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International Foundation
for Electoral Systems

Election FAQs: Nepal
2023 Presidential Election
March 9, 2023
2023 Vice-Presidential Election
March 17, 2023

Asia-Pacific

International Foundation for Electoral Systems

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Election Snapshot

- Election Day:
 - March 9 - the presidential election
 - March 17 - the vice-presidential election
- Provisional registered voters: 882
 - From the federal Parliament – 332
 - Members of the provincial assemblies – 550
- Candidates: To be announced Feb. 25, 2023
- Campaign expenditure and donation limits: NPR 400,000 (approximately \$3,000)

When is Election Day?

The election for the presidency of Nepal will take place on Thursday, March 9, 2023. Voting will start at 10:00 a.m. and end at 3:00 p.m.

The election for the vice president has been scheduled for Friday, March 17, 2023. The vice president can only be elected after the winner of the presidential election is declared due to the constitutional requirement that the president and vice president represent different sexes or ethnic communities.¹ The vice-presidential election will follow the same electoral procedure as for the presidential election.

Why are these elections important?

Nepal's president is the head of the state. The president holds a largely ceremonial role, but he or she reviews and authenticates all federal laws and endorses the appointment of governors for each state, three members of the National Assembly, ambassadors, judges, and a number of other constitutional positions. The president is also responsible for appointing the prime minister, who is elected through a majority vote in the House of Representatives or by virtue of the ability to garner votes of confidence.

Presidential endorsements are based mostly on the prime minister's presentation of bills endorsed by the federal Parliament. The president also has the power to call or end the sessions of one or both houses of the federal Parliament. In the absence of the president, these duties are executed by the vice president, who otherwise has limited responsibilities.²

The elections of the president and vice president will mark the completion of the second election cycle after the promulgation of Nepal's Constitution in 2015.

¹ Constitution of Nepal, Article 70.

² Constitution of Nepal, Article 67.2.

What is the electoral system?

The president and vice president will be elected by the Electoral College, with different weights for the two types of electors. Votes cast by electors from the federal Parliament are assigned a value of 79, while votes cast by members of a provincial assembly are assigned a value of 48.

Each elector will cast one vote in the majority electoral system. Candidates must receive a majority of votes to be elected, either in a runoff election or a final round of voting (in some cases, only a plurality is required in the last round of voting if no candidate gains a majority). If both candidates secure an equal number of votes in the third round, the winner is determined by the candidates drawing lots.

What is the legal framework for conducting the elections?

The following legal frameworks guide the presidential elections of Nepal:

- [The Constitution of Nepal](#)
- [President and Vice-President Electoral Act 2017](#)
- [President and Vice-President Electoral Regulation 2017](#)

Who is eligible to run as a candidate?

Nepali citizens by descent³ who are at least 45 years old on the date of candidate registration (Feb. 25, 2023), are registered voters, are not disqualified by any law, and have registered their candidate nomination with the returning officer appointed by the Election Commission of Nepal in consultation with the judicial council, may contest the election. In order to register with the returning officer, five members of the Electoral College must propose a candidate's nomination, and the candidate must receive pledges of support from five additional members. Candidates can run as independents or with any party affiliation.

Are there reserved seats for women and minorities? What is the gender balance within the candidate list?

The president and vice president must each represent a different sex or ethnicity. Ethnicities in this case may include the Adivasi/Janajati, Khas Arya, Dalit, Madhesi, Tharu, and Muslim communities.⁴ Thus, following the election of a president, only candidates who represent a different sex or ethnicity may contest the election for vice president (and vice versa when a president is to be elected while a vice president is still in office).

³ Constitution of Nepal, Article 11: Citizens of Nepal by "descent" are citizens born to father or mother holding Nepali citizenship and domicile in the country at the time of obtaining citizenship (as opposed to naturalized citizens).

⁴ The Act Related to the Election of President and Vice President, 2017, Clause 16.5.

What is the structure of the ballots?

Ballots will list the names of each candidate in alphabetical order in Nepali. Voters will use a stamp or mark to vote for only one candidate. Members of the federal Parliament and provincial assembly will receive ballots of different colors to differentiate the weight of their respective votes.

What is the term of office of the president?

The president may serve a maximum of two five-year terms, calculated from the date when the election results are declared. However, the president may continue in office until the next president is elected.⁵

What are the campaign expenditure limits?

Candidates are permitted to spend up to NPR 400,000 (approximately USD 3,000) in the 2023 presidential elections, which was announced in the Nepal Gazette. Candidates are required to submit their campaign expense reports within 30 days of the announcement of the final results.

