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THE CARTER CENTER APPLAUDS NEPAL ELECTION COMMISSION'S EFFORTS TO IMPROVE VOTER ROLL; KEY CHALLENGES REMAIN

Kathmandu... In a report released today, The Carter Center applauds the Election Commission of Nepal's efforts to finalize a new voter roll for the constituent assembly elections on Nov. 19, 2013, while also identifying areas of concern such as potential voters who have not been registered.

Carter Center observers assessed the continued programs coordinated by the election commission and Ministry of Home Affairs to link voter registration and citizenship certificate distribution outside of district headquarters from March-July 2013. The Center also observed the claims and objection processes implemented after the original registration cutoff date on July 15, as well as the re-opened voter registration window Aug. 17-23.

"The Carter Center commends recent efforts of the Election Commission of Nepal and Ministry of Home Affairs to continue expanding voter registration in more remote parts of the country. We believe this process has been a major step forward in improving the quality of the voter register and Nepal's electoral process. The Center is satisfied that the commission's Voter Registration Program with Photograph mostly adhered to international standards," said David Hamilton, field office director for The Carter Center in Kathmandu.

"However, the Center is concerned that the number of registered voters is below original targets set by the election commission, potentially leaving a significant section of the population disenfranchised in the next election. There also is a pressing need to conduct an audit of the register to ensure its accuracy," he said.

The Center notes the continuing positive relations between the Election Commission of Nepal and Ministry of Home Affairs in the expansion of voter registration and citizenship certificate drives, as well as improving cooperation between local-level officials managing day-to-day registration activities. In addition, Carter Center observers witnessed increased activities from political parties and civil society supporting voter registration as the July 15 cutoff date approached.

The Carter Center's report also notes areas where the process could be improved, both in the short and longer term. This includes more nuanced voter education drives, which would help to reduce registration barriers among women and other marginalized communities, and making guidelines about legal requirements for registration much clearer. Furthermore, there is considerable scope for coordination between central- and district-level election workers and support for registration from political parties and civil societies to be improved.

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**Sixth Interim Statement on the Election Commission of Nepal's
Voter Register with Photograph Program
Oct. 1, 2013**

I. Introduction

Following the announcement of elections for a new constituent assembly on Nov. 19, 2013, the Election Commission of Nepal (ECN) closed voter registration as of July 15, 2013, with a brief reopening in Aug. 17-23. A total of somewhat less than 12.5 million citizens registered to vote.¹ The Carter Center, invited and accredited by the ECN to observe the voter registration process and the upcoming Nov. 19 elections, has gathered information from 61 of Nepal's 75 districts since March 2010.² The Center's objectives are to support the electoral process, promote confidence in the ECN and the voter registration process to the extent warranted, and contribute to the overall strengthening of Nepal's democratic process.

This interim statement builds on the Center's five previous interim voter registration statements that covered the phases of enhanced continuous voter registration; the return of registration teams to the 11 priority districts; verification of registration data at the DEO level; missed voter registration; display, claims, and objections process; and the mobile voter registration program based on targeted marginalized communities. It covers the ECN's voter registration programs March - August 2013, namely the Voter List Collection and Update Program, Joint Citizenship Certificate Distribution and Voter Registration Program, Additional Program related to Voter Roll Data Collection and Update, Claims and Objections, and the Special Registration Program in August that took place after the original cutoff date in July. The Carter Center observed these programs in 32 districts between March and August.

The report is intended to provide an impartial assessment of these recent phases of the process since March 2013, highlighting positive aspects, identifying potential weaknesses, and offering recommendations for steps that could be taken for better implementation in the future. The Center's assessment is based on Nepal's international obligations and national legal framework.³

¹ Registration was briefly re-opened at this time in light of political pressure and large numbers of those who attempted (but failed) to register in the final few days of registration in mid-July. The voter registration window also gave the opportunity for several key political leaders to register who otherwise would have been unable to be nominated as candidates for the constituent assembly elections.

² To "create a more inclusive and accurate voter list" was a key recommendation of the Carter Center's final observation mission in the Constituent Assembly Election in 2008. "Observing the 2008 Nepal Constituent Assembly Election," November 2008, The Carter Center. Available at: www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/FinalReportNepal2008.pdf.

³ Including: the UN Universal Declaration of Human Rights (Art. 21); International Covenant on Civil and Political Rights (Art. 2); UN Human Rights Commission General Comment 25; UN Declaration on the Right and

It also makes recommendations on some of the broader issues of the voter registration process in light of the Carter Center's observation work since 2010.

II. Overview and Context

A. Voter Registration

A wide range of activities has been conducted in Nepal's voter registration process since the Center's previous interim statement of Feb. 28, 2013. The number of people registered rose significantly, especially due to the joint efforts of the ECN and the Ministry of Home Affairs (MoHA) to simultaneously conduct voter registration and issue citizenship certificates in local communities in many areas of the country. Nevertheless, a large number of citizens still remained unregistered at the time voter registration ended, 120 days before the scheduled date of the election.

The ECN started a Voter List Update and Collection Program on March 14, 2013, prior to the appointment of ECN commissioners.⁴ This program was planned to last for a month, in view of a possible election in June 2013, and was intended to be the last opportunity for voter registration. This program did not include on-site citizenship certificate distribution. On April 1, the program was suspended due to lower than expected turnout, the perceived need to coordinate a citizenship distribution drive with the MoHA, legal changes regarding proof of eligibility for registration, and obstruction of the registration process by a few political parties and groups.

Following the appointment of all commissioners by the end of March, the ECN in coordination with the MoHA started a mobile voter registration and citizenship certificate distribution program funded by the Nepal Peace Trust Fund. According to the plan, 305 Integrated Mobile Service Delivery Program (IMSDPs) teams were to be deployed across the country in a first phase starting in mid-April, 2013. In a second phase – starting from the end of April – teams comprising of DAO and DEO staff were to be sent to VDCs across the country to distribute citizenship certificates and register voters.

From mid-June to July 15, the ECN conducted the "Additional Program related to Voter Roll Data Collection and Update". This program was intended for VDCs and municipality wards missed during voter registration efforts in March and April 2013.⁵ During this additional program, there was no joint citizenship certificate distribution scheme. July 15 was set as the deadline for voter registration in advance of the Nov. 19 elections. The end of voter registration

Responsibility of Individuals, Groups and Organs to Promote and Protect Universally Recognized Human Rights and 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 and Tribal Peoples' Rights; and Convention on the Rights of Persons with Disabilities, and Guiding Principles on Internal Displacement, among others. Visit <http://www.cartercenter.org/des-search/des/Introduction.aspx> for a full list of Nepal's relevant international obligations.

