



**First Interim Statement on the
Election Commission of Nepal's "Voter Registration with Photograph" Program
19 April 2011**

I. Introduction

The Election Commission of Nepal (ECN) is conducting a nationwide voter registration process to create a new computerized voter register. Following an invitation from the ECN and as part of broader efforts to observe the peace and constitutional processes at the local level, Carter Center observers were deployed to 13 districts in February and March 2011 to gather information about the voter registration process. The Center's observation objectives are to support the electoral process, to promote confidence in the ECN and the voter registration process to the degree warranted, and to contribute to the overall strengthening of the democratic process in Nepal. This report is intended to provide an impartial assessment of the voter registration process, including highlighting positive aspects, identifying potential weaknesses, and offering recommendations for steps that could be taken to strengthen the process.

II. Context

The ECN is creating a new computerized voter register to replace the 2008 register, which was believed to contain many mistakes, including missing or misspelled names, entries of the same voters' names in multiple locations, and possibly some ineligible voters.¹ The computerized register will capture registrant photos and fingerprints as well as additional personal information that is intended to enable greater quality control over the voters' list and reduce the possibility of voter fraud. In addition, the ECN is coordinating with the Ministry of Home Affairs to provide registrant information for proposed national identification cards.

Voter registration is being implemented by the ECN in accordance with the Interim Constitution of Nepal (2007), Voters' Roll Act (2006) and Voters' Roll Rules (2007). In line with this legal framework, the ECN has developed policies and procedures to govern the conduct of voter registration, including those that establish voter registration eligibility requirements and implementation measures. Specifically, individuals are deemed eligible to register if they are aged 16 or above² and possess a Nepali citizenship certificate.³ If an individual wishes to register in a place other than that listed on his or her citizenship card, he or she must present proof of migration, specifically a migration letter issued by an individual's home VDC or municipality, a letter issued by an individual's present VDC or municipality attesting to his

¹ Concerns about the voters' list were highlighted by The Carter Center's observation mission to the Constituent Assembly Elections in 2008, and "Create a more inclusive and accurate voter list" was the top recommendation of The Carter Center mission's final report. Please refer to "Observing the 2008 Nepal Constituent Assembly Election," The Carter Center, available at: http://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/FinalReportNepal2008.pdf

² Individuals aged 16 or above are eligible to register but only individuals who are aged 18 and above on election day will be eligible to vote and included on the voters' list.

³ The Supreme Court ruled in February 2011 that a citizenship certificate is the only means by which Nepalis can demonstrate citizenship for the purposes of registering to vote.

or her habitual residence,⁴ a land or house ownership certificate, an electricity or water bill indicating the individual's new address, or certain other documents.

The voter registration process was launched in March 2010 with a pilot exercise in seven VDCs of five districts. Field data collection has continued in multiple phases: a municipalities phase that registered eligible voters residing in 58 municipalities in 43 districts (completed between September and December 2010); a “bridging” phase that registered voters in areas nearby municipalities in 43 districts (completed between December 2010 and March 2011); and a nationwide phase to register voters throughout the rest of the country (launched in March 2011 and scheduled to continue through the end of June 2011).⁵

At the district level, voter registration is composed of: a multi-level, multi-media voter education campaign; a door-to-door campaign to identify, inform, and document individuals who are eligible to register (“enumeration”); and on-site registration at more than 10,000 voter registration places at which eligible individuals will be physically registered. At the same time, continuous voter registration is ongoing at District Election Offices in all 75 districts to accommodate individuals who missed voter registration in their location of residence. After registration data is collected in each district, it is planned to be aggregated, cleaned, and then sent to the ECN in Kathmandu for further processing. The collection of district-level voter registration data is expected to end by June 2011, after which a provisional voters' list is expected to be compiled and posted for a public exhibition and challenges period. After complaints and objections have been addressed, the ECN will make all necessary corrections and continue to register voters through continuous registration.⁶

The Carter Center commends the positive efforts undertaken by the ECN thus far to ensure that all Nepalis who wish to register to vote are provided with the opportunity to do so. The ECN has faced many challenges – political, legal, and administrative – in implementing voter registration, but has demonstrated flexibility and good will as the registration process has gone forward. Specifically, the Center commends the ECN for:

- Proactively responding to concerns about the quality of the 2008 CA voters' list raised by election observers and others and embarking upon a major effort to create a more accurate list;
- In response to the February 2011 Supreme Court ruling on the requirement of a citizenship certificate for registration, sending a letter to request the Government of Nepal to issue citizenship certificates to all eligible Nepalis;
- Engaging in dialogue with protesting political parties to seek ways to accommodate their concerns; and
- Broadening its policy on proof of migration requirements in order to facilitate easier access for eligible registrants who are no longer living at the location stated on their citizenship certificate.

The Carter Center encourages the ECN to build on its positive efforts to date and to take further steps to promote greater access and opportunity for all Nepalis who wish to register to vote.

⁴ Following a change to ECN procedures made in March 2011, a letter from an individual's present VDC or municipality attesting to his or her permanent residence has been added to the list of documents which can be used to show valid proof of migration. However, this document was not allowed during the municipalities or bridging phases (September 2010 – March 2011).

⁵ An additional phase to target eligible registrants living outside the location listed on their citizenship cards as well as certain minority groups is reportedly under consideration by the ECN but not yet confirmed.

⁶ While the ECN has made a provision for complaints and objections per its plan for voter registration, there is presently no defined process for the exposition of a provisional voters' list nor has a mechanism been established for complaints and objections.

III. Observation Methodology

In February 2011, a two-person Carter Center team visited Nepal to review the legal framework governing elections and conduct meetings with ECN representatives and international organizations providing technical assistance. Six teams of Carter Center long-term observers (LTOs) were deployed in late February and March to collect information about the voter registration process from 13 of 43 districts where registration took place during the “bridging” phase. Specifically, observers collected information from nine Tarai districts (Banke, Bara, Dang, Dhanusa, Kanchanpur, Kapilvastu, Morang, Parsa, and Rupandehi) and four Hill districts (Doti, Ilam, Kathmandu, and Kavrepalanchok). Carter Center LTO teams⁷ gathered information about voter awareness and participation, voter registration management, and political party participation, and also conducted direct observation at 25 voter registration places.

LTOs gathered both qualitative and quantitative information about the voter registration process through interviews and direct observation. In addition to data collected from ECN officials regarding enumeration and registration turnout figures, observers conducted interviews with at least 10 citizens chosen at random in each location to determine: how many were aware of the voter registration process; how many understood the process; how they learned about the process; how many received visits from enumerators; how many were able to produce the required documentation; how many understood what they needed to do next to register; how many intended to register; and how many were deemed ineligible for whatever reason. As it was not possible to deploy observers to a representative sample of voter registration locations, it is not possible to extrapolate the quantitative data obtained by LTOs for the purposes of generalization across the country. However, the quantitative data LTOs were able to obtain offers illustrative insights into the level of voter participation to date and the challenges faced by the ECN in registering voters.

