



## Asian Network for Free Elections

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### CREDIBLE ELECTIONS ADVANCE NEPAL'S PEACE PROCESS

*ANFREL has been in Nepal since 22<sup>nd</sup> February 2008 and had over 100 observers across the country on election day, who observed 431 number of polling stations in 49 districts.*

Largely successful and credible Constituent Assembly elections mark an historic step towards consolidating peace and democracy in Nepal. ANFREL congratulates the Election Commission, polling officials, observers and, most of all, the Nepali people for this achievement.

A strong turnout in this post-conflict environment and enormous enthusiasm for the election shows the will of Nepalis for a more inclusive and democratic government. ANFREL encourages political parties to respect the will of the people.

Election day itself was relatively peaceful, allowing most Nepalis to exercise their right to vote freely, though there were a number of incidents of violence and intimidation in the pre-election environment. The administration of polling was smooth in almost all areas, however understanding of the complex electoral system varied. Irregularities in some parts of districts that ANFREL observed undermined the competitiveness of the elections in those areas, but not the overall credibility of the election.

The overall integrity of the election will be upheld provided that the counting of ballots is conducted well and grievances are appropriately resolved, including through re-polling.

"The Nepali people and the Election Commission deserve credit for the success of this election. But the optimism of the moment should be tempered both with sadness for those who have lost their lives in election-related violence, and caution as difficult challenges lay ahead," said ANFREL's Chief of Mission, General Saiyud Kerdphol.

"In the immediate term, the grievances of political parties must be thoroughly investigated and repolling conducted where necessary. We commend the Election Commission for already announcing that repolling will take place where egregious violations have been committed. We hope that less visible but no less serious problems will be considered with equal vigour. Political parties must also follow the due process of law if they have complaints," said ANFREL's Executive Director Somsri Hananutasuk.

"There have been many successes in these election, such as the meaningful participation of women," she observed. "These successes, however, should not distract us from the long term technical and legal reforms necessary to strengthen Nepal's elections in the future."

ANFREL will continue to observe the counting process and post-election environment, and will issue a full assessment of the entire election process and detailed recommendations for future elections in June 2008. However, the mission would like to highlight the following recommendations:



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### Recommendations

#### *In the immediate term:*

1. All political parties should respect the will of the people and use the appropriate legal channels if they have grievances
2. The Election Commission should make every effort to ensure that grievances are thoroughly investigated, repolling conducted where necessary, and the perpetrators of election-related fraud and crimes brought to justice
3. The Nepali public and all political stakeholders should continue to show patience in awaiting the results of a necessary lengthy counting process

#### *In the long term:*

1. Ensure that there is a comprehensive and accurate voter roll and reconsider the use of out-of-district voting to facilitate the greatest possible participation
2. Political parties should take concrete steps to maintain discipline amongst their party members and ensure they comply with the law, and that children are not coerced into campaigning or other activities
3. Proportional representation candidates should be ranked so that voters can clearly see who their likely representatives will be
4. Greater resources should be dedicated within the Election Commission to monitoring the implementation of the code of conduct
5. First-the-past ballot papers should have the names of candidates marked on them
6. The application of the rule of law by the government, police, and Election Commission, should be strengthened
7. Start counting at district centres as soon as individual boxes arrive to speed up the process, and to minimise possible disruption of counting if a single ballot box does not arrive
8. Allow greater time for voter education to deepen the understanding by the public of the electoral system
9. Consider limiting the role of party agents in checking the presence of the voter roll