THE GOVERNANCE SPECTRUM

October 2024, Issue 10

GMC Nepal

The Governance Spectrum

Quarterly Review of Events and Trends

Formerly known as the 'Governance Watch', The Governance Spectrum is a periodic publication by GMC Nepal released every four months. Previously, 'Governance Watch' was published on a bi-monthly basis. This publication attempts to identify, record and analyze events related to conflicts/disputes/tensions that occur across Nepal's four key governance domains:

1. Political System and Governance
2. Natural Resource and Environmental Governance
3. Development Governance
4. Ethnocultural Governance

To identify and record such events, GMC Nepal regularly monitors twelve national and provincial daily newspapers. This approach is both cost-effective and practical for tracking and recording incidents across the country. To mitigate biasness inherent in media reporting, GMC Nepal defines an event as a specific occurrence or happening that takes place at a particular time and location. It involves participants or actors and can be either planned or spontaneous. Events can vary widely in nature, their scale, their impact and the actors involved. In the context of analysis, an event is a unit of data used to observe patterns, effects or changes over time.

Governance conflicts, as defined within the context of GMC Nepal's research, are disagreements, disputes or tensions arising from the implementation of governance system. These conflicts manifest in various forms, including those related to natural resources and environment, development, identity and political system. They are often characterized by actions such as protests, violence or legal challenges. Underlying these conflicts are issues of power, resource allocation and the effectiveness of governance structures.

This report thus highlights key governance conflicts observed in the previous four months (June 2024 to September 2024) and a set of recommendations as potential avenues to resolve those conflicts.

Note: This report may explain multiple occurrences of the governance conflicts by highlighting only specific news and events. Hence, the governance conflicts may not be limited to examples specified in this report.

Governance Monitoring Centre Nepal (GMC Nepal) is a Centre for Social Change (CSC)'s flagship initiative. It is a platform for tracking, analyzing and addresing the governance-related conflicts/disputes across Nepal with specific focus on four governance areas mentioned above. Through research, media monitoring, stakeholder dialogues and other publications, GMC Nepal provides evidence-based insights and reccommedations on governance reform.
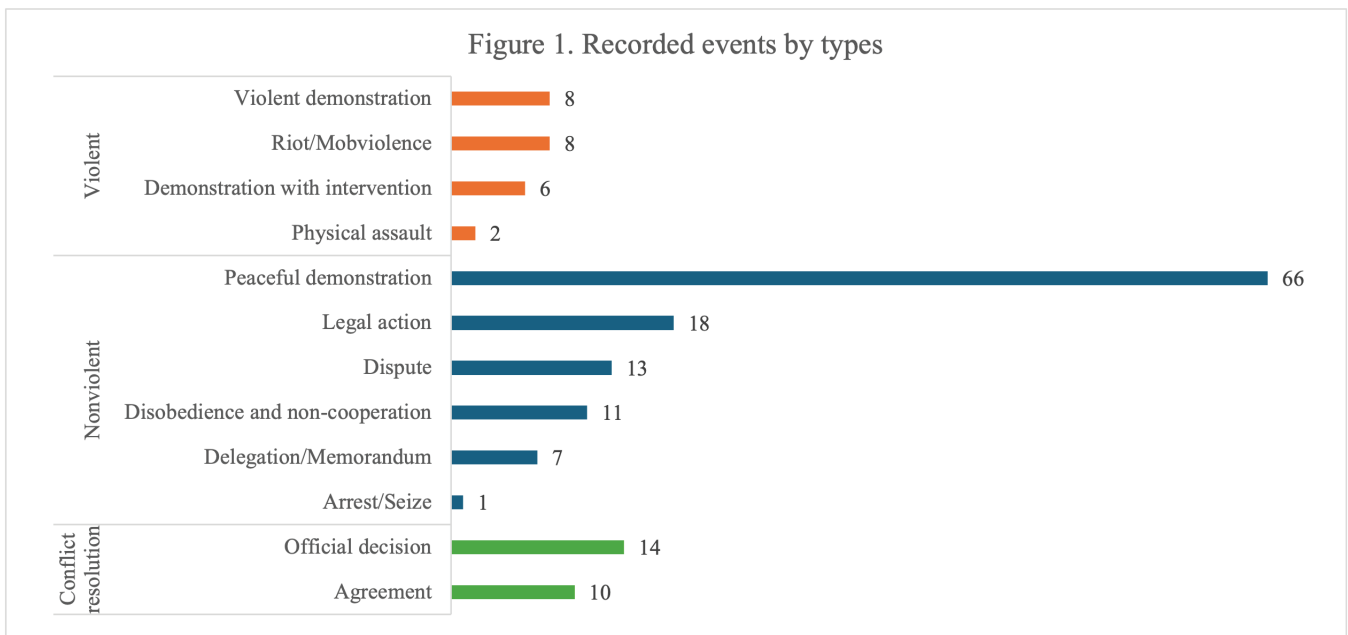
Overview of Recorded Events

