



International Foundation  
for Electoral Systems

# **Election FAQs: Nepal**

## *2022 National Assembly Elections*

### *January 26, 2022*

Asia-Pacific

International Foundation for Electoral Systems

2011 Crystal Drive | Floor 10 | Arlington, VA 22202 | USA | [www.ifes.org](http://www.ifes.org)

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## Election Snapshot

- Election Day: Jan. 26, 2022
- Registered voters: 2,025 (905 women) representing seven provincial electoral colleges
- Polling stations: 14 polling locations
- Physical distancing: Two meters
- Seats: 20
  - 19 seats to be elected
  - One seat to be appointed by the president
  - Seven seats are reserved for women
  - Three seats are reserved for Dalit persons
  - Two seats are reserved for persons with disabilities or candidates representing another marginalized group
- Candidates: 43 (17 women)
- Campaign expenditure and donation limits: 350,000 Nepalese Rupees (\$3,000 USD)

## When is Election Day?

The National Assembly by-elections will take place on Jan. 26, 2022. For all seven provinces, voting will start at 9 a.m. and end at 3 p.m. There will be 14 total polling stations—two in each province. The polling locations for each province are listed below:

Province	Polling Locations (two in each province)
Province 1	Biratnagar, Morang district
Province 2	Janakpur, Dhanusha district
Bagmati Province	Hetauda, Makwanpur district
Gandaki Province	Pokhara, Kaski district
Lumbini Province	Ghoahi, Dang district
Karnali Province	Birendrangagar, Surkhet district
Surhuraschim Province	Dhangadi, Kailali district

## Who can vote in these elections?

A total of 2,025 voters (including 905 women) who are Municipal Executive members and Provincial Assembly members are expected to vote in the upcoming National Assembly election. The Municipal Executive and Provincial Assembly members comprise the seven provincial electoral colleges. The votes will be weighted depending on the voters' positions, with Municipal Executive members' votes weighted at a value of 18 and Provincial Assembly representatives' votes weighted at a value of 48. Municipal Executive members will use red ballots, and Provincial Assembly members will use green ballots to differentiate the weights of their respective votes during counting.

The composition of the electoral colleges for each province is as follows:

	Number of Voters: Provincial Assembly representatives		Number of Voters: Municipal Executive members		Total
	Men	Women	Men	Women	
Province 1	60	32	141	131	364
Province 2	67	37	135	133	372
Bagmati Province	72	37	123	114	346
Gandaki Province	39	20	93	77	229
Lumbini Province	48	33	114	101	296
Karnali Province	22	13	83	73	191
Sudurpashchim Province	34	18	89	86	227

## Why are these elections important?

As defined by Nepal's 2015 constitution, the National Assembly, or *Rastriya Sabha*, is the upper house of the country's bicameral Federal Parliament. It comprises 59 members—eight from each of Nepal's seven provinces 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 can reject or amend 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.

## Who are electors voting for on Election Day?

The National Assembly by-elections are for 19 vacant seats across all seven of Nepal's provinces. These include two seats each in Province 2 and Bagmati Province and three seats each in the remaining five provinces: Province 1, Gandaki Province, Lumbini Province, Karnali Province and Sudurpashchim Province. Forty-three candidates (including 17 women) will contest for the 19 seats. In addition, the president of Nepal will appoint one representative.

## What is the electoral system?

Of the 20 open National Assembly seats, the president of Nepal, Bidhya Devi Bhandari, will appoint one representative on the recommendation of the government of Nepal. Elections for the remaining 19 seats use the first-past-the-post (FPTP) process in seven electoral colleges consisting of the members of the Provincial Assembly and the mayors/chairs and deputy mayors/deputy chairs of that province, who comprise the Municipal Executives. Previously, in the first National Assembly election in 2018, members were elected through a single transferable vote

electoral system. However, an amendment to the National Assembly Act, 2019, requires the National Assembly elections to be held using FPTP.

## **What is the legal framework for conducting the elections?**

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. For the first time, on March 3, 2018, all 59 members were selected randomly to serve terms of two, four or six years. Thereafter, the newly elected National Assembly members, as well as the National Assembly member appointed by the president, will serve a full six-year term, with one-third of members elected every two years.

The National Assembly Election Act, 2019, serves as the legal basis for National Assembly Elections, along with the Nepali Constitution, 2015.

## **Who is eligible to run as a candidate?**

Any Nepali citizen who is at least 35 years old on the date of candidate registration, is a registered voter, is not disqualified by any law and has 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.

Nine political parties have nominated candidates for the elections. They are the Nepali Congress; Communist Party of Nepal (CPN)–Unified Marxist-Leninist; CPN–Maoist Center; CPN–Unified Socialist Party; Janata Samajwadi Party; Rastriya Janamorcha; Nepal Workers and Peasants Party; Loktantrik Samajbadi Party; and Rastriya Prajatantra Party. A total of 43 candidates (17 women) represents these nine parties.

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

Of the 59 National Assembly seats, 21 are reserved for women, seven are reserved for Dalit persons and seven are reserved for persons with a disability or candidates representing another minority community. Of the three members nominated by the president, one must be a woman. The remaining 21 seats are open to be contested by any candidate.

For this election, seven of the 19 seats are reserved for women, three for Dalit persons, two for persons with disabilities or members of another minority community and seven are open seats. Of the 43 candidates contesting the election, 17 are women.

Two or three of the seats up for election in each province are reserved for women, Dalit persons, persons with disabilities or those from other minority groups, depending on the makeup of each province's representatives for the seats that are not up for election in 2022. For each reserved seat, candidates from the relevant minority group who receive the most votes will be elected.

