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ELECTION COMMISSION, NEPAL

Action Plan

Implementation of the ECN's Strategic Plan

Electoral Cycle 2009-2013

Project Document

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Election Commission of Nepal

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NEPAL -Electoral Cycle 2009-2013

Brief description

This Action Plan was developed on the basis of the Strategic Plan elaborated by the Election Commission of Nepal (ECN). The plan aims at providing support for strengthening the electoral process in Nepal in the organization and management of the electoral process, enhancing at the same time the capacity development of the Election Commission. The overall support is targeted at improvements in: (i) institutional capacity development and management of the ECN, (ii) implementation of a continuous voter registration and reforms in the electoral registration process; (iii) adoption of electronic voting, (iv) review of the legislative framework, (v) development of human resources, (vi) effective monitoring mechanisms, (vii) civic and voter education, and (viii) political parties capacities.

ACRONYMS

AFIS	Automated Fingerprint Identification system
BRIDGE	Building Resources in Democracy, Governance and Elections
CSO	Civil Society Organizations
EC	European Commission
ECN	Election Commission of Nepal
EIMS	Electoral Information Management Services
EMB	Electoral Management Body
EU	European Union
EVM	Electronic Voting Machine
DIT	Data Integrity Test
DRE	Direct Recording Electronic Voting Machines
GIS	Geographical Information System
ICCPR	International Convention on Civil and Political Rights
IFES	International Foundation for Electoral Systems
NGO	Non-governmental Organization
NPTF	National Peace Trust Fund
OMR	Optical Mark Recognition
SC	Steering Committee
ToT	Training of Trainers
TSC	Technical Steering Committee
TST	Technical Support Team
UNDP	United Nations Development Programme
VDC	Village Development Committee

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FOREWORD

Elections are at the heart of democracy. Only a free, fair and credible electoral system and associated processes can contribute to the meaningful institutionalization of democracy and gain popular trust. Elections also embody the protection of universal rights and values; the Election Commission must be prepared, when required, to hold elections that adhere to universal democratic norms. Hence, it is essential to increase the management capacity and skills of the Election Commission to make election management more competent and effective. Taking these needs into account, the Commission has prepared and released its five-year Strategic Plan, which served as the basis for the development of this Action Plan. The Commission believes that its successful implementation will lead to the necessary reforms in the electoral system of Nepal.

The Strategic Plan was drawn on past experience, in consultation with government, civil society organizations and cooperating partners, recommendations from national (district to center) and international stakeholders, and reports from election observation groups. I express my gratitude to all stakeholders for their invaluable contribution to the plan.

Formulating a strategic plan alone is not enough; its implementation is more challenging and demanding. Thus, the Election Commission developed this Action Plan for the implementation of the Strategic Plan. It requires and requests the support and cooperation from all sectors for its successful implementation.

I sincerely appreciate the persistent hard work of our election officials who helped prepare the Strategic Plan. I would also like to extend my special thanks to Usha Nepal, Neel Kantha Uprety, Dolakh Bahadur Gurung, and Dr. Ayodhi Prasad Yadav as well as the members of the Strategic Plan formulation committee and the staff of the Commission for their indispensable role in designing the Strategic Plan. I extend my gratitude to the United Nations Development Programme (UNDP) for its assistance in elaborating the Action Plan.

February 2009   Bhoj Raj Pokharel

                                                                        Chief Election Commissioner

I.   Situation analysis

Electoral management bodies (EMBs) administering the elections should perform in a neutral manner, independently from whether they are part of the executive branch of government or they form an independent Election Commission, the latter being the prevailing model nowadays worldwide. The Election Commission of Nepal (ECN) has five commissioners who are appointed by the President for a six-year tenure, following recommendations from the Constitutional Council and parliamentary approval. The ECN has full autonomy when selecting and appointing its own electoral personal, but relies heavily on civil servants for general administration and on judges to fill in the posts of returning officers. It manages its own budget and is funded directly from the treasury and approved by Parliament.

The ECN is responsible for the organization of all electoral events and empowered to develop and enact regulations, rules, directives, codes of conduct and manuals to complement and fulfill the provisions of the law. It is also responsible for voter registration and voter education programs and registration of political parties.

The Election Commission was generally accepted by political parties, voters and other stakeholders as an independent constitutional body[1]. It also managed to strengthen its institutional and management capacity by acting and adjusting itself to events, calling on political parties regarding their responsibilities during their campaigns and accommodating the interest of other political organizations in order to have a more diverse representation among the candidates, thus contributing to secure an adequate political environment for the election.

The Constituent Assembly (CA) election held on 10 April 2008, after two postponements, came after 10 years of internal conflict; its members are responsible for drafting a new Constitution for Nepal, now a federal republic, and to establish the framework for the first post-conflict general elections, including possibly a *referendum* and elections for local government. The election was also a test for the institutional, managerial and organizational capacities of the ECN. The electoral legal framework provided for an inclusive process and the elections for the first time allowed for a broad and diverse representation of traditionally marginalized groups and women, a fundamental element for the advance of Nepal's democratic culture and institutions based on the representation of all Nepali. The international and domestic stakeholders and election observation missions coincided in that the electoral process was well administered and conducted in a very efficient and professional manner under the most challenging conditions in terms of security threats and logistical difficulties.

These developments impacted positively on improving public confidence in the electoral process and stressed the effectiveness of the support that he Commission received from cooperating partners. The

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[1] *Fifth Assessment Report (5 April-8May, 2008),* Electoral Expert Monitoring Team (EEMT), United Nations.

challenges faced by the ECN were enormous and its magnitude was highlighted by the Carter Center,[2] based on ECN data:

- Under Nepal's mixed electoral system, 240 Constituent Assembly members were elected using a first-past-the-post (FPTP) system, and 335 members were elected using a proportional representation (PR) system, for a total of 575 elected members. Another 26 members were appointed by the cabinet, bringing the total to 601 members.

- There were 9,821 polling locations and 20,888 polling centers in 240 constituencies in 75 districts, staffed by approximately 234,000 polling officials on Election Day.

- A total of 41.2 million ballot papers were printed in Nepal. In 44 constituencies, they were almost totally delivered by helicopter.

- More than 10 million valid votes were cast, out of a voter list of 17.6 million voters.

- 74 political parties registered for the CA election and 54 ultimately participated in the election, of which 25 are now represented in the assembly.

- Out of 575 elected seats, there are 196 Madhesis, 192 Janajatis, 191 women, 47 Dalits and 22 representatives from "backward regions."

The election was widely praised by international observers, national monitors and other stakeholders. The European Union Election Observation Mission considered that the Election Commission had "acted as an independent body with integrity and competence. Logistical and technical preparations were generally conducted in an effective manner and key components were delivered according to the timetable. The Election Commission acted in a largely transparent manner consulting political parties and other stakeholders on issues."[3]

Notwithstanding these achievements, there were some shortcomings and irregularities; uncontrolled violence by political groups and disruption of the electoral campaign process, the violations of the codes of conduct and the limitations of the voter education programs marred the electoral process. On election day violence left at least two persons dead and others injured, and clashes among supporters of different parties and the capture and vandalism of ballot boxes and other irregularities during voting and counting required voters to re-poll in 106 polling stations in 21 constituencies of 12 districts. The international observation groups issued a series of recommendations:

- The ECN should undertake a nationwide capacity building program for its permanent field structures. It should also continue to consolidate long term activities including civic education, increasing the professionalism of staff.

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[2] *Final report on Observing Nepal's Constituent Assembly Election* (10 November2008), The Carter Center

[3] *Final Report on the Constituent Assembly Election 10 April 2008*, European Union election Observation Mission to Nepal, September 2008.

- Improve the quality of voter registration and consider the adoption of an Automated Fingerprint Identification System (AFIS); create a more inclusive and accurate voter list; mandate voter identification with a voter identification card and end involvement of party volunteers in the voter identification process.

- Promote electoral framework reforms and organizational structures; strengthen the complaints and appeals process and simplify the electoral legal framework by consolidating all aspects of the electoral process into a single act, incorporating the basic norms and standards of elections; promote more transparent alternatives and discard the post-election candidate selection system and strengthen the vote count process.

- The Election Commission's experience with the utilization of electronic voting machines during the CA election was highly successful, and it should consider the full use of such machines in future elections.

- Expand voter and civic education efforts.

- Increase training for domestic observers.