⁴ On Jan. 10, 2013, the tenure of the last two of the previous commissioners had expired. In the absence of the Constitutional Council following the dissolution of the constituent assembly, new commissioners could not be appointed. In the meantime day-to-day activities were carried out by its secretariat.

⁵ Not all district election offices conducted this program, on the grounds that VDCs and municipality wards in their districts had been covered during earlier programs.

was followed by a claims and objections process and data verification at district level. After receiving electronic data from all districts at central level, the ECN was to integrate voter registration records and remove duplicates from the database. At that point, the ECN was to begin the printing of voter lists.

On Aug. 15, the ECN decided to reopen voter registration for a one-week period starting Aug. 17. This decision was meant to give citizens a last opportunity to be included in the voter register prior to election day. The decision also required adjustment of the ECN's election calendar.

B. Political Context

i. The Interim Election Council (IEC)

On March 13, 2013, the leaders of four major political parties – Unified Communist Party of Nepal (Maoist), or UCPN [M], Nepali Congress (NC), CPN-Unified Marxist-Leninist (UML) and United Democratic Madhesi Front (UDMF) – signed the 11-point political agreement that ended a protracted stalemate over the question who would lead the electoral government. The agreement led to the formation of an 11 member Interim Election Council (IEC), chaired by the sitting Chief Justice Khil Raj Regmi; a High Level Political Committee (HLPC); a loose alliance of Nepal's largest political parties was subsequently formed to support the council. On June 13, 2013, the Interim Election Council announced constituent assembly elections would be held on Nov. 19, 2013.

Several smaller parties, including Communist Party of Nepal-Maoist (CPN-M, led by Mohan Baidya), Federal Democratic National Front affiliated Federal Limbuwan State Council (FDNF-affiliated FLSC, led by Kumar Lingden), and Madhesi People's Rights Forum Nepal (MPRF-Nepal, led by Upendra Yadav), publicly opposed the appointment of the Chief Justice and the announcement of the CA Election date on the grounds that – in their view – the government was illegitimate.

In addition, the Nepal Bar Association, civil society members, and various other sections of society also opposed the appointment of the chief justice as the head of interim election government, arguing that it would breach the principle of separation of powers. Protests were planned and carried out in opposition by such groups. However the protests had little impact on the formation and functioning of the new interim government.

Following the political deal on March 13, a 25-point ordinance was passed by the president to remove constitutional hurdles and facilitate the distribution of citizenship certificates. The ordinance also included new provisions for registering children of those who received citizenship under special provision in 2006-07, and those on 2008 voter roll but did not have citizenship certificates.⁶

⁶ The Supreme Court issued a stay order against the decision to register voters based on the 2008 voter list, which was created in accordance with the provisions in the 11-point political agreement. The stay order was discontinued on July 23, although a decision on the related writ petition is still pending.

ii. *Protests against a November Election*

In general, political uncertainty continued to hamper the conduct of voter registration activities, as well as election preparations more generally. In March 2013, the CPN-M and FDNF-FLSC obstructed the voter registration program in many parts of the country. It should be noted however that observers found CPN-M representatives at the district level in some instances who were not obstructing Integrated Mobile Service Delivery Programs (IMSDP), and in some cases, even supporting IMSDPs during the April-June voter registration programs even though they continued to oppose elections in November under the IEC. At the same time disagreements within the HLPC over electoral provisions also delayed the announcement of an election date by the IEC. While all or most of the political parties are preparing for the upcoming poll, a 33-party alliance, led by the CPN-M continues to stand against the election with repeated attempts at negotiations to resolve the issue having remained futile. The MPRF-Nepal which had earlier opposed the election under the IEC reached an agreement with the HLPC to participate in the election. At the time of writing, more than thirty parties were calling for a delay of the election, with a few threatening to obstruct the conduct of elections if held on Nov.19.

C. *Legal Framework*

A comprehensive and inclusive voter registration process is internationally recognized as a key means of ensuring universal suffrage and the enjoyment of the fundamental right to vote (and in Nepal the right to be elected).⁷ In this sense, the fulfillment of universal suffrage is partially dependent on the success of voter registration. By verifying voter eligibility and controlling the balloting process, voter registration can significantly improve the quality of the electoral process and its credibility.

Furthermore where registration of voters is required, it should be facilitated and obstacles to registration should not be imposed.⁸ The right to participate in public affairs is therefore also partially dependent on the success of voter registration. The state is obligated to take measures to enable eligible voters to register. This responsibility can also be understood in the Nepali context to improve access to proof of citizenship.

⁷ U.N., Universal Declaration of Human Rights, Art. 21(3); UNHRC, General Comment 25, para. 11; U.N., International Covenant on Civil and Political Rights, art. 25(b) "To vote and be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the voter."

⁸ U.N., United Nations Human Rights Committee, General Comment 25 on "The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service", para 10 and para. 11: "States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed. If residence requirements apply to registration, they must be reasonable, and should not be imposed in such a way as to exclude the homeless from the right to vote. Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws and those laws should be strictly enforced."

While there may be restrictions on the right to register as a voter (for example by establishing a minimum age for voters) its criteria must be reasonable and objective within clearly defined legal categories.⁹

The Nepali state is obligated to provide proof of citizenship to those who are eligible without delay or undue restriction and to continue to do so.¹⁰ The state also may take special measures to ensure the rights of those in marginalized groups are considered.

In fulfillment of these requirements, the 11-point deal in March 2013 included provisions to issue citizenship certificates to children of those who had acquired citizenship under the special provision of 2006-07. Provisions also were made for the registration of citizens without citizenship certificates who had their name in the 2008 voter roll.

The IEC then issued citizenship certificate distribution and election related ordinances, signed and approved by President Dr. Ram Baran Yadav, for the implementation of those aforementioned provisions. The Ministry of Home Affairs and the ECN later issued related directives to the district administration offices and district election offices respectively. Changes made to laws related to citizenship certificate distribution and voter registration at the time, are as follows:

- Amendment on Section 3 of Nepal Citizenship Act, 2006: The following Sub- Section (4) was added after Sub-section (3) of Section 3 of the Nepal Citizenship Act, 2006:

“(4) Notwithstanding anything contained elsewhere in this section, the child of the person having obtained citizenship of Nepal by birth pursuant to section 4, born prior to obtaining such citizenship certificate, can obtain citizenship by descent.”

- The ECN also amended the Voters Roll Regulation 2013. The amendment added rule 31a to the regulation:

“The amendment provisioned to include those who were included in the voters roll for the CA election 2008 and who do not have citizenship certificates but are eligible to be on the voter roll as per the Voters Roll Act.”¹¹

⁹ U.N., United Nations Human Rights Committee, General Comment 25 on “The Right to Participate in Public Affairs, Voting Rights and the Right to Equal Access to Public Service”, para. 4 “Any conditions which apply to the exercise of the rights protected by article 25 should be based on objective and reasonable criteria. For example, it may be reasonable to require a higher age for election or appointment to particular offices than for exercising the right to vote, which should be available to every adult citizen. The exercise of these rights by citizens may not be suspended or excluded except on grounds which are established by law and which are objective and reasonable. For example, established mental incapacity may be a ground for denying a person the right to vote or to hold office.”