The Carter Center conducted its observation activities in accordance with Nepali law, the ECN Code of Conduct for Election Observation, and international election observation standards laid out in the Declaration of Principles for International Election Observation. The Center performed its assessment of the voter registration process with reference to the Nepali legal and regulatory framework governing the voter registration process, specifically the Interim Constitution of Nepal (2007), Voters’ Roll Act (2006) and Voters’ Roll Rules (2007), and ECN policies and procedures. The Center also considered international standards governing democratic elections, specifically those which Nepal has signed or ratified, including: the UN Universal Declaration of Human Rights (Article 21); International Covenant on Civil and Political Rights (Article 2); UN Human Rights Commission General Comment 25; UN Declaration on the Right and Responsibility of Individuals, Groups and Organs to Promote and Protect Universally Recognized Human Rights & Freedoms; and UN covenants which prohibit discrimination against individuals based on race, nationality, ethnicity, sex, age, and education, such as the Convention on the Elimination of All Forms of Discrimination Against Women, International Convention on the Elimination of All Forms of Racial Discrimination, Convention Concerning Indigenous & Tribal Peoples’ Rights; and Convention on the Rights of Persons with Disabilities, and Guiding Principles on Internal Displacement among others.

IV. Detailed Findings

1. LEGAL FRAMEWORK

The voter registration process in Nepal is governed by the Voters’ Roll Act (2006) and the Voters’ Roll Rules (2007), enacted in accordance with the Interim Constitution of Nepal (2007). The laws that govern the present voter registration process were drafted to suit the Constituent Assembly Elections held in 2008 and while they contain broad criteria for determining voter eligibility, they do not contain explicit

⁷ Carter Center LTO teams are composed of two international LTOs, one Nepali national LTO, and one interpreter.

provisions for key aspects of the current voter registration process. The Voters' Roll Act establishes three criteria for determining voter registration eligibility: registrants must be aged 18 years or over; must be Nepali citizens; and must have habitual residence in an electoral constituency. While the law requires that an individual must be aged 18 years or over to be eligible to register, it is common international practice that individuals who are not yet 18, but are likely to turn 18 prior to or on election day, should be included in the voter register.⁸

As it pertains to citizenship, the law contains contradictory provisions: on the one hand, the law provides the ECN with broad latitude to determine policies and procedures for conducting voter registration, including the discretion to request whatever documentation it may require for determining citizenship, including a citizenship certificate. On the other hand, the law as written states that the failure of an individual to produce a citizenship certificate is not sufficient grounds to deprive an individual of his or her right to registration and allows for other government-issued documentation to suffice. The Supreme Court addressed the question of whether a citizenship certificate requirement was constitutional in its February 2011 decision, in which it instructed the ECN to use the citizenship certificate as the sole basis for proving eligibility for registration.

As it pertains to the issue of migration, the law states that an individual must habitually reside in an election constituency to be deemed an eligible voter in that constituency. The law also grants the ECN broad scope to determine policies and procedures for voter registration purposes, and this is the basis for the ECN policy of requiring citizens who no longer reside at the place listed on their citizenship card to produce proof of migration documentation prior to being able to register in their present localities. Moreover, it is common international practice for election authorities to request proof of "habitual residence" as a measure to reduce the potential for voter fraud.

Finally, the law is silent on many aspects of the voter registration process currently being implemented. For example, there are no explicit provisions within the existing legal framework for voter registration sites, only for enumeration, which was the sole process through which voters were registered in advance of the Constituent Assembly election. There are also no provisions for continuous voter registration or for the collection of biometric data of registrants, which should ideally have been stipulated in the legal framework governing the voter registration process. However, regardless of the lack of explicit provisions, the efforts being undertaken by the ECN are all in accordance with common international practices.

2. VOTER REGISTRATION TURNOUT PROJECTIONS

For the municipalities phase, the ECN established a voter registration turnout target of 75 percent of the voters' list that was used to administer the 2008 Constituent Assembly Elections. The 2008 CA list contained approximately 17.6 million voters, of which 2,299,757 had been registered in the 58 municipalities where the first phase of voter registration was conducted. As such, the ECN established a 75 percent target registration figure of 1,724,818 voters to be registered during the municipalities phase. For the bridging and nationwide registration phases, the ECN has established a voter registration target of

⁸ Specifically, Article 63(7) of the Constitution stipulates that an individual must have turned 18 by 15 December 2007 to be able to vote in an election. While this article was clearly written to suit the context of the Constituent Assembly elections, the spirit is clear in that it is understood that individuals must be 18 years old in order to be deemed an eligible voter in an election. Additionally, the Voters Roll Act states that a person must be 18 as of April of the year before registration is implemented to be eligible to register. In response to a legal challenge to the ECN's plan to register 16 and 17 year olds, in a December 2010 ruling, the Supreme Court granted that the ECN should continue to register individuals aged 16 and over with the understanding that individuals who have not yet turned 18 by election day would be exempted from the voters' list that is ultimately produced.

60 percent of the 2008 voters' list.⁹ The 2008 register, at VDC level, consisted of 15,253,711 voters, which translates into an ECN target of 9,188,105 voters for these two phases.

Combined, the ECN's municipality and VDC voter registration targets total nearly 11 million registrants, representing a significant reduction when compared to the 2008 CA voters' list. It is understood that the 2008 voters' list contained many errors, including double registrations, deceased voters, and possibly some ineligible voters. It is also acknowledged that some consideration was given to the fact that an unknown number of individuals who registered have migrated abroad. However, reductions due to emigration should be offset somewhat by increases in total population and the fact that individuals 16 and above can now register. Overall, the uncertainty regarding the accuracy of the 2008 CA voters' list raises questions about the utility of that list to project the number of eligible registrants.

The ECN has informed The Carter Center that the target registration figure calculations for the municipality phase were based on 1) turnout during previous electoral events such as the CA elections and the pilot voter registration phase, and 2) a range of data sources including: the Ministry of Labor, the Central Bureau of Statistics (CBS) projections, the Ministry of Foreign Affairs, and internal research conducted by the United Nations Development Program (UNDP) office providing technical support to the ECN. The target figure of 60% for the bridging and nationwide phases was reportedly based on all of the above as well as the actual turnout in the municipalities phase. The ECN has also informed The Carter Center that the target registration figures are for planning purposes only in order to efficiently allocate resources but that the Commission will certainly continue registration beyond these targets if a larger number of eligible individuals turn up.

In many countries, census data is used to make projections for voter registration turnout when a new voters' list is being created. Population data based on projections from the 2001 CBS census can serve as one useful means to estimate the possible number of eligible registrants. CBS population projections for 2011 suggest that the number of Nepalese aged 16 and over is roughly 17.8 million citizens.¹⁰ The 2001 census projections, therefore, are significantly higher than the ECN's current registration estimate of nearly 11 million persons.

In 2008 the CBS undertook a National Labor Force Survey (NLFS) in order to provide an update on overall population figures as well as internal and external migration figures. According to the 2008 NLFS, the population of Nepal in 2008 was 23,543,505 of which 13,934,000 were over the age of 16. The NLFS survey also assessed that 33% of the population (of all ages) was either outside their home VDC or abroad. These figures, while still higher than the current 11 million ECN estimate, are more in line with current ECN projections.

