

आज मिति २०७५ असार १९ (25th June, 2018) गते सोमबार सङ्घीय मामिला तथा सामान्य प्रशासन मन्त्रालयका सचिव श्री दिनेश कुमार थपिलयाज्यूको अध्यक्षतामा विभिन्न मन्त्रालयका सचिवज्यूहरु, सहसचिवज्यूहरु, बिकास साभ्नेदार तथा अन्य विभिन्न निकायका प्रतिनिधीहरुको उपस्थितिमा स्थानीय शासन तथा सामुदायिक विकास कार्यक्रम (LGCDP II- TSNGP) को राष्ट्रिय कार्यकारी सिमिति (NEC) को दशौँ बैठक वसी निम्नानुसारको निर्णयहरु गरियो ।

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