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HER VOICE HER CHOICE

Women in the 2013 Constituent Assembly Elections

In April 2008 Nepal held its first Constituent Assembly (CA) election since the signing of the Comprehensive Peace Agreement in 2006 to elect a constituent assembly mandated to draft a new constitution. 2008 elections were organized by the Election Commission of Nepal (ECN) with significant assistance and technical support from the Electoral Assistance Office of the United Nations Mission in Nepal. Following these elections, UNDP initiated the three-year Electoral Support Project (ESP) Phase I that aimed at institutional strengthening and professional development of the ECN. As the need increased to expand the role of ESP to providing technical advice and operational support for the upcoming cycle of elections, the project was revised and extended till 2016 to meet the current needs of the Election Commission of Nepal.

The Electoral Support Project Phase II responds to the need for continued long term institutional and human resources capacity of the Election Commission of Nepal in order to organize credible elections in the context of a diverged political environment and a period of political instability. The project has provided technical assistance for the CA election 2013 and will support a series of elections expected over the Electoral Cycle of Nepal, providing technical assistance with electoral preparations and continue to strengthen ECN's capacity in other technical areas.

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HER VOICE **HER** CHOICE

Women in the 2013 Constituent Assembly Elections

Foreword



It is well established that the patriarchal system prevalent in our societies has been responsible for much of the gender gap that exists in political processes. The gender based roles entrenched in the system have led to many injustices and inequalities at various levels and layers of society. This must be corrected systematically.

At the Election Commission of Nepal, we believe the participation, visibility and representation of women and other disadvantaged groups should equal their population ratios. We practice this inclusion policy for the entire electoral process and for all Nepalese, women and men alike. The ECN's Gender and Inclusion Policy specifically focuses on including more women in the various stages of the electoral process, including as election administrators, voters, candidates of political parties and ultimately public representatives.

I believe this change is possible when corrective interventions are coupled with a mindset change that accepts and respects the opposite sex at all social interfaces, leading to a culture of respect and understanding regardless of gender, race, religion, and ethnicity. This requires us to rid ourselves of old stereotypes, and to review our roles and relationships in a new light. If we can realize these values and put them into practice, the day will not be far when we see equal participation of women and men in all spheres of life.

To reach that day, the ECN, for its part, employed interventions and innovations during the 2013 Constituent Assembly elections including expanding the use of women only polling centers, and launched a new Gender Policy and accompanying action plan. The Policy is helping to ensure the Commission's second Strategic Plan is developed through a gender lens.

The onus for the systematic and systemic inclusion of women in political processes also rests with political parties who must ensure equal participation of women at all level of their organization. A step forward in the inclusion of women in the political process was in

the 1997 local elections when over 36,000 women, alongside 226,000 men, were elected to village, municipal and district level councils and committees. While not at par with the population ratio, the example is an indication of the possibilities and extent to which sweeping progress can be made in increasing women's representation when political parties commit to do so. It is also important that women's rights groups and women within political parties are actively involved in policymaking, especially at opportune moments.

The Commission has and will remain highly sensitive to the issues of gender and the inclusion of all marginalized and disadvantaged groups. We will deliver our goals as promised in our Strategic Plan and in accordance with our Gender and Inclusion Policy. The ECN is proud to be among the few Election Management Bodies (EMBs) with a Gender and Inclusion Policy and a dedicated Gender Unit. The ECN's commitment to gender equality reflects a broader trend in Nepal which, in the last decade, has seen the adoption of key international and national instruments for promoting women's rights and political participation.

I would like to express my sincere appreciation to the United Nations Development Programme and the Electoral Support Project for developing the current publication to document the role of women in the 2013 Constituent Assembly Election and the measures taken by the ECN to help advance gender inclusion throughout the electoral process.

The ECN recognizes that more needs to be done and commits to building on the current momentum to better promote and advance gender equality and social inclusion within the Commission and throughout the electoral process.

A handwritten signature in black ink, appearing to read 'Neel Kantha Uprety'.

Neel Kantha Uprety
Chief Election Commissioner
Election Commission, Nepal

Foreword of the Programme Partners



Elections are the foundation of democracy. Equal and meaningful participation of men and women in electoral processes is critical for sustaining democracy.

The election held on 19 November 2013 in Nepal was a significant milestone in promoting the role of women in the electoral process: not only

did women comprise of over 50 percent of the registered voters, they also actively took part in large numbers as candidates, administrators and observers. Nepal also witnessed the highest voter turnout with 80 percent of registered voters taking part in the 2013 Constituent Assembly elections, of which more than half were women. I am confident that in successive elections the strength of women's participation and their role will only grow.

