



Ministry of Federal Affairs and Local Development – JICA Technical Cooperation
The Strengthening Community Mediation Capacity for Peaceful and Harmonious Society Project Phase II (JICA COMCAP - II)

JICA COMCAP - II NEWSLETTER

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MESSAGE FROM PROJECT TEAM LEADER

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The Strengthening Community Mediation for Peaceful and Harmonious Society Project, Second Phase (JICA COMCAP - II) is a bilateral project under Ministry of Federal Affairs and Local Development (MoFALD) of Government of Nepal. Japan International Cooperation Agency (JICA) is providing Technical Support to implement this project.

The first phase of COMCAP was implemented in 20 pilot VDCs of Sindhuli and Mahottari districts to introduce community mediation service within local bodies in collaboration with MoFALD from 2010 to 2014. The outcome of this phase was not only positive in providing access to justice for marginalized groups but also supportive for accelerating local development initiatives in the areas with community mediation service.

Considering these positive outcomes, MoFALD decided to roll out community mediation all over the nation and incorporated community mediation in a national programme, Local Governance and Community Development Programme, second phase (LGCDP - II). In this regard, JICA has continued its technical support to formulate central level policy and guidelines for promotion of community mediation and its institutional

development through JICA COMCAP - II. This second phase of the project has been implemented from June 2015.

The project is supporting in piloting community mediation implementation through local governance structure of MoFALD by developing community mediators and starting community mediation centers in selected VDCs and Municipality in three pilot districts. It has also updated the mapping of community mediation implementation areas in Nepal. Information sharing, development and dissemination of publicity materials on community mediation are also other activities of the project. This Newsletter is also a part of information dissemination and we hope that this publication will make the stakeholders aware about the project activities.

We would appreciate constructive feedback from the concerned stakeholders for better implementation of upcoming project activities.

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Dhanusha Community Mediators receiving oath of commitment from Hon. Makwanpur District Judge

PREPARATION OF DOCU-DRAMA AND DOCUMENTARY ON COMMUNITY MEDIATION

Community mediation, an effective method of community level dispute resolution has been implemented in Nepal since 2001. Internalization of this system by Government of Nepal started from 2010 when the Ministry of Federal Affairs and Local Development (MoFALD) collaborated with Japan International Cooperation Agency (JICA) to implement the first phase of the Project for Strengthening Community Mediation Capacity for Peaceful and Harmonious Society (COMCAP, from 2010 to 2014).

In this period, Government of Nepal has formulated and enacted Mediation Act and Mediation Regulations. Mediation Council, a regulatory body provisioned by the Mediation Act has given responsibility to MoFALD for managing implementation of community mediation through local bodies. MoFALD has also incorporated community mediation in its national programme, Local Governance and Community Development Programme, Second Phase (LGCDP - II). Second Phase of COMCAP Project (COMCAP - II) is also implemented from 2015 to 2018 to support MoFALD in institutionalizing community mediation system in Nepal.

In this connection, JICA COMCAP-II has supported MoFALD in developing videos of two docu-drama and one documentary on community mediation. A docu-drama, named Chhimeki (The Neighbor) was filmed in Sindhuli area containing the story of common dispute in hilly community while the other docu-drama, Pariwar (The Family) was filmed in Mahottari area consisting the story of common dispute in Madheshi community. Each of these docu-dramas are about 22 minutes long and expected to be helpful in disseminating process of community mediation. Documentary on community mediation named Pahilo Khudkilo (The First Step) contains the information on development of

community mediation, interviews with different stakeholders and future strategies of MoFALD to expand community mediation all over Nepal.

The videos were developed by MoFALD with technical assistance from JICA COMCAP - II and produced by Antenna Foundation Nepal.



Artists performing in video docu-drama

SELECTION OF VDCs AND MUNICIPALITIES AND DISTRICT LEVEL ORIENTATION PROGRAMME

Ministry of Federal Affairs and Local Development (MoFALD) selected three districts; Morang, Dhanusha and Tanahun for piloting the MoFALD model of community mediation through JICA COMCAP - II based on the data of baseline survey and considering the different geographical and socio-cultural diversity of the country. After district selection, MoFALD and JICA COMCAP - II made district visit and interaction with Local Development Officers (LDOs) and Social Development Officers (SDOs) of selected districts. During the interaction, the data of community mediation implementation in Village Development Committees (VDCs) and Municipalities in respective districts were presented to the officers. The visit team also requested the officers to select VDCs and Municipality (in Morang only) to implement MoFALD model of community mediation. Based on the information and request from the visit team, the District Development Committees (DDCs) selected VDCs and Municipality to implement community mediation through JICA COMCAP - II.