¹⁰ U.N., United Nations Human Rights Committee, General Comment No. 31, Nature of the General Legal Obligation on States Parties to the Covenant, para. 14 “The requirement under article 2, paragraph 2, to take steps to give effect to the Covenant rights is unqualified and of immediate effect. A failure to comply with this obligation cannot be justified by reference to political, social, cultural or economic considerations within the State.”

¹¹ Following this amendment, the ECN prepared a directive outlining the implementation of this provision and sent to DEOs on April 30.

Following the political deal, and implementation of the aforementioned legal changes, the MoHA and ECN conducted their joint voter registration and citizenship distribution drive in April and May.

III. Field Observation of ECN Voter Registration Activities

The Carter Center’s field teams, based in each of the five development regions of Nepal, observed registration activities during each of the three ECN programs identified above, as well as the claims and objections phase and the voter registration window opened for one week in August. The Center noted that the first program (Voter List Collection and Update Program, conducted from March 14-31) suffered from the political volatility in Nepal at that time: there was a government crisis, the ECN had no commissioners, no election date had been set, there were disputes over eligibility to be registered, and some political parties were actively – at times aggressively – obstructing the process. The program was abandoned prior to its conclusion for these reasons, as well as because of the overall low turnout. The two subsequent voter registration programs were more successful, reflecting the improved political environment, mobile distribution of citizenship certificates, and the setting of an election date.

During the reporting period, The Carter Center followed registration activities in 32 districts.¹² Field teams observed the process at registration sites and interviewed a range of stakeholders including district election officers, chief district officers, district administration and registration staff, civil society representatives, domestic observers, and citizens to obtain their views of the process. During the preparation of this report, the Center also met with the ECN, the Ministry of Home Affairs, political parties, domestic observers, and international NGOs working on election issues in Nepal. The main findings of The Carter Center during the reporting period are structured around six key topics: technical conduct of voter registration, voter information and education, involvement of political parties and civil society, obstructions, turnout, and the claims and objections process.

A. Technical Conduct of Voter Registration

Carter Center observers assessed the overall process positively in most visits conducted during the reporting period: of 38 registration sites assessed, four were assessed as “Very Good,” 28 as “Good,” six as “Fair,” and none as “Poor.” Registration staff appeared to know their jobs well, and crucial parts of the process such as checking citizenship certificates were adhered to rigorously. However, observers also noted the recurrence of a few problems that had been seen in previous phases. For instance, at over half of the registration sites visited, staff rarely or never checked registration details with applicants after recording the information, leaving the possibility for errors in the data. This is especially important in view of problems encountered

¹² The districts visited were as follows (Kailali was visited during multiple programs):

- i.) “Voter List Collection and Update Program”: Bhaktapur, Dailekh, Jhapa, Kailali, Lalitpur, Mustang, Sindhupalchowk;
- ii.) “Joint MoHA and ECN Program”: Bajhang, Banke, Gorkha, Kailali, Makwanpur, Morang, Palpa, Panchthar, Parsa, Rautahat, Rolpa, Rupandehi, Surkhet;
- iii.) “Additional Program”: Chitwan, Doti, Ilam, Kailali, Kanchanpur, Kapilbastu, Kaski, Lamjung, Saptari, Sarlahi. Bardiya and Kathmandu were also visited during this program.
- iv.) “Voter Registration Window”: Udayapur, Bhaktapur, Kaski, Baridya, Banke, Kailali, and Dadeldhura.

with ward assignments in previous phases of the voter registration process. Additionally, in some districts such as Rolpa, Kanchanpur, and Lamjung, procedures were not followed fully at the sites visited. Data was not entered into the logbook immediately or signatures were not obtained from registrants, primarily because of the large numbers of registrants who could not be managed satisfactorily on site. Computers, cameras, and fingerprint scanners functioned without serious difficulty in most cases.¹³

The possibility to obtain a citizenship certificate was an important motivating factor during the joint MoHA and ECN program. Observers noted that many people turned out only for this reason and were often unaware that voter registration was taking place until they were directed to register after receiving their citizenship certificates. At a few registration sites in districts such as Rupandehi and Kailali, observers found during post-registration interviews that some people were not aware that they had just registered to vote, assuming that the procedure was part of the citizenship certificate process.

There often were sizeable crowds during this program and consequent delays in issuing citizenship certificates, which usually were issued by hand. At over half of the sites visited, observers saw people waiting for at least one hour to complete the process, and up to four hours in some cases. In Surkhet, however, where the citizenship certificate process was computerized, the waiting time only was 20 minutes, despite large crowds.

Observers noted that criteria for issuing citizenship certificates were not always uniform in all districts. For example, in Kailali people often were asked to come back with additional documents, sometimes beyond those provided by law. In Bajhang, the criteria seemed more flexible, with no one sent away for additional documents. Nevertheless, in all observations during the joint program (16 sites), observers saw only a few dozen cases in which citizenship certificate applications were rejected.

B. Voter Information and Education

As during previous phases of voter registration, voter information and education efforts had limited visibility. Local FM radio continued to be the most important method of voter information in most districts visited, including those visited during the voter registration “window” in August.¹⁴

In the Voter List Collection and Update Program conducted in March, local government “social mobilizers” were used widely for the first time. The door-to-door work of the social mobilizers was cited often by DEOs and registrants as an effective source of information to reach out to local communities. The use of social mobilizers continued throughout July in some districts but was less visible in the Additional Program. In Ilam, observers were told that teachers, students, and health workers were mobilized to spread registration awareness. The majority of DEOs

¹³ Lack of electricity continued to create problems at some sites. In Dailekh it was not possible for registration staff to bring generators, and laptop batteries often ran down quickly. In Morang, low ambient light at the end of the day affected the quality of photograph, and registrants waiting in line were asked to return the next day for this reason.

¹⁴ In some cases, pre-recorded information was not in local languages, reducing its effectiveness (observed in the far western region).

interviewed stated that there was less funding available for voter information during the Joint Program and the Additional Program.¹⁵

In addition to other traditional sources of information, such as miking (use of loudspeakers mounted on vehicles, assessed by observers as effective where used) and local newspapers, text messages from Nepal Telecom were cited as a source of voter information in many districts in the Additional Program, but particularly in Chitwan, Kailali, Kanchanpur, and in the Kathmandu Valley. The U.S.-based election assistance organization IFES sponsored widely played public awareness jingles targeted at youth for radio and Internet.