Although the actual share of women's representation in the Constituent Assembly fell to 30 percent in 2013¹, the elections succeeded to institutionally engender the electoral process. It also gives me great comfort that Nepal remains above the global average of 21.7 percent of women's representation in parliaments - and well above the 18 percent average in Asia.²

This book 'Her Voice, Her Choice', an Election Commission of Nepal and UNDP's joint publication, is a celebration of women's participation in the 2013 elections. It portrays women in action during the electoral process in different capacities. Our hope is that this publication will serve to inspire and remind women of the role they can play in sustaining meaningful democracy.

On behalf of European Union, DFID, Norway, Denmark and UNDP, I would like to salute the Election Commission officials and volunteers who contributed in achieving this important

milestone under the leadership of Chief Election Commissioner Hon'ble Mr. Neel Kantha Uprety. UNDP is proud to be part of this journey. My deepest gratitude to Commissioners, Hon'ble Ms. Ila Sharma, Mr. Dolakh Bahadur Gurung, Dr. Ayodhi Prasad Yadav and Dr. Ram Bhakta PB Thakur for their continuous work in promoting women in the electoral process and support in preparing this publication. I would also like to thank my UNDP colleagues for their hard work and contribution in making the 2013 elections successful.

A handwritten signature in dark ink, appearing to read 'Shoko Noda'.

Shoko Noda
Country Director
UNDP, Nepal

¹ Not including the number of women that will be included among 26 nominees. In 2008 the percentage was 33 percent for women

² IPU, 2014

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Acronyms

CA	Constituent Assembly
CAC	Citizen Awareness Center
CAE	Constituent Assembly Election
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
DEO	District Election Officer
ECN	Election Commission of Nepal
EEIC	Electoral Education and Information Center
ESP	Electoral Support Project
FPTP	First-Past-The-Post
IC	Interim Constitution
IPU	Inter Parliamentary Union
NGO	Non-governmental Organization
PR	Proportional Representation
UCPN (M)	Unified Communist Party of Nepal (Maoist)
UNDP	United Nations Development Programme
WCF	Ward Citizen Forum



GENERAL OVERVIEW

women's participation in the 2013 Constituent Assembly elections

For elections to be truly fair and inclusive, women and men must enjoy equal access to all stages of the electoral process. Women must be given opportunities to ensure them the same level of access as men to participate meaningfully as voters, candidates, administrators and observers. Given that women make up more than half of the world's population, their participation in the political process is critical to the development of a stable, peaceful and thriving democracy. Legislatures that reflect the demographics of the population are better equipped to meet the needs of their societies; the pressure from having women in policy-making bodies ensures that their issues are directly represented and their input in the content of policy can lead to more inclusive policy-making and a government that reflects the needs of the entire community and not just a segment of it.

At present, however, women only occupy approximately 20 percent of seats in parliaments globally and only around 10 percent of key positions such as heads of state and ministers (UNWOMEN)¹. Similarly in Nepal, while women make up more than 50 percent of the population, they live in a largely patriarchal society in which they are traditionally marginalised from participating in public life and have limited opportunities compared to their male counterparts. While they have had the right to vote and stand for elections since 1951, historically there have been few or no women represented in the country's legislative, judicial and executive bodies (Falch, 2010)².

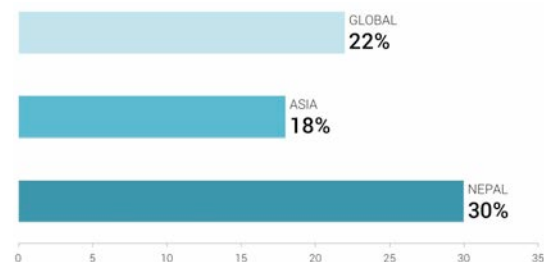
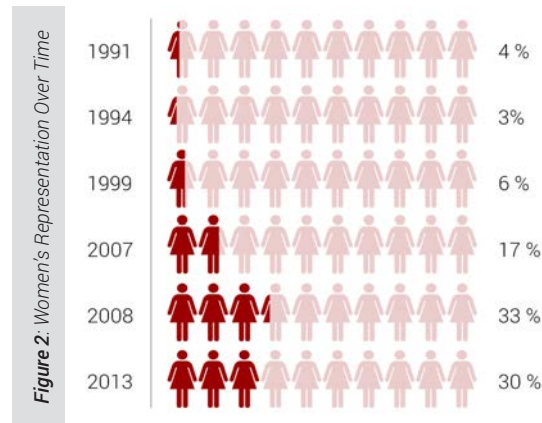


Figure 1: Percentage of Women's Representation in Legislature

¹ Facts and Figures: Leadership and Political Participation, <http://www.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures>

² Åshild Falch, *Women's Political Participation and Influence in Post Conflict Burundi and Nepal*, http://www.peacewomen.org/assets/file/Resources/Academic/partpol_postconburundinepal_falch_2010.pdf

Constitution (IC) which stipulated a parallel or "mixed" electoral system combining the First-Past-The-Post (FPTP) system with proportional representation (PR). For the FPTP seats, the IC required that the principle of inclusiveness be taken into account by political parties while selecting their candidates, while in the PR race parties were to make sure women (and other groups such as Dalits, oppressed castes/indigenous ethnic groups, members of 'backward' regions, Madhesis and others) were proportionally represented. These structural changes to the system, combined with concrete measures taken by the Election Commission of Nepal (ECN) and other key electoral stakeholders, led to significant increases in the number of women elected to office compared with previous years.