- Review the legal framework for the media and guarantee the protection of freedom of media in line with the highest international standards.

These recommendations and other shortcomings identified by various post-election evaluations and assessments commissioned both by the ECN and the cooperating partners[4] led to the **development by the Election Commission of a Strategic Plan outlining, above all, the need to shift international technical assistance and financial support from an event-driven perspective to a long term and broader approach, encompassing the entire electoral cycle while fixing and addressing the election administration weaknesses in a more systemic manner.**

The resulting Strategic Plan for the electoral cycle 2009-2013 identifies seven main areas of activities for capacity development and to maintain the electoral momentum and ensure the transition of elections as a continuous event:

- Enhancement of organizational effectiveness and management to respond to emerging challenges in a timely and cost effective manner;

- Electoral framework reforms;

- Continuous voter registration: increase the enfranchisement and inclusiveness of potential voters through a more accurate register, and strengthen the local/field institutions with direct impact on the accuracy of the voters' register;

- Voter identification with photograph;

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[4] *Nepal Voter Registration Assessment Project 2008-2009* (Peter Clayton, IFES); *Voter-to-List Survey* (Interdisciplinary analysts), among others.

- Electronic voting: acquisition and use of Electronic Voting Machines (EVMs);

- Civic and voter education;

- Strengthening political parties and civil society;

- Monitoring mechanisms and media.

However, the Election Commission is aware of the difficulties and challenges it faces and that might impact the plan; management knowledge, internal reviews and collating lessons learnt identified the following disadvantages:

- State restructuring and inclusion: Nepal has already adopted a federal system where all classes, communities and people from geographically backward areas will have proportional access to resource distribution and policy making. In such so far undefined context, the new Constitution will have to address such changes and design an electoral system that meets the aspirations of the people;

- Human resources and capacity building: the ECN is dependent on human resources provided by the government and faces a high turnover of staff members and difficulties in maintaining an adequate level of election-trained personnel and in keeping up with capacity building programs.

- Technological changes: Despite the existence of technology allowing for effective holding of cost effective elections, the material and human resources to make available such technologies are difficult to obtain.

- Relations with stakeholders: Elections involve common interests and concerns of political parties, voters, groups and communities, who share some participation in the election management and, thus, demand regular contacts, coordination and active support.

- Political culture: Political culture has a significant role in advancing the institutional development of democratic values and principles. The unhealthy competition among political parties during the electoral process challenges the overall election management.

- Voters' Disappointment: Public opinion expressed in a free and fearless atmosphere is the foundation of democratic governance. The eventual incapacity of political parties, or candidates, to live up to voters' expectations of stability, peace and development discourage the use by the people of their voting rights. Such voters' disenchantment can be a setback for the overall electoral process.

- Physical infrastructure: Election management faces extreme difficulties due to the country's lack of infrastructure that translates into many polling stations without roads, communications, drinking water and electricity. This situation, plus the lack of adequate resources and geographical distances and remoteness, is a challenge for procurement of election materials and logistic operations.

- Demographic changes and socio-economic disparities: Demographic changes and internal migrations impact on the administration of elections, which is also challenged by the

continuation of policies of management, mobilization of resources policies and working styles disregarding geographic and socio-economic disparities.

- Governance: Electoral processes need support from all sectors. Government resources and support are only focused on elections when a date is set and announced. While on one hand it slackens governance, on the other it restrains the optimum use of resources by the Election Commission.

- Work culture: Work in the Election Commission is seasonal and work load increases considerably once an election date is announced, and substantially reduces after the election. It remains a challenge to level the work load of the Commission throughout the electoral cycle.

The ECN was able to cope with all major activities of the CA election in April 2008, as acknowledged by domestic and international observers. However, some aspects —election management and electoral registration, among others— presented special challenges which are now being addressed in the Strategic Plan. The Plan strongly emphasizes the building of an ECN with a sustainable and enduring institutional and professional capacity that can be easily and effectively reemployed in future elections. It also seeks to enhance and further consolidate the institutional and professional capacities of the ECN, its Secretariat and its regional offices to meet the priorities that will further improve the adequacy and credibility of Nepal's future electoral processes.

II.   Past Support

The electoral process that culminated with the Constituent Assembly election in April 2008 cost around US$ 40 million and it was funded by resources drawn from the Nepal Peace Trust Fund (NPTF), the national government budget and bilateral contributions.

	NTPF financed projects Electoral Process –CA Election April 2008	NPR In million	US$ in Million
i)	Voter Education Program for the CA Election	153.42	1.92
ii)	Election Officials and Employees Training	251.00	3.15
iii)	Voter Education Program for CA Election, 2008	219.20	2.75
iv)	Capacity Development of Election Officials and Support Staff of the Administration of the CA Election, 2008	241.87	3.03
v)	Deployment of Polling Officials and Support Staff, CA Election Day, 2008	1,250.64	15.67
	TOTAL	2,116.13	26.52

Note : Exchange Rate 1 USD = 79.80 NPR

Source: *Proposal of Efficient Management of Electoral Process, Multi-year Strategic Plan* (ECN March 2009)

The Fund was established in 2007 to channel foreign and domestic contributions towards the promotion and strengthening of peace and security. Article 4(b) establishes the functions, duties and powers of the Fund's board "to make arrangements of technical assistance as well as assistance in cash or kind necessary for the acts relating to the election of the Constituent Assembly and other entities." The Fund renewed its rules in 2009 and the activities of the Action Plan for future electoral events will in part be financed through the NPTF.

Projects (1) and (2) were suspended during implementation due to the postponement of the election and projects (3) and (4) were resumed when the CA election was rescheduled for April 2008. The NPTF management also approved the carryover of earlier projects to the last two projects. The Election Commission considered that these projects made a significant contribution to the successful accomplishment of the CA elections and in a very effective and efficient manner.

The Fund had clear advantages in terms of improved coordination of activities, targeting resources and expertise and lessening the burden on implementing partners. Some international organizations, like the United Nations, European Union and the Carter Center, sent missions to assess and observe the CA election.

III.   National Strategy

Nepal has gone through dynamic changes over the last two decades in its efforts to end insurgency and maintain peace, and to create a more genuinely inclusive society. The CA election was a fundamental component of such efforts, addressing the challenge to simultaneously keep on track the main actors of the peace process while adjudicating the demands of Nepal's many traditionally marginalized communities that had a huge vested interest in a successful electoral process. The election was held against a background of precarious security conditions, with limited effectiveness by the State administration in much of the country and an immense popular demand for fundamental change in governance and social norms. The Election Commission now faces a new cycle of electoral management and conceives itself as an independent, impartial and capable institution to hold credible elections. It sees its mission as the conduit for holding elections in an innovative, cost effective and professionally competent way as mandated by the Constitution.

Electoral systems represent a crucial element in the effective promotion of sustainable democratic governance and are recognized as one of the most important ways citizens can participate in decisions that affect their lives and hold their representatives accountable for results. The Constitution mandates the Election Commission to conduct free and fair elections in a fearless atmosphere. The ECN's Strategic Plan is based on the findings of consultations made with various stakeholders —at national and district level, governmental and non-governmental — and on the recommendations and suggestion made by election observation missions.

The ECN is also committed to a set of guiding principles to orient the administration of the electoral process, adopting a participatory and inclusive approach in order to involve all stakeholders (women,

indigenous groups, groups from the so-called backward areas, *Dalts* and *Madhesis* as defined in the Interim Constitution) in the responsibilities of designing the electoral legislation, policies and procedures. It advocates impartiality, accountability and responsibility, quality services, professional integrity, transparency, credibility, a pro-active stance, innovation and independence. And it established as it main goals:

- Create a free, fair and fearless election atmosphere through timely electoral reforms;
- Ensure accuracy and quality of the electoral rolls and identification of the voters;
- Increase voters' awareness;
- Reform the election management system to achieve more efficiency and effectiveness;
- Develop human resources;
- Use modern information technology for election management;
- Develop infrastructure for the Election Commission and polling stations;
- Increase cooperation with stakeholders to make election management comprehensive, inclusive and participatory;
- Emphasize research and development to improve electoral system and processes; and
- Develop effective monitoring and evaluation mechanisms.

REFERENDUM: The Constituent Assembly is currently working on the draft of the new Constitution; the CA has a mandate of two years due to expire in May 2011. The Assembly may adopt and enact the new Constitution or submit it to a popular *referendum*. In the latter case, the Election Commission must have contingency plans to prepare and hold the event. The Assembly will also set an election date for the regular legislative body which might be in or around 2012. The new Constitution and its possible changes may affect somehow the management of the elections and may therefore impact on the implementation of the Strategic Plan.