Media Coverage: June 2024 - September 2024

This 10th issue encaspulates a total of 164 events related to four governance domains which took place between June 2024 to September 2024. Most of these events were nonviolent in nature, peaceful demonstration constituting the most observed type. A more detailed breakdown of nature and types of these events can be found in Table 1 and Figure 1.

Table 1. Recorded events by nature

Nature of event	No. of events
Violent	24
Nonviolent	116
Conflict resolution	24

Figure 1. Recorded events by types

The preponderance of recorded events (approximately 82%) is associated with the domains of Development Governance and Political Systems. Figure 2 provides a detailed breakdown of events across all four key governance domains. Consistent with previous observations, Bagmati province experienced the most events related to governance conflicts (excluding resolution efforts), predominantly centered in the Kathmandu Valley. Nonetheless, a more granular analysis suggests that Kathmandu frequently hosts national-level events. Notably, Madhesh province exhibited a comparable number of local (municipal-level) conflicts as Bagmati. A detailed breakdown of these patterns is presented in Figure 4. Furthermore, Figure 3 underscores the significant involvement of judicial institutions in conflict resolution endeavors than other institutions.

Figure 2. Recorded events by governance domains

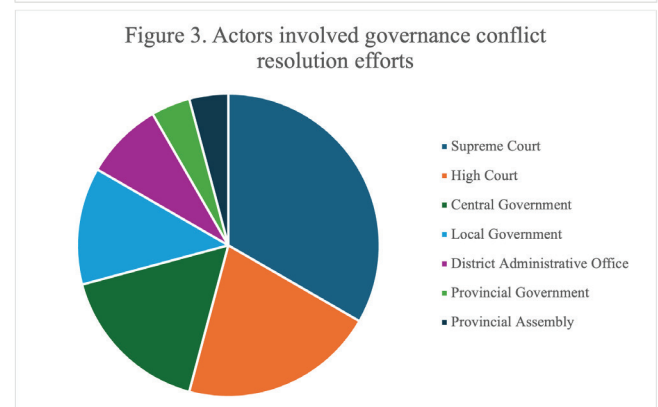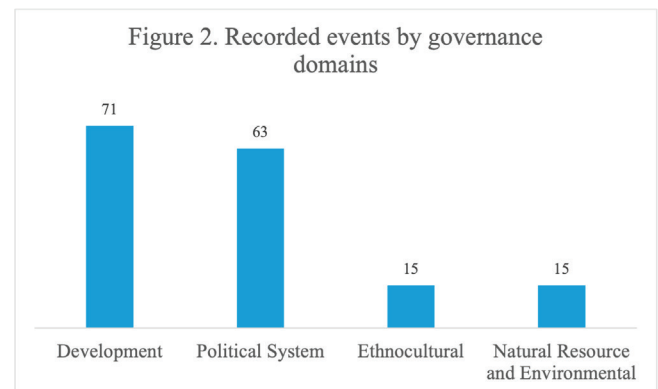Figure 3. Actors involved governance conflict resolution efforts

