



International Foundation
for Electoral Systems

Election FAQs: Nepal

2022 Local Election

May 13, 2022

Asia-Pacific

International Foundation for Electoral Systems

2011 Crystal Drive | Floor 10 | Arlington, VA 22202 | USA | www.IFES.org

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Election Snapshot

- Election Day: May 13, 2022
- Registered voters: 17,733,723
 - Male: 8,992,010
 - Female: 8,741,530
 - Other: 183
- Polling stations: 21,955
- COVID-19 precautions: face masks and hand sanitizer provided at each polling center
- Seats: 35,221
- Candidates: 145,010, 38.40 percent of whom are women
- Campaign expenditure and donation limits: between 25,000 Nepalese rupees (NPR) to 750,000 NPR (\$200 USD to \$6,000 USD), depending on position and location
- Domestic and international observers:
 - 68 national institutions
 - 20,000 observers

When is Election Day?

Nepal's local elections will be held May 13, 2022. Each ward, the smallest local unit in Nepal, will have at least one polling station, for a total of 21,955 polling stations. Polling stations will be open from 7 a.m. to 5 p.m. Voters will elect a total of 35,221 local legislative and executive representatives.

Why are these elections important?

Nepal promulgated its new constitution Sept. 20, 2015, initiating the country's transition to a federal state. The May 13 election is only the second local election since the adoption of the new constitution and transition to federalism. The 2017 local election was the first held at the local level in Nepal in two decades. The local election provides a new opportunity for local participation in government, especially for over three million Nepali youth who will be eligible to participate in their first election.

Who are citizens voting for on Election Day?

Nepal is divided into 77 districts, which are further divided into 753 local units (six metropolitan cities, 11 sub-metropolitan cities, 276 municipalities and 460 rural municipalities), classified as municipalities (*nagar palikas*) or rural municipalities (*gaon palikas*). Each local unit is further divided into five to 35 wards, the smallest administrative local units. There are 6,743 wards in Nepal.

Voters will vote for five ward members (a chairperson and four general members) plus an executive head and deputy executive head for their municipality (mayor and deputy mayor) or rural municipality (chair and vice chair). Each voter can, therefore, vote for seven local representatives. In total, 35,221 local legislative and executive representatives will be directly elected to a five-year term of office. There are 145,010 candidates running for these seats.

All ward members elected within a municipality or rural municipality make up the municipal assembly or rural municipal assembly. These assemblies are responsible for local affairs including tax collection, local legislation, policymaking, development planning and administration and disbursement of benefits and local development funds.

In addition, each district is governed by a district assembly whose members — including the executive heads and deputy heads — come from the municipal and rural municipal assemblies. This body is responsible for ensuring coordination among municipalities and with federal and state government offices.

The district assembly elects a district coordination committee as a district-level executive branch. Each district coordination committee is made up of a maximum of nine members chosen from among members of municipal or rural municipal assemblies within the district. Key functions of the district coordination committee include identifying local development issues, monitoring local development efforts and working with state and federal governments to ensure coordinated development throughout the local units within the district.

What is the electoral system?

This election will use the first-past-the-post system to elect seven representatives from a symbol-based ballot. Each ballot paper has seven columns, referred to on the ballot paper as “Ballots 1-6.”

- **Ballot 1:** Voters choose the chair of the rural municipality (*gaon palika*) or mayor, in the case of municipalities (*nagar palika*).
- **Ballot 2:** Voters choose the vice chair or deputy mayor of rural municipality or municipality.
- **Ballot 3:** Voters choose the ward chair.
- **Ballot 4:** Voters choose a woman ward member.
- **Ballot 5:** Voters choose a Dalit woman ward member.
- **Ballots 6 and 7:** Voters choose two additional ward members, for a total of seven.

The Election Commission Nepal (ECN) decided that each party will be represented on the ballot with its own symbol, as registered with the ECN. According to the Local Level Election Act, 2017, election symbols of political parties are to be assigned to candidates belonging to national parties who have won at least 3 percent of votes in the proportional representation system in the latest House of Representatives (HoR) elections and at least one seat in the HoR in the first-past-the-post system. In the previous local election, smaller parties and independent candidates received symbols assigned by the ECN.

A sample ballot is included as Annex 1.

What is the legal framework for conducting the elections?

The term of office of ward members is five years from the date of appointment, which is the seventh day following Election Day. The 2017 local elections were held in two phases, the first May 14 and the second June 14. As the first phase of elections occurred May 14, the representatives' terms ran from May 20, 2017 to May 20, 2022. The Constitution provides for holding an election for the municipal and rural municipal assemblies no later than six months after the expiration of the five-year term.

The government of Nepal is responsible for fixing the date of the election after consultation with the Election Commission Nepal.

Who is eligible to run as a candidate?

Any Nepali citizen who was at least 21 years old on the date of candidate registration (April 24, 2022); is a registered voter in the relevant ward of the local unit; is not disqualified by any law; and has registered with Election Commission Nepal as a candidate may contest the election. Candidates may run as independents or be nominated by a political party registered in the respective local unit.