IV. Strategy and Plan Justification

Nepal is in the beginning of a new election cycle. The Action Plan will provide for capacity building of the election management body, as well as of other national and local/field offices associated with the electoral process, a continuous voter registration process, voter identification, electronic voting, civic and voter education support, legal reform and voter awareness and monitoring mechanisms. Starting now, there will be adequate time to address all aspects of the electoral cycle rather than supporting the elections as an event. The plan will also indirectly provide for a platform for dialogue on electoral policies, legal framework and procedures.

The Action Plan makes full use of the window of opportunity for effective contributing to the ongoing Constitution-making process by identifying pieces of legislation that can benefit from experiences from the past Nepali election and from other countries. The purpose is to promote the meaningful and comprehensive participation of voters and all stakeholders throughout the electoral cycle. This will require a mixture of support to several activities and interventions in support of the organization of the elections. Agreeing on suitable benchmarks will also be politically important.

 Nepal has either ratified or acceded to all the major treaties containing international principles for elections: the 1966 *International Covenant on Civil and Political Rights* (ICCPR) and the Optional

Protocol, the 1979 *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) the 1966 *International Convention on the Elimination of All Forms of Racial Discrimination* (CERD), the 1966 *International Convention on Economic, Social and Cultural Rights* (CESCR), and the 1989 *International Labor Organization Convention on Indigenous and Tribal Peoples in Independent Countries* (ILO Convention 169). These instruments guarantee the equal right of all citizens to political participation.

The "electoral cycle approach"[5] used in the Action Plan has been officially adopted by UNDP and the European Commission (EC). In the last few years several assistance projects managed by UNDP have followed this approach that views electoral assistance as an ongoing or cyclical activity rather than an event driven at discrete points in time.
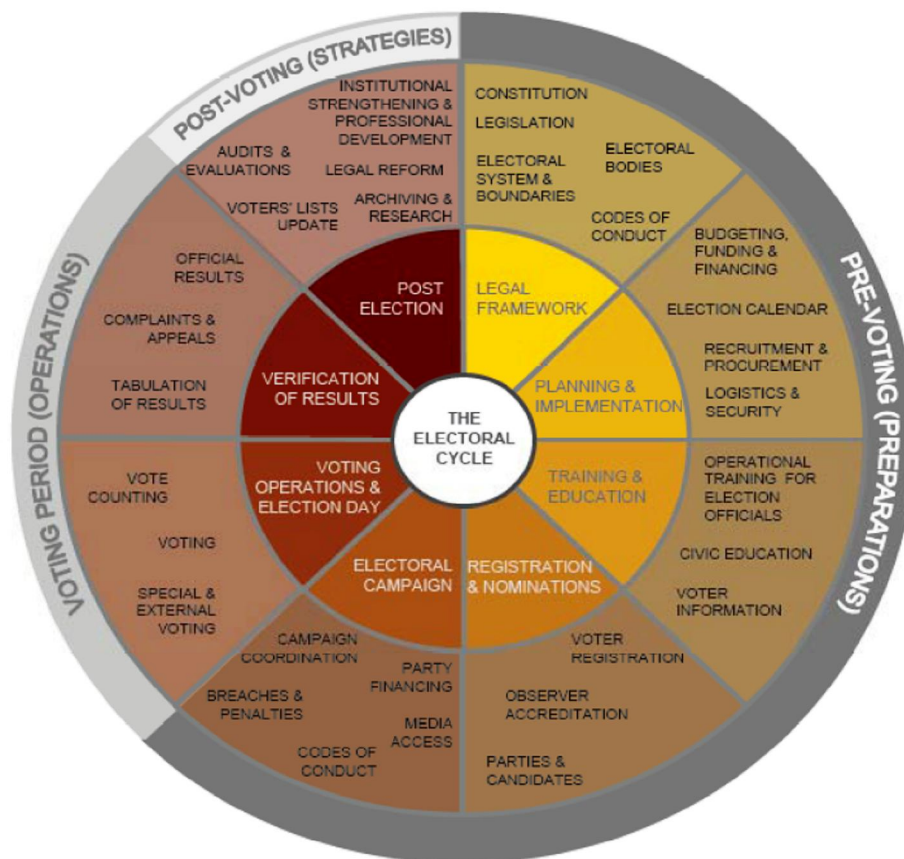
The strategy is to provide selected assistance activities throughout the different phases in which the electoral cycle is divided (see figure below). Six clear outcomes are discernable when using this approach:

- Increase participation in the democratic process;
- Develop shared democratic values;

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[5] See the *EC Methodological Guide on Electoral Assistance*, IDEA's *Handbook of Electoral Management* and UNDP's Implementation *Guide on Electoral Assistance*.

- Enhance the integrity and accountability of the process;
- Promote sound electoral management practices; and
- Develop synergies with other institutions.

The overall objective of the Action Plan is to support capacity development of the ECN and the electoral process. This broad objective is expected to increase the ECN capacity to address emerging national electoral challenges and to reinforce the integrity of the electoral process and the public confidence in the electoral system in Nepal. Civic and voter education outreach will be broadened through the engagement of civil society organizations and, through these, grassroots level participation in the process will be facilitated. New technologies, like electronic voting, will be adopted and implemented to enhance transparency and speed-up results, and the quality of the voters' register will be substantially improved. The Action Plan will be funded by the NPTF, cooperating partners and regular government budget.

The strategy will also focus on maintaining a balance between event-specific election assistance and long term support for the electoral institutions, systems and processes. The Action Plan will focus on addressing institutional and individual capacity development for:

- Institutional capacity development of the ECN;
- Implementation of a continuous voter registration;
- Review of legislative framework;
- Enhanced civic and voter education;
- Political parties and civil society
- Monitoring mechanisms.

V.   Activities

All the activities were developed after considering the ECN experience, election related reviews and studies, reports of domestic and international observation missions, stakeholders inputs and the international comparative experience linked to the introduction of technological innovations in voter registration and electronic voting. The activities will be organized alongside the targeting of several outputs:

1.   Enhanced organizational effectiveness and efficiency of the ECN

The ECN's Strategic Plan addresses four main areas: human resources development, management reforms, advances in information technology and physical infrastructure development. For each area it set the following goals which are to be observed in the specific activities developed for this enhancement of the organizational effectiveness and efficiency of the ECN:

Human Resources Development: provide for basic training on election management to all ECN employees; involve at least 10 percent of the employees in training, study programs, research and observation related t election management, in or outside the country, on a yearly basis; allocate 20 percent of the total amount of salary for training purposes; conduct a feasibility study on the formation

of an "election management core team" in the ECN; and, manage elections in 200 polling stations using, on a trial basis, staffed directly recruited by the Election Commission.

Management Reforms: decentralize the preparation of the electoral register to the local level; limit the preparation period for the elections to 90 days; decentralize procurement and management of election materials to the local level, except highly sensitive items; entrust responsibility for determining the location of polling stations and the development of minimum infrastructure to the local level; initiate a policy of managing elections through the local level offices of the Election Commission; and, keep information of all polling stations in the Geographic Information System (GIS).

Advances in Information Technology: make information technology accessible to all employees in the Election Commission and its field offices; link the Election Commission and its field offices through an Information and Communication Technology (ICT) network; install management information systems in the Election Commission and its field offices; provide updated election information on the Internet; and, replace the existing voter registration system with a new registration system.

Physical Infrastructure Development: establish election resources centers in strategic locations; construct warehouses and office buildings in strategic locations; and, acquire land for ten additional local offices.

1.1   A priority under this component is, then, the restructuring of the ECN to enhance its institutional capacity, and support to selected activities in the context of the federal structure of its operations. It encompasses the development of a comprehensive organizational structure with human resources and business process that operate within a clear defined system. It also targets the capacity enhancement for the development of effective planning strategies within the ECN; one aspect of increasing organizational effectiveness includes the possible development and implementation of quality assurance measures on various ECN operations. The Plan facilitates a multi-year strategic budgeting exercise to include the electoral events within the electoral cycle 2009-2013.