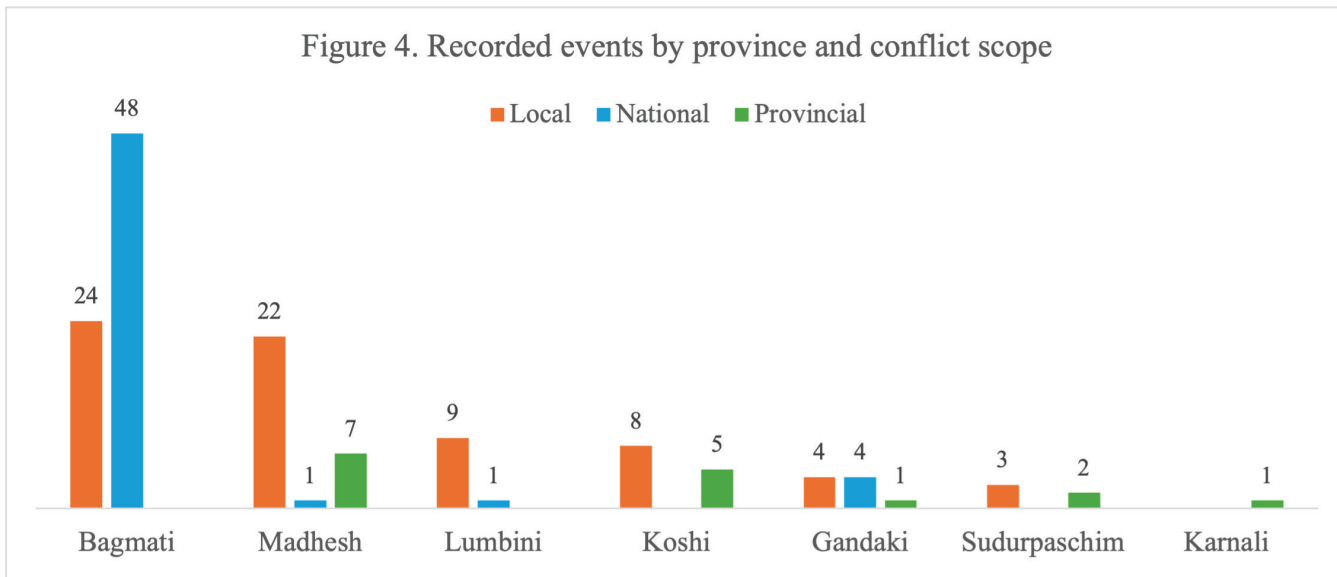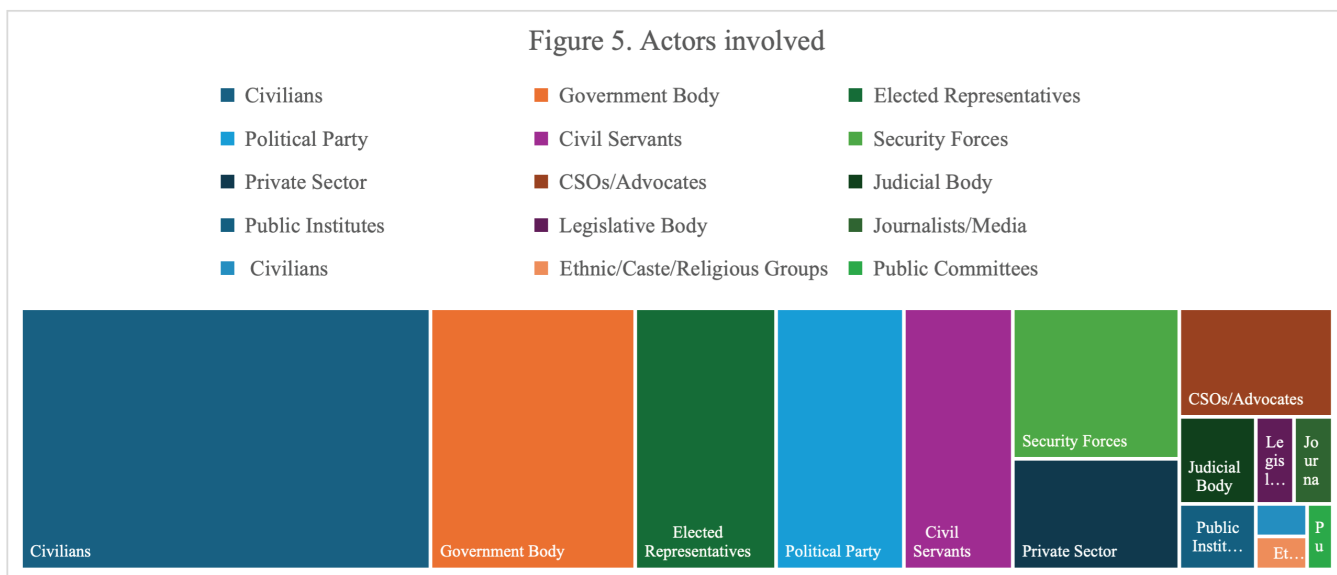Figure 4. Recorded events by province and conflict scope