The significant differences between the 2011 CBS projections and the 2008 NLFS figures demonstrate the challenges faced by the ECN in providing accurate population estimations and registration targets. Considering the 2001 census was conducted during the conflict period, and that population movements as well as migratory patterns since 2001 cannot be accounted for in projections made from the 2001 census, more recent surveys such as the 2008 NLFS may be considered as an alternative tool for assessing the

⁹ According to the January 2011 ECN Action Plan and Criteria for the Collection of a Voters List, the ECN states that "to determine the approximate number of voters for 2011 in all districts of the Karnali zone and mountain VDCs, the estimated number of voters is assessed to be 50% of the 2007 Voters List. In all other areas, the estimated number of voters is assessed to be 60% of the 2007 voters list."

¹⁰ CBS projections to estimate population, used above, are based on a medium fertility decline variant. 2011 CBS projections, while using sound statistical principles, are based on the assumed accuracy of 2001 census data; in reality, it is possible that the 2001 census may have excluded citizens as well as included non-citizens. However, 2011 CBS census projections are one useful means against which the reasonability of ECN assumptions for voter registration targets can be assessed.
<http://www.cbs.gov.np/Population/Projection/Table%203.htm>

Nepalese population. Nonetheless, the 75 percent and 60 percent registration estimates, based on the 2008 CA voters' list, require stronger justification from the ECN to demonstrate that these are accurate and realistic targets.

In response to this challenge, the ECN created a form (called a "Lagat" form) to track the number of citizens per household aged 16 and above, whether they are eligible to be added to the voters' list, the number without citizenship certificates and the number who are in other districts or abroad. If properly used by enumerators, this form should provide a more accurate overview of how many persons have been unable to register as a result of being out-of-country, without a citizenship certificate or without migration documents. It is positive that the ECN is making this effort to accurately identify the number of persons who have not been registered. However, timing remains a critical issue. The Lagat data will only be available once the current registration cycle is over, and thus is likely to come too late to shape the ongoing nationwide registration process, including providing a clear rationale for registration targets to the Nepali public, political parties, civil society, and the international community supporting the process. An accurate population and migration assessment, prior to consolidation of Lagat data, is therefore desirable.

While it is clear that the number of voters to be registered will vary from the 2008 CA list and that a number of factors including internal migration, overseas migration, duplicate registrations, and the stricter validation of citizenship requirements will alter registration targets, the accurate estimation of the number of voters to be registered is critical to the effective planning and budgeting of any registration process. A clear decision on which population estimates are being used, why, and transparency on how the targets are derived are required. The ECN should be able to provide a detailed justification for its estimates in order to credibly indicate that satisfactory registration levels have been achieved. The success of the voter registration process will be measured in large part by these registration turnout figures. If the number of registrants is inexplicably lower than the previous list, it is likely that political parties and citizens would hold the ECN to account and, possibly, question the new list's legitimacy.

3. MUNICIPALITIES PHASE

Due to a lack of accreditation from the ECN, The Carter Center was unable to deploy observers for voter registration during the municipalities phase. However, Carter Center observers closely followed developments and informally gathered information about the voter registration process through meetings with ECN officials and international organizations providing assistance to the ECN. In February and March 2011, Carter Center observers also collected information about the municipalities phase, including voter registration turnout figures and the nature and impact of obstructions on the process. Based on this information, The Carter Center has been able to perform a partial analysis of voter turnout figures and the challenges which may have affected turnout in this phase.

a. Actual Voter Registration Turnout – Municipalities Phase

Using the target of 75 percent of voters on the 2008 CA list, the ECN projected that it would be able to register 1,724,818 voters in 58 municipalities in 43 districts between September and December 2010. Registration data from the 58 municipalities shows that the ECN fell short of its target by approximately 25 percent. As of March 23, 2011, 1,261,557¹¹ voters were registered in the municipalities phase and via continuous voter registration, 463,261 voters less than the ECN's turnout projection.

¹¹ During an April 2011 Program Coordination Committee meeting, the ECN presented alternative figures of 1,285,904 persons reported as registered as of December 2010, and 1,261,584 voters' data integrated at the ECN's central data center by March 23, 2011. Despite these minor discrepancies, all three numbers indicate that the turnout achieved during the municipalities phase was approximately 75 percent of the 2010 ECN target and approximately 55 percent of the 2008 CA list.

Registration Data v. 2008 CA List and 75% of CA List

Number Registered 2008 CA Voters' List	Projected Registration in Municipalities Phase (75%)	Total Registered and Aggregated by March 23, 2011	% of 2008 CA List	% Projected Reg. Municipalities Phase
2,299,757	1,724,818	1,261,557	54.86%	73.14%

According to 2011 CBS projections, Nepal's population is roughly even in terms of gender distribution (male 50.1 percent; female 49.9 percent); the gender distribution among the population between ages 20 and 44 is only slightly discrepant (male 49.0 percent; female 51.0 percent).¹² However, a breakdown of the total registration figures through March 23, 2011 shows that more women (52.1 percent) have registered in the municipalities phase than have men (47.9 percent).

Registration Data Breakdown by Age and Gender

Age Group	Male	Female	Third Gender	Total
16-21	64,229	53,825	1	118,054
22-27	78,849	90,971	2	169,820
28-33	78,076	94,665	6	172,741
34-39	75,433	91,499	4	166,932
40-45	80,031	91,583	4	171,614
46-51	67,692	71,843	2	139,535
52-57	57,267	59,347	5	116,614
58-63	43,257	42,296	1	85,553
64-69	29,657	29,296	1	58,953
70+	30,116	31,625	0	61,741
Total	604,607	656,950	26	1,261,557

The gender gap in registrant turnout is most notable between males and females between the age ranges of 22 and 45; approximately 18 percent more women than men in that age range have registered to vote in the municipalities phase. The discrepancy between registered male and female voters could in part be explained by the fact that a significant percentage of Nepali males have moved abroad or outside their home district for work or other purposes.

However, the impact of emigration can only partially explain lower than anticipated voter registration turnout. Other factors, including political party obstructions of the voter registration process in some municipalities, and the fact that an unknown number of individuals do not possess required documents to prove voter eligibility, also affected registration turnout. The impact of these factors is discussed below.

b. Obstructions of Voter Registration – Municipalities Phase

During the municipalities phase, voter registration was obstructed by political parties in 12 of 58 municipalities. Multiple Madhesi political parties obstructed voter registration in eight municipalities – Biratnagar (Morang), Inaruwa (Sunsari), Ramgram (Nawalparasi), Butwal and Bhairawa (Rupandehi), Kapilvastu, Nepalgunj (Banke), and Kalaiya (Bara) – to protest the requirement of a citizenship certificate as proof of eligibility for registration. These parties claimed the requirement would disenfranchise many would-be voters, particularly in the southern Tarai, where they said there were many people who were eligible to register to vote in previous elections but who do not possess citizenship certificates. The Federal Democratic National Forum-affiliated Federal Limbuwan State Council (FDNF-affiliated

¹² CBS projections to estimate population, used above, are based on a medium fertility decline variant. <http://www.cbs.gov.np/Population/Projection/Table%204.htm>

FLSC)¹³ also obstructed voter registration in four municipalities – Damak and Mechinagar (Jhapa), Dhankuta, and Dharan (Sunsari) – claiming that the country should adopt a federal system prior to conducting election-related activities and that responsibility for election administration should be managed by the federal states.