Nepal witnessed a dramatic increase in women's representation in the legislature following the incorporation of affirmative action for women's political representation into the IC adopted in January 2007. Nepal's transition to a post-conflict country following the Comprehensive Peace Agreement signed in 2006 provided a crucial opportunity to institutionalise these significant measures. As illustrated in Figure 2, Nepal achieved 33 percent women's representation in the 2008 Constituent Assembly (CA) and 30 percent following the 2013 CA elections (26 CA members are yet to be nominated by the Council of Ministers). With these figures, Nepal remains above the global average of 21.7 percent of women's representation in parliaments and well above the average of 18 percent in Asia (IPU, 2014)³.

³ Women in Politics: 2014, http://www.ipu.org/pdf/publications/wmnmap14_en.pdf



समानुपातिक निर्वाचन, २०७०
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जिल्ला निर्वाचन क्षेत्र नं. ५ (अ) राप्तीकोट ।

व्यक्तिगत पहिचान
PR-



The achievements in women's representation in Nepal are also due to a large extent to the efforts of the ECN, a constitutional body established in 1951 and mandated to conduct elections. The ECN has increasingly prioritised the participation of women throughout the electoral cycle, adopting specific measures to address some of the obstacles women face as voters, candidates as well as administrators of the elections.

In addition to ensuring the enforcement of the affirmative action measures stipulated in the IC, the ECN put in place other measures aimed at equalising the electoral environment for women and men and encouraging women to take a more active part in the 2013 CA elections, including:

- Specific campaigns on the importance of women's participation;
- Involvement of women in the administration of the elections including as poll workers and volunteer voter educators;
- Membership of women in district election coordination committees;
- Promotion of gender sensitivity in the election code of conduct; and
- Adoption of the first 'Gender and Social Inclusion Policy' of the Commission.

The United Nations Development Programme (UNDP), through the Electoral Support Project (ESP), supported the ECN in implementing these and other special measures specifically targeting the 2013 CA elections. Enhancing the participation of women in elections has been a key area of focus for the ESP as it works to strengthen the ECN's capacity to conduct elections that are fair, inclusive and credible. Through this publication, the UNDP hopes to raise further awareness on the issue of women's participation in elections in Nepal. Looking at the participation of women as voters, candidates and administrators, the project hopes to highlight the achievements of the 2013 CA elections, as well as documenting the challenges and recommendations to further enhance women's political participation in elections.

The publication reviews the trend in the nomination of women as candidates over time and finds that while great disparity exists between men and women in securing political party nominations, the affirmative action incorporated into the IC has led to the sudden increase in women's representation. The findings also indicate that while greater numbers of women are gaining seats through the PR system, they are greatly disadvantaged when it comes to the directly-elected FPTP seats; this is due in large part to their low levels of representation within political party structures; the societal and family barriers they face in running for public office; and the often limited financial resources to put together a strong and winning campaign. As voters, women are registering and taking part in elections in large numbers, however, women's registration figures are not uniform across the country. In some parts of the country, women are registering in far lower numbers than their male counterparts; to address this issue, electoral stakeholders including the ECN need to develop more targeted voter registration initiatives to facilitate the registration of women in these areas and communities. Finally, the document also reviews women as administrators, those taking part in the organisation and management of the election event. The section on women as administrators reviews the role of women at the ECN, the participation of women on Election Day, and the policies the ECN is putting in place to enhance the role of women throughout the electoral cycle including within the Commission. Finally, the document concludes with recommendations on enhancing women's participation in the electoral process.

A portrait of Ms. Ila Sharma, a woman with dark hair pulled back, wearing a blue floral sari with red and green patterns. She is seated on a light-colored sofa, looking directly at the camera with a slight smile. The background is a plain, light-colored wall.

MS. ILA SHARMA

Election Commissioner, Nepal

Over one year ago, on 24 March 2013, Ms. Ila Sharma joined the ECN as one of its five Commissioners. She is the second woman Commissioner of Nepal and brought with her more than 25 years of experience from diverse fields of journalism, public relations, law and development. She had begun her career as a sub-editor at the national English daily and has worked in various capacities in different areas.