1.2   Election Information Management System (EIMS)

The EIMS can be improved by applying clusters of activities as follows:

Cluster 1: enhancement of modules for registration and polling location systems to keep track of the locations used for registration and elections; Geographic Information System (GIS) database integration (national and local level); voter register and location register; develop tracking systems that ensure that forms are not lost; voter register modules for amendments to existing records and deletion of deceased persons in preparation for continuous registration;

Cluster 2: results management system and expansion to include audit module; candidate management system and expansion to include verification module and ballot template production module; accreditation system for domestic and international observers, monitors, election agents, party representatives and media, election costs monitoring;

Cluster 3: enhancement of web access; intranet to facilitate information sharing within the ECN; logistic module and tracking system for field status and incident reporting; field staff and helpline tools; media and complaint tracking.

Cluster 4: electoral costs: election management, political campaigns, civic and voter education, security costs, including electoral roll maintenance.

The enhancement of the EIMS will facilitate the engagement of stakeholders in building up public trust in the system, and also to reach consensus on the use of tabulation systems. Efforts will also concentrate in developing clear guidelines for the tabulation and management of results, revision of forms and procedures and provisions for further training of electoral officials in the use of the system.

1.3   Integration of Logistic Systems and Procurement Planning

1.3.1   Logistical Support: The objective is to support and develop a system for the interaction between program outputs and procurement operations, warehousing, asset management and logistics. The logistics plan deals with ordering, manufacturing, warehousing distribution and items retrieval. The system shares registration and polling station data from the voter registration system to calculate materials, equipment, stationery and forms and to avoid over ordering materials. It may also be used for an assessment and inventory of the existing ECN election materials and equipment.

1.3.2   Procurement Planning: It might be considered to support the formulation and implementation of a procurement plan for the electoral materials. Knowledge on how to conduct competitive and transparent procurement services considerably increases efficiency, quality and transparency of an electoral process while reducing costs and time. Procurement is especially important in terms of voter registration, electronic voting machines (EVMs) and election day activities. The following materials may be considered for procurement: hardware equipment and software, vehicles, communication tools, printing services; means for printing and distribution of registration forms, voters' cards and data processing and other materials for registration (e.g., generators, battery charges); materials for printing and distribution of ballot papers, ballot boxes, voting screens/booths, indelible ink, tamper-proof material, forms for election day activities; and software, results and media center, hardware and communication equipment for results tabulation.

1.3.3   EIMS Training: This area involves intensive training for its staff particularly in light of the warehouse management system which is part of the EIMS. It might also be considered that technical expertise is transferred to permanent staff members on a "mentor" model.

1.4   Electoral Staff Training
Training of the ECN staff would cover the following areas: election management, planning, budgeting and procurement, voter registration, GIS operations and database management. The electoral staff can receive clear guidance through user-friendly training materials. The plan should support building in-house capacity for the ECN to create its own software, which is especially important because of the unavailability of off-the-shelf management software.

The plan can also support capacity building for evaluating training methods with the objective of introducing a comprehensive training package. BRIDGE[6] courses can be run to improve the skills, knowledge and confidence of election professionals and key stakeholders, such as members of the media, political parties, civil society organizations and domestic election observers.

1.5   State and Non-State Stakeholders Relationships

This area focuses on enhancing the institutionalization of mechanisms for stakeholder engagement and information sharing. It includes support for development of strategies and mechanisms to organize regular meetings with stakeholders to allow the dissemination of information and decisions, and consultation on emerging issues. The stakeholders are state institutions and non-state actors.[7]

The plan supports the ECN to promote special meetings with some stakeholders, such as the different branches of the security agencies and political parties, to develop solutions and discuss specific issues. It further promotes workshops and training sessions with partners to assist them in the understanding of the technical requirements for effective participation in the electoral process. Support will also be channeled to the development of mechanisms for tracking and provide feedback to *bona fide* stakeholder complaints on election issues.

The ECN capacity to engage the media and communicate with the public will be strengthened alongside with its capacity to develop a sustainable communication strategy that identifies its key stakeholders information requirements, based on survey and data collection. The plan will also support the development of media monitoring mechanisms to provide reliable data on compliances with codes of conduct and overall coverage of the election process.

2. Electoral Framework Reforms

The forthcoming reforming process of the electoral framework will have a great impact on the administration of future electoral processes, on the implementation of specific electoral operations and on the organizational structure and functioning of the Election Commission. A reformed electoral legislation and a new electoral system will require the development by the ECN of an entirely new set of election procedures based on both amended and new legal provisions.

2.1   Reforms of the Electoral System and Processes

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[6] The original version of the BRIDGE project was launched by International IDEA, the UN Electoral Assistance Division (EAD) and the Australian Election Commission to provide a capacity development tool for Building Resources in Democracy, Governance and Elections. In 2007, IFES and UNDP joined the project as partners. BRIDGE is the most comprehensive professional development course available in election administration. More information can be obtained on www.bridge-project.org.

[7] See Annex, Strategic Plan of the Election Commission of Nepal for a detailed list of stakeholders.

The plan will promote several changes and improvements to electoral frameworks : (1) contribute to the Constitution-making process by providing recommendations based on national and international election experiences, (2) support reforms to the electoral legal framework and organizational structures by 2011 to enable the holding of elections by the Election Commission; (3) formulate a consolidated legal framework incorporating basic election norms and standards; (4) delimit the maximum distance between a voter and a polling station to 5 kilometers by 2012, (5) limit the voting time (voting cycle) to three minutes from verification of voter eligibility to casting a vote, (6) use of electronic voting machines for polling, (7) introduce Braille in ballot papers in at least five constituencies on a trial basis, (8) make provisions for easy accessibility by handicapped persons at least at in one polling center per constituency if geographically possible, (9) make arrangements for mobile voting in 100 or more bed hospital and in old age homes with more than 25 people, (10) make the election staff more inclusive and encourage local participation, (11) conduct a feasibility study on pre-voting and absentee voting, (12) introduce a mandatory provision for voting with a photo identification card, (13) conduct a feasibility study on out-of-country voting and in-country temporary residents voting, (14) devise an adequate mechanism for monitoring campaign expenses and effective implementation, and (15) develop an effective mechanism for improving the quality of domestic election observation.

Other improvements and enhancements to be considered are:
- Candidates' names on the ballot paper: it is a standard of good democratic practice to include the candidates' names on the ballot papers. Party symbols only may simplify the voter's choice, especially among the illiterate, but voters are entitled to know the names and order of election of candidates directly from the electoral administration. As for the list PR ballot, names should be included in the order in which candidates shall be taking seats in case of being elected. An intermediate step towards the full meeting of standards could be to display, with great visibility, the names and rank order of candidates in posters at each polling locations, so voter have access to this information before casting their ballots.
- Information on voter lists at the polling location.
- Harmonization of electoral related laws: efforts to harmonize the various electoral related laws currently scattered throughout a number of legal instruments. A codification process of all such legal instruments can ensure consistency, clarity and objectivity of all electoral procedures and regulations.

2.2   Reforms of the Electoral Rolls

The Election Commission considers that a series of reforms have to be taken in order t improve the accuracy and the quality of the electoral rolls: (1) make the local electoral management bodies responsible for collecting and updating the electoral rolls, (2) start the process of preparing the voters' lists containing the voter's photograph, (3) increase the accuracy of the voters' list to a 95 percent level, and (4) update the electoral roll throughout the year, closing it only for 75 days before election day.

2.3   Review of Complaints Management and Resolution Mechanisms

The handling of electoral complaints, the outcome of which may impact on the results, is often an underestimated activity. The resolution of electoral disputes is generally an activity that encompasses

the entire electoral process and should be guaranteed through the various stages of the cycle, given that its importance becomes paramount during the results verification period. The need to ensure a fast and efficient processing of the appeals related to the results is often fundamental to the legitimacy of the entire electoral process. The main challenges related to the issues are how to ensure a proper understanding of the complaint procedures among the various stakeholders that might have an interest in appealing, political parties and candidates above all, and how to guarantee an adequate level of electoral knowledge and neutrality in the mediation process. An effective and accessible disputes resolution system would strengthen the ECN's direct supervision and control over the entire process, and would contribute to minimizing the needs to resort to post electoral judicial proceedings many times too late and lengthy to address grievances. It might be consider within the efforts in this area some joint work with the judiciary in view to align its decisions with the electoral timeframe.