The nature of obstructions carried out by political parties varied between municipalities, but the obstructions often reportedly involved intimidation of election officials and even violence in some cases. For example:

- In Bhairawa municipality of Rupandehi district, there were obstructions from several Madhesi parties, including the Madhesi Janadikar Forum-Nepal (MJF(N)), the Sadbhawana Party, and the Tarai Madhes Loktantrik Party (TMLP). (At the time of the Center’s visit, Butwal municipality, in the same district, was unaffected). The District Election Office (DEO) also received a threatening call to discontinue municipality registration and, subsequently, a bomb was planted in front of the DEO office by an armed group, the Janatantrik Tarai Mukti Morcha.
- In Kapilvastu, the MJF, TMLP, and the Nepal Sadbhawana Party obstructed the registration process from October onwards in Taulihawa municipality, preventing access to registration places. Additionally, a TMLP party representative in Taulihawa told Carter Center observers that his party “broke one of the computers.”
- In Banke, MJF(D), MJF(N), TMLP, and NSP-A obstructed the voter registration process from September onwards. Laptops, cameras, and fingerprint scanners were taken by Madhesi party representatives from three locations and, although the equipment was later recovered by the DEO, the DEO decided to subsequently suspend voter registration in the face of threats of further disruptions.
- In Bara, Madhesi parties submitted a memorandum to the DEO saying that they would not allow voter registration to take place in Kalaiya until the citizenship certificate requirement was ended and all individuals on the 2008 CA voters list would be allowed to register. When the DEO initiated registration in the municipality, the parties confiscated and burned DEO forms and files.
- In Morang, voter registration was completed in nine wards of the municipality. Several Madhesi parties then directly obstructed one registration place and approached several others demanding the process be stopped. This led the DEO to suspend the VR process in the remaining wards in the district headquarters.

In response to these obstructions, the ECN determined that in three municipalities the registration process was very near to completion and so reportedly finished the process using continuous voter registration at the district headquarters level. The ECN also engaged in dialogue with the obstructing parties at both the national and district level to attempt to resolve the obstructions. As a result of these obstructions, municipality phase registration figures in affected areas were lower than the average for all municipalities.

¹³ There are three main factions of the Federal Limbuwan State Council, led by Kumar Lingden, Sanjuhang Palungwa, and Misekhang Thamsuhang, respectively. Throughout this report, the FLSC faction led by Kumar Lingden is referred to as the “FDNF-affiliated FLSC” as per the request of the organization.

Voter Registration Data in Some Municipalities (*Obstruction Locations)

Municipality	District	Date of Carter Center Visit	Targeted Reg. Mun. Phase (75% of 2008 CA List)	Actual Reg. Mun. Phase	Percent of Target
Biratnagar*	Morang	25 February 2011	84,000	35,485	42.24%
Birgunj	Parsa	5 March, 2011	55,448	47,731	86.08%
Dhulikel, Banepa and Panauti	Kavrepalanchok	22 February, 2011	34,374	32,839	95.53%
Dipayal-Silgadhi	Doti	2 March, 2011	10,810	7,331	67.81%
Ilam	Ilam	29 March, 2011	7,387	7,265	98.34%
Mahendranagar	Kanchanpur	25 February, 2011	48,922	39,071	79.86%
Nepalgunj*	Banke	30 March, 2011	26,623	5,522	20.71%
Taulihawa*	Kapilvastu	6 March, 2011	14,988	2,373	15.80%

NB – all data is as reported to Carter Center observers on location at the district headquarters by the DEO. All figures are unofficial and may have changed following observer visits.

At this juncture, the ECN has not formally announced plans to re-open voter registration in municipalities that have been affected by obstructions. However, the ECN has told The Carter Center that it intends to re-open registration in these areas either after the end of nationwide registration or during, if possible, and preferably after the Ministry of Home Affairs has taken steps to expand distribution of citizenship certificates.

c. Voter Registration Eligibility Requirements – Municipalities Phase

While obstruction may partly explain low registration figures in some districts, it cannot explain low turnout elsewhere. Voter eligibility requirements, specifically 1) that individuals produce a citizenship certificate and 2) that, if they elsewhere than the place listed on their citizenship certificate, individuals produce proof of migration, likely served as barriers to registration for some. While the precise number of individuals who do not possess required documents is unknown, past research conducted by the government of Nepal,¹⁴ as well as a recent internal study conducted jointly by the ECN and IFES, may provide some indication as to the scale of the problem. Furthermore, according to 2008 NLFS survey data, the number of individuals who had migrated within Nepal was found to be as high as 8.4 million people. Overall, 33% of all Nepalis were found to have migrated outside their home district or from VDC to VDC during and since the conflict.¹⁵

The Carter Center acknowledges that the ECN, by announcing in November 2010 a reversal of its policy to require a citizenship certificate, recognized that such a requirement could be problematic. The Center also acknowledges that the ECN must abide by the Supreme Court decision of February 2011, which mandated that the ECN apply the citizenship certificate requirement. The Court decision simultaneously issued a directive instructing the cabinet to expedite the provision of citizenship certificates to all eligible Nepalis. Regrettably, at this time, there has been no evident action taken by the Ministry of Home Affairs to make effective arrangements to ensure all eligible Nepalis are in possession of citizenship certificates. The Carter Center commends the ECN on the issuing of a letter to the Prime Minister in February 2011 urging swift government action to issue certificates to eligible individuals.

¹⁴ The government of Nepal found that in 1995 between 3.4 and 5 million Nepalis did not possess citizenship certificates (Dhanapati Upadhyay Commission Report, HMG/N (1995)). Subsequently, the government engaged in a massive citizenship certificate distribution campaign in 2007 and issued approximately 2.6 million citizenship certificates.

¹⁵ 23% of adults aged 15 years and above are away from home and 33% of the population (of all ages) have migrated to their current location either from another VDC or municipality, or from outside the country (Central Bureau of Statistics, National Planning Commission Secretariat, Government of Nepal – National Labor Force Survey (2008) Statistical Report).

The Carter Center also commends the ECN for amending its policy regarding proof of migration in March 2011 to allow individuals to obtain a letter from the municipality or VDC office of their current residence as an acceptable form of proof of migration. However, it remains unclear how this will be implemented at the local level and whether there may be significant variation in the documents requested by VDC offices in different locations in order to acquire such a letter. Additionally, a large percentage of the eligible population has migrated, and will continue to migrate, internally for temporary work, study, and other reasons. It will be important for the ECN to ensure that barriers to registration for this segment of the population (including temporary and seasonal workers, students, landless people and individuals living in areas where the presence of the state may be limited, such as areas where there are no VDC-level staff) are reduced to the extent possible.

4. CONTINUOUS REGISTRATION

Individuals who were not able to register during the municipalities phase (or who will miss the nationwide phase for any reason) have the opportunity to register through continuous registration, although this has not yet been well publicized by the ECN. Thus far, relatively few individuals – including both municipality residents and VDC residents – have registered via this process in districts where The Carter Center observed. In five districts (Doti, Ilam, Kanchanpur, Kavrepalanchok, and Morang) election officials reported that around five people per day came to the DEO to register. In Kapilvastu, election officials reported that only four people had come to register at the DEO in total. In two districts, the average number of individuals per day who registered via continuous registration was higher: in Parsa, on average, about 25 individuals per day (1,480 people as of late February 2011) and, in Kathmandu, on average, approximately 40 to 50 individuals per day (a total of 2,930 people as of late March 2011).