Figure 5 presents the actor groups involved in the governance conflicts. Civilians were engaged in governance-related events demanding to address corruption, unmet public service needs, financial fraud, education, environmental concerns and gender rights. Their participation often highlights demands for accountability, transparency and inclusive decision-making. Government bodies were primarily engaged over issues of authority, resource allocation and policy implementation. These include jurisdictional disagreements, as seen in road ownership disputes and unauthorized land use, financial accountability cases like embezzlement charges, and challenges to administrative decisions, such as salary reviews or project approvals. Such conflicts often reflect tensions between local, provincial and federal bodies, highlighting gaps in coordination and legal ambiguities. Elected representatives were engage in governance conflicts across a variety of issues, often rooted in disputes over budget allocation, decision-making authority and procedural compliance. For instance, they have protested against budget cuts to equalization grants, filed legal cases over election disputes and improper policy processes and led strikes or sit-ins to address delays in infrastructure projects or policy disagreements. Such conflicts reflect a mix of political rivalry, challenges in intergovernmental coordination and issues related to transparency, justice and accountability in governance. A more comprehensive analysis of the issues, including a detailed examination of the underlying factors and the roles of key actors involved is provided in the subsequent sections.

Figure 5. Actors involved

1. Political Systems and Governance

The majority of the recorded events between June and September 2024 (approx. 68% of the total recorded events under the Political Systems and Governance domain) were nonviolent in nature, followed by events related to conflict resolution efforts and violent events.

Between June 2024 and September 2024, Nepal witnessed several issues that highlight underlying challenges in its political systems and governance. One major trend was the prevalence of disputes at multiple levels of governance. Local governments experienced recurring conflicts over budget allocations, administrative decisions and responsibilities among elected officials, often leading to boycotts and legal interventions, such as those in Bagmati Rural Municipality and Itahari Sub-metropolitan City. At the provincial and federal levels, tensions arose over fiscal policies, such as the controversial budget cuts to equalization grants and disputes over service regulations, including police retirement policies. These incidents underscore systemic issues in resource management, inter-governmental coordination and adherence to procedural norms.

Another significant issue was the public dissatisfaction with governance practices. Protests erupted frequently, ranging from grievances over increased taxation (as seen in Rolpa, Simroungadh and Bhimdutta municipals) to broader discontent with governance inefficiencies and perceived corruption. Notable incident included protest during the Gaura Festival in Tudikhel and demonstrations over transitional justice policies, which many viewed as protecting perpetrators of serious crimes. Moreover, suppression of dissent, such as arrests of individuals for critical social media posts, raised concerns about the state of democratic freedoms. These patterns reveal a growing disconnect between citizens and the political leadership.

Highlight-

In June 2024, a significant governance issue arose in Bagmati Rural Municipality, where Vice-Chairperson Phanindra Timilsina and four ward chairs boycotted the policy and program presentation. They alleged unilateral decision-making by the chairperson, particularly regarding budget allocations and opposed financial provisions favoring industries such as crusher plants. The dispute escalated to the point of filing a writ petition at the High Court in Hetauda, accusing the leadership of bypassing the Local Government Operation Act. This case highlights the persistent challenges of equitable resource allocation, procedural adherence and transparency in local governance. It also reflects broader tensions in political collaboration within local governments.

The mandatory retirement policy for police personnel after 30 years of service became a contentious issue during this period. In August 2024, 21 Nepal Police officers filed a writ petition in the Supreme Court, challenging the regulation as outdated and discriminatory compared to other government services. The case gained further complexity when an interim order was issued to halt the retirements, only to be overturned by the end of the month. This back-and-forth underscored tensions between reform demands from service members and the government's insistence on maintaining regulations for organizational stability. The case reflects broader issues of administrative rigidity, lack of policy updates and strained relationships between public institutions and employees.