Her journey with the Commission has been challenging and exciting as the 2013 elections brought its own peculiarities. The times were extraordinary as there were apprehensions about the elections taking place on time or even at all amid threats of violence and disruption. At the Commission, during the elections, Ms. Sharma was responsible for the portfolios of electoral laws, the election schedule and timeline, media monitoring and the press office, and gender and inclusion. She also looked after the election regulations jointly with Commissioner Mr. Dolakh Bahadur Gurung. She currently chairs the committees on the 'ECN's Strategic Plan' and on 'Gender and Inclusion.'

Under Commissioner Sharma's initiative, during the 2013 elections, the media centre was handled by the Commission itself for the first time, as was media monitoring. A media policy was also drafted and endorsed, allowing media functions to be recognised as one of the core election functions and an organic part of the ECN. With the proactive initiation from Commissioner Sharma, the 'Gender and Social Inclusion Policy' that had been drafted far earlier was finally endorsed by the Commission and launched on 23 September 2013. As a result of this policy, a permanent 'Gender and Inclusion' committee was formed and a Gender unit was established.

"The participation of women should be commensurate with the population of women in every form of stakeholders - as voters, election administrators and managers, security personnel, political candidates - and ultimately political representation grounded on a firm base of a women's political cadre."

Speaking about the ECN's work on gender, Commissioner Sharma says, "For the first time, nationwide gender monitoring of the elections was done jointly with the National Women's Commission supported by a network of NGOs, and their report is being treated as a baseline report for the Strategic Plan. Moreover, 120 polling stations were 'manned' by women election administrators and women security staff, which on one hand gained the confidence of women voters and on another proved the competence of women. It was

basically a confidence-building symbolic measure."

She believes "opportunity as well as capacity-building are crucial for women in order to prove themselves in carrying out responsibilities." On the personal front, she is modest and says "Women everywhere have to put in that 'extra effort' to be acknowledged; they need to continuously prove themselves at every step. It has been no different for me."

"Affirmative action is the means, not an end. The success of affirmative action is in not having to need it. If we implement the right policies and take the right actions, in the very near future we may not need quotas. This is what we should aspire for. Just as growth has to be sustainable, empowerment also has to be sustainable."

Ms. Sharma credits her Commissioner colleagues for being supportive of new ideas and innovations. "We have a perfect team among the Commissioners who get along well and respect one another and this spirit of ours is capable of miracles."

She says she is indebted to the ECN civil service staff, the security and everybody involved who were 'tested by fire' during the election period. "If not for this great team success, the 2013 elections would not have been possible. Nobody needs to say anything. Our work speaks for itself." She adds, "Take for example the provision of 50 percent candidacy of women that we have introduced in the Draft Local Election Procedure Bill. It is the opening of the doors of opportunity for women's political leadership. Local level governance is the first step in public life, the first brick of political leadership."

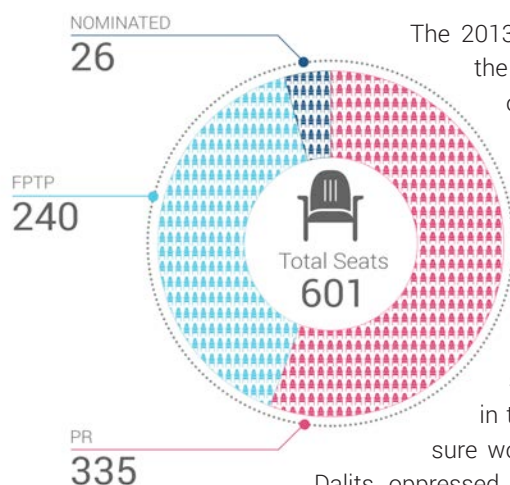
Ever hopeful and optimistic, she says, "If the 50 percent provision comes through the Legislature Parliament, I am convinced that after a couple of election cycles, the pool of women's leadership will expand and there will be no dearth of competent candidates for FPTP elections. No more dependence on Proportional Representation!" She adds, "While speaking about gender, we must not forget the whole spectrum including the third gender. Our voter list and IDs provide a space for them."

Ms. Sharma thanks the support from the development partners and says, "I would like to thank UNDP/ESP for being there for us at every step of the way, as well as our other development partners who have been equally supportive and have always stood by us."



THE REGULATORY FRAMEWORK & women's participation

Figure 3: Mixed System Seat Distribution



The 2013 CA elections were governed by the IC, which stipulated a parallel or “mixed” electoral system with 240 seats elected via the FPTP system, 335 by PR, and 26 nominated (601 seats total). For the FPTP seats, the IC required that the principle of inclusiveness be taken into account by political parties in selecting their candidates, while in the PR race parties were to make sure women (and other groups such as Dalits, oppressed castes/indigenous ethnic groups, members of ‘backward’ regions, Madhesis and others) were proportionally represented.