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

According to the Local Level Election Act, two of the ward members elected for each ward must be women, and one of those women must be a Dalit. Of the 35,221 elected ward members, at least 13,486 will be women and at least 6,743 will be Dalit women.

The local election also includes indirect elections for the local and district executive branches. There are reserved seats for five women in the assembly of the municipal executive and four women in the assembly of the rural executive. The total number of seats in the rural or municipal executive will depend on the number of wards within its boundaries but will range from 13 to 41 seats. At least three of the nine members of the district coordination committee will also be women, all of them indirectly elected by and from among members of the district assembly.

Indirect elections ensure the social inclusion of minorities in addition to women and Dalit women. Municipal assembly members elect three eligible members from the Dalit or minority communities, irrespective of sex or gender identity, to the local unit to become members of both the local assembly and local executive. In rural municipalities, assembly members elect two eligible members.

What are the campaign expenditure and donation limits?

The campaign expenditure limits depend on the position the candidate is running for and the seat's location. The expenditure limits are higher in metropolitan cities than sub-metropolitan

cities, municipalities and rural municipalities. The campaign expenditure and limits are as follows:¹

Mayor/Deputy Mayor—Metropolitan City	NPR 750,000
Mayor/Deputy Mayor—Sub-Metropolitan City	NPR 550,000
Mayor/Deputy Mayor—Municipality	NPR 450,000
Ward Chairperson/Ward Member—Metropolitan City	NPR 300,000
Ward Chairperson/Ward Member—Sub-Metropolitan City	NPR 250,000
Ward Chairperson/Ward Member—Municipality	NPR 200,000
Chairperson/Vice Chairperson—Rural Municipality	NPR 350,000
Ward Member—Rural Municipality	NPR 150,000
Chairperson/Vice Chairperson—District Coordination Committee (DCC)	NPR 50,000
DCC member	NPR 25,000

Figure 1: Campaign expenditure limits by position

Donations are required to be made through bank transfer only, however, there is no limit on the amount any individual or entity is able to donate to a candidate.

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

Elections in Nepal are administered by the Election Commission Nepal (ECN), a constitutionally mandated independent body. The ECN is headed by Chief Election Commissioner Dinesh Kumar Thapaliya and includes four other commissioners: Ishwori Prasad Paudyal, Dr. Janaki Kumari Tuladhar, Ram Prasad Bhandari and Sagun Shamsheer J.B Rana. The ECN's work is supported by a secretariat with 114 full-time staff in its headquarters in Kathmandu, 63 staff in seven provincial election offices and 490 field staff in 70 district election offices.

According to Nepal's Constitution, 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 Election Commission shall prepare electoral rolls." The ECN may also conduct referendums on matters of national importance (Article 246 [2], Nepal Constitution) and has the authority to:

- Advise the government of Nepal on appropriate dates for elections;

¹ Dhungana, Smriti. "Election Commission fixes maximum expenditure limit of candidates." My Republica, March 12, 2022. <https://myrepublica.nagariknetwork.com/news/election-commission-fixes-maximum-expenditure-limit-of-candidates/>

- Request security arrangements from the government of Nepal or provincial governments;
- Monitor the election campaign, polling and counting, and sanction candidates or political parties for violations of the Code of Conduct;
- Authorize election observation;
- Delegate any function, duty or power to any government employee and request necessary assistance from the government of Nepal and provincial and local governments as needed;
- Obtain any government building, school or private school for use during the elections;
- Register or disqualify candidates;
- Declare official results and winners of the elections;
- Cancel an election due to violence, threats or intimidation; and
- Investigate and sanction any electoral offense or complaint.

How is the election management body protecting the elections and voters from COVID-19?

In coordination with relevant ministries, the Election Commission Nepal (ECN) is currently assessing its COVID-19 polling guidelines for the local election and will provide information closer to Election Day.

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

Since the last local elections were held in 2017, the Election Commission Nepal (ECN) has worked to develop and implement various information, communications and technology solutions to counter vulnerabilities. These solutions include updates to the Election Results Information System and the development of a backup 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?

Only citizens registered on the voters' list can vote in these elections. Article 6 of the Electoral Rolls Act (2017) states that, to be eligible as a voter, a person must be:

- A Nepali citizen;
- At least 18 years old; and
- A permanent resident of the relevant ward.

The Election Commission Nepal (ECN) recently announced its decision to allow Nepali citizens to register on the voters' list before they turn 18 and to vote as long as they are 18 years old on Election Day. As voter registration in Nepal ends on the day that the election date is announced, approximately 90 days before Election Day, many young people turning 18 between that date

and Election Day were previously unable to vote. The ECN estimates that, because of this decision, about 200,000 young Nepalis will be able to cast ballots in the 2022 elections — either in the local election May 13, 2022, or in the elections for the federal House of Representatives and Provincial Assembly anticipated for fall 2022.

How many registered voters are there?

There are 17,733,723 registered voters in Nepal: 8,992,010 men, 8,741,530 women and 183 individuals identifying as “other.”² These numbers include those who registered on the voter roll by the Feb. 7, 2022, registration deadline and who are over 18 or will turn 18 by the day before Election Day.

