

CONSTITUTION OF THE GLOBAL POLICY FORUM FOR NEPAL
(Adopted on 9 November 2015 and Revised on 7 May 2016)

Preamble

Acknowledging the need for a global policy forum in the framework of an international academy focussed on the study of different facets of Nepal and formulation of sound, objective, and independent policies which can bring together under one institution experts of Nepalese origin working on Nepal from both within and outside of Nepal, including South Asia;

We a group of academics, researchers and professional experts of Nepalese origin working in different disciplines at various universities and research institutions around the globe with a view to assisting Nepal by investing intellectual resource, technology, and knowhow needed in the formulation and implementation of her policies in order to develop the country as a self-dependent and prosperous country with a cohesive, tolerant, and inclusive society guided by the values of democracy and plurality have hereby decided to establish an independent, impartial and non-partisan institution – the Global Policy Forum for Nepal and adopted the following Constitution.

NAME

1. The Forum shall be styled:

‘The Global Policy Forum for Nepal (GPFN)’ and the ‘Forum’ in short.

OBJECTIVES

2. The objectives of this Forum shall be to:

- (a) serve as a global forum of experts of Nepalese origin to deliberate on major policy issues of national importance and in the best interest of the country in a non-partisan, independent and objective manner and make recommendations to the decision and policy makers in Nepal;
- (b) act as a pool of experts of Nepalese origin residing abroad, including South Asia, and committed to contributing to the advancement of Nepal by:
 - investing intellectual capital and skills needed for the sustainable, equitable, and inclusive development of Nepal in all sectors of human activity that is underpinned by the values of democracy and plurality;
 - establishing, undertaking and commissioning expert panels, advisory groups and committees on thematic issues to study major issues and challenges facing Nepal;
 - providing an intellectual platform for discussion and exchange of ideas between national and international institutions, between such institutions

and the government as well between the government and the public through seminars, conferences, symposia, colloquiums and workshops;

- assisting the government, parliament, the judiciary, universities and other statutory bodies in Nepal in policy-making in various areas of human activity and in the implementation of sound policies.
- working with Nepalese and non-Nepalese experts and their respective organizations in areas of mutual interests.
- acting as an independent and non-partisan provider of free or commissioned, research and recommendations on all topics relating to Nepal and its citizens.
- assisting in the protection of Nepal's sovereignty, territorial integrity, nationhood and national interest by assessing international treaties, agreements and conventions and assisting the country to get them lawfully implemented when and where international legal instruments are violated.

MEMBERSHIP

3. There shall be four categories of Members of the Forum, to be called respectively:
 - (1) Fellows;
 - (2) Professional Experts;
 - (3) Student Members; and
 - (4) Affiliates.

FELLOWS

4. The total number of current Fellows shall be no more than 40 (forty) at any one given point in time. Fellows of the Forum shall be the Founding Members listed in Appendix I to this Constitution and those individuals elected to become Fellows by the Executive Committee who meet the following criteria: They are Nepalese by origin, are bona fide academics or established researchers holding a full or affiliated position at a recognised university or a research institution either in Nepal or abroad and have made or have the potential to make a substantial and substantive contribution to the study of Nepal and to the work of the Forum.

PROFESSIONAL EXPERTS, STUDENT MEMBERS AND AFFILIATES

5. Professional Experts of the Forum shall be those individuals who are elected to this category by the Executive Committee who have made or have the potential to make a major contribution to the work of the Forum. The total number of Professional Experts shall be no more than 20 (twenty) at any one given point in time. (2) Student Members of the Forum shall be those individuals who are elected to this category by the Executive Committee who are enrolled in a Masters or Doctoral course at a recognised university either in Nepal or abroad and who have the support from their supervisor to join the Forum. Student Members may

apply for full Fellowship if they go on to hold an academic or research position at a recognised university or research institution either in Nepal or abroad after formally obtaining a Doctoral degree. The total number of Student Members shall be no more than 10 (ten) at any one given point in time. (3) Affiliate Members of the Forum shall be those individuals who are elected to this category by the Executive Committee who are not academics or are not eligible for consideration as Professional Experts but have the ability and intention to provide their valuable assistance in the areas of administration, management or other technical or logistical support which are necessary to make the Forum function effectively. The total number of Affiliate Members shall be no more than 10 (ten) at any one given point in time.