The Constitution and the ‘Constituent Assembly Ordinance’ required each political party to ensure one-third women candidates together through the FPTP and PR systems. The PR system in Nepal is rather unusual in how it applies the closed party list system; while the political parties submit candidate lists for approval from the ECN, the order of candidates is not fixed, therefore leaving the final outcome of the PR race in the hands of the parties following the elections. The political parties, depending on the number of seats they win in the elections, decide which candidates from their approved lists will be elected to office. Voters therefore do not know exactly whom they are voting for when they select their party of choice under the PR system; that decision is made by political parties only after the elections.

The quota requirements were further elaborated in the ‘Law on Election to Members of the Constituent Assembly’ passed in 2007 ahead of the 2008 CA elections and the ‘Constituent Assembly Ordinance’ of 2013. The law specified the percentage of women and other marginalised groups that must be ensured in the candidate lists under the PR system. The Constitution and the law required 50 percent women and 50 percent men in the PR lists.⁴ There was also gender parity required within the other groups targeted for representation in the lists (as can be seen in *Table 1*). The ordinance allowed for a 10 percentage flexibility in applying the quotas in the final selection process. There was further flexibility for political parties submitting short lists (those parties submitting less than 30 percent of the total number of PR seats). Political parties submitting a short list of candidates were only required to fulfil the gender requirement and not the ones for the other groups singled out for targeted levels of representation. In the 2013 CA elections, out of 130 political parties, only 122 submitted short lists of candidates and were therefore exempt from full compliance with the quota requirements. This same exemption was provided to regionally-based political parties, which did not field candidates nationally.

LEGAL FRAMEWORK AND MEASURES TO ENCOURAGE WOMEN’S INCREASED PARTICIPATION

- › Mixed Electoral System, Proportional Representation and First-Past-The-Post
- › A minimum of 1/3 of total nominated candidates shall be women (through both PR and FPTP)
- › 50% of PR candidates shall be women
- › Political parties have 10% flexibility in the final selection of candidates
- › ECN has authority to reject lists from political parties not in compliance
- › Election Act gives authority to ECN to remove candidates from party lists if they do not comply with 50% women requirement
- › 50% gender parity also required within the other groups singled out for targeted levels of representation

⁴ Constitution Section 63 (4) and (5) and the Ordinance Section 7 (3) and (5)



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If political parties submit lists not complying with the 50 percent women's requirement, the ECN has the authority to return the list to the respective political party to align and ensure compliance within seven working days.⁵ The Commission is also able to make its own corrections to the lists if political parties are not compliant.

Table 1. Schedule 1 of the CA Ordinance 2013 indicating the percentages of women and minority groups that political parties must adhere to in nominating candidates under PR

PR LIST QUOTA REQUIREMENTS			
SN	Group to be represented		Percentage of Candidates
	Women		50%
1	Madhesi	Women	15.6%
		Men	15.6%
2	Dalit	Women	6.5%
		Men	6.5%
3	Oppressed groups/indigenous groups	Women	18.9%
		Men	18.9%
4	Backward region ⁶	Women	2%
		Men	2%
5	Khas Aarya and Others ⁷	Women	15.1%
		Men	15.1%

The mixed electoral system and affirmative action stipulated in the Constitution have contributed to a nationally elected body that is more inclusive than any other in the history of the country. With 30 percent women's representation, as well as representation of traditionally marginalised and vulnerable groups, the 2013 CA is the most inclusive institution in the country. Further reform, however, is needed to ensure that all segments of the population have equal access and opportunities to participate in the political process and have their voices heard. To enhance women's representation further and better align it with the overall population demographics, the following measures may be considered:

- Requiring political parties to maintain a truly closed list whereby the order of candidates submitted is respected in the allocation of seats following the elections.
- Binding all political parties, including those submitting short lists of candidates, to comply with the inclusiveness requirement.

⁵ Law on Election to Members of the Constituent Assembly, 2007, Article 7

⁶ "Backward region" refer Achaham, Kalikot, Jajarkot, Jumla, Dolpa, Bajhang, Bajura, Mugu and Humla districts.

⁷ "Khas, Aarya and Other" refer to Brahmin, Chhetri, Thakuri, Dashnami Sanyasi and the other groups not clearly mentioned in this Schedule.



"As a Muslim youth, I am proud of voting in the November Constituent Assembly elections that will decide the faith of my community and my country"

SABINA SHAIKH



My VOTE My RIGHT ...I DID IT!

Sabina, aged 24, shares her views on her participation in Nepal's second CA elections held on 19 November 2013.

Sabina comes from Nepal's Muslim community, which represents only 4.4 percent of the total population of the country. Through the elections, seven members from the Muslim community were elected to the CA which is mandated to draft the country's first democratic Constitution. The CA is expected to ensure the rights of all minority groups including the Muslim community through the drafting of the Constitution.

