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Election Commission of Nepal: Journey to Achieve 24 Carat Elections

Narayan Gopal Malego
Secretary
Election Commission of Nepal
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Outline of the Presentation

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- Structure and Mandate
- ECN-Structure and Mandate
- Vision, Mission and Goals
- Thematic Areas of Engagement
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- Expectations and Way Forward



Types of EMBs

- To be defined by the political and constitutional system and practices of a country;
- Broadly three types:
 - Governmental ,
 - Independent,
 - Hybrid.
- Nepal has an independent and constitutional Election Commission since long.



ECN-Structure

- **Maximum five commissioners including CEC.**
- **Appointed by President on recommendation of CC following the parliamentary hearing.**
- **Ineligible for any other appointments.**
- **Provision of Impeachment. (2/3 of Constituent Assembly members)**
- **Secretariat headed by Secretary and manned with other personnel of different levels.**

**INDEPENDENCE AND IMPARTIALITY
CONSTITUTIONALLY GUARANTEED**



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Mandate

- **Election management (operation, supervision, direction, control) of:**
 - ✓ **Constituent Assembly elections**
 - ✓ **referendum, if necessary**
 - ✓ **local body elections**
- **Collection and update of electoral roll including voter registration;**
- **Verdict on qualification of candidate of Constituent Assembly.**
(according to Art. 129 of the Interim Constitution of Nepal)



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Vision, Mission and Guiding Principles

Vision:

- Develop ECN as an independent, impartial and competent organization to hold credible elections.

Mission:

- To conduct free, fair and credible elections as mandated by the Constitution.

Guiding Principles:

- Accountability, participation, transparency, integrity, impartiality, credibility, independence and service orientation.



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Goals

- Create a free, fair and fearless election atmosphere through timely reforms of the electoral system and processes;
- Ensure accuracy in the electoral rolls and in the identification of voters;
- Increase voters awareness;
- Reform the overall electoral management system;
- Develop human resources;
- Use modern technology for election information management system;
- Develop infrastructure of ECN and polling stations;
- Increase cooperation with stakeholders;
- Emphasize research and development activities;
- Develop effective monitoring and evaluation mechanism.



Thematic Areas

- **Voter registration**
- **Civic and voter education- EEIC**
- **Pre, during and post-elections management**
- **Management of polling centers**
- **Regulation of political parties**
- **Logistics management**
- **Coordinating electoral security**
- **Electoral observation**
- **Electoral dispute resolution**



Legislative Tools

- **Interim Constitution, 2007**
- **Election Commission Act, 2007**
- **Electoral Rolls Act, 2007**
- **CA Elections Act, 2007** (now non-existent)
- **Election (abuse & punishment) Act, 2007**
- **Constituent Assembly Court Act, 2007**
- **Political Parties Act, 2002**



CA Election- a case study

- Peacefully held on April 10, 2008;
- Foundation for managing transition and peace;
- Highly appreciated and widely accepted results;
- ECN's competence to hold any kind of elections;
- Introduction of EVM on a pilot basis;
- Highly inclusive results- significant representation of women, lower castes, ethnic groups and backward regions;



CA Election- Lessons Learned

- Need to prepare accurate voters' roll;
- A sound legal foundation required;
- Sufficient time necessary for preparations;
- No luxury of time available once election date is declared;
- Election- a costly venture to sustain democracy- a huge amount of material, monetary and human resources required;

ENVISIONING STRATEGIC PLAN



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ECN's engagement

- **Legislative reforms**
- **VR with photograph**
- **Technology-based elections**
- **Capacity development**
- **Electoral education and information**
- **Confidence building with stakeholders**

ENSURING '24 CARAT' ELECTIONS



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Legislative Reforms

- **A two-pronged strategy**
 - Legislative reform for next CA elections
 - Creating legal regime for future elections



VR with photograph

- Envisioned in 5 year Strategic Plan (2009-13);
- Need to maintain accuracy, legitimacy and validity of elections;
- An effective means to uphold electoral rights of citizens, strengthen foundations of democracy;
- No one is omitted, no one is duplicated;
- Feedback received from observers during CA elections;
- Out of 15.4 m, about 11 m voters registered so far;
- A continuous process.



Technology-based Elections

- Creation of a credible data-base;
- Updating of voters' roll;
- Envisioning universal application of EVM;
- Study on overseas registration and voting;
- Use of GIS and GPS;
- Sophistication in counting.

ACQUAINTANCE WITH STATE-OF-ART TECHNOLOGY



Some challenges

- CA's failure to frame a new constitution;
- Uncertainty about next CA elections;
- Political consensus elusive;
- Political parties guided by petty partisan interests- electoral system at the center of debate;
- New issues: ethnicity, regionalism and...
- Managing electoral disputes and violence;
- Indifference of youth and prospective voters towards elections;



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Challenges...

- Budgetary shortfall;
- Short supply of human resources;
- Acquaintance with modern technology;
- Constant interface with stakeholders.



Expectations

- **ECN be further strengthened as an independent and competent EMB with:**
 - Constitutional mandate
 - Functional independence
 - Fiscal autonomy
 - Own human resources
- **Political parties' support and solidarity on ongoing activities of the Commission, such as:**
 - VR with photograph
 - Legislative reforms
 - Holding elections



Expectations...

- **Civil society to play the role of facilitator, promoter and pressure group while pursuing positive changes;**
- **Media as a catalyst in opinion building;**
- **Monetary, material and moral support from the valued development partners.**



The way forward

- **Improving VR through e-registration;**
- **Use of modern technology in elections;**
- **Efficient electoral management and polling procedures;**
- **Enhancing universal democratic norms, standards and values in electoral management;**
- **Capacity building of all sectors of electoral management;**
- **Confidence building with stakeholders;**
- **Effective and efficient dispute resolution system and the notion of promoting electoral justice.**



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Finally...

- **Free, fair and credible elections- foundations of democracy, vehicle for transition management;**
- **ECN's competence to hold any kind of election;**
- **Responsibility of free and fair election management with universal democratic standards;**
- **Independence, impartiality, objectivity, professionalism and excellence: guiding principles for ECN to move ahead.**



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Thank You