2. Natural Resource and Environmental Governance

During the period of four months spanning June to September 2024, total of 15 events were recorded under the domain of Natural Resources and Environmental Governance. The issues were primarily driven by cases of water scarcity, forest degradation, pollution and encroachments.

When the nature of the events were observed, all of them were nonviolent in nature. These events primarily involved local communities, environmental activists, government bodies and private sectors. A significant number of these events were peaceful demonstrations where civilians were most engaged voicing their demands to government bodies, conservation committees and private sectors. Other actors were civil society organizations and environmental activists. Apart from peaceful demonstrations, there were also incidents involving disputes between local communities and industries or government bodies. These protests are often a response to government inaction, policy failures and environmental exploitation by industries.

Delegations and memorandum submissions are common actions taken by activists and citizens to voice their concerns, aiming for accountability from the authorities. Petition to the supreme court also emerged as an action to seek resolution. Central Government filed a petition with the Supreme Court to review its decision prohibiting construction 20 meters beyond the riverbanks of Bagmati river in Kathmandu Valley, arguing that the ruling is impractical, encroaches on executive jurisdiction and was not part of the original petition. This shows, even the Government bodies were engaged in legal proceedings instead of being the authorities in facilitating the actions of local government for public good.

When locations of conflicts were analyzed, a considerable number of events occurred in Kathmandu Metropolitan City of Bagmati Province, where environmental protests related to the Chure region, water scarcity and pollution were observed. There were other notable locations where civilians and activists demanded for action on environmental conservation checking the resource exploitation. These places included Birgunj, Janakpurdham, Duhabi and Bharatpur. Protests at the provincial level are particularly focused on the demands for land rights and Chure region conservation.

Highlight-

The major driving factors for these conflicts were Chure Conservation, Water Shortage, Pollution, Encroachment and Industrial Wastage. These reflect the pressing concerns of local communities who face threats to their livelihoods due to resource depletion, poor management and environmental destruction.

As a representative incident published on June 2024, in a case relating to water scarcity associated with Chure, a group of activists from Saptari staged a sit-in at Maitighar Mandala of Kathmandu, protesting against the deforestation and encroachment in the Chure region, which has led to severe water scarcity in neighboring districts of terai region. They symbolized the crisis by carrying empty buckets and placing "missing" posters of political leaders, highlighting their inaction despite previous promises to protect the region. After a 25-day walk to Kathmandu and subsequent sit-in, the group called for immediate government intervention to address the water crisis caused by the degradation of the Chure region.

3. Development Governance

Observing the development governance conflicts in connection with infrastructure development as well as soft development aspects of Nepal, GMC Nepal recorded a total of 72 events in the period between June to September 2024. These events signifying development governance conflicts were predominantly nonviolent in nature (48), as compared to violent events (13).

Among these cases, nonviolent forms of protests and disputes mainly captured issues related to infrastructures like roads, footpath and electric line extensions. Considering soft development indicators, these events highlighted lack of efficiency and accountability in public service sectors like health, education and economic opportunities in informal sectors.

Furthermore, 11 recorded events showed certain forms of resolution that addressed the corresponding governance conflicts in some capacities. These measures included collective efforts from government authorities in improving the transport sectors and ensuring quality control in health institutions and judicial committees favoring proper execution of construction projects.

Major actors involved in the development governance conflicts were civilian groups diverse in terms of age, region and occupation, and local and national level government representatives. In the cases and protests related to citizens awaiting justice from microfinance cooperatives, whose savings were allegedly misused, a significant level of politicization and interest of political parties and personnels is also observed. A detailed dive into the key events related to development governance conflicts are described as following:

Highlight-

In the period between June and September 2024, one of the recurring events recorded under development governance conflicts was the issue of New Road footpath extension in Kathmandu Metropolitan City (KMC). This conflict was a repeated dispute that occurred between KMC and the civilians, businessmen, and street vendors, stating this plan may potentially reduce traffic flow and hamper the roadside businesses. Additionally, jurisdiction of the pavement and roads in New Road area also disputed with Department of Roads' dominion, demonstrating unclear and overlapping guidelines among different tiers of government. Patan High court intervened in this case, granting a green light for continuation of the footpath expansion.