Despite these efforts, Center observers generally assessed the effectiveness of voter information as low. This included some registrants not knowing why they were registering to vote or how to register once they were on site. At most registration sites little or no information about voter registration was visible in the vicinity, and citizens were often unaware of when and where to register. It should be noted that in the eastern and central regions in particular, however, the quality of voter information has clearly improved over time. For example, while many citizens did not know which documents to bring to obtain citizenship certificates in earlier phases, the level of awareness appeared to be higher in the later stages of joint citizenship distribution and registration. Similarly, more citizens appeared to know why they were registering and were keen to do so, in spite of earlier obstructions to registration as seen in March and April.

C. Involvement of Political Parties and Civil Society

At the beginning of the reporting period, political parties were relatively inactive, with a few exceptions observed in Jhapa, Kailali, Mustang, and Sindhupalchowk. Although political parties participated in district-level coordination meetings, there was no evidence they had mobilized their cadres to inform citizens about the registration process. Nevertheless, at least one party agent (from NC, UML, and/or the UCPN [M]) was present at all voter registration sites visited during the Voter List Collection and Update Program conducted in March. In Sindhupalchowk, party agents from all of these parties were observed actively collecting data about errors in registration records, especially the incorrect assignment of voters to wards.

After the election date was announced, political parties became more active in the registration process, particularly during the joint MoHA and ECN program. In some districts, DEOs cited political parties as a main source of support for the voter registration and voter education programs during the Joint Program due to the limited capacities of local government bodies. Party activities included conducting door-to-door information campaigns and assisting citizens at registration sites by filling out paperwork.¹⁶

The role of NGOs and other civil society groups was also limited. District officials expressed satisfaction with their work in Banke, Surkhet, and Taplejung, but said they were inactive in

¹⁵ Some interlocutors – including district election officials – suggested this was due to the reduced role of social mobilizers in outreach activities.

¹⁶ In some districts, this activity may have been related to political party trainings on voter registration conducted by the National Democratic Institute (NDI). These trainings took place from December 2012-March 2013 and from June-July 2013. Nine parties participated in these trainings in 22 and 17 districts, respectively.

Gorkha, Panchthar, and Rolpa. Carter Center teams observed the following: Nepal National Social Welfare Association (Banke) and Dalit NGO Federation (Surkhet) conducted voter outreach via miking and pamphlets; in Surkhet, Nepal Suppressed Community Protection Center (NEPSCON) was providing a 50 rupee rebate to all those who had obtained citizenship certificates on site and had been conducting outreach efforts; in Morang, Youth Initiative volunteers were assisting at the voter registration site; in Bajhang, a door-to-door awareness program was conducted by the Nepal National Depressed Social Welfare Organization (NNDSWO), and other NGOs were reportedly active in assisting citizens at voter registration sites in Bajhang or in organizing transportation or assistance with obtaining documents.¹⁷

During the Additional Program local NGOs appeared to be less active than other phases. Nevertheless, there were some targeted NGO activities for specific marginalized groups of voters. The National Federation of the Disabled Nepal (NFDN), with funding from USAID and IFES support, conducted a “Campaign for Voter Registration of Persons with Disabilities” in six districts in the far western and mid western regions in July 2013.¹⁸ NFDN activities were directly observed by the Carter Center in Kanchanpur, where the organization was informing citizens about voter registration and transporting disabled voters to and from the registration site. The DEO of Kailali reported that NNDSWO had coordinated with him in order to reach out to potential Dalit registrants.

D. Obstruction of the Registration Process

Everyone has the right to liberty and security of the person and as such any attacks on election commission officials, any part of the electoral process or the persons participating in it are to be condemned and violators subject to punishment under the law.¹⁹ The Center notes that not only were the several incidents of intimidation, theft and destruction of ECN materials during voter registration notable violations of these rights, but that a similar prohibition applies to the forthcoming campaign and conduct of the election. Such attacks are prohibited by the Electoral Code of Conduct and should be answerable to the law.

Organized attempts at obstruction of the voter registration process took place in a number of districts, starting during the March Voter List Collection and Update Program. Local cadres of two political parties – the CPN-M and FDNF-affiliated FLSC – interfered in the voter registration process in protest of the formation of the interim election government in March 2013 and the political agreement to conduct elections before the end of 2013.

Obstructions included seizure or destruction of voter registration equipment, particularly laptops. The Carter Center observed some of these incidents, such as in Jhapa (Ghailaduba VDC) where both CPN-M and FDNF-FLSC obstructed the process – without violence, although registration was stopped for the day. The process was re-started the following day after negotiations, albeit with further interruptions. Furthermore, in Kailali (Beladevipur VDC) it was observed that registrants and registration staff were intimidated by political party attempts to obstruct the

¹⁷ For example, in Majhigau VDC in Bajhang, the Social Development and Human Rights Center (SODAHRC-Nepal) positively contributed to citizenship certificate application costs.

¹⁸ As a result, IFES has stated that 787 persons with disabilities were registered to vote in these places.

¹⁹ U.N., International Covenant on Civil and Political Rights, art 9

process. CPN-M cadres threatened voter registration staff in front of the police, who did not react, and the voter registration site was eventually closed.²⁰ Overall, 17 of 65 registration sites faced some form of obstruction in Kailali, according to the DEO.

CPN-M and FDNF-FLSC continued attempts at obstruction during the joint MoHA and ECN program. Obstruction was observed in Panchthar (Durdimba VDC), and in Surkhet (Maintada VDC). Two unexploded IEDs were found at registration sites in Rupandehi and Nawalparasi districts in May.²¹ According to the ECN, CPN-M cadres physically assaulted district election offices in Bhaktapur and Baglung. The ECN stated that some 15-16 districts were affected in total, mostly in the hill districts in the east and the west. The ECN informed The Carter Center that almost all data was either recovered or replaced from data backup. In a few cases, DEOs had to arrange to re-register citizens whose data was lost.

Significantly, while these tactics initially forced the temporary closure of some voter registration sites, obstruction was eventually abandoned in the face of strong public resistance, increased security presence, and local level dialogue. DEOs attributed the public resistance to obstruction to a prevailing interest in obtaining citizenship certificates. Carter Center observers noted that in contrast to March, registrants at voter registration sites visited during the MoHA and ECN joint program were able to register without intimidation. During the Additional Program in June and July no obstructions were observed or reported in the districts visited, including districts that had witnessed obstructions during earlier phases of registration, and citizens were able to register free of intimidation at all voter registration sites.

E. Voter Registration Turnout

Turnout was significantly lower than expected at all registration sites observed during the Voter List Collection and Update Program in March. According to data provided by the ECN, registration numbers nationwide were only 24 percent of target figures in this period. In addition to temporary labor migration, a general apathy of citizens towards elections and the constitution drafting process was noted as the main reason why citizens were not enthusiastic to register.