What provisions are in place that support the equal rights of women, persons with disabilities and other marginalized groups?

The representation of women, persons with disabilities and those from other marginalized groups is ensured through the reservation of seats within each ward for individuals representing groups including women, Dalit women and persons of any gender identity from other marginalized groups.

Additionally, on Election Day, voters with disabilities; pregnant women; lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI+) persons; and elderly voters may request priority voting, meaning that they are not required to stand in the queue to vote. Voters with disabilities may also request voting assistance from a polling official, if they choose.

Is out-of-country voting allowed?

The current legal framework does not provide for out-of-country voting for any election in Nepal.

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

International and national organizations and individuals may register with the Election Commission Nepal (ECN) if they wish to observe elections. Applicants must provide evidence of expertise and records of previous election observation and monitoring experiences.³ For the 2022 local election, the ECN accepted applications from March 27 to April 10.

The accreditation process began April 10, 2022. The ECN approved 68 national institutions, which will mobilize approximately 20,000 observers.

² The voter registration form allows voters to select male, female or “other.” The “other” category is understood to mean persons whose gender identify is non-binary, intersex or transgender. Nepal’s legal system formally recognizes a “third gender,” following a 2007 Supreme Court ruling that mandated that the government create a legal category for people who identify as neither male nor female.

³ “Nepal local elections: Observers called to register themselves and get permits.” Online Khabar, 27 March, 2022. <https://english.onlinekhabar.com/nepal-local-elections-observers.html>

Who is managing security on Election Day?

The Election Commission Nepal (ECN) has seconded 116,000 security personnel from the Police and Armed Police Forces, in addition to recruiting and training 100,000 temporary security personnel. Security forces are coordinated by the Joint Elections Operations Center, which is chaired by the chief election commissioner and includes senior representatives from the ECN, Nepal Army, Armed Police Forces, Nepal Police, National Investigation Department and Ministry of Home Affairs. Security forces will be employed to protect polling place perimeters, and unarmed security personnel will monitor the sealed ballot boxes. The ECN has updated the Election Security Guidelines and Election Security Directives in anticipation of the election.

Where are vote counting and tabulation held?

At the close of polling, the respective polling officer and a security escort will seal each ballot box and transport it to the office of the returning officer. After all the ballot boxes from all polling locations of the municipality or rural municipality arrive, the returning officer will publish a notice specifying the date, place and time for the counting of votes.

Ballots from all ballot boxes for a given ward will be mixed and counted together under the supervision of the returning officer. The total number of valid and invalid votes for each candidate will be recorded on a tally sheet. The counts will be entered using results tabulation software on laptop computers to determine results by ward and municipality. Once the results have been verified, the returning officer will announce the winners of the ward and municipal executive offices. Candidates or their agents may be present during the transport and counting of votes.

When will official results be announced?

The returning officers will announce preliminary results immediately following counting and tabulation. The results will then be transmitted to Election Commission Nepal (ECN) headquarters to be reviewed for accuracy. The ECN will announce the official results when all votes have been counted and will then post all ward-level results on its website.

The goal is to finish counting within one week of Election Day. Preliminary results are expected to be announced May 14May 14, 2022.

How will election disputes be adjudicated?

Before any election, the Election Commission Nepal (ECN) forms an election dispute resolution (EDR) committee composed of nine members, including five members of the ECN; the secretary of the Ministry of Law, Justice and Parliamentary Affairs; the secretary of the Office of the Prime Minister; the secretary of the Ministry of Home Affairs; and the attorney general. Complaints regarding election disputes, violations or irregularities must be made in writing to district or regional election officers, polling officers, returning officers or monitoring officers, or directly to the EDR committee within 48 hours of the alleged violation. Any member of the EDR committee has the authority to determine the validity of the complaint and impose remedies and

sanctions.

Candidates filing election results petitions must do so within 15 days of the announcement of results. All appeals to decisions made by the adjudicating authority must be made within 35 days of the announcement of results to the relevant high court of the state. Certain offenses, such as forgery of ballots, vote buying, requests for recounting of votes or acts of violence must be referred directly to the respective high court to issue rulings and impose sanctions.

Resources

- Constitution of Nepal and related laws: <https://election.gov.np/en/page/election-related-laws>
- Election Commission Nepal: <https://election.gov.np/en/>
- Code of Conduct: <https://election.gov.np/en/page/code-of-conduct-ll>
- All directives and regulations, including local election directives: <https://election.gov.np/en/page/rules-and-regulations-ll>

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 is currently implementing the *Niti Sambad* (Policy Dialogue) program, funded by USAID and the Strengthening Inclusive Election Processes in Nepal program, funded by the Australian Government through the Department of Foreign Affairs and Trade. IFES' work on these programs includes capacity building support for the Election Commission Nepal and support to strengthen the electoral legal framework in addition to robust civic and voter education programs conducted across the country in partnership with various local civil society organizations.

Disclosure

These FAQs reflect decisions made by the Election Commission Nepal as of May 5, 2022, to the best of our knowledge. This document does not represent any International Foundation for Electoral Systems policy or technical recommendations.

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