3. Continuous Voter Registration

The Continuous Voter Registration program is one of the highest priorities of the Election Commission of Nepal for the electoral cycle 2009-20013. The ECN goal is "to ensure accuracy of the electoral rolls and identification of voters." Currently, Nepal has a system of yearly updates of the voter register, and a civil registration system involving the local bodies responsible for recording births, marriages and deaths. However, the civil conflict impacted on both system and neither the voter nor the civil registry was properly maintained for the last few years.

Post-election assessments have identified several problems and irregularities with the current Voter Register and the use of the Voter Register: a lack of proper voter identification; duplicate registrations; names of deceased on the voter register; people missing from the register; errors on voter data; voting impacted by migration; and, minorities and disadvantaged groups excluded from the register.[8] During the CA election, identification of the voter was insufficient and inadequate.[9] Voters were not required to show identification at polling stations. As voters were not listed alphabetically, but according to where they live of serial number, it sometimes took the polling staff quite a time to find the name on the list. The ECN during the CA election distributed invitation cards to each household containing voter serial numbers to ease the problem of finding names during election day. Despite such arrangement, voters did not retain the invitation card and hence the problem finding names during polling. Done in good faith, the assistance by political parties' members with voters' serial numbers helps to accelerate the polling process. However, this assistance can easily be misused for impersonation or to unduly influence voters.

The Certificates of Citizenship is the most common form of identification; over 90 percent of the population has a certificate, a document that is being used in the by-elections of 10 April 2009. As for the long term, the main recommendation is that the election Commission "performs a very large nationwide operation to register every eligible Nepali citizen, including their photo and fingerprints, and

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[8] Nepal Voter Registration Assessment Project 2008/2009, IFES, Nepal, March 2009.
[9] Electoral Expert Monitoring Team (EEMT), Final report, United Nations, 5 April- 8 May, 2008,

creates a permanent network of fixed and mobile registration centers across the country to continuously maintain the voter register to a high standard."[10]

The ECN will possibly have to coordinate its work with other government agencies but such harmonization of activities doesn't mean integration and in no circumstances should the integrity of the voter registration be compromised. Processes like issuing certificates of citizenship, or some other kind of civil registry, and voter registration are distinct and, unless the legal framework is amended to improve the transparency of the registration and to adapt it to the new federal system[11], the issuance of voter cards and maintenance of a voter roll remains the sole responsibility of the ECN and its regional offices. The Action Plan supports the implementation of the continuous voter registration process and enhancement of the accuracy of the voters' register. In this regard, support will be extended to enable the ECN to collect, collate, manage and protect data, particularly as it is dependent on the use of new technologies. The current voters' list, used for the CA election, has approximately 17.6 million voters, a number that might not reflect the country reality (the total population is estimated around 27.5 million inhabitants[12], of which more than 40 percent under 14 years old, projecting the 18-year old or more voter population around 16.2 million voters). The concerns raised by the assessment studies and observation mission reports, also shared by the majority of stakeholders, about the quality and integrity of the voters register demand the implementation of a continuous voter registration and a voters' register with the following qualities: integrity, inclusiveness, comprehensiveness, accuracy, accessibility, transparency, security and credibility, as described below:

Integrity: The voter registration framework and processes must be fair and honest, free from political and other manipulation or intimidation, a not allow ineligible persons to register as voters.

Inclusiveness: Voter registration frameworks should not contain measure that excludes persons from registration to provide political advantage. The registration provides all qualified persons with equal opportunity to register to vote. This may require implementing special measures to ensure appropriate registration facilities to marginalized groups, such as those in remote and backward geographical areas, those with disabilities and the homeless.

Comprehensiveness: Registration of voters should target registering 100 percent of qualified persons, including those groups that in some societies are less inclined to vote, such as women, youth and those in remote areas.

Accuracy: All voter registration information should be recorded accurately, and maintained up to date. This may require implementing systems to check data validity and the accuracy of data recording, and pro-active programs to check data actualization.

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[10] Ibid, 8

[11] Quality control measures on voter registration, such as opportunities for public inspection by voters, are commonly embedded in electoral laws.

[12] Central Bureau of Statistics (CBS), estimate for total population, 2007: 26,427,399 inhabitants. With the population growth estimated at 2.5 percent/year, the current population is around 27.5 million.

Accessibility: Voter registration processes should be physically accessible and readily understandable, publicized and explained to all persons qualified to register.

Transparency: Transparency in registering voters promotes public trust in the integrity of voter registration processes and data. Transparency is also promoted by measures such as allowing public access to electoral administration meetings and decisions on voter registration, providing for public inspection of voters registers and voters' lists, allowing voters' access to check their record data, allowing independent and political observation of voter registration processes and public availability of the code used for computer systems to process voter registration data.

Security: Information stored on registration of voters in either paper or electronic formats must be sufficiently secured to prevent unauthorized access, to protect the information against unauthorized alteration or disclosure and to ensure that any legal requirements for information privacy are met.

Credibility: No matter how well the framework and system for registering voters satisfies the above qualities, they also need to be publicly credible. Political parties and the public must believe that the registration has been conducted with integrity, equity, accuracy and effectiveness. Transparency measures and the provision of regular and accurate information on voter registration can promote public credibility.

Continuous Voter Registration Process

Continuous voter registration becomes a challenge when in a context of centralized electoral management body operations and lack of computerized civil registration. Therefore, decentralization is fundamental. Several pre-conditions must be satisfied before it can be fully implemented, as:

Durability of voters' card: There is no voter card in Nepal and the identity commonly used by the citizen to register is the Certificate of Citizenship, which is not requested or required for a person to vote at the polling station. The certificate is an identity card with photo, name, birth place, date of birth, present address, father's name, husband's name (if female), type of citizenship (natural, naturalized) and signature or fingerprints. Such certificate cards last between 5 to 10 years especially when kept in wallets in pockets. A voter card has to be planned to be replaced in the same timeframe.

Iteration: How to confirm the status of existing voters from an iteration of the register to the subsequent? An iteration of a voter register is a version of the register which is used for an electoral event. Voters who have no changes should be distinguishable from those who do not have the opportunity to request changes. For instance, there should be a mechanism indicating that the voter data is still current. To this end, public display, inspection and confirmation of voter data is still required for a continuous voter registry. In addition, simply relying on the willingness of voters is insufficient. Those who do not confirm their data should be identified reminded and, if not acting towards confirmation, have their names removed from the voters' list.

Integrating new cohorts and returnees: This is one of the aspects that often receives special attention in continuous voter registration. The new voters should be treated differently from the old ones since they are first applying to be integrated in the voters' register. The time spent by an existing voter to confirm or modify his/her data should be less than the time spent by a new voter. It is good practice to separate

the two groups and handle them in different phases of the continuous voter registration, even having different offices for new registration.

Removing deceased voters: This is the most complex part of continuous voter registration. Without a reliable source of information and confirmation about the deceased, they remain on the voters' register. There is a need of balance between imposing a confirmation mechanism and taking care of deceased persons.

Maintaining accuracy: Many voters don't bother to check their data during public displays of voters' lists, and the amount of data on the voter database should be kept to minimum. With the use of biometric features, there is no need any more to keep elaborate details of the voter such as his parent's or husbands names and birthdates; the photograph and fingerprints, including unique voter card numbering, are enough to distinguish between two voters, even perfect twins.

Record of evidence: Although the continuous voter registration operation involves a full computerized system, many countries decided to also maintain a paper record of the registries. Eligible citizens' data is collected by one registration officer on paper and passed on for data entry. This allows for cross-checking of voter information and face possible disruptions of the process during activities in the field.

Moving voters from their old voting district to their current residence (or working) place: This operation requires a cut-off date to guarantee that changes are effected in the voter database. Continuous voter registration operations require a predetermined period of the year during which people can request changes, new voters can be added and the provisional list produced and published for inspection. It also allows for the establishment of a complaint period and validation of the voters' lists on a yearly basis.

Continuous voter registration also requires a wide voter education campaign to explain how the registration system works and takes place. It requires liaising with local authorities to collect data about deceased persons. Moreover, a continuous voters' register ownership by the ECN does not preclude outsourcing some of its activities.

3.1 Network, hardware and software update

The infrastructure required to conduct a continuous voter registration is based on decentralization of voter registration operations from central to local level. Decentralization of the ECN operations as part of the implementation of the program will require permanent staff at each of the 75 districts, subject to changes if boundaries are changed under the federal system. Capacity development of software should be the first step to take before continuous registration. This capacity development will enable the ECN to perform the necessary changes to the existing election management system to cope with the new functionality required to perform continuous voter registration. It will also enable the ECN to identify the proper software platform for its new software. It should be considered to undertake the capacity development based on the recruitment of local staff for the IT department. The positions foreseen would be: database administrator (2 positions), software developer (3), requirement analyst (1) and tester (1).