In contrast, turnout during the MoHA and ECN-joint program (including the IMSDP camps) was observed to be much higher than in other recent phases of voter registration.²² This was mainly attributed to the possibility to obtain citizenship certificates without having to travel to district headquarters. The turnout was also higher due to increased clarity about the future of the political process, more active participation by political parties, and increased cooperation among DEOs, District Administration Offices, and political parties. DEOs interviewed were uniformly positive about the IMSDP camps and joint voter registration/citizenship certificate distribution program. Nevertheless, the overall number of people registered in some districts visited during this phase did not meet planned target figures.

²⁰ Inaction by the Nepal police compounds the problem of political actors who violate fundamental rights of Nepali citizens. U.N., United Nations Human Rights Committee, General Comment 25 on “The Right to Participate in Public Affairs, Voting Rights, and the Right to Equal Access to Public Service”, para. 11. “Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws and those laws should be strictly enforced.”

²¹ The perpetrators of this incident remain unknown.

²² In Bajhang, observer teams found the turnout to be limited in the two sites visited, due to local seasonal migration.

During the Additional Program, turnout was reported by DEOs as lower than expected in most districts visited, with the exceptions of Kanchanpur, Kailali, and Ilam. Overall 27,955 people were registered.²³ Migration was cited as the main reason for lower registration, together with the fact that citizenship certificates were not issued in most locations. The Carter Center also observed a last-minute rush in urban areas like Kathmandu where large numbers of people gathered at DEOs and DAOs for registration during the last days before the cutoff date.

In the re-opened voter registration period Aug. 17- 23, 168,967 citizens registered to vote. It should also be noted that turnout during that window period was mixed, with higher levels of participation observed in Bhaktapur and districts with major urban centers, including Kaski and Kailali, than the rest of the country where attendance was low, such as Dadeldhura. According to most DEOs, high turnout was attributed to citizens taking their final chance to register until the last moment, on the final day of registration.²⁴

F. Claims and Objections

The Carter Center notes that international good practice demonstrates that voter lists can be released to candidates and the public at large and should be subject to public review as a means of ensuring transparency in the election process and allaying concerns about the accuracy of the list.

The majority of DEOs claimed that the quality of the voter roll they had received was “good” or “accurate” although minor problems were reported with regards to citizen’s names and ward allocation in a number of districts including Kaski, Bardiya, and Nawalparasi. However, these appeared to be far fewer than during earlier claims and objection phases, with DEOs confident that new issues would be quickly resolved.²⁵

In general, observers found that turnout for this process was low. District-level election officials suggested this was likely because of the insufficient preparation time to conduct outreach (either through radio jingles, miking, posters, and so forth), which meant that limited information was disseminated about the process.²⁶ Consequently, very few citizens appeared to have checked the voter list and subsequently made objections about issues regarding their names or ward assignments. It should be noted that many people interviewed across most districts visited believed that minor spelling mistakes would not make any difference to their ability to vote. Some VDC-level election workers also expressed concerns about the order of the names on the voter list, which were in alphabetical order of the first names, rather than the last names; this

²³ This number does not include those registered during continuous registration in district election offices at the time.

²⁴ Some DEOs suggested that higher than expected levels in urban areas was also due to people registering out-of-district, although data was not available at the time of writing to confirm this assertion.

²⁵ At the time of writing, the Claims and Objections process after the August voter registration “window” was yet to be completed.

²⁶ Other interlocutors, including DEOs, suggested that this also might be because citizens had already made these checks online rather than check lists posted at district election offices, although this claim could not be substantiated by Carter Center observers.

meant that finding the names of all the members of one household on the list was time-consuming.²⁷

IV. Voter Registration Trends

A. Voter Registration Figures

As of Dec. 15, 2012, the ECN reported that a total of 10,892,253 citizens had registered to vote since early 2010.²⁸ Following the voter registration programs conducted since that date, as well as continuous registration at district election offices and other locations, the ECN reported that 12,308,314 citizens had registered to vote by the cut-off date of July 15, 2013. This means that there were 1,416,061 new registrants during this period, an average of 202,295 new registrants per month.²⁹ There was a 13 percent increase in the number of registered voters overall.³⁰

In comparison with the ECN's original 2011 target of 14.7 million eligible registrants (Nepali citizens 16 years and older), just over 83 percent have registered. However, as described in The Carter Center's fifth interim report, the current number of eligible registrants, according to 2011 census data and taking into consideration population growth, is likely to be somewhat higher, over 17 million people. IFES has estimated that there were some 16.3 million people of voting age as of June 2013. In comparison with this adjusted figure, just over 75 percent of potentially eligible voters had registered by the July 15 deadline.³¹

As previous Carter Center interim reports have indicated, there are several circumstances that make accurate potential voter registration figures difficult to identify, including extensive internal and external migration, uncertain eligibility for some residents of Nepal, and the lack of a civil registry. Moreover, the challenging circumstances of Nepal – difficult topography, poverty, and lack of infrastructure – limit the opportunities for citizens to register to vote. While it is clear that a considerable number of eligible voters remain unregistered, it also appears that the voter registration program to date has addressed one of the serious deficiencies of the 2008 Constituent Assembly elections by ensuring that those on the voter register are entitled to vote and that there are few duplicate records. As no audit of voter registration has been conducted (see below), the accuracy of the data, in particular assignment to the correct ward/polling center, is not known.

²⁷ The Carter Center has previously noted such issues regarding Claims and Objections phases in voter registration. See The Carter Center, Fourth Interim Statement on the Election Commission of Nepal's Voter Register with Photograph Program, July 26, 2012.

²⁸ The Fifth Interim report (Feb. 28, 2013) stated the ECN figure as 10,911,424 based on ECN information at that time. This was subsequently adjusted after data verification.

²⁹ By comparison, there were on average fewer than 40,000 new registrants per month from July 15–Dec. 15, 2012.

³⁰ At the time of writing, the ECN had almost concluded the final integration of data and de-duplication, but had not yet published the new figures of total voters registered including the data for new registrants during the brief August window period.

³¹ This assumes that a very low number of registrants are under age 18. According to ECN data, only some 40,000 registrants were under age 18 as of December 2012.