What is the election management body? What are its powers?

Elections in Nepal are administered by the Election Commission of Nepal (ECN), a constitutionally mandated independent body headed by Chief Election Commissioner Dinesh Kumar Thapaliya. There are four additional commissioners, a secretariat of 114 full-time staff based in the ECN headquarters in Kathmandu, and 553 field staff in 70 district election offices and seven province election offices.

The ECN is empowered to “conduct, supervise, direct and control the elections of the president, vice president, members of the federal parliament, members of the provincial assemblies and members of the local level. For these purposes, the ECN shall prepare electoral rolls.”⁶ The ECN may also conduct referenda on matters of national importance.⁷ The ECN has the authority to:

- Advise the Government of Nepal on appropriate dates for local, provincial and federal elections and announce the date for presidential and vice-presidential elections;
- Request that the Government of Nepal or provincial governments provide effective security arrangements;
- Monitor election campaigns, polling, and counting, and impose sanctions against candidates or political parties for violations of the Election Code of Conduct;
- Authorize the observation of elections;

⁵ Constitution of Nepal, Article 63.

⁶ Constitution of Nepal, Article 246 [1].

⁷ Constitution of Nepal, Article 246 [2].

- Delegate any function, duty, or power to any government employee, and request necessary assistance from the Government of Nepal or a provincial or local government as needed;
- Obtain any government building or school, or any private school, for use during the elections;
- Register or disqualify candidates; and
- Cancel an election due to violence, threats, or intimidation.

What is the election management body doing to strengthen its technology and procedures to resist vulnerabilities and counter foreign interference?

Since the 2017 elections, the Election Commission of Nepal (ECN) has worked to develop and implement various information, communications, and technology solutions to mitigate technological vulnerabilities. These include the rollout of the Election Result Information System and Integrated Election Information Management System and the development of a back-up system for the ECN's primary server to minimize the risk of large-scale voter and election data loss.

Who can vote in these elections?

The president and vice president are elected by an Electoral College that consists of all eligible members of the federal Parliament (the combined House of Representatives and National Assembly) and provincial assemblies. Women will comprise 34.09 percent of the electors. Normally this means there could be up to 59 electors from the National Assembly, 275 from the House of Representatives, and 550 from the seven provincial assemblies, for a total of 884 electors.

However, for the upcoming presidential and vice-presidential elections, the published voter lists include only 882 electors. One member of the House of Representatives was suspended due to corruption allegations, and another was dismissed due to citizenship concerns. They are thus ineligible to vote in the elections.

Where will voting and counting be held?

Voting and counting will take place in Kathmandu, where the returning office has been set up. Separate polling booths will be organized for members of the federal Parliament and provincial assemblies to cast their votes.

Who can observe during Election Day? How can they get accreditation?

The Election Commission of Nepal is considering accrediting interested domestic groups that wish to observe polling, counting, and tabulation and may choose to invite international observer groups. The decision is pending as of publication of these FAQs.

When will the official results be announced?

The official result of each election is expected to be announced on Election Day, following the completion of vote counting.

How will election disputes be adjudicated?

Disputes based on written complaints will be resolved by returning officer or the Election Commission of Nepal. Where decisions are appealed, the Supreme Court will make final rulings.

Resources

- [Election Commission Nepal](#)
- [The Constitution of Nepal](#)
- [President and Vice-President Electoral Act 2017](#)
- [President and Vice-President Electoral Regulation 2017](#)

About IFES in Nepal

The International Foundation for Electoral Systems (IFES) has been supporting the implementation of inclusive elections, building the capacity of election professionals, and strengthening the integrity of the electoral process in Nepal since 2006. IFES currently implements the Niti Sambad (Policy Dialogue) program, funded by the United States Agency for International Development (USAID); the Strengthening Inclusive Election Processes in Nepal program, funded by the Australian Government through its Department of Foreign Affairs and Trade (DFAT); and the *She Leads* Nepal program, funded by DFAT and the Swiss Agency for Development and Cooperation. IFES's work on those programs includes capacity building support for the Election Commission of Nepal and support to strengthen the electoral legal framework. IFES also conducts robust civic and voter education, leadership, and inclusion programs across the country in partnership with local civil society organizations.

Disclosure

These FAQs reflect decisions made by the Election Commission of Nepal as of Feb. 28, 2022, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

This publication is made possible by the generous support of the American people through the United States Agency for International Development (USAID) and the Australian Government through the Department of Foreign Affairs and Trade. The information herein is provided by the author(s) and does not necessarily reflect the views of USAID, the United States Government, or the Australian Government.