While this case illustrates conflicts over long-term development vision of the city, covering more urgent concerns, in the past five years, residents of Shuklaphanta Municipality-5 have submitted several petitions, to the municipality to extend the electricity line to the settlement of eleven families. A total lack of accountability by local government is observed in this case as no actions have been taken to address this need. As a result, the locals of Sarki Tole have now resorted to pulling risky service wires, increasing the risks of fatal electrical hazards.

4. Ethnocultural Governance

The period from June to September 2024 saw 15 events related to ethno-cultural conflicts, of which the majority-11-were non-violent, 2 were violent, and 2 focused on conflict resolution. Bagmati province recorded the highest number of these conflicts, followed by Madhesh and Lumbini. Notably, 66% of the total recorded events of ethno-cultural conflicts had a nationwide scope, highlighting the pervasive nature of ethno-cultural issues across provinces and their potential to impact the entire country rather than being confined to specific regions, communities or groups.

The incident of violent clashes in Ghorahi, Dhang, between farmers and the police over unfulfilled land entitlements highlights the ongoing tension over land rights, signaling the broader challenge of addressing agrarian grievances and implementing government agreements nationwide.

Protests in Janakpur over the murder of Bhogendra Thakur, allegedly linked to a moneylender, with victims demanding justice and the arrest of those responsible, underscore the exploitation by moneylenders, the failure of authorities to address grievances, and the need for stronger legal protections to prevent such incidences.

Tensions over federalism and resource governance emerged as locals locked down the Lumbini Development Trust office, demanding fair fund allocation, local employment, and cultural preservation. Similarly, the violent clash during the Mohram Tazia Fair in Rautahat, where festive participants were armed with weapons, highlights the broader challenges of addressing cultural sensitivities and ensuring equitable governance to maintain public order and harmony.

Furthermore, two landmark cases recorded highlight the struggles of marginalized groups in Nepal: a Supreme Court ruling affirming the right to self-perceived gender identity and a sit-in protest outside the Prime Minister's office by a visually impaired teacher, demanding a fair workplace transfer. These cases represent the continuous struggle for dignity, inclusion, and equal rights for disadvantaged communities and call for systemic reforms to protect their constitutional guarantees.

Highlight-

The hunger strike initiated by women's rights activist Ruby Khan, along with her relentless protests over the past two years, has brought national attention to the tragic murders of Nirmala Kurmi and Sumdarani Tharu. This case, widely covered in the reporting period, has become a stark symbol of the government's failure to uphold accountability. It exposes the painful reality of police inaction, where investigations are neglected, complainants are intimidated, and government promises of justice remain unfulfilled, as this marks the fourth time the government has made such promises without action.

The appointment of an accused murderer to a high government position highlights the disturbing protection of perpetrators at the political level, raising serious questions about the integrity of the justice system. This case not only calls into question the accountability of the government but also reveals a culture of impunity where those in power shield the guilty. The continued lack of accountability is eroding trust in the justice system, deepening public disillusionment, and undermining the very foundation of the rule of law in the country.

Overall Analysis and Reccommendations

The events observed throughout the period of four months reveal significant inefficiencies in infrastructure development, public service delivery and financial management, reflecting a broader systemic challenges in development governance. Delays in projects like road expansions and healthcare facilities highlight weak planning, contractor inefficiencies and inadequate oversight. Furthermore, jurisdictional conflicts between local and central authorities, such as those over footpath expansion in Kathmandu and land use for public projects, expose ambiguities in the federal governance framework. Financial mismanagement, as seen in cooperative scandals and embezzlement cases, points to a lack of regulatory enforcement and accountability, eroding public trust and disproportionately harming vulnerable populations. Frequent protests and strikes reflect widespread dissatisfaction with governance, where public grievances often remain unaddressed until they escalate into disruptions, straining institutional resources and capacities.