After selection of VDCs and Municipalities, JICA COMCAP - II organized one day orientation programme in district headquarters of each of the project districts. The participants of the programme were LDO, SDO and Planning, Monitoring and Administrative Officer from DDC; Executive Officer, Ward Secretaries and Social Mobilizers from Municipality and VDC Secretary, Assistants and Social Mobilizers from selected VDCs.

During the district orientation, project Focal Officer and MoFALD Section Officer Mr. Janak Raj Sharma presented introduction on mediation and community mediation, status of its implementation



Participants of District Level Orientation, Morang

and provision of recording and reporting system developed by MoFALD. Project Manager and MoFALD Under-Secretary Mr. Bandhu Prasad Bastola presented about Nagarkot Declaration on community mediation and provision of Mediation Act, Regulations and Community Mediation Implementation Guidelines being formulated through MoFALD. Participants raised different queries about provision of community mediation implementation under MoFALD, roles and responsibilities of VDCs and Municipalities in managing community mediation in local level and its recording and reporting system.

SELECTION OF COMMUNITY MEDIATORS

Community mediators are required to develop skills on community mediation. As provisioned in Community Mediation Implementation Guidelines by MoFALD, there should be at least eleven community mediators in each VDC; one each from every ward, one VDC Assistant staff and Social Mobilizer. Three mediators from each ward, ward secretary and Social Mobilizer are provisioned to be community mediator in case of the Municipality.

The selected VDCs of JICA COMCAP - II project districts recommended eleven candidates of community mediators from each VDC. The VDCs organized mass meeting of political party representatives and other VDC level stakeholders and informed about community mediation, government strategy to roll out community mediation throughout the nation, need of community mediators for implementing community mediation, basic requirements of candidates for community mediators and so on. The mass meeting recommended one candidate from each ward based on the information provided as well as the consideration on social inclusiveness like inclusion of proper number of women, representatives from major ethnic/caste groups etc. In some VDCs, the selection of candidates for community mediators was done by Ward Citizen Forum (WCF). Social mobilizers informed about community mediation and qualifications of candidates of community mediator. Then the WCF recommended the name of mediators to the VDC.

After VDCs selected the candidates for community mediators, JICA COMCAP - II supported by organizing a half-day orientation meeting for the proposed candidates in their respective VDC Office. In the meeting, JICA COMCAP - II oriented the proposed candidates about community mediation, model of community

mediation implementation under government structure, roles and responsibilities of VDCs and community mediators for community mediation implementation, provision of volunteer service by the community mediators etc. JICA COMCAP - II also provided information about the upcoming basic community mediation training including the logistic provisioned in the training.

After the orientation, most of the candidates agreed to be community mediator and showed commitment to work voluntarily. For some of the candidates, who did not show interest to be community mediator, VDC took responsibility to reselect appropriate candidate and orient them before sending for attending basic training.



JICA COMCAP - 2 Team with Community Mediators, Tanahun

COMPLETION OF COMMUNITY MEDIATION BASIC TRAINING FOR THREE DISTRICTS

Ministry of Federal Affairs and Local Development (MoFALD) and JICA COMCAP - II organized an eight-day Basic Community Mediation Training for selected candidates from the pilot VDCs of each project district. In total three training events; one for each district were organized. The selected candidates for community mediators from three VDCs of the district participated in the training. In Morang training event, 35 participants including two VDC Secretaries, in Tanahun training event, 33 participants and in Dhanusha event, 32 participants participated in the training.

The residential training programme were carried out based on the curriculum approved by Mediation Council Nepal. One chief facilitator, three facilitators and some other guest trainers were involved in facilitation of each of the training. After delivering the theoretical subject matters of the mediation, a model of role-play on community mediation was demonstrated by the team of training facilitators and management staffs. Then the participants were divided into four groups and involved in mock sessions of mediation in different dispute cases developed by the project. Each group was facilitated by the trainers and feedback and coaching support was provided during and after the role play sessions.

During the training, some experienced community mediators (for Morang and Dhanusha) and VDC Secretaries involved in managing community mediation in the VDC (for Tanahun) were invited to share their experiences in implementing community mediation.