SUBSCRIPTIONS AND VOTING RIGHTS

6. The expenses of the Forum may be met from any subscriptions of Fellows, Professional Experts, Student Members and Affiliate Members as determined by the Executive Committee from time to time and from such funds as donations or otherwise the Forum may acquire by legal means. The amount of such annual subscription may be prescribed from time to time by the Executive Committee taking into account the general economic situation of residents in OECD countries, in developing countries and in Nepal and shall be payable with the application to join the Forum and thereafter on the anniversary of the first payment. Fellows and Professional Experts elected under this Constitution shall have an option at the time of their election of paying a life subscription of an amount to be prescribed from time to time by the Executive Committee and become Life Fellows. The Founding Members of the Forum listed in Appendix I of this Constitution shall be regarded as Life Fellows. Only full academic or researcher Fellows or Life Fellows shall have voting rights within the structure of the Forum. No Fellow shall vote at any meeting or election whilst her or his subscription is in arrears; and a delay of 12 months in payment of any subscription shall *ipso facto* in the absence of an excuse, satisfactory to the Executive Committee, be equivalent to resignation by the Fellow concerned.

THE FUNDS OF THE FORUM

7. (a) All subscriptions and other property received for the purposes of the Forum shall be kept by the Treasurer under the supervision of the Executive Committee. The Executive Committee shall have power to direct or approve the expenditure of the Forum's funds in such manner as they think fit in accordance with these rules.
 - (b) The Executive Committee may allow any of the funds of the Forum to remain at any bank in the name of the Forum and may authorise an Officer to draw cheques thereon.

OFFICERS

8. The Officers of the Forum shall be the Chairperson, a Deputy Chairperson, a General Secretary, a Director of Studies, and a Treasurer. The Executive

Committee may elect to create new portfolio positions, deemed to be required for the efficient and long-term functioning of the Forum. These positions will require the mandate of the Forum membership at any general meeting, whether regular or extra-ordinary.

ELECTION OF OFFICERS

9. (a) The Officers of the Forum shall be elected from among the Fellows of the Forum at its general meeting. Except for the election of the Founding Members, no Fellow shall be qualified to be elected to the Chairperson of the Forum without having served at least one term in the Executive Committee. The Founding Officers of the Forum elected at the meeting of the Forum on 1st December 2015 in Kathmandu and listed in Appendix II shall be deemed to be the Officers of the Forum until the election of new Officers under this Constitution.

(b) Officers shall in each instance, be elected for 4 (four) years only, but shall be eligible for re-election only for two more terms of four years. Any casual vacancy occurring among the Officers and Members of the Executive Committee may be provisionally filled by the Executive Committee by nominating a suitable person from the Fellows until the next general meeting or the election of the new Executive Committee respectively.

DUTIES OF OFFICERS

10. The Chairperson shall function as the Forum's chief executive officer and preside at all meetings of the Forum; shall appoint committees, except as otherwise determined by the Executive Committee; and shall perform such other duties as the Executive Committee may assign to the Chairperson. In the absence of the Chairperson the duties of that office shall devolve upon the Deputy Chairperson. The General Secretary shall keep the records and conduct the correspondence of the Forum and shall perform such other duties as may be assigned to the General Secretary by the Forum or by the Executive Committee. The Director of Studies shall receive and consider proposals from anyone interested in conducting the study and research of a given topic or theme or contributing to the work of the Forum and shall make recommendations to the Executive Committee and if approved by the Executive Committee he or she shall give directions to such work under the overall supervision of the Executive Committee. The Treasurer shall receive and have the custody of the funds of the Forum and shall invest and disburse them subject to the rules and under the direction of the Executive Committee. The Officers shall also perform any duties elsewhere prescribed by Forum Rules or by the annual or special general meetings of the Forum.

EXECUTIVE COMMITTEE

11. The affairs of the Forum shall be managed by an Executive Committee, consisting of the Officers of the Forum referred to in this Constitution and a minimum of three and a maximum of five other Fellows elected by the General Meeting under the provisions of this Constitution. The Founding Executive Committee Members of the Forum elected at the meeting of the Forum held on 1st December 2015 in

Kathmandu and listed in Appendix II shall be deemed to be the Executive Committee Members of the Forum until the election of new Executive Committee under this Constitution. Subject to the control of any General Meeting, the Executive Committee shall be entitled to take any action on behalf of the Forum which it shall deem to be conducive to the interests of the Forum. It shall be the duty of the Executive Committee to present at each General Meeting a printed report of its proceedings from the previous two years.