Sabina had her first taste of electoral democracy when she visited the Electoral Education and Information Centre at the ECN premises a month before the elections, as part of the ECN's initiative to reach out to minority groups. At the Centre, she learned about the electoral history of her country through a 90-minute guided tour and took part in mock elections.

“ On Election Day, I felt confident because I knew what to expect, and I voted with pride for a representative that will ensure the rights of my community in the drafting of the Constitution.

The Electoral Education and Information Centre was established with support from the AusAID and UNDP/ESP, which assisted the ECN with extensive voter and civic education programmes and campaigns in the lead up to the 2013 CA elections. The ESP follows the electoral cycle approach and continues to provide capacity building support to the Commission in the post-election environment.

“We young people never talk about elections at home or in our community ... but I accompanied my father to visit the Centre because I registered to vote and wanted to know how to do so.”



WOMEN'S PARTICIPATION

as candidates

Women can participate in elections not only by voting, but also by becoming candidates. Decisions on who gets nominated to run for office under the FPTP system and who is placed on the party lists for the PR race are controlled largely by political parties. Political parties therefore play a critical role in women's prospects for assuming public office. How a party determines who can approach it for a ticket and how it decides for which constituency the ticket will be given are all questions that women interested in running for office have to consider. Women in Nepal face formidable obstacles to obtaining a party ticket; not only do they face family and societal pressures, they also face practical barriers such as a lack of adequate resources, limited or no prior experience in running for public office, and limited exposure to or engagement with political parties.

While the overall number of women in the political party structure is not encouraging, there is a growing recognition by the parties, at least publically, of the importance of increasing the number of women members. There is heightened awareness and growing public demand for greater if not equal participation of women in the electoral process. The affirmative action inclusion in the IC has put further pressure on political parties to recruit and engage more women.

Figure 4 illustrates the percentage of women members in the central working committees of the political parties represented in the CA; all parties represented in the figure, including the major leading political parties, have less than 20 percent women in their central working committees. The data indicates that smaller parties tend to have more women represented in their central working committees than some of the larger parties; the party with the most women members in its central committee is the Rastriya Madhesh Samajbadi party, which has only one seat in the 2013 CA.

Obtaining accurate data on political party membership is challenging, particularly beyond the central committee level; parties do not maintain updated membership data and getting access to the data is also a major obstacle. Relying on historical data available for some of

the political parties (Political Socialisation of Women in Nepal), the graph below illustrates the change over time in women's representation in the central working committees of political parties. While data is not available for all political parties, and parties that were formed after 2000 are not represented here, the graph provides a general overview of the level of women's representation over time.

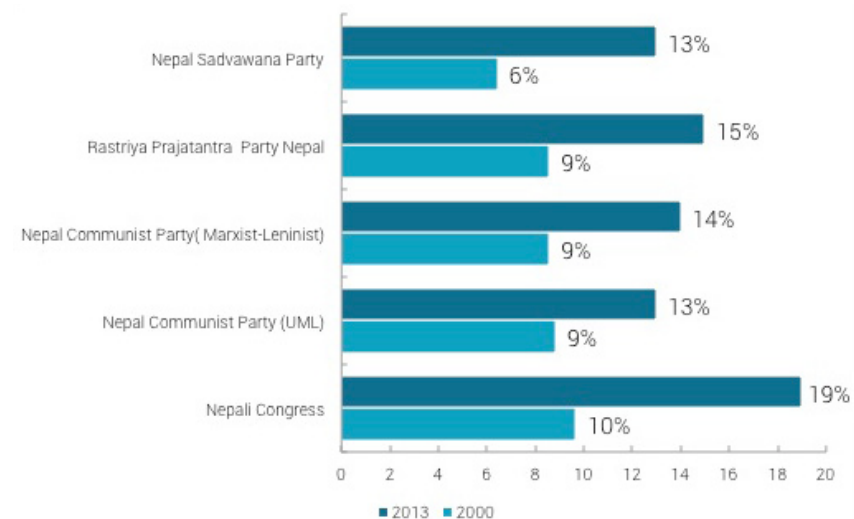


Figure 4: Percent Representation of Women in the Central Working Committee of Political Parties

Despite the low levels of women's representation in the political party structure, the special measures adopted the IC have gone a long way to enhancing women's political participation in Nepal. The IC requires that, through both the FPTP and PR races, at least one third of the total number of nominated candidates shall be female. Furthermore, it stipulates that 50 percent of PR candidates shall be women.