B. *Citizenship Issues*

During this reporting period, the political authorities took steps to expand access to voting rights, including undertaking a widespread field distribution of citizenship certificates in coordination with the ECN, making changes to legal requirements to facilitate citizenship certificates for children of those people issued citizenship certificates by birth under special circumstances in 2006-07, and making legal changes which allow people who were listed on the 2008 voter roll to register during the current registration process even without a citizenship certificate. These steps were generally in line with previous Carter Center recommendations.

i) Mobile distribution of citizenship certificates

The Ministry of Home Affairs undertook two main efforts, funded by the Nepal Peace Trust Fund (NPTF), to expand the distribution of citizenship certificates to eligible Nepalis between April and June 2013 in the context of the joint MoHA and ECN Citizenship Certificate Distribution and Voter Registration Program. The first was the deployment of 364 teams of Integrated Mobile Service Delivery Providers (IMS DP) nationwide. These mobile teams brought together various district government service providers, including for citizenship certificate distribution, and deployed them to remote areas (often with voter registration staff). In a second step, the joint program between the MoHA and the ECN deployed 472 mobile teams in all 75 districts. Both programs were assessed by most interlocutors as being successful at reaching out to unregistered citizens.

The MoHA informed The Carter Center that in total, 603,094 citizenship certificates were issued during the two phases, with women being the primary beneficiaries (365,410 women and 237,684 men). The IMS DP teams issued 181,713 citizenship certificates, and 421,381 citizenship certificates were issued as part of the joint program. Carter Center observers noted that these programs were very popular and usually well attended (see Field Observation section). However, in some districts the clusters of VDCs chosen for the joint program were very large, meaning that citizens in the outlying VDCs of the cluster were obliged to travel considerable distances to reach the registration sites. For example, in Gorkha (Simjung VDC), Carter Center observers noted that some citizens had travelled four hours to reach the registration site.

Some of the sensitivities related to citizenship issues were underscored by allegations that some VDC secretaries in the Tarai had facilitated the issuance of citizenship certificates with false documents, with at least five being arrested. Following protests by VDC secretaries nationwide against what they termed “wrongful allegations,” a cross-ministerial panel was formed to review the situation. After the panel determined how such allegations should be investigated and after district administration and police were instructed to improve security for VDC secretaries, the protests ended and the issue has not re-emerged.³² Observer teams were also informed of a handful of cases in which non-eligible people were prevented from obtaining citizenship certificates under false pretenses (e.g., in two VDCs in Parsa).

³² In Kailali (Nigali VDC) Carter Center observers noted that disputes over citizenship certificate recommendations resulted in the closing of the VDC services site an hour earlier than planned. The voter registration site was also shut down as both processes were interrelated.

ii) *Legal changes*

As noted in section II, a political agreement was reached to allow the children of people who had obtained citizenship by birth under special arrangements in 2006-07 to obtain citizenship certificates. While the numbers of those receiving citizenship certificates under new government provisions were relatively limited this measure corresponded to a previous Carter Center recommendation and was a welcome step to expand voter eligibility. Observers found that people at voter registration applying under these new provisions were able to obtain citizenship certificates and register to vote without difficulty.³³

A more controversial legal change, instituted as part of the political agreement to form a government and move towards the elections, allowed people to register to vote if their names were on the 2008 voter rolls, even if they could not provide a citizenship certificate. Although this change was much debated, and was subsequently challenged in court, the ECN informed The Carter Center that only some 2,500 people registered under these provisions.³⁴ Registration under these provisions was not automatic, as it required the support of local officials who often appeared reluctant to provide the necessary letters.³⁵ Carter Center observers saw few attempts to register on this basis (only 5 out of more than 600 observed registrants). At many sites visited, the 2008 voter rolls or necessary forms were not present on site, which meant that there were delays in registering the handful of applicants who used these provisions.

The state has both a duty to refrain from discriminatory actions and to prevent discrimination on a wide number of grounds (e.g. race, sex, religion, ethnicity, physical or mental ability, and others such as political or other opinion, literacy, and educational attainment).³⁶

In this regard, The Carter Center noted in its previous interim report that the ability of some married women to register to vote was affected by guidelines that required a married women to have her husband or father-in-law support her application for a citizenship certificate, which was more restrictive than the provisions of the Citizenship Act 2063 (2006). The Carter Center recommended that these guidelines be reviewed so as to ensure that married women did not face discriminatory obstacles in order to register. Although these guidelines are still in force, the MoHA informed the Center that it had issued an instruction to district administration offices in January 2013 allowing married women to obtain a citizenship certificate using the father's citizenship certificate as supporting document.³⁷ However, women who choose to use their father's citizenship certificate as support could forfeit their right to inherit from their husbands (if

³³ Observers saw that registrants were able to receive citizenship under this provision without difficulty at registration sites in Parsa, Rautahat, Rupandehi, and Banke.

³⁴ Data from 48 of 75 districts, as of Aug. 4, 2013.

³⁵ At the close of the registration period, the Center was informed of a dispute in Bardiya between hundreds of applicants and the local administration, which refused to provide the recommendation letters. Ultimately, officials reluctantly agreed to provide the documents after negotiations in which political parties participated.

³⁶ U.N., Convention on the Elimination of All Forms of Discrimination against Women, art. 7(b) requires that "State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government."

³⁷ ECN circular, reference number 180, Jan. 20, 2013.

they do not have a marriage certificate) and that could create difficulties for their children to obtain citizenship certificates. This often makes women reluctant to use this possibility.

C. Management of Voter Registration

Following the political agreement that paved the way for the setting of an election date and the appointment of election commissioners, the ECN has been able to plan and manage its voter registration activities for the year. The commission undertook the joint program as well as the Additional Registration Program with a view to maximizing the number of voters registered. The ECN developed an election calendar, which provides for the integration of registration data at central level (including checks for duplicate records and errors) and the printing and distribution of voter lists well in advance of election day. At the time of writing, the ECN was about to conclude the final integration of data, following the end of the claims and objections process and the verification of data at district level, but had not yet published its results.³⁸

Although the ECN had clearly stated its intention to end voter registration 120 days prior to election day, the ECN's decision not to extend voter registration after July 15 was controversial, especially given the considerable increase in numbers at many registration sites during the last week of registration. Some political parties demanded that voter registration be reopened prior to the conduct of elections. On Aug. 15, the ECN decided to reopen voter registration from Aug. 17-24 as a final opportunity for citizens to include himself or herself on the voter register before election day.

The decision to distribute voter cards is a positive effort to inform voters about the elections and to ensure that voters know to which polling center they have been assigned, in case there are errors in this regard. However, the ECN will have to ensure that the voter cards will be printed and personally distributed prior to election day, and that the distribution does not negatively affect other aspects of election preparations. As of late August, decisions also remained to be taken regarding whether to print the voter lists in color or high-quality black and white and whether or not to use fingerprint scanning devices in polling centers to identify voters. The fact that a significant number of important decisions remain to be taken less than four months before election day increases uncertainty around the election process and the potential for technical difficulties.