The reserved seats in each of the provinces are as follows:

Province	Reserved Seats			
	Women	Persons with disabilities or other minority groups	Dalit persons	Open (can be contested by anyone)
Province 1 (three open seats)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Province 2 (two open seats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bagmati Province (two open seats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gandaki Province (three open seats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lumbini Province (three open seats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Karnali Province (three open seats)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sudurpashchim Province (three open seats)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

### What are the campaign expenditure and donation limits?

Candidates are permitted to spend up to 350,000 Nepali Rupees (approximately \$3,500 USD) on their campaigns. Candidates must submit their campaign expense reports to the Election Commission of Nepal within 30 days of the announcement of the results.

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

Elections in Nepal are administered by the Election Commission of Nepal (ECN). The ECN is a constitutionally mandated independent body headed by Chief Election Commissioner Dinesh Kumar Thapaliya, with four 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 based in its headquarters in Kathmandu, 63 staff in seven provincial election offices and 490 field staff in 70 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 Provincial 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 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 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.

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

The Election Commission of Nepal (ECN) released COVID-19 directives for the election, which included regulations for voters, polling staff, political party representatives, security personnel and other stakeholders. The regulations mandate that all voters, staff, security personnel and political party representatives must show proof COVID-19 vaccination before entering the polling station.

The ECN will provide face masks, hand sanitizer, thermal thermometers and sanitizing supplies at each polling station and all parties will be required to wear a face mask and sanitize their hands before entering the polling station and after casting their votes. Each voter will have their temperature checked before entering the polling station and answer screening questions about possible COVID-19 symptoms or exposure in the past 14 days. If voters are positive for COVID-19, have a temperature or report any other COVID-19 symptoms, they will queue separately from the other voters, use a separate ballot box and be provided with gloves, face masks and face shields.

The polling stations will be set up to allow for social distancing between voters and election staff, and marks will be put on the ground in the queue and inside the polling station to indicate how to maintain two meters' distance between each person. Polling staff will disinfect each polling booth after each 25 voters and will disinfect the ballot boxes before sealing and transporting the ballot boxes to the vote tabulation center.

## **How many registered voters are there?**

A total of 2,025 voters (including 905 women) are registered and eligible to vote in the National Assembly by-election, representing the seven provincial electoral colleges composed of Municipal Executive members and Provincial Assembly members.

## **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 the National Assembly for individuals representing each of these groups. According to the National Assembly Act, 2019, if a by-election is held, the representative who is elected should represent the same group as the representative who vacated the seat.

On Election Day, voters with disabilities may request voting assistance from a polling official, if they choose.

## **Is out-of-country voting allowed?**

There are no provisions for out-of-country voting in Nepal.

## **Who can observe on Election Day? How can they get accreditation?**

The Election Commission of Nepal intends to accredit domestic observer groups that wish to observe the polling, counting and tabulation processes. However, no formal announcement had been made at the time of the release of this publication. Due to the COVID-19 pandemic, the government of Nepal has not invited any international observer groups, and it is currently assessing the possibility of observation upon request for diplomatic missions.

## **Who is managing security on Election Day?**

The Election Commission of Nepal (ECN) engaged between 7-10 security personnel per polling station from the Police and Armed Police Forces. Security forces are coordinated by the Joint Elections Operations Centre, which is chaired by the chief election commissioner and includes senior representatives from the ECN, Nepal Army, Armed Police Forces, Nepal Police and National Investigation Department, as well as the Ministry of Home Affairs. Security forces will be employed to protect polling place perimeters, and unarmed security will always directly supervise the sealed ballot boxes. While the counting directive for these elections has not yet been issued, in previous elections all security personnel have remained with the ballots until the counting is completed.

## **Where are vote counting and tabulation held?**

Ballots will be counted under the direct supervision of the Returning Officer in each polling location. Counting will begin in the presence of party and candidates' agents shortly after the closing of polls at 3:00 p.m. on Election Day.

First, valid ballot papers will be sorted into parcels by candidate. After these numbers are recorded, the total weighted value of votes will be calculated by crediting candidates with the weighted vote values: 18 for Municipal Executive ballots and 48 for Provincial Assembly ballots. The Returning Officer will then declare the candidate with the highest vote value the winner. The Returning Officer and party agents will sign the results of the count, which will be displayed publicly.



## **When will official results be announced?**

Results are expected to be announced on Jan. 27.

## **How will election disputes be adjudicated?**

Returning Officers or the Election Commission of Nepal will resolve disputes based on written complaints. Where decisions are appealed, the Supreme Court will make final rulings.

## Resources

- Election Commission of Nepal: <https://election.gov.np/np>
- Constitution of Nepal, 2015:  
<http://www.lawcommission.gov.np/en/archives/category/documents/prevailinglaw/constitution/constitution-of-nepal>

## About IFES in Nepal

Since 2006, 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. IFES is currently implementing *Niti Sambad*, a five-year program funded by the United States Agency for International Development with the goal of advancing a more democratic, prosperous and resilient Nepal by strengthening democratic institutions and promoting inclusion and participation in political processes. IFES' work on this program includes capacity building support for the Election Commission of Nepal and support to strengthen the electoral legal framework, as well as robust civic and voter education programs conducted in partnership with local civil society organizations, aiming to increase the inclusion of marginalized populations in political and electoral processes.

## Disclosure

These FAQs reflect decisions made by the Electoral Commission of Nepal as of Jan. 20, 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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