5. “BRIDGING” PHASE

In November 2010, the ECN announced a decision to withdraw the citizenship certificate requirement, prompting a petition to the Supreme Court to evaluate the constitutionality of the ECN decision. The Supreme Court issued an injunction to prevent the ECN from withdrawing the requirement until a decision could be reached; in February 2011, the Court ruled that the ECN must apply the citizenship certificate requirement and that the Ministry of Home Affairs must arrange to issue citizenship certificates to individuals, specifically widowed women, who do not have them. The pending Supreme Court decision caused the ECN to delay its intended launch of nationwide voter registration in December. However, in late December 2010, the ECN launched an interim “bridging” program that allowed registration to continue in limited areas until the Supreme Court issued its decision. The bridging phase used resources and equipment already in place – that which had been provided to districts for the municipalities phase – to extend voter registration to VDCs near municipalities. The bridging phase ended in March 2011 and has segued into nationwide registration.

a. Voter Education – Bridging Phase

Carter Center observers found that voter education efforts were generally weak and inadequate,¹⁶ and that enumeration was by far the most common means by which citizens learned about the voter registration process. Of 98 citizens interviewed,¹⁷ the vast majority mentioned a visit by an enumerator (82) who informed them about the registration process. Family or friends were found to be the next most common source of information (37); a minority had heard about the process via posters (13), radio (12), television

¹⁶ The ECN has noted that, because they were waiting for the Supreme Court decision, they were uncertain what information to include in the voter education materials and thus decided not to produce any new materials until after the decision was released.

¹⁷ Citizens were allowed to provide more than one response.

(4), miking (use of loud speaker announcements in roving vehicles) (3), newspaper (1) or by other means (3).¹⁸

In all locations visited, observers reported seeing voter education posters, most often located at the voter registration place. Although posters were supposed to be hung in sets of three, observers often found just one or two posters hung in a given location.¹⁹ Although in a few places ECN staff reported carrying out additional voter education activities, observers could not confirm any of the reported activities had actually taken place.²⁰ Few observers reported hearing or seeing advertisements on radio, television or in newspapers. In at least three districts (Kavrepalanchok, Dang, and Morang) observers reported that little or no voter education was carried out prior to enumeration, only once enumeration and voter registration had commenced.²¹

Seemingly due largely to enumeration efforts, the majority of citizens interviewed had a fair understanding of the voter registration process and why it was important to register. However, some citizens did not understand why they were expected to visit registration places. Misunderstanding levels varied by district, from one or two people interviewed to as many as half the respondents interviewed by Carter Center observers.²²

b. *Enumeration – Bridging Phase*

In densely populated areas, enumerators have largely been able to meet their enumeration targets of 35 people per day in the Tarai and 25 people per day in the hills. However, difficult terrain and lack of citizen awareness of the registration process have slowed their efforts in some areas. In locations where terrain is difficult to traverse, enumerators acknowledged having some difficulty meeting daily targets; additionally, few have been able to make repeat visits to homes where individuals were not present at the time of their first visit.²³ For example, in Kavrepalanchok some enumerators working in more hilly terrain reported they were only able to reach 15 to 20 people per day, and in Doti another enumerator reported that he was only able to meet his enumeration targets because he had relatively densely populated wards, as compared to his colleagues who did not. Enumerators in Dadeldhura also reported having to walk up to two hours to reach a single home or cluster of homes and that the target was too high given the geography of the area in which they were working.

Difficulty in meeting enumeration targets can also in part be attributed to the weakness of voter education meant to inform citizens about upcoming enumerator visits. Enumerators interviewed generally noted that citizens were mostly unaware of the reason for their visit and thus rarely were they ready with

¹⁸ In Parsa, a VDC peon (chaukidar) was tasked with yelling voter education messages in the evening; a small number of citizens reported learning about the process this way.

¹⁹ For example, in Kavrepalanchok, observers saw a single poster hung in the bazaar; in Doti, two election posters were seen nearby the registration place; and, in Kanchanpur, one poster was seen outside the registration place.

²⁰ In Doti, no media representatives interviewed at the district level had been contacted by ECN to publicize voter registration in the district. In Morang, claims by an ECN staff member that miking had been conducted prior to voter registration were denied by local citizens living in the area.

²¹ In Morang, the DEO explained that, due to concerns regarding protests by Limbuwan organizations, voter education had been delayed until a meeting with security officials could be held to ensure the safety of ECN staff.

²² In Morang, the majority of citizens were aware that they were supposed to register to be included on the voters' list and that they would receive a national ID card. However several citizens did not understand the process or had false expectations. One man believed that if he registered he could take part in a school management committee while an elderly woman believed that it would increase the amount she received in pension; in Dang, of 15 people interviewed, only eight respondents understood they were supposed to register in order to vote in the next elections. In Kapilvastu, of 10 people interviewed, eight were aware that they were supposed to register to vote in the next election; two people were not aware although they knew they were supposed to visit the registration place.

²³ It is important to note that most areas which observers visited could be considered semi-urban and densely populated, increasing the likelihood that enumerators are able to meet their daily enumeration targets; however, in Kavrepalanchok, some enumerators working in more hilly terrain were only able to reach 15 to 20 people per day.

necessary documents to present to enumerators. As a result, enumerators often spent considerable time waiting for individuals to find documentation. Additionally, in the Far Western Region enumerators reported that a lack of official ECN identification was a challenge for them as they had to convince citizens who they were and why they had come.

The most common challenge faced by enumerators was that many individuals were not at home during the time of their visit, i.e., individuals who were living in the district visited, but were working or otherwise away from home during the day. There were discrepancies in how enumerators treated individuals who were not at home but whose required documentation was provided by another member of the household: in some districts visited (Kapilvastu, Parsa, Kanchanpur and Kathmandu) enumerators were enumerating individuals who were not present but whose required documentation was presented by a family member. In one case, an enumerator said that he enumerated individuals who did not have citizenship certificates but were known to him. In some other districts visited (Dang, Doti and Morang) enumerators said that it was not possible to enumerate individuals who were not at home, regardless of whether their documentation was presented by another member of the household, which is accordance with ECN policies and procedures.