The involvement of judicial institutions in navigating several of the observed conflicts raises both hopes and concerns. While the judiciary plays a crucial role in conflict resolution, reliance on legal mechanisms to address governance issues can lead to delays and inefficiencies. The necessary interventions offered by the judiciary illustrate the inadequacy of proactive administrative and political measures to mitigate disputes, particularly those relating to budget allocations and intergovernmental coordination. This situation emphasizes the need for a more holistic approach that prioritizes systemic reforms over reactive legal solutions.

Moreover, conflicts surrounding natural resources, such as water scarcity and land rights, accentuate the challenges inherent in balancing ecological sustainability with developmental needs. The continued degradation of the environment and its adverse effects on local livelihoods reveal failures in policy implementation and regulatory oversight. Ethnocultural disputes further complicate the governance landscape, as they underscore the ongoing struggles of marginalized groups for justice, recognition, and rights. The prevalence of these conflicts signals a pressing need for stronger inclusivity and social cohesion within governance structures.

To address these grievances and prevent further social fragmentation, Nepal must prioritize systemic reforms that strengthen institutional capacity, clarify central, provincial and local governments' roles, ensure transparency and engage citizens meaningfully in governance processes. Building an effective and inclusive governance framework is crucial for meeting the aspirations of the people and fostering sustainable development.

As potential responses to address these ongoing conflicts, following recommendations are derived as way forward-

Political Systems and Governance-

1. Establish clear frameworks for resource distribution, participatory budgeting, and conflict resolution to address disputes between central, provincial and local governments.

2. Enhance citizen participation in policymaking, safeguard democratic freedoms and revise restrictive laws to rebuild public trust and ensure inclusive governance.

3. Update policies to reflect contemporary needs, ensure procedural compliance and address employee grievances to improve institutional harmony and effectiveness.

Natural Resource and Environmental Governance-

1. Strengthen and implement the Chure-Tarai Madhesh Conservation Master Plan with strict regulations on deforestation, mining, and water resource management, ensuring accountability at all government levels.

2. Mandate pollution control measures for industries, enforce penalties for non-compliance and establish community-driven monitoring systems to ensure accountability.

3. Empower local communities through participatory forest management, land rights reforms and alternative livelihoods to reduce dependency on destructive practices.

Developmental Governance-

1. Transparency and accountability through regular audits, robust oversight institutions, and accessible public grievance redress systems must be enhanced to address systemic inefficiencies and corruption in development projects.

2. Local government officials must be capacitated to manage development projects effectively, ensuring efficient service delivery and reducing the likelihood of conflicts.

3. Inclusive and productive dialogues among various government tiers and authorities and local communities must be achieved to ensure participatory decision-making and resolve disputes before they escalate.

Ethnocultural Governance-

1. Establish an independent monitoring body to oversee the timely and effective implementation of agreements, addressing recurring failures like those in Ruby Khan's and Ghorahi farmer's protests.

2. Strengthen investigative and judicial systems to address cases of violence and exploitation promptly, ensuring perpetrators are held accountable without political interference, as highlighted by Kurmi's case. Reforms are necessary to remove political protection for the accused, thereby ensuring integrity in the justice system.

3. Transparency and local participation in development projects need to be increased to establish inclusive decision-making processes and equitable resource allocation mechanisms, as demonstrated by the demands in the Lumbini Development Trust case.

About CSC

Centre for Social Change (CSC) is a non-profit making social think-tank based in Kathmandu, Nepal. Since its establishment in 2015, CSC has been actively working to bring positive transformation in the socio-political dynamics of Nepali society through involvements in the fields of research, development practice, education, advocacy, and community mobilization. CSC's current works are focused on issues surround conflict transformation, peacebuilding, democracy and governance, migration, labor and employment, civic space, civil society development, public policy, climate change, and social development.

www.socialchange.org.np
contact@socialchange.org.np
+977-9841370244

Research Advisor
Prakash Bhattarai, PhD

Research Team
Shradha Khadka
Anish Khatri
Nishu Ratna Bastakoti
Basanta Dahal

Acknowledgement
Pratikshya Giri
Nitu Rauniyar

Report Design
Anish Khatri

Governance Monitoring Centre Nepal

Centre for Social Change
सामाजिक परिवर्तन केन्द्र