At the end of the training, District Judges of the District Court of the district where training was organized were involved in clarifying participants about mediators' code of conduct and in delivering

oath of commitment to the community mediators. Certificate of participation was delivered to the community mediators of the training.



Basic Community Mediation Training, Morang

OPENING OF COMMUNITY MEDIATION CENTERS IN PROJECT VDCS

JICA COMCAP - II has supported in opening of Community Mediation Centers (CMCs) in nine VDCs of three Project districts. Immediately after providing basic community mediation training, CMCs were opened to enable fresh mediators to start mediating community disputes using their skills. The date of community mediation center opening were as following:

Districts	VDCs	Date of CMC Opening
Morang	Motipur	September 21, 2016
	Bayarban	September 22, 2016
	Yangshila	September 23, 2016
Tanahun	Arunodaya	November 22, 2016
	Gajarkot	November 23, 2016
	Risti	November 24, 2016
Dhanusha	Paudeshwar	January 18, 2017
	Baghchauda	January 19, 2017
	Yadukuha	January 20, 2017

In inauguration of CMC in every VDC, local level stakeholders including political party leaders, school teachers, office in-charge of VDC-based offices, Police, members of Ward Citizen Forum,

Citizen Awareness Center and local residents were invited by the VDC for publicity of community mediation service, CMC and also to introduce community mediators. In the programme, Social Development Officers (Planning, Monitoring and Administrative Officer in one VDC of Tanahun) and JICA COMCAP - II introduced participants about community mediation and its impact for creating harmonious society resulting in all-round development of the community. VDCs introduced new community mediators and provided identity cards for them.

In the programme, JICA COMCAP - II supported VDCs by providing basic logistics to operate CMC. The logistics included CMC sign board, community mediators photo board, basic furnitures as table and chairs, cupboard, white board, utensils for drinking water, stationeries, recording and reporting forms and formats, etc.

In the programme, local political party leaders and social activists welcomed community mediation as a new technique of community dispute resolution, thanked higher authorities for providing their VDCs for implementing this service and committed to support in its implementation. In every VDC, the programme was chaired by VDC Secretaries of respective VDCs.

CONSULTATION ON COMMUNITY MEDIATION FOR SINDHULI AND MAHOTTARI STAKEHOLDERS



Stakeholders from Sindhuli in Consultation Meeting

Ministry of Federal Affairs and Local Development (MoFALD) together with JICA COMCAP - II organized a one-day consultation programme each for Sindhuli and Mahottari stakeholders in December 2016. Sindhuli and Mahottari were two target districts of the first phase of COMCAP.

The programme was organized in Dhulikhel on 6th December for Sindhuli and 8th December for Mahottari respectively. In the programme, participants included: Social Development Officer as well as Planning, Monitoring and Administrative Officer from DDC Office; Executive Officer, ward secretaries and community mediators' representatives from Municipalities and VDC Secretary, Office/Technical Assistant and community mediators' representative from each VDC.

In the consultation programme, JICA COMCAP - II Project Manager and MoFALD Under Secretary Mr. Bandhu Prasad Bastola and Project Focal Person and MoFALD Section Officer Mr. Janak Raj Sharma delivered sessions to clarify the participants about progress undertaken for development of community mediation in Nepal. Mr. Sharma delivered session on introduction

of community mediation, process, its importance and different forms and formats developed by MoFALD for recording and reporting. Mr. Bastola delivered sessions on developmental context of community mediation in Nepal and legal provisions on community mediation including Mediation Act, 2011; Mediation Regulations, 2014 and Community Mediation Implementation Guidelines (in process for approval from Council of Ministers).

During the programme, different issues on implementation community mediation by local bodies were raised by the participants and the issues were clarified by MoFALD Under-Secretary Mr. Bastola. At the end of the programme, a group work for preparing action plan on implementation of community mediation was undertaken.

As the outcome of this consultation programme, most of the VDCs in Sindhuli and some of the VDCs in Mahottari district allocated budget for supporting community mediation center in their VDCs.

COMMUNITY MEDIATION COORDINATION MEETING

JICA COMCAP -II organized a half-day coordination meeting on November 9, 2016 upon request from MoFALD. Representatives from different organizations involved in implementation of community mediation were invited. The main agenda for discussion was the areas for improvement in the current Mediation Act and Regulations. During and after the meeting, the participants recommended different points for areas of improvements in existing provisions in Mediation Act and Regulations for promotion of community mediation. JICA COMCAP - II compiled the recommendations and submitted to MoFALD for further consideration.

For Details about Project and Newsletter

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