Enumerators commonly reported that there were three primary reasons for why they were not able to enumerate individuals (other than not being home): 1) they did not possess citizenship certificates; 2) they were working abroad; or 3) they were working outside the district.²⁴ For example, one enumerator in Kapilvastu was reportedly able to enumerate 260 people and was not able to enumerate 129 people: 44 did not have a citizenship certificate, 57 were abroad, and 28 were outside the district. Another enumerator in the same district reported 315 enumerated and 135 people not enumerated: 46 did not have citizenship certificates, 51 were abroad, and 38 were outside the district. Individuals lacking proof of migration was also a common problem across districts, although to a lesser extent than the aforementioned reasons.²⁵

Observers were rarely able to obtain precise figures from ECN officials about how many people could not be enumerated for various reasons; thus, observers mostly relied on estimated figures provided by enumerators. For example, in Doti, one enumerator told observers that he was able to enumerate approximately 180 individuals while another 60 could not be enumerated for various reasons. In Morang, enumerators in one VDC estimated that roughly 20-25 percent of individuals could not be enumerated because they lacked citizenship certificates. Enumerators across districts told observers that, in particular, young men and, to a lesser extent, young women below the age of 25 were most often found to lack citizenship certificates; many older men and women above the age of 50 were also found not to possess citizenship certificates. Moreover, enumerators told observers that a high number of young men in their twenties and thirties were out of the district or abroad.

c. Voter Registration – Bridging Phase

Voter registration at registration places was found to be peaceful and largely without incident. In some locations, long queues of registrants formed but in very few cases observers reported that registrants left due to extended waiting periods. Voter registration officials generally appeared to be professional,

²⁴ It was often difficult for enumerators to state clearly whether they found more individuals to be working elsewhere in Nepal or working abroad, as they often considered these categories as one and the same for their purposes. In multiple Tarai districts (Dang, Kanchanpur, Morang, and Parsa) enumerators generally cited a lack of citizenship certificates as the most common reason for not being able to enumerate individuals; the second most common reason was because individuals were working in other districts or abroad. In Hill districts (Doti and Kavrepalanchok) individuals working outside the district or abroad was considered to be the most common problem and lack of a citizenship certificate was considered to be the second most common problem

²⁵ The issue of proof of migration is likely to be more problematic in municipality areas, where many individuals have relocated for work or study purposes.

understanding of ECN policies and procedures, and mostly capable of managing minor problems as they arose at registration places.

The vast majority of registration places were not clearly marked and were not easily recognizable as registration places. Distance to the registration place was noted as a problem for a small number of citizens, primarily elderly or disabled individuals; registration place accessibility for handicapped individuals was rarely noted as a problem. In some locations, voter registration centers were poorly organized; however, this did not appear to affect significantly the process. In most registration places, observers noted that it took around five minutes for one applicant to complete the registration process; however, registration took longer than 10 minutes per person in a few places. In one place in Kapilvastu, the average registration time was 20 minutes per person due to poor organization of enumeration forms.

Most places observed opened between 10:00 a.m. and 11:00 a.m. In a few places, registrants were found to be waiting outside the registration places until registration staff completed set up. Almost all registration places observed closed before 18:00 or, more often, around 17:00. While individuals in line prior to the time of closing were allowed to register in all locations, observers heard reports of citizens showing up at registration places before 18:00 only to find them closed. In two registration places, backup generators were not working properly and the result was a temporary cessation of voter registration during the day.

In one out of every four locations, there were no enumerators present to enumerate individuals on site. In only two locations did other registration officials – in one place, the Registration Place Manager, in another, a Registration Place Assistant – perform the function of an enumerator. Thus, in some places, citizens who brought all the required registration documents were sent away and told to wait for an enumerator to visit them at their homes before returning to the registration place, which is contrary to ECN procedures. Computer Operators and Assistant Registration Officers were present in all locations; however, in about one out of every five places, Registration Place Managers or Registration Place Assistants were absent for all or some of the observer team's visit.

In all registration places visited, registration officials always ensured that applicants presented enumeration receipts and entered applicant data in the registration logbook. In the vast majority of cases, registration officials ensured that applicants presented their citizenship certificates; however, in two centers visited, registration officials permitted some individuals to register without checking their citizenship certificates.

In most registration places, Computer Operators did not regularly confirm registration data with registrants while they were present at the registration place. In some registration places, registrant data was never confirmed with registrants at all. As a result, there was an increased risk for data entry errors, which could have been easily corrected on site and instead may need to be corrected at a later date.

Registration officials frequently had difficulty capturing fingerprints, specifically of registrants whose fingers were dirty or excessively worn. This problem slowed registration in several locations, notably in registration places where no isopropyl alcohol was available to clean registrants' fingers (roughly twenty percent of places visited by observers). Registration officials did not have difficulty capturing photographs of registrants, but poor lighting posed problems in capturing photos in a few locations. Officials had some difficulty capturing photos of individuals with dark or wrinkled faces.

In all locations, computer operators provided registrants with stamped enumeration receipts as proof of registration. However, computer operators rarely instructed applicants to keep the stamped receipt or explained to registrants its purpose for verifying registration should the individual need it at a later date, such as during the exhibition and challenges period.

Even though party agents are permitted to observe the process, in only 4 of 25 registration places did observers note the presence of representatives from either the NC, UML and/or UCPN(M) acting as party agents; observers did not find agents from any other parties at the locations visited. Observers did not report any cases of voter intimidation at the registration places they visited (though interference and obstructions did take place and are described below).

After the close of registration, observers noted that registration officials did not always back up registration data at the end of each day on flash drives; in some cases, back-ups were done only once every two or three days. In all locations, registration equipment was observed to have been well secured after the close of registration to prevent against theft or tampering.

d. Obstructions of the Voter Registration Process – Bridging Phase

In five of 13 districts visited by observers (Banke, Bara, Ilam, Kapilvastu and Morang), obstructions or threats of obstructions by political parties negatively affected the process. The nature and impact of such threats and the response to threats by election officials varied by district. At the time of Carter Center observer team visits in February and March 2011:

- In Bara, the voter registration process had been postponed indefinitely since the municipalities phase due to ongoing obstruction by Madhesi parties. The DEO was unable to conduct voter registration in the bridging phase.
- In Banke, the voter registration process had been postponed since September 2010 due to threats of continued obstruction by Madhesi parties. The DEO was unable to conduct voter registration during the bridging phase.
- In Ilam, the voter registration process had been postponed since January due to continued threats of obstruction by the FDNF-affiliated FLSC, which threatened to “use all means necessary” to obstruct the voter registration process. An attempt to conduct registration had resulted in a direct threat to voter registration staff in one VDC by Limbuwan cadres.
- In Kapilvastu, threats of continued obstruction by Madhesi parties, led by MJF(N), TMLP, NSP and MJF(D), prompted the DEO to initiate voter registration only in the northern part of the district where the presence of Madhesi parties is limited.
- In Morang, potential obstructions by FDNF-affiliated FLSC or Madhesi party cadres prompted the DEO to conduct registration in VDCs where Limbuwan or Madhesi parties are politically weakest. FLSC had also reportedly threatened to obstruct roads near voter registration places.

In response to the above, the ECN requested government assistance in dealing with the political party obstructions and also engaged in direct dialogue with the obstructing parties at both the national and district level. During the bridging phase, the ECN reported that the Election Commissioners and Secretariat staff traveled to all five regions to hold meetings at the district headquarters level, with Chief District Officers also present. The ECN also requested the Ministry of Home Affairs to increase its citizenship certificate distribution capacity in areas likely to be affected by obstructions. Finally, the ECN developed a strategy to initiate voter registration in areas unlikely to face problems, in order to build up public sentiment in favor of the registration process so that citizens in areas at risk for political party obstruction would not support such activities as they would not want to be “left out” of the list.

e. Voter Participation – Bridging Phase

As noted previously, the ECN set a target of 60 percent of the 2008 voters’ list for registration turnout during the bridging phase. As of March 7, 2011, the ECN reported 509,145 registered voters across 180 VDCs during the bridging phase; this figure represents 93% of the ECN’s target and 56 percent of the number of individuals registered in the same VDCs on the 2008 CA voters’ list. There is considerable

variation in the registration turnout data collected: in approximately one-third of VDCs (66 of 180), registration turnout was 50 percent or less of the 2008 list; in roughly another third (63 of 180), registration turnout was between 51 and 60 percent; and, in the final third, registration was over 60 percent.