Personnel combining the main requirements, analysis and testing skills, would have priority. International experts, one software developer and one requirement/tester should be contracted to

perform the initial software requirements and testing specifications. Of course, these actions would be taken after the IT team has been trained as part of this support program. The ECN may also consider partnering with international EMBs having similar experiences. Some collaboration in the form of seconded personnel and exchange of tool and software may happen as part of such support.

4. Electronic Voting

Electronic voting is a term encompassing several different types of voting, embracing both electronic means of casting a vote and electronic means of counting votes. Electronic voting technology can include punch cards, optical scan voting system and specialized voting kiosks, including self-contained direct-recording electronic (DRE) voting systems. The technology can speed the counting of ballots and can provide improved accessibility for disabled voters. Electronic voting systems have been in use since the 1960s when punch card systems debuted. DRE voting machines which collect and tabulate votes in a single machine are used by all voters in all elections in Brazil, and also on a large scale in India, the Netherlands, the United States, Venezuela and many other countries in the Americas.

A direct-recording electronic voting machine records vote by means of a ballot display provided with mechanical or electro-optical components activated by the voter (typically buttons or a touch-screen), processes data with computer software, and records voting data and ballot images in memory components. Some machines are designed especially to be used by voters with disabilities. After polling, the DRE produce a tabulation of the voting data stored in a removable memory component and eventually as printed copy. The system may also provide a means for transmitting individual ballots or vote totals to a central location for consolidating and reporting results from precincts at the central location. The machines generally tabulate ballots as they are cast and, in some cases, print the results after the close of voting.

Electronic voting system offer advantages compared to other voting techniques. An electronic voting system can be used in any number of steps in the setup, distribution, voting, and collection and counting of ballots, and may or may not introduce advantages into any of these steps. There are, of course, potential disadvantages including the potential for flaws or weakness in any electronic component.

The Election Commission's experiment with the utilization of electronic voting machines (EVMs) during the CA election was highly successful and was to be replicated during the by-elections of 10 April 2009. The gradual use of EVMs was recommended by election monitoring teams along with programs to inform and educate the public on the benefits and use of such technology in future elections in the country.[13]

4.1 The Electronic Voting Machine (EVM) in Nepal

The use of electronic voting machines is one of the targets identified by the Election Commission as part of the reforms in the electoral system and process under its Strategic Plan. After a pilot project during

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[13] Electoral Expert Monitoring Team (EEMT), Final report, United Nations, 5 April- 8 May, 2008,

the CA election, the ECN is using EVMs in all by-elections on 10 April 2009. The machines, according to the design approved by the Commission, are manufactured in India by Bharat Electronics Limited, of Bangalore, and Electronic Corporation of India Ltd (ECIL), the end product of extensive trials in Indian elections.

The machine is portable, simple to operate and can be installed in a short period of time. There is no possibility for invalid votes and total secrecy of voting data can be maintained and retained for years. It also allows for results to be announced by the end of the poll, and be printed if necessary.

Although it represents an initial high cost, the utilization of EVMs are very cost-effective over the long run avoiding the expenditures with the printing of millions of ballot papers in each election, election materials and the costs of storage and transport. The EVMs can be reused in subsequent elections by simply erasing the votes recorded in earlier polls and changing the ballot paper in the ballot unit. To vote, the voter has to only press a button next to the party/candidate of his/her choice and an audio-visual signal confirms to the voter that the vote has been recorded.

The EVM consists of two units: a "control unit," operated by the presiding officer at the polling station, and a "ballot unit" with a cable to connect it to the control unit, used by the voter (visually challenged persons have a Braille voting feature). A ballot unit has capacity for a ballot with 16 candidates lined vertically, and can be linked to other three ballot units for a total of 64 candidates. Each control unit has a unique serial number which matches the metal strip number and bar code on the rear side. The machine operates on a special portable power pack, tamper-proof, error-free and easy to operate, according to the manufacturer specifications. The polling information once recorded is retained in its memory even when the power pack is removed.

Nepal will possibly have around 23,000 polling stations in the next elections and it is calculated that each one will need an average of two ballot units, besides the control unit. This would imply in the acquisition of more than 70,000 units, including back-ups, for an average cost of US$150.00 per unit. Other costs involved are transport, storage, and capacity training and voter education.

4.2 Auditing of EVMs System

A fundamental challenge with any voting machine is assuring the votes were recorded as cast and tabulated as recorded. Non-document ballot voting systems can have a great burden of proof. This is often solved with independent audit systems, called Independent Verification, which can be used in recounts or audits. Another feature to mitigate such concerns could be to allow voters to prove how they voted, with some form of electronic receipt, signed by the voting authority using digital signatures. This feature can conclusively prove the accuracy of the tally, but any verification system that cannot guarantee the anonymity of voter's choice can lead to voter intimidation or vote selling.

Voter verifiable paper audit trails (VVPAT) and software open to public scrutiny are the most common practices to audit the voting machines. An audit system can be used in measured random recounts to detect possible malfunctions or fraud: for example, a sample of three percent of the machines taken after the election and the requirement of open software use by the EVMs. This auditing system is known as Parallel Testing, and measures the compatibility of the results at polling station against national levels. The VVPAT system requires the printing by the voting machine of a paper ballot or other facsimile

that can be visually verified by the voter before being entered into a secure location. The paper ballot is often treated as the official ballot of record. In this scenario, the ballot is primary and the electronic records are used only for an initial count. In any subsequent recounts or challenges, the paper, not the electronic ballot, would be used for tabulation. However, whenever a paper record serves as the legal ballot, that system will be subject to same benefits and concerns as any ballot paper system.

5. Civic, Voter Education and Domestic Observation

This component will focus on addressing three main challenges identified in the Strategic Plan of the Election Commission: (1) launch the voter education program on a regular basis, and not just during the election period, to reach out at least 95 percent of the voters, (2) conduct voter education programs in 17 languages as well as sign language, and (3) endeavor for two-thirds voters' turnout. Experience from past elections also point to the need of addressing other challenges, like the preparation of the population for results that might be different from their own expectations, and to prepare political parties for managing expectations as part of conflict prevention.

5.1 Civic education

The plan will support the building of capacity of civil society organizations to plan and implement public awareness programs at all social levels and throughout the country. It may be considered a grant scheme enabling the organizations to submit qualified proposals for the program.

5.2 Voter Education

The plan will contribute to building the capacity of the Election Commission's voter education unit to coordinate, plan and implement continuous voter education programs according to the main objectives established by the Strategic Plan. The voter education itself will be mostly delivered by civil society organizations and in some cases by the political parties, at local level, with the aim that civil society increasingly takes center stage for such activities. Support can also be extended to civil society organizations involved in the conduction of surveys to identify and map the needs and voter education delivery strategies appropriate for various target groups. Especially those marginalized or disadvantaged such as women, youth, disabled voters and minorities and backward groups.

5.3 Domestic Observation

The Action Plan will support training of civil society organizations having as their activities the domestic observation of elections on principles and methodologies of election observation, electoral law and the Constitution and the electoral process. The plan will also support the production of training material for the CSOs. This is expected to produce a pool of trained observers to deal with the observation activities of the different steps of the electoral process, not restricted to Election Day only. It is also envisaged the development of frameworks and mechanisms to streamline the accreditation process.

6. Political Parties and Civil Society

The ECN Strategic Plan looks for a more effective collaboration with stakeholders, including (1) the establishment of a permanent mechanism at national and local levels for regular interaction, (2) the setup and operation of an election information center along with a library, and (3) a close collaboration with the political parties for the institutional strengthening.

The plan will follow the best practices and activities developed using the established UNDP neutral scope and criteria set in the *Handbook on Working with Political Parties*, which compiles a thorough set of experiences in the area.[14]

Training and sensitization activities. Activities may include capacity building, resource mobilization, electoral administration and campaign techniques. Using the percentages of party representation currently represented in the Constituent Assembly, parties would be invited to participate in training and other opportunities along these percentage lines while reserving a small percentage for "other" non-represented parties having enough critical mass to be able to take advantage of training opportunities.