CO-OPTED MEMBERS OF THE EXECUTIVE COMMITTEE

12. In the absence of specific expertise on a particular theme within the existing Executive Committee, any Professional Expert, Nepalese or non-Nepalese, with requisite qualifications, may be co-opted as a member of the Executive Committee for a defined period to undertake and complete an assignment as determined by the Executive Committee.

BOARD OF DIRECTORS

13. (a) The Executive Committee may from time to time appoint individuals of high standing in society drawn from different walks of national and international life who wish to support the Forum financially or otherwise to the non-Executive Board of Directors of the Forum for a period of four years. Such an appointment can be renewed for further two terms of four years. The criteria for appointing Directors shall be as prescribed by the Executive Committee. The total number of such Directors shall be no more than 10 (ten) at any one given point in time.
- (b) The Executive Committee may appoint one of the non-Executive Directors as Chairperson of the Board of Directors.
- (c) The duty of the Board of Directors shall be to support the activities of the Forum from outside and advise the Executive Committee without getting directly involved in the internal decision making process of the Forum. The Board shall meet once in every two years, review the work of the Forum and provide general guidance to the Executive Committee. The Executive Committee may from time to time convene any additional meetings of the Board of Directors in consultation with the Chairperson of the Board and provide secretarial and other logistical support as required.

ADVISORY COUNCIL

14. (a) Individuals of high distinction and good standing in society drawn from different walks of life who are capable of contributing to the work of the Forum may be elected as Senior Advisors to the Advisory Council by the Executive Committee from time to time. They shall not remain Senior Advisers for more than four years, their number in total shall not exceed 10 (ten) at any given period of time and their roles would shall be as those prescribed by the Executive Committee. The Senior Advisors can be re-elected for further two terms of four years.

(b) The Executive Committee may appoint one of the Senior Advisors as Chairperson of the Advisory Council

(c) The duty of the Advisory Council shall be to provide intellectual support to the Executive Committee as and when called upon to do so. The Advisory Council shall meet once in every two years, review the work of the Forum and provide general counsel to the Executive Committee. The Executive Committee may from time to time convene any additional meetings of the Advisory Council in consultation with the Chairperson of the Council and provide secretarial and other logistical support as required.

NATIONAL CHAPTERS

15. In the event that there are more than 10 Fellows, Professional Experts, Student Members and Affiliates in any one country, then a national chapter of the Forum may be formed on approval of the Executive Committee. In this case, all Members, including Fellows, Professional Experts, Student Members, and Affiliates, will have voting rights for the purpose of determining national (i.e. local) issues or activities only and under the overall supervision of the main Executive Committee of the Forum.

ELECTION PROCEDURE

16. The rules of election pertaining to the election of the Officers, Executive Committee members, Fellows, Professional Experts, Student Members and Affiliates of the Forum shall be drafted from time to time by the Executive Committee in a separate document, and shall be available for distribution amongst all Fellows who may rescind or amend the same document at any general meeting of the Forum by a two-thirds majority of the Fellows and Fellows present.

THEMATIC STUDY COMMISSIONS, EXPERT PANELS AND SPECIAL COMMITTEES

17. The Executive Committee may establish thematic study commissions and expert panels as it may from time to time deem desirable and may prescribe the duties and powers of such commissions and panels to conduct the study of a given thematic issue and make its recommendations to the Executive Committee.

18. The Executive Committee may establish such special committees as it may from time to time deem desirable and may prescribe the duties and powers of such committees; provided that no such special committee shall be empowered to undertake any of the functions hereby specifically entrusted to the Executive Committee.

GENERAL MEETING

19. The General Meeting of the Forum shall be held once in every two years on a date and at a place to be fixed by the Executive Committee. The Chairperson shall have power to summon a Special General Meeting, with the consent of the Executive

Committee, whenever she or he may deem it necessary; and she or he shall do so on being thereto requested in writing by twenty-five per cent (25%) of Fellows of the Forum. At any General Meeting, the Chairperson shall take the Chair; but in the absence of her or him the meeting will be chaired by the Deputy Chairperson. The General Meeting or Special General Meeting could be on-line, virtual or physical as determined by the Executive Committee.

BUSINESS OF THE GENERAL MEETING

20. The business at the general meeting shall include, unless the meeting otherwise decides:

- a. an appropriate welcome address;
- b. apologies for absence;
- c. minutes of the last general meeting;
- d. action control register;
- e. specific agenda items;
- f. any other important business without prior notification.