Based on interviews conducted by Carter Center observers, the vast majority of citizens interviewed had either registered or intended to register to vote. Of 98 persons interviewed, the majority (75) had been deemed eligible to register and had already registered to vote; 12 individuals intended to register in the coming days.²⁶ Eight persons interviewed (two in Doti, two in Kanchanpur, two in Kapilvastu, one in Dang, and one in Parsa) were deemed ineligible to register because they did not possess citizenship certificates.

Of these individuals, six expressed an intention to obtain their citizenship certificates at a later date in order to register to vote.²⁷ The timeframe between an enumerator's visit to a person's home and the closure of voter registration was frequently too short for those citizens who did not possess required documentation to be able to procure it and then register; in some cases, the period between enumeration and the close of voter registration was only one day.

As of March 7, 2011

% Range of Voters on 2008 CA List Registered	# of VDCs out of Bridging Phase 180 VDCS
1-10	0
11-20	0
21-30	2
31-40	13
41-50	51
51-60	63
61-70	29
71-80	8
81-90	8
91-100	3
>100	3

6. DATA MANAGEMENT

The manner in which registration data was managed and secured at the district level was a source of concern, as the data was in some cases at an unnecessarily increased risk of being lost, stolen, or corrupted. The ECN had procured 75 servers to be distributed to the district level for the purposes of storing and transferring registration data quickly and securely via a network connection to ECN headquarters in Kathmandu. However, these servers were not available during the municipalities or bridging phases. In lieu of servers, district election officials aggregated all voter registration data collected from computer hard drives and flash drives, which were subsequently erased for re-use, onto a single laptop computer located at the DEO. Only after an entire voter registration phase was completed was all registration data fully aggregated, copied on to a CD, and transferred to the ECN in Kathmandu. This unnecessarily increased the vulnerability of all registration data collected. At the time of writing, district servers were still not in place, and networking, in order to transmit data from the district to the central level, is still in planning stages.

Additionally, at the central level, the data management process appears to be weak: data aggregation and cleaning has been slow thus far; the networking of computers to facilitate sharing of registration data has not been done; and a provisional voters' list for analytical purposes has not been produced.

7. POLITICAL PARTY PARTICIPATION

Carter Center observers reported that the DEOs have been conducting meetings with political parties to keep them informed about the voter registration process. Beyond these interactions, political party

²⁶ One man in Kapilvastu said that he would only register once he received a visit from an enumerator while two men in Parsa said they would not register until their wives received citizenship certificates from the district headquarters.

²⁷ In Parsa, an elderly woman said she would obtain her citizenship certificate during her next trip to the district headquarters but she was not aware that she needed to register at the DEO; in Doti, a young man expressed his intention to obtain a citizenship certificate next time he visited the district headquarters though he did not understand the process by which to obtain one; and in Dang, a woman said that her husband was out of the country and that she would not be able to obtain a citizenship certificate until he returned.

involvement in the voter registration process appeared to be weak and mainly obstructive, rather than constructive. Except for political party obstructions in parts of the Tarai and Eastern Hills, there were very few reports of political party activities related to the voter registration process.²⁸ None of the 98 persons interviewed by observers said that they had heard about the voter registration process via a political party interaction. Observers reported the presence of a handful of party cadres at registration places but in all but one case (Doti), it was unclear whether these individuals were deployed by the party or had come to the registration place at their own initiative.

8. VOTER REGISTRATION TIMELINE

The ECN has experienced some difficulty in conducting voter registration in accordance with its previously established calendar of activities. At this juncture, the ECN has recently launched nationwide voter registration, three months behind schedule, due to factors largely outside its control. The remaining time period to register voters throughout all VDCs across 75 districts appears to be insufficient. The Carter Center understands that necessary equipment, including registration kits, were distributed to the district level in late March and that recruitment and training of ECN staff for nationwide voter registration staff is being conducted on a rolling basis.

The Carter Center is concerned that, in order to complete district-level voter registration efforts by June 2011, projected timeframes for voter registration, enumeration and on-site registration may need to be compressed. This would be inadvisable based on the possibility of ongoing obstructions of the voter registration process in several districts, concerns about the significant number of individuals who do not readily possess required documents to prove voter eligibility, difficulties experienced by enumerators in meeting daily enumeration targets, and the slow process by which data is retrieved from the district level in the absence of networked servers.

V. Recommendations

The Center recognizes the hard work and dedication of all ECN officials it has encountered and congratulates the ECN on its successful registration of approximately two million Nepali citizens. The following recommendations to strengthen the process are offered in the spirit of cooperation and respect, and with the hope they will provide useful discussion points for future action:

The Government of Nepal should:

Increase its efforts to issue citizenship certificates to all eligible Nepali citizens, as called for by the Supreme Court in February 2011. The Supreme Court has mandated that the ECN apply the citizenship certificate requirement and has directed the Government of Nepal to make arrangements to issue certificates to “bona fide” citizens. The Government of Nepal should do its part to ensure fairness in the voter registration process in accordance with the Supreme Court order and international democratic standards that prohibit all forms of discrimination based on sex, race, ethnicity, gender, and other identity categories.

Make all efforts to support the ECN in the ongoing voter registration process. The Government of Nepal should make all efforts to support the ECN with the ongoing voter registration process, including seeking political solutions to the obstructions created by political parties and ensuring the security of ECN staff.

²⁸ Most reports were of internal party meetings; in a couple of cases, parties claimed to be organizing voter mobilization campaigns but observers could not confirm these activities. In two districts – Parsa and Kanchanpur – parties acknowledged that they had not conducted any activities related to voter registration.

Fill vacant posts at the ECN, including appointment of a Chief Election Commissioner. The ECN is currently operating with vacant posts due to a failure by the government to fill senior positions in various constitutional bodies, including the ECN. All vacant posts should be swiftly filled in order to ensure strong institutional functioning.

The ECN should:

Consider extending the existing timeline for voter registration. Given considerable delays in the launch of the nationwide phase of the voter registration process, timelines for voter education, enumeration and voter registration may need to be significantly compressed in order for the ECN to complete district-level registration efforts by June 2011 as planned. Despite the ongoing continuous registration at the district headquarters level, it would be advisable for the ECN to consider extending VDC-level voter registration for three months to make up time lost in the nationwide phase. This would ensure that all eligible individuals are afforded a reasonable and sufficient opportunity to register and, if necessary, obtain any required documents to be able to register in their localities.