ECN relationship with political parties. The idea is to promote dialogue and consensus building on critical issues of legal or administrative reform, to better sensitize the ECN to the needs and wants of the political actors. Political parties will be invited to attend the meetings or *fora* of the ECN on an equal basis (i.e., one representative).

Political parties. The plan envisages working with political parties through an institutional setting and to make them more transparent, accountable, democratic, inclusive and with better internal communications. Also, it will promote them as centers for debate and policy consideration, rather than simply vehicles for the imposition of voting arrangements. The goals are to develop transparent and participatory structures for decision-making, to develop awareness of issues relevant to human development, to foster conciliatory approaches and possibly to establish cross-party caucuses on sectorial issues of national importance that also build trust and confidence between competing political interests.

Information Center. Election information centers will be established at national and local levels to enable parties and other stakeholders to have access to resources in line with their activities. These centers will have the necessary equipment to allow all stakeholders to gather and disseminate information to the public.

7. Monitoring Mechanisms

The goal of all monitoring and evaluation exercises is to learn lessons and incorporate them in order to improve the overall plan and prepare for future activities. The plan will try to ensure good planning,

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[14] Available at http://www.undp.org/governance/docs/policy-pub-polpartieshandbook.pdf

follow-up and result focus, with annual or semi-annual reports to rate outputs and outcomes progress and to assist in taking policy decisions and quarterly assessments to partners and donors. A quality and quantitative evaluation of the new voters' list will be conducted in advance of its first use in an electoral event, including a Data Integrity Test (DIT).

The Election Commission regularly monitors all electoral activities, including voter registration. District election officers are responsible for the monitoring of electoral training events and voter education activities, and report to the returning officers and the Election Commission. Election observers and political parties will monitor the voter registration process as well as any other electoral activity carried out during the timeframe of the Action Plan.

Accounts are kept according to standard account procedures. Monitoring of current accounts is carried out by the district comptroller general office. The ECN is accountable for all electoral activities and for the management of accounts related to the election. Returning offices hand over to the district election officers all expenditures documents.

7.1   Media Monitoring

The plan will focus on three aspects: training for journalists on election reporting, accurate information dissemination and media monitoring.

Training of journalists and editors. Support for training of journalists and editors, both from private and state media, on relevant issues (electoral law, election process) and on their responsibilities in reporting and covering political issues, and their commitment and observation of their own Code of Conduct and the Code of Conduct established by the ECN. A special focus will be working with community radio stations, the main means of communication in Nepal.

Media monitoring. The plan will support the establishment of a media monitoring center to create a permanent mechanism to sustain the self-regulatory activities of the media houses and their compliance with the codes of conduct along with regular reporting.

Phased approach: The activities are conditioned to the availability of resources for their implementation. It is recommended to prioritize their implementation according to resources available and the following order: 1) Continuous voter registration, 2) Enhanced organizational effectiveness and management of the ECN, 3) Electoral framework reforms, 4) Civic and voter education, 5) Political parties and civil society, 6) Electronic Voting, 7) Monitoring mechanisms, and 8) Physical infrastructure.

V.   Beneficiaries

The following are the major groups of beneficiaries:

- Nepali citizens: The plan will facilitate the public to exercise their right to vote through improved voter registration and management of electoral processes, and the right to be elected to an office. At the same time, the Nepali people will be able to make informed choices.
- The Election Commission of Nepal: The Election Commission will develop a staff the more effectively and efficiently plan and manage the electoral cycle.
- Civil Society Organizations: Civil society's capacity to conduct and coordinate civic and voter education and domestic observation will be enhanced.
- Minorities, candidates and voters: The electoral process will involve more minorities and other groups as candidates and voters.
- Media: Journalists and editors/publishers will be acquainted with the electoral process and be able to improve reporting of the elections. Media monitoring will reinforce the mechanisms to promote a more balanced coverage of the electoral process.
- Political parties: Political parties' capacities will be increased and their members will be better prepared to manage election issues.
- Government of Nepal: legislature, executive, judiciary and security agencies supporting the electoral process and activities.

VI.   Project Results and Resource Framework

Project Title: Action Plan – Implementation of the ECN's Strategic Plan - Nepal - Electoral Cycle 2009-2013

Intended Outcome: Strengthening of institutions, systems and processes in support of national development						
Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)						
Intended Outputs	**Output Targets**	**Activities**	**Responsible Party**	**Supporting Party**	**Inputs**	**Verif. Indicators**
1. Enhanced organizational effectiveness and efficiency of ECN	- New organizational structure of ECN implemented - New job descriptions and job fair implemented - Staff trained in new jobs - EIMS enhancements implemented - Candidate and results management system fully functional	- Administrative systems, procedures and manuals revised. - Assessment of ECN mandate - Capacity assessments - Job Fair - Training plan development and implemented - Development of ECN ICT strategy, policy and plan - Review software needs and bridge gaps - Development of training manuals on new processes - Conduct Software	ECN/Gov.	UNDP/donors	Consultancies, conference facilities, travel Facilitation, conference facilities, training costs. Printing costs, consultancies Consultancy fees, training costs, conference facilities Consultancy fees, training costs, conference facilities Consultancy fees, printing costs, conference facilities, travel costs, soft ware,	

Action Plan – Implementation of the ECN's Strategic Plan – Electoral Cycle 2009-2013

Intended Outcome: Strengthening of institutions, systems and processes in support of national development						
Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)						
Intended Outputs	**Output Targets**	**Activities**	**Responsible Party**	**Supporting Party**	**Inputs**	**Verif. Indicators**
	- Logistics Plan developed - Staff Trained - Logistics system implemented - Procurement plan formulated and implemented - Comprehensive training on EIMS implemented - BRIDGE course implemented. and capacities developed - Strategy and plan for stakeholder engagement developed and implemented	Development training and IT training - Logistics planning work sessions. - Capacity building - Integration of logistics system with procurement - Conduct skills audit - Identify training needs and develop Training Policy - Mapping of stakeholders - Development of communication strategy - Stakeholder consultations			hardware	
1.a Physical infrastructure	Acquisition of land	-Location assessment	ECN/Gov			

Action Plan – Implementation of the ECN's Strategic Plan – Electoral Cycle 2009-2013

Intended Outcome: Strengthening of institutions, systems and processes in support of national development						
Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)						
Intended Outputs	Output Targets	Activities	Responsible Party	Supporting Party	Inputs	Verif. Indicators
	and building of local/field offices	and identification of land; legal process; architectural planning; construction - Building/offices infrastructure				
2. Continuous voter registration	- Network, hardware and software updated	- Review hardware and software needs and staff capacities - Review data capture policies and mechanisms - Review procurement needs for continuous voter registration	ECN/UNDP	Ministry of Home Affairs	Consultancies, conference facilities, printing costs, training costs, supplies, software hardware, registration kits	
3. Electronic Voting	- Hardware, software - Comprehensive training of ECN staff, national and local	- Review hardware and software needs and staff capacities - Development and implementation of training plan	ECN/UNDP		Acquisition of Electronic Voting Machines (EVMs), replacements and back-ups, storage, transportation,	

Action Plan – Implementation of the ECN's Strategic Plan – Electoral Cycle 2009-2013

Intended Outcome: Strengthening of institutions, systems and processes in support of national development

Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)

Intended Outputs	Output Targets	Activities	Responsible Party	Supporting Party	Inputs	Verif. Indicators
	- Voter information campaign -Strategies for transmission, tabulation of results	- Development of public awareness, show cases			Consultancy fees Consultancy fees, conference facilities, printing costs, training costs, supplies, transportation, communications, travel costs, facilities fees	
4. Legislative review process supported in line with the constitutional reform	- Implementation of electoral reform following adoption of new Constitution	- Recommend reforms to electoral law and change Code of Conduct and other subsequent legislation accordingly - Popular versions of revised legislation developed and disseminated in the major local languages	ECN/UNDP ECN/UNDP	CSOs	Consultants fees, conference facilities, training costs, travel costs supplies Conference facilities,	

Action Plan – Implementation of the ECN's Strategic Plan – Electoral Cycle 2009-2013