A planned nationwide voter registration audit (supported by UNDP) was postponed indefinitely by the ECN in view of the initial scheduling of elections for June 2013, and then subsequent postponement to November 2013. The audit was planned to be both "list-to-voter" and "voter-to-list" and would have been an excellent means of checking the accuracy of the voter register, including assignment of voters to wards and polling stations and the number of eligible citizens not registered. However, the ECN decided that given the tight and changing timeframes for the conduct of elections, there would be no possibility to take action to address any issues identified by the audit before election day and that it was therefore preferable to postpone the audit.³⁹

³⁸ Integration of voter registration data had last been done for the data of voters registered by the end of 2012.

³⁹ Although postponement of the audit is justifiable under the circumstances, this would be an important means of building confidence in the accuracy of the voter register, particularly regarding ward and polling center assignment, as well as identifying areas for improvement.

For day-to-day data management, the ECN is still in transition. It has not yet been able to contract permanent staff for all IT positions identified in the staffing table, as not enough candidates passed the necessary exams (these exams are administered by the government, not by the ECN). Four of the five computer engineer positions are therefore temporarily filled by consultants, although the ECN said that this does not affect the quality of the IT process. In addition, some nine IT positions at central level and in the regions are filled by UNDP-supported staff. In the districts, DEOs interviewed by Carter Center observers expressed few concerns about data management, although in Chitwan, Ilam, and Kailali DEOs noted problems with disappearing data and other issues.

Some questions remain regarding the data of those voters whose district of registration is different from the district where they physically registered (known as Out of District Registration, or ODR). This data has been integrated into the voter register (as of the end of 2012), but it is not clear how this data was verified or how ODR voters will be informed about the location of their polling centers. As the database apparently does not flag ODR voters or indicate the district in which they are physically registered, it will likely prove difficult to distribute voter cards to ODR voters (if such cards are ultimately distributed).

V. Conclusions

There have been several positive developments in the voter registration process since The Carter Center issued its Fifth Interim Statement in February 2013. Notably, the ECN and other authorities responded to several recommendations made in that interim statement. Key positive developments included:

- Political forces reached an agreement on holding an election in Nepal and appointed all commissioners in the election commission, which was the first recommendation of the Fifth Interim Statement. The Carter Center commends these efforts, as highlighted by former U.S. President Jimmy Carter during his visit to Nepal in March-April 2013.
- The ECN and the MoHA coordinated well to conduct mobile citizenship certificate distribution and voter registration to maximize the number of citizens who were registered to vote, a key recommendation of the Fifth Interim Statement. As a result of this effort, over 603,000 citizens were able to receive citizenship certificates and register to vote.
- The government issued ordinances to facilitate citizenship certificate distribution and voter registration, a recommendation of the Fifth Interim Statement. The citizenship certificate related ordinance removed legal obstacles to registration faced by the children of individuals who received citizenship by birth under special provision in 2006-07. The election related ordinance also provided for the registration of people who were included in the 2008 voter roll but do not have citizenship certificates.
- At least 1.4 million Nepalis were added to the voter register, as the election commission continued its efforts to reach all eligible but unregistered citizens across Nepal.

- In line with the Carter Center's recommendation from its Third Interim Statement, the ECN formalized plans to prioritize areas with lower than average turnout.
- Cooperation among local government officials, DEOs, and security forces, as well as citizen intervention curtailed efforts at obstructing the voter registration process.
- There was a welcome increase in political party activity in support of voter registration at the local level.

With the voter registration process having been closed for the Nov. 19 elections, The Carter Center also is satisfied that the Voter Registration Process with Photograph Program has by and large adhered to international standards.

However, The Carter Center also noted several areas of concern, which the election commission and the government should consider in order to improve the registration process and ensure the full protection of voting rights for all Nepali citizens:

- The total voter registration figures (approximately 12.5 million people) remain below the initial target of 14.7 million set by the ECN. If census data from 2011 is taken into consideration, there are approximately over 16 million potentially eligible Nepalis of voting age.
- Although citizenship and registration rules were amended to broaden opportunities for registration, this information was not disseminated widely in the field. Overall, rules regarding eligibility for registration are often unclear to the public.
- During the Joint Citizenship Certificate Distribution and Voter Registration Program (April-June 2013), Carter Center observers noted that registration clusters in some districts were too large, discouraging some citizens from registering, as it would take registrants several hours to get to the registration site. This was a missed opportunity to register more citizens in remote VDCs.
- Voter information and education outreach efforts often were insufficient.
- There continue to be obstacles for some married women to register, due to difficulties in obtaining citizenship certificates.
- The planned audit of the voter register, a previous Carter Center recommendation, was indefinitely postponed.
- Residency requirements make it difficult for many Nepalis to prove their current residence, obliging them to register to vote in their districts of origin. In practical terms, many such citizens will not be able to travel to these districts on election day, effectively disenfranchising them.

VI. Recommendations

The Carter Center commends the efforts undertaken by the ECN, the Ministry of Home Affairs, the government, and the Nepal Peace Trust Fund in conducting and facilitating the voter registration program. The following recommendations to strengthen the process, both prior to and following the upcoming elections, are offered in the spirit of cooperation and respect, and with the hope that they will provide useful discussion points for future action:

Short-Term (Pre-Election)

To the Election Commission of Nepal:

- Ensure maximum transparency of the voter lists including provision of the voter roll to political parties.
- Widely publicize the distribution of voter cards. Voter cards should be informational, but not mandatory for voting purposes.
- To the extent possible, distribute voter cards directly to voters - without involvement of political parties - and distribute voter education materials simultaneously.
- On election day, display voter lists prominently at polling centers with ECN staff there to assist voters to find correct polling stations and avoid congestion or disruption.

To Political Parties and Civil Society:

- While political parties and individual citizens are free not to participate in elections, all parties and their supporters should respect the right of other citizens to freely choose their representatives and not disrupt the conduct of the elections.
- Respect the Electoral Code of Conduct.

To the Government of Nepal:

- Lend full support to the police to act against illegal efforts to block the electoral process and uphold the State's obligation to support every Nepali's right to security.

Long-Term (Post-Election)

To the Election Commission of Nepal:

- Conduct a full audit of the voter register in order to promote public confidence in its accuracy and to identify areas needing further improvement.

- Reconsider proof of residence requirements to ensure that, to the extent possible, voters are able to vote where they actually reside.
- Review procedures for the continuous voter registration program with a view to ensuring its long-term sustainability. Such a review could include consideration of appropriate technology, responsibility for data collection at VDC level, and development of a systematic way of removing names of deceased persons from the voter register.
- Consider ways to facilitate registration of external migrants to the extent possible (such as at airports or at diplomatic representations abroad). Even if the possibility to vote abroad is not granted, voter registration for all citizens is important in view of the stated objective to produce identity cards based on voter registration records.
- Improve planning to ensure that voter education and information campaigns can be initiated before the start of registration activities.
- Enhance cooperation with NGOs and other civil society organizations, especially during planning of mobile registration programs and promote the sharing of best practice among district election officials and district administration officials.
- Conduct contingency planning for registration ahead of potential local elections, including preparations to update software and voter lists, and considerations as to how the voter roll will need to be amended given Nepal's constitutional commitment to federal restructuring.
- Sustain the current investment in IT and database management, including staffing, training, planning, and overall management.
- Consider ways to facilitate the registration of disabled persons, especially by coordinating with relevant NGOs and with local government officials working with the disabled.

