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Elections in Nepal

2020 National Assembly Elections

Frequently Asked Questions

Asia-Pacific

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Nepal elections authorities as of January 22, 2020, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

The elections for the National Assembly will take place on January 23, 2020. Voting will start at 10 a.m. and end at 4 p.m.

What is the National Assembly and how is it constituted?

On September 20, 2015, Nepal promulgated a new Constitution that initiated a transition to a federal republic comprised of local, state and federal governments. The National Assembly, or *Rastriya Sabha*, is the upper house of Nepal's bicameral Federal Parliament. It is comprised of 59 members: eight members from each of Nepal's seven states elected through an electoral college and three appointed by the president on the recommendation of the government of Nepal. The National Assembly has many of the same powers as the lower house – the House of Representatives – including drafting legislation and rejecting or amending bills passed by the House of Representatives. However, the National Assembly cannot table appropriations bills and cannot initiate a motion for impeachment; a two-thirds majority of the combined houses is necessary to impeach the president.

Which electoral system will be used in these elections?

Of the 19 National Assembly seats up for election, one representative will be appointed by the president of Nepal, Bidhya Devi Bhandari. The remaining 18 seats will be elected using first-past-the post (FPTP) in seven electoral colleges comprised of the members of the seven State Assemblies and the mayors/chairs and deputy mayors/deputy chairpersons. Previously, a single transferable vote (STV) electoral system was used to elect the members. However, STV is not applicable in cases of electing single seats within each state constituency.

The two remaining seats from each state elected through FPTP are reserved for one Dalit person and one person with a disability or member of a minority group, as defined by the government of Nepal. The seats are contested separately so the Dalit candidate with the most votes in a particular state and the candidate with a disability or from a minority group with the most votes will both be elected.

What is the structure of the ballots?

Each voter will receive ballots listing the candidate(s) for their respective state, with each position having a separate ballot. For example, in State 2 voters will receive four ballots: one for each seat for a woman, a Dalit, a person with disability/minority and "other" assembly member. The ballots will list the candidates' names and their respective party symbols. The following map shows the seats being contested.

Figure 1: Map of Polling Centers and National Assembly Members to Be Elected



Who can vote in these elections?

A total of 2,056 voters will vote in seven different electoral colleges representing the seven states. The electoral colleges consist of 1,506 executive members of the local councils – mayors, deputy mayors, chairs and vice chairs – and 550 members of the State Assemblies. Their votes will be weighted differently, with local council votes weighted a value of 18 compared to State Assembly votes at 48. Local council members will be given red ballots, while State Assembly members will be given green ballots to differentiate their respective vote weights during counting. The composition of the electoral colleges for each state is as follows:

Figure 2: Composition of Electoral Colleges for Each State



What is the process for counting and tabulation?

The counting of ballots will be conducted under the direct supervision of the returning officer in the respective polling location. Counting will begin in the presence of party agents shortly after the close of polling at 4:00 p.m. on January 23.

In the first step, valid ballot papers will be sorted into parcels by candidate. After recording these numbers, the total weighted value of votes will be calculated by crediting candidates with the respective weighted vote values: 18 for local-level ballots and 48 for State Assembly ballots. The returning officer

will then declare the candidate with the highest votes value the winner. The results of the count will be signed by the returning officer and party agents and publicly displayed.

Who is eligible to contest these elections?

Nepali citizens who are at least 35 years old on the date of candidate registration (January 4, 2020), are registered voters, are not disqualified by any law and have registered with the Election Commission of Nepal as a candidate may contest the election. Candidates may run as independents or be nominated by political parties that have registered to contest the elections. Eleven parties have nominated 48 candidates. There are no independent candidates contesting these elections.

Are there reserved seats for women and minorities?

Yes. Seven of the 19 open seats – 36.8 percent – are reserved for women, two seats are reserved for persons with disabilities or an ethnic minority and two seats are reserved for Dalit persons.

When do elected representatives assume office?

The newly elected members of the National Assembly will assume office on March 3, 2020, after they are sworn in by the chairperson of the National Assembly.

What is the term of office for elected representatives?

The term of office of the National Assembly is six years from the date of its first meeting, with one-third of the members replaced every two years. The current 59 members of the National Assembly began their terms on March 3, 2018. All 59 were randomly selected to serve terms of two, four or six years. Thereafter, all newly elected members will serve a full six-year term with one-third of the members being elected every two years.

Nineteen of the current 59 seats will expire on March 3, 2020, and the newly elected members will serve six-year terms.

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, who was appointed April 17, 2019, and two additional commissioners, Ishwori Prasad Paudyal and Narendra Dahal, who were appointed February 16, 2017. Two commissioner positions within the ECN are currently vacant. The ECN's work is supported by a secretariat with 111 full-time staff based in its headquarters in Kathmandu and 559 field staff in 77 district 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 State Assemblies and members of the Local level. For these purposes, the Election Commission shall prepare electoral rolls.” (Article 246 [1], Nepal Constitution) The ECN may also conduct referendums on “matters of national importance.” (Article 246 [2]) The ECN has the authority to:

- Advise the government of Nepal on appropriate dates for elections;
- Request security arrangements from the government of Nepal or the state 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 state and local government 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.

Where will voting take place for these elections?

Polling will take place at seven polling locations designated at the high court/returning office, as follows:

Figure 3: Polling Locations and Numbers of Voters

State	Polling Location	Number of Voters
1	Biratnagar, Morang	367
2	Janakpur, Dhanusa	379
3	Lalitpur	348
4	Pokhara, Kaski	230
5	Ghorahi, Dang	305
6	Birendranagar, Surkhet	198
7	Dipayal, Doti	229

Who will observe during Election Day?

The Election Commission of Nepal intends to accredit interested domestic observer groups that wish to observe the polling, counting and tabulation processes. However no formal announcement has been made at the time of writing and the government of Nepal has not invited any international observation groups.

How will election disputes be adjudicated?

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

What are the spending limits for candidates?

Candidates are permitted to spend up to 350,000 NPR, or approximately \$3,500 USD. Candidates will have to submit their campaign expense reports to the Election Commission of Nepal within 30 days of the announcement of the results.

Resources

- Election Commission of Nepal: <http://www.election.gov.np/election/np>
- Constitution of Nepal, 2015:
<http://www.lawcommission.gov.np/en/archives/category/documents/prevailinglaw/constitution/constitution-of-nepal>
- Election codes of conduct: <http://www.election.gov.np/election/en/electoral-code-ofconducts1.html>