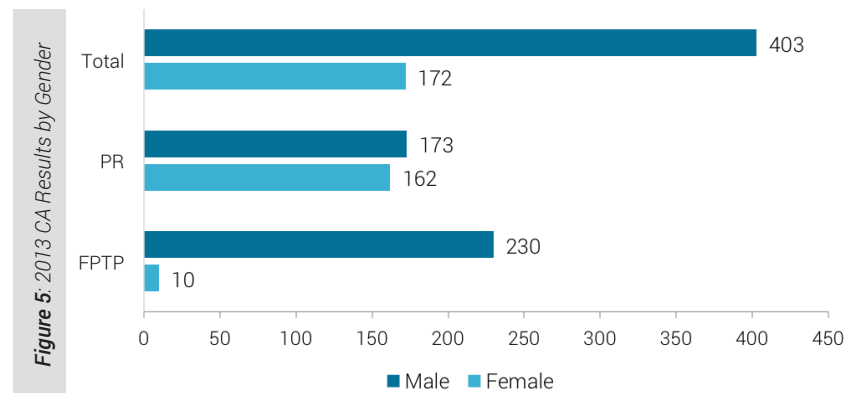
For the 2013 CA elections, by and large, all the major political parties complied with this requirement. The procedures provide political parties with a 10 percent flexibility in the application of the quota requirement. *Table 2* illustrates the percentage of female candidates nominated under both the PR and FPTP systems for the 2013 CA elections. Not all political parties complied with the 50 percent requirement under PR; 14 out of the 30 parties fall just short of the 50 percent mark. Similarly, not all parties complied with the requirement of nominating one third female candidates together under PR and FPTP. As the table demonstrates, five political parties fall short of the one third requirement. This can be explained to some extent by the 10 percent flexibility granted to political parties in applying the quota requirements. Under the ECN procedures, it is not clear what happens if a political party does not meet these requirements.

It is evident, however, that the quota requirements have had a significant impact on increasing women's representation, particularly under the PR system. Women secured 162 seats out of a total of 335 PR seats. Parties continue to nominate far greater numbers of men than women under the FPTP races. Not only are women not getting party tickets for the FPTP seats, but it is also commonly believed that even when they do obtain a party ticket, it is often for a constituency where the party has little chance of actually winning the election. Under FPTP, women secured only 10 of the total 240 seats.

Table 2: 2013 CA Elections: Percentage of Female Nominations (FPTP and PR)

PARTY	PR		FPTP		TOTAL	
	TOTAL	% FEMALE	TOTAL	% FEMALE	FPTP+PR	% FEMALE (FPTP+PR)
Nepali Congress	334	50	240	11	574	33.6
Nepal Communist Party (UML)	333	50	239	11	572	33.6
United Communist Party Nepal (Maoist)	332	50	240	18	572	36.5
Rastriya Prajatantra Party Nepal	330	49	204	4	534	32.0
Rastriya Prajatantra Party	318	47	232	9	550	31.5
Madhesi Janadhikar Forum Nepal (Loktantrik)	271	42	0	-	271	42.4
Madeshi Janadhikar Forum Nepal	100	54	103	3	203	28.1
Tarai Madhesh Lok Party	100	50	94	4	194	27.8
Nepal Communist Party (Marxist-Leninist)	332	50	116	9	448	39.5
Sanghiya Samajwaadi Party, Nepal	330	49	0	-	330	49.4
Sadvawana Party	100	50	87	5	187	28.9
Rastriya Madhesh Samajbadi Party	100	50	0	-	100	50.0
Nepal Communist Party (Samyukta)	100	49	55	11	155	35.5
Nepal Majdur Kissan Party	98	51	98	28	196	39.3
Rastriya Janmorcha	100	50	122	12	222	29.3
Rastriya Janmukti Party	176	48	84	10	260	35.8
Tharuhat Tarai Party Nepal	97	48	0	-	97	48.5
Nepal Pariwar Dal	198	49	0	-	198	49.0
Tarai Madhesh Sadvawana Party Nepal	97	52	0	-	97	51.5
Dalit Janjaati Party	85	47	50	2	135	30.4
Nepal Rastriya Party	54	50	6	17	60	46.7
Khambuwan Rastriya Morcha, Nepal	58	48	0	-	58	48.3
Madeshi Janadhikar Forum (Gan)	97	48	0	-	97	48.5
Madesh Samata Party Nepal	99	49	0	-	99	49.5
Sanghiya Sadvawana Party	99	53	0	-	99	52.5
Janjaagaran Party Nepal	100	50	0	-	100	50.0
Akhanda Nepal Party	99	49	0	-	99	49.5
Nepali Janata Dal	98	49	40	25	138	42.0
Samajwadi Janta Party	273	50	0	-	273	50.2
Sanghiya Loktantrik Rastriya Manch (Tharuhat)	58	50	0	-	58	50.0





The data reveals that political parties are not nominating women in large numbers to FPTP seats; the *Table 3* shows the decline in the number of candidates nominated under FPTP from the 2008 CA elections. In 2008, the UCPN (M) party nominated the largest number of female candidates for FPTP seats (18 percent) and gained a majority of the seats in the Assembly. In 2013, the same party nominated only 11 percent female candidates and lost its majority in the CA, securing only 80 seats in the 2013 CA elections.