To the (Post-Election) Government of Nepal:

- In coordination with the ECN, resolve issues of voter eligibility and proof of eligibility as a priority, and amend electoral legislation to provide for stable, clear, and fair requirements for proving eligibility.
- In coordination with the ECN and in cooperation with civil society organizations, conduct a review of legislation, directives, and practice with a view to eliminate any form of discrimination in accessing voting rights, particularly for women or members of marginalized groups.

ANNEX 1 – Overview of the Voter Registration Process to Date

The ECN is creating a new computerized voter register to replace the register used in the 2008 constituent assembly elections, 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. The computerized register contains registrant photos and fingerprints, as well as additional personal information intended to enable greater quality control over the voter list and reduce the possibility of voter fraud. At the same time, the ECN is implementing a long-term project to provide permanent continuous registration facilities at the district level, which will be electronically linked to a central database in Kathmandu. These activities are being carried out with the technical support of UNDP and IFES. The ECN is also coordinating with the Ministry of Home Affairs to share registrant information for the purposes of creating a civil registry and proposed national identification cards.

The ECN is implementing voter registration in accordance with the Interim Constitution of Nepal (2007) and the Voters' Roll Act (2006). In line with this legal framework, the ECN has developed policies and procedures to govern the conduct of voter registration, including voter registration eligibility requirements and implementation measures. To be included on the voter roll, citizens must come in person to a registration site. Individuals are eligible to register if they are aged 16 or older and possess a Nepali citizenship certificate. In principle, citizens register to vote for the municipality or VDC listed on their citizenship certificate. If a citizen wishes to register for a different municipality or VDC, he or she must present proof of migration.

The voter registration program was initiated with a pilot program in seven VDCs in five districts in March-April 2010. The program began with a door-to-door enumeration campaign to identify, inform and document eligible individuals, which was followed by actual voter registration. Following the successful completion of the pilot exercise, voter registration has continued in multiple phases, with major field phases accompanied by voter education campaigns:

- 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).
- A nationwide phase to register voters throughout the rest of the country (March 2011 through mid-July 2011). The nationwide phase entailed mobile registration teams visiting most remaining VDCs in Nepal.
- In June 2011, the ECN announced that people residing outside their home district would be allowed to register for their place of permanent residence through out-of-district registration.
- Following the end of the nationwide phase, registration continued at District Election Offices throughout the country. In some districts, "enhanced continuous registration" was conducted on a temporary basis at district administration offices and area administration

office locations (July 2011- February 2012).

- From November 2011 to January 2012, mobile voter registration was conducted at municipality and VDC level in 11 priority districts where the process could not be finalized previously and/or data was lost during the nationwide phase.
- From December 2011 to March 2012, registration data was verified at district level and then transferred to the ECN. The ECN aggregated the data and screened it for duplicate registration records.
- In April 2012, the ECN printed the voter roll and distributed copies to the districts. Public display of the voter roll at VDC and municipal ward level began on April 15, 2012, on a rolling basis within each district, with provision for registering claims and objections. Simultaneously, the ECN also conducted another round of mobile field registration for voters who had not previously registered. This field registration was conducted in all VDCs and municipal wards in Nepal, except those in which field registration had already been held in 2012.
- In October 2012, the ECN initiated the Mobile Voter Registration Program Based on Targeted Marginalized Communities, in cooperation with the Ministry of Home Affairs. Building on the previously conducted Integrated Mobile Service Delivery Program, this program made it possible for citizens in targeted VDCs to obtain citizenship certificates and register to vote in the same location.
- In March 2013, the ECN began the Voter List Collection and Update Program, initially intended as a last opportunity for registration prior to elections. The program was ended early due to new political agreements affecting citizenship as well as to the obstruction of the process in some districts by a few political parties.
- In mid-April 2013, the ECN began the Joint Citizenship Certificate Distribution and Voter Registration Program in cooperation with the Ministry of Home Affairs. This program combined mobile citizenship distribution with voter registration and was conducted nationwide in two phases through May.
- In June and July 2013, the ECN conducted the Additional Program related to Voter Roll Data Collection and Update, targeting those areas missed during the two previous programs. On July 15, voter registration was cut off in advance of the scheduled Nov. 19 constituent assembly elections. A claims and objections period was opened through the first week in August in order to allow for review of preliminary voter lists.
- From Aug. 17-24, 2013, the ECN reopened voter registration, only at district election offices, to provide a final opportunity for citizens to include themselves on the voter register.

ANNEX 2 – Carter Center Observation Methodology

The Carter Center conducts its observation through meetings with the ECN, political parties, domestic observers, civil society, marginalized groups, citizens, and other stakeholders at the central and local levels, and through visits by long-term observer teams to registration sites for direct observation. Carter Center teams are composed of international and national observers and are based in all five development regions of Nepal. The Carter Center has customized its methodology to each phase of the voter registration process.

Long-term observer teams gather both qualitative and quantitative information about the voter registration process through interviews and direct observation. In addition to data collected from election officials regarding the registration process, observers conduct interviews with citizens in each location in order to gather data about their awareness of the voter registration process and their ability to be registered.

The reporting period for this Sixth Interim Statement covers three voter registration programs and the additional window for registration opened in August. Observation was conducted in a total of 32 districts. Long-term observer teams interviewed district officials, election officials, civil society organizations, and citizens to gather information on the technical quality of the registration process and to assess the effectiveness of citizenship certificate distribution and voter education efforts. In each district where observation was conducted, visits were usually to one or two registration sites for one or two days.

As observers were not deployed to a representative sample of registration locations, it is not possible to extrapolate the quantitative data obtained by long-term observers for the purposes of generalization across the country or even within a district. However, the data obtained in observation efforts offers illustrative insights into the conduct of voter registration during this reporting period and the challenges faced by the ECN in increasing the number of registered voters.

The Carter Center conducts 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 process, specifically the Interim Constitution of Nepal (2007), Voters' Roll Act (2006) and Electoral Roll Rules, and ECN policies and procedures. The Center also considered international standards governing democratic elections, specifically those that Nepal has signed or ratified.⁴⁰

⁴⁰ 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 and 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 and Tribal Peoples' Rights; and Convention on the Rights of Persons with Disabilities, and Guiding Principles on Internal Displacement, among others.