Conduct additional research to establish voter registration turnout targets in line with population data for use during the nationwide registration phase. Increased collaboration with the CBS in order to assess the targets for voter registration turnout that have been established by the ECN is recommended. Targets should be reviewed using available data regarding population and emigration. The ECN should analyze CBS population projections and NLFS emigration estimates, establish voter registration targets with consideration to such data, and qualify the magnitude of barriers that may exist to registration, such as individuals not possessing citizenship certificates. Such research would allow the ECN to more effectively allocate its time and resources to developing voter outreach strategies to inform people about the process. The ECN's Lagat form can be an important tool if properly used by enumerators, but the data will come too late to shape the ongoing nationwide registration process and to provide an acceptable rationale for registration targets to electoral stakeholders. An accurate population and migration assessment, prior to consolidation of Lagat data, is therefore desirable.

Additionally, given the significant variation during the bridging phase between some VDC totals – from as low as 22.3 percent turnout in one VDC to as much as 103.4 percent in another VDC – the ECN should perform an analysis of a sample of VDCs from this pool to try understand the reasons for such variation.

Continue to engage in dialogue with political parties obstructing the voter registration process. Madhesi and Limbuwan party obstructions in the Tarai and Eastern Hills during both the municipalities and bridging phases have affected voter registration in many districts. The ECN should continue to hold high-level and district-level dialogues with parties obstructing the process to seek an accommodation that would enable voter registration to proceed and ensure that eligible individuals obtain their franchise.

Consider re-opening voter registration in areas affected by political party obstructions wherever possible. In some areas, obstructions had prevented registration places from opening in entire wards of municipalities or VDCs. While it is acknowledged that eligible voters can still register via the continuous registration at the district level, it would be excessively burdensome for some voters to travel to the DEO for registration. The Carter Center is encouraged by the ECN's verbal commitment to re-open registration in these places, and urges the ECN to move forward with this plan wherever possible in order to ensure eligible registrants are afforded equitable access and opportunity to register in their localities.

Continue lobbying the government to make effective arrangements to issue citizenship certificates to eligible citizens. The Carter Center acknowledges that the ECN recognizes and appreciates the concerns regarding the citizenship certificate issue. The ECN should continue to lobby the government in order to ensure that the voter registration process includes all eligible Nepali citizens.

Consider further amending proof of migration requirements to reduce barriers to proving voter eligibility. The Carter Center commends the ECN for easing proof of migration requirements, and encourages the ECN to consider adding other supporting documents to the list of acceptable proof of migration as well. For example, the ECN should consider allowing students who wish to register in the location where they are studying to provide official letters from universities or colleges verifying their enrollment their school. Moreover, some consideration should be given in extenuating circumstances to allowing individuals who are unable to obtain letters from VDC offices due, for example, to absent VDC staff, to register in their new locations using a “voucher” system whereby a registered resident from the same location attests to the habitual residence of another individual.

Ensure voter education efforts are conducted well in advance of enumeration and voter registration. Weak voter education efforts during the bridging phase meant that enumerators were often the first point of contact regarding the voter registration process for citizens. The Carter Center understands that the ECN has already taken steps to increase voter education efforts in the run up to and during the nationwide registration phase and hopes that these efforts will result in greater citizen awareness and understanding of the process well in advance of registration in their localities.

Emphasize voter education efforts that increase awareness of continuous registration. Individuals who missed registration in their locality have the opportunity to register at the DEO. Given the relatively low number of individuals who have registered via continuous registration to date, public awareness of continuous registration may be limited. The ECN should consider conducting voter education about continuous voter registration in order to target individuals in locations where registration has concluded, particularly in municipalities. At the same time, some consideration should be given to the possibility of establishing continuous registration locations outside district headquarters to provide increased access to potential voters after nationwide registration, if necessary.

Review district server distribution schedules and data management processes to reduce data vulnerability and improve data processing. District-level verification and cleaning of voter registration data should be implemented as per the ECN operational plan. Further delays in distributing servers to the district level will delay district-level cleaning, may jeopardize data processing, and could greatly extend data verification timelines. Moreover, the process by which data is aggregated and cleaned at the ECN headquarters level should be improved to ensure it is swift and efficient.

Ensure that plans for the exhibition of the provisional voters list and a challenges period following the collection of field data are defined and implemented. While the ECN has indicated its intention to undertake an exhibition and challenges period to address all complaints and objections, the ECN should establish a process for the public scrutiny of a provisional voters’ list. Defining and publicizing this process is integral to voter roll preparations and avoiding the possibility of voter disenfranchisement.

Ensure realistic daily targets for enumerators. Enumerators have mostly been able to meet their daily targets in densely populated areas with easily traversable terrain. In sparsely populated areas or where terrain is difficult to traverse, enumerators have faced difficulty meeting daily targets. The ECN should consider extending enumeration timelines and reducing daily targets, particularly in hill and mountain districts, to ensure that enumerators are able to reach as many individuals as possible. Given that enumerators have been a primary source of voter education, enumeration efforts are especially important in areas where access to information is limited.

Ensure that individuals who have not been enumerated are able to register at voter registration places. At most registration places, individuals who have not been previously enumerated have been enumerated on site and allowed to register in line with ECN policy. However, in some places, individuals

who were not enumerated have shown up at registration places, and have been turned away by registration staff and told to wait at home for an enumerator's visit before returning. The ECN should ensure that registration staff are aware of their responsibility, and have sufficient training, to enumerate individuals on site.

Ensure that computer operators confirm data with registrants at the voter registration place. ECN procedures require that computer operators confirm registrant data at the registration place before saving the data but computer operators rarely followed this procedure. As a result, a valuable opportunity was missed to reduce the possibility of mistakes in registrant information that would need to be corrected a later date. The ECN should ensure that computer officers confirm registrant data at the registration place to reduce such errors.

Address problems in capturing fingerprint scans of registrants. Computer operators frequently experienced difficulty in capturing registrant fingerprints, most commonly due to dirty or excessively worn fingerprints, delaying the voter registration process in many places. In some places, the problem could have been resolved if isopropyl alcohol, which was missing at a number of places, was available to clean registrant fingers prior to scanning.

Ensure that computer operators instruct registrants to keep their proof of registration receipts and inform them why this is important. ECN procedures require that computer operators inform successful registrants to keep their registration receipts as proof of registration should it be needed at a later date. While all computer operators provided proof of registration to registrants, only sometimes did they instruct the registrant to keep it and rarely did they mention the reason why.

Political Parties and Civil Society should:

Political parties and groups obstructing the voter registration process should use proper legal channels to raise their grievances rather than blocking process and should ensure that their protests are peaceful. Those obstructing the process should show flexibility regarding their demands, use proper legal channels to raise their grievances instead of blocking the process at the local level, and ensure that their protests are peaceful. They should also proactively assist all eligible Nepali citizens in obtaining citizenship certificates and encourage them to register to vote.

Play a more active and supportive role in the voter registration process. There is little evidence at the local level that political parties or civil society organizations are conducting activities to raise awareness of the voter registration process and to encourage eligible individuals to register. By contrast, the most active parties at the local level are currently obstructing the process and discouraging individuals to register. The Carter Center hopes that the Local Coordination Committees formed for the nationwide registration process will improve political party and civil society participation in the process, and encourages the ECN to also continue its efforts to encourage political parties and civil society groups, as interested stakeholders, to support the process by mobilizing their members to register to vote.