Intended Outcome: Strengthening of institutions, systems and processes in support of national development						
Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)						
Intended Outputs	Output Targets	Activities	Responsible Party	Supporting Party	Inputs	Verif. Indicators
	- Support formal and informal dispute resolution mechanisms - Support advocacy for constitutional reforms	- Assessment of legal framework in line with previous experience - Engagement of stakeholders - Support public discussions fore on amendments - Support publications and dissemination of materials on amendments			publications	
5.. Enhanced an effective media monitoring mechanism	- Media staff trained - Media monitoring Centre established	- Training of journalists and editors - Identify stakeholders for Media - Monitoring Centre - Recruit staff and procure materials	CSO/UNDP		Training costs, materials Refurbishment, materials, training, recruitment Conference facilities, working sessions, travel,	

Action Plan – Implementation of the ECN's Strategic Plan – Electoral Cycle 2009-2013

Intended Outcome: Strengthening of institutions, systems and processes in support of national development						
Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)						
Intended Outputs	Output Targets	Activities	Responsible Party	Supporting Party	Inputs	Verif. Indicators
		- Train staff and implement monitoring - Develop synergies with regional media centers - Implement peer visits to advise media reps on standards			accommodation	
6. Civic and Voter Education programs developed	- Continuous civic education strategy developed - Develop voter education strategy - Domestic observation capacity	- Coordination and planning of civic education campaign.- - Support and implement country wide civic education campaign - Review of 2007/08 voter education strategy - Voter education needs assessment - Assessment of causes of voter	ECN/CSO/ ECN/CSO/	UNDP CSO/UNDP	Consultancy fees, working sessions, venue costs, mass media dissemination costs Mass media dissemination costs, working sessions, supplies, Facilitators fees, conference facilities, training costs,	

Intended Outcome: Strengthening of institutions, systems and processes in support of national development						
Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)						
Intended Outputs	Output Targets	Activities	Responsible Party	Supporting Party	Inputs	Verif. Indicators
	strengthened	apathy - CSOs selected and staff trained			supplies, communications	
7. Enhance political parties capacities	- Training and sensitization - ECN and political parties relationships - Intraparty Political dialogue supported	- Assess political parties needs in terms of capacity strengthening - Implement training sessions - Establish regular consultation mechanism between ECN and political parties - Disseminate public information on meetings - Analyze situation with regard to party structures on intraparty dialogue - Support party dialogue with regard to implementing	CSO		Training costs, materials Rental of premises, materials Publications Rental of premises, materials, staff	

Intended Outcome: Strengthening of institutions, systems and processes in support of national development						
Outcome Indicators: Implementation of the Strategic Plan prepared by the Election Commission of Nepal (ECN)						
Intended Outputs	**Output Targets**	**Activities**	**Responsible Party**	**Supporting Party**	**Inputs**	**Verif. Indicators**
	- Resource centers	and promote discussions about various topics, i.e. women representation - Establish national and provincial political party resource centers - Promote to all parties the use and access to equipment and materials				

VII.   Management Arrangements

The Plan will follow the best management model for an electoral assistance project receiving pooled funding from several donors directly or indirectly through the Nepal Peace Trust Fund (NPTF) which is the two-tiered management structure as indicated in the UNDP Electoral Assistance Implementation Guide.[15] This model foresees a two-tiered management structure that would provide for a policy or technical oversight committee to ensure the plan remains in track and on budget, and a day-to-day technical support team (TST) that can assist in the implementation of the plan and report to a steering committee.

The technical support team, which already exists, would continue its activities in the ECN premises to allow for easier interactions and mutual transfer of knowledge with the ECN, which is the driving actor for the organization of the electoral process. Such layout would also show the ECN disposition for openness to the non state actors beneficiary from the plan. It is also possible that the plan may receive support from Joint EC UNDP Task Force on Electoral Assistance (JTF).[16]

These management tools would be supplemented by a donor and stakeholder coordination mechanism:

- Stakeholder and Information-Sharing: a forum convened by the ECN tentatively on a quarterly basis. The participants would typically include the organizations working on the election field and representatives from the donor agencies. The purpose of the forum would be to ensure common knowledge on election activities, harmonization and "leveraging of synergies" and to avoid duplication of programming. The agenda would include an update by the ECN on election preparations and short presentations by each group on their activities followed by general discussion on emerging issues.
- Steering Committee (SC): the SC would be responsible for strategy setting, general oversight of the activities including financial oversight and approval of funding allocations within the overall budget as recommended by technical support team. The SC is supported by the TST, which liaises with the SC in the preparation of agendas, notification to members, reports on the various plan's components and minutes. Decision within the SC should be taken preferably by consensus; in the absence of consensus and a last resort, there might be a formula of a weighted vote linked to contributions. The Heads of Missions, representatives of the Election

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[15] http://www.undp.org/governance/docs/Elections-Pub-EAGuide.pdf

[16] The JTF is formed by EC and UNDP staff dealing with Electoral Assistance at HQ levels among Brussels, New York and Copenhagen. The overarching purpose of the JTF is to further strengthen and facilitate the EC-UNDP partnership in the electoral assistance field and aims to improve the overall efficiency and adherence of the projects to the common EC/UNDP strategic approach. The focus of the JTF is to provide identification, formulation and implementation support for joint EC-UNDP projects on electoral assistance whenever needed and requested by EC Delegations and/or UNDP Country Offices. The Specific support that the JTF will provide include: Operational Guidance and implementation strategies, liaison and Interactions with the different services involved, at headquarters and field level, throughout the operations cycle to ensure the application of the recommended quality standards.

Commission, Ministry of Finances, NPTF and other relevant agencies would constitute the Steering Committee, chaired by the chairman of the ECN. It will meet at least twice a year and more frequently when election date approaches.

- Technical Support Team (TST): The TST will be a dedicated team that administers and manages the plan. Its staff should include experts with proven experience in electoral assistance. The selection of experts should be done in collaboration and in agreement among donor partners and the ECN.

Tentatively, the management structure would follow a chain like:
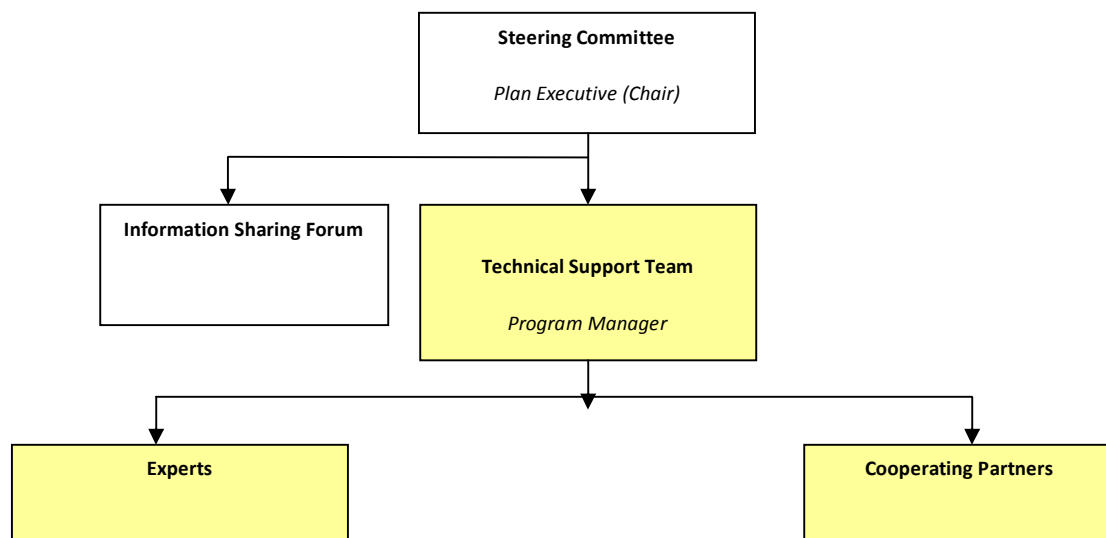
IX.   Risks

The major risks to the successful implementation of the plan may be summarized as follows:

- Delays in the establishment of a data framework in the ECN;
- Delays in the enactment of the new Constitution and amendments review process;
- Stakeholder perception of the electoral process vis-à-vis developments in the region;
- Delayed funding or release of funds;
- Exchange rate fluctuations; and
- Delays in implementation of structural reviews of the ECN.

Strategies for addressing the risks

These risks can be countered in the followings ways:

- Complementarities with the current registration data, the overall goals of increasing participation in electoral processes, provisions of cost effective and efficient electoral services needs.
- The ECN proactive engagement on the Constitution-make process and increased advocacy for the adoption of electoral reforms.
- Engagement of the media and civil society organizations on various electoral issues.
- Availability of funds by donor parties.

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