

## ***The Role of Civil Society in Promoting Inclusion in Decentralized Structures: A Focus on Nepalese Federal Practice***

During Nepal's civil war (1996-2006), Civil Society Organizations (CSOs) wielded exceptional access, delivering emergency aid and overseeing human rights issues. In the pivotal 2006 People's Movement, CSOs played a crucial role, compelling Maoists to embrace democratic politics and influencing the Comprehensive Peace Accord, ultimately concluding the civil war. Their unwavering advocacy for democratic norms and inclusivity significantly contributed to shaping the Constitution of Nepal, 2015 solidifying its status as a federal democratic republic.

The Constitution of Nepal 2015 serves as a robust safeguard for individual freedoms, encompassing civil and political rights as well as economic, social, and cultural rights, thereby fostering a conducive environment for civil society. Specifically, Article 17 guarantees the protection of freedom of opinion, expression, and association, albeit with provisions for "reasonable restrictions" in the interest of national concerns. Furthermore, Article 51 (j) (14) advocates for a streamlined approach, emphasizing a singular gateway for community-based and non-governmental organizations, limiting involvement in accordance with national priorities and prioritizing transparency. Also, the Fifteenth Plan of Nepal for the fiscal year (2019/20 – 2023/24) emphasizes NGOs, Civil Society, and Community Associations vital role in promoting inclusion. Aligned with government goals, they focus on poverty alleviation, capacity building, and civic awareness. Their active engagement addresses remote areas, enhances production, and ensures transparent governance for inclusivity in decentralized structures. Despite these strides, Nepal's civil society sector remains in its early stages, requiring substantial development for its full realization. The civil society's adaptive and influential role in shaping political outcomes is evident in initiatives such as the Media and Advocacy Campaign for 33 Percent Women. Recognizing the tangible impact of civil society efforts in fostering diversity and inclusion within Nepal's political landscape, there is an emphasis on the need for ongoing advocacy and awareness campaigns. Reference to case laws, such as the *Indu Tuladhar v. Office of the Election Commission*, NKP 2078, Vol.8, Part.63, emphasizes the constitutional mandate for diversity in political parties' executive committees. It highlights civil society's potential to leverage constitutional principles to advocate for inclusive representation within parties, contributing to an open and diverse political landscape. On the other hand, a recent observation by the Ministry of Internal Affairs and Law, revealing governance violations at the local level and limited coordination between local and provincial governments, brings attention to critical issues in Nepal's decentralized governance. Concerns expressed by citizens about corruption in municipalities further compound challenges, prompting inquiries into due process in local government procurement. The decentralization process is complicated by diverse CSO registration policies, contributing to operational challenges and confusion. Notably, elected local representatives expressing a belief that they should supplant CSOs introduce a noteworthy issue, leading to role confusion and the potential misuse of power.

In conclusion, to enhance inclusive governance in Nepal, it's crucial to improve relations between Civil Society Organizations (CSOs) and the government. This involves a two-way cooperation agreement, strengthened CSO governance, self-reliance promotion through collaborative funding, and improved cross-sector coordination. Prioritizing inclusion for women and young people is essential, achieved through targeted capacity-building initiatives. These measures aim to foster a more effective partnership and advance inclusivity in Nepal's decentralized governance.