EXPULSION

21. Any Fellow or Professional Expert, Student Member or Affiliate or non-Executive Director or a Senior Advisor or a member of an expert panel or committee or commission of the Forum who may be guilty of any conduct which in the opinion of the Executive Committee renders her or his membership of and association with the Forum that is detrimental to the interests of the Forum may be requested to resign, if she or he refused to do so, may be expelled, by a resolution of the Executive Committee, subject to an opportunity being given to her or him to explain her or his conduct. Any such resolution shall require a majority of not less than two-thirds of the Executive Committee present and voting.

RESIGNATION

22. Any Officer or other Executive Committee Member or Fellow or Professional Expert or Student Member or Affiliate or non-Executive Director or a Senior Advisor or a member of an expert panel or committee or commission may relinquish their position within the Forum due to ill health or other reasons by tendering their resignation to the Chairperson of the Forum. In the case of the Chairperson the resignation shall be tendered to the Vice-Chairperson. The vacancy shall be filled in accordance with the rules approved by the Executive Committee.

ALTERATIONS

23. Any of these Articles may be rescinded or amended by a resolution passed at any general or special general meeting of the Forum by a two-thirds majority of the Fellows present and voting; provided that notice of such resolution, stating the nature of the proposed alternation and the names of the proposer and seconder,

shall have reached the voters at least 30 (thirty) days before the date fixed for the meeting.

ACCOUNTS

24. The Officers of the Forum shall comply with the accounting requirements of the laws in the country where this Forum is registered, with regard to:

- the keeping of accounting records of the Forum;
- the preparation of annual statements of account for the Forum;
- the auditing, or independent examination, of the statements of account of the Forum; and
- the preparation of an annual report and the sending of it together with the statements of account to the regulatory body with whom the Forum is registered.

BANK ACCOUNT

25. Any bank account in which any assets of the Forum are deposited shall be operated by the Executive Committee and shall be held in the name of the Forum and operated by the Chairperson and the Treasurer. All cheques and orders for the payment of money from such account shall be signed by the Chairperson and the Treasurer.

THE SEAT

26. The seat of the Forum shall be in London, United Kingdom.

PERSONAL INTERESTS

27. Except with the prior written approval of the regulatory body with whom the Forum is registered no member of the Executive Committee may:

- (1) receive any benefit in money or in kind from the Forum; or
 - (2) have a beneficial interest in the supply of goods or services to the Forum;
- or
- (3) acquire or hold any interest in property of the Forum (except in order to hold it as an officer of the Forum).

DISSOLUTION

28. The Forum may be dissolved or disbanded by a resolution passed at any general or special general meeting of the Forum by a two-thirds majority of the Fellows present and voting, provided that such resolution is confirmed by a two-thirds majority of the Fellows voting in a postal ballot to be conducted within two months after the date of the meeting at which it was passed.

APPLICABLE LAW

29. The law of England shall apply to the matters relating to the activities of the Forum.

RESIDUAL POWERS

30. Any implied or explicit powers and functions of the Forum as a non-profit making and non-partisan organisation that are not specifically assigned to any Officer or committee or board or council or commission or panel of experts shall be exercised by the Chairperson whose decisions shall be subject to ratification by the subsequent meeting of the Executive Committee.

Appendix I

Founding Members of the Forum (October 2015)

1. Professor Upendra Dev Acharya -USA
2. Professor Dr Kumud Dhital - Australia
3. Professor Shiva Gautam – USA
4. Professor Katak Malla – Sweden
5. Dr Hom Moorti Pant – Australia
6. Professor Mallika Shakya – India
7. Professor Padam Simkhada – UK
8. Professor Bishal Sitaula - Norway
9. Professor Surya P. Subedi – UK.

Appendix II

Founding Office Bearers and Members of the Executive Committee of the Forum
(Elected on 1st December 2015 in Kathmandu)

Chairperson - Professor Surya P. Subedi
Deputy Chairperson - Professor Dr Kumud Dhital
General Secretary - Professor Katak Malla
Treasurer - Professor Padam Simkhada
Director of Studies - Professor Upendra Dev Acharya

Executive Committee Members:

1. Professor Shiva Gautam
2. Dr Hom Moorti Pant
3. Professor Mallika Shakya
4. Professor Bishal Sitaula.

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