Challenges to Women's Participation in Elections (Renaissance Society Nepal, 2009):

- Lack of political awareness
- Lack of capacity
- Party policies
- Non-cooperation from male leadership
- Financial problems
- Non-cooperation from the state
- Social and family problems

Under PR, while the requirement is to ensure 50 percent female nominations, the order of the lists is not fixed, leaving the final decision on who will be elected to the political party leadership. As illustrated in the table above, only 162 out of 335 seats were secured by women through the PR system. While this is a major achievement given historical trends in Nepal, there is a growing demand for measures that would ensure the number of women elected to office is more representative of the general demographics.

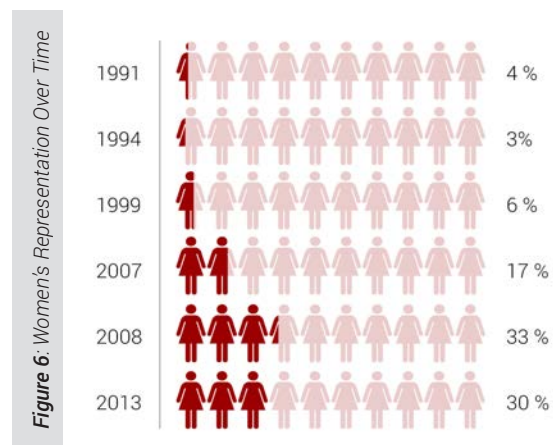
Table 3: Women Candidates Nominated under FPTP (CAE 2013 vs CAE 2008)

PARTY	CAE 2013		CAE 2008	
	TOTAL CANDIDATES	% FEMALE	TOTAL CANDIDATES	% FEMALE
Nepali Congress	240	10	240	11
Nepal Communist Party (UML)	240	11	239	11
United Communist Party Nepal (Maoist)	240	11	240	18
Rastriya Prajatantra Party Nepal	238	10	204	4
Rastriya Prajatantra Party	235	9	232	9
Madhesi Janadhikar Forum Nepal (Loktantrik)	176	6	-	-
Madeshi Janadhikar Forum Nepal	128	16	103	3
Tarai Madhesh Lok Party	114	18	94	4
Nepal Communist Party (Marxist-Leninist)	154	10	116	9
Sanghiya Samajwadi Party, Nepal	185	6	-	-
Sadvawana Party	133	20	87	5
Rastriya Madhesh Samajbadi Party	90	18	-	-
Nepal Communist Party (Samyukta)	72	17	55	11
Nepal Majdur Kissan Party	127	27	98	28
Rastriya Janmorcha	135	21	122	12
Rastriya Janmukti Party	144	13	84	10
Tharuhat Tarai Party Nepal	43	21	-	-
Nepal Pariwar Dal	180	14	-	-
Tarai Madhesh Sadvawana Party Nepal	74	8	-	-
Dalit Janjaati Party	80	9	50	2
Nepal Rastriya Party	14	7	6	17
Khambuwan Rastriya Morcha, Nepal	26	0	-	-
Madeshi Janadhikar Forum (Gan)	67	6	-	-
Madesh Samata Party Nepal	19	11	-	-
Sanghiya Sadvawana Party	93	14	-	-
Janjaagaran Party Nepal	27	19	-	-
Akhanda Nepal Party	105	14	-	-
Nepali Janata Dal	38	13	40	25
Samajwadi Janta Party	40	15	-	-
Sanghiya Loktantrik Rastriya Manch(Tharuhat)	11	9	-	-



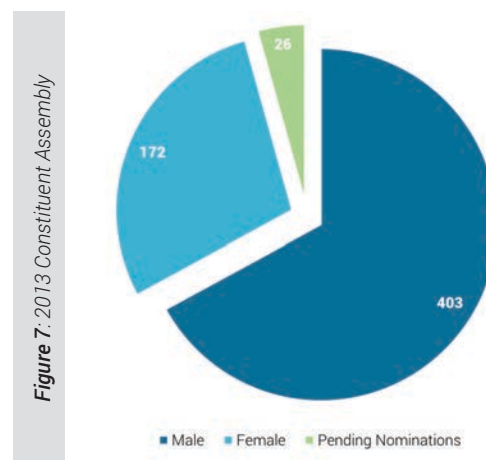


It is evident that where there is flexibility in the application of the quota requirement under the PR system, it negatively impacts women. The law stipulates that the Commission could accept an increase or decrease of up to 10 percent in the total number of each group. This provision negatively affects the number of women represented from the political parties.



Nepal has made major strides in women's participation in the electoral process; in just 20 years, the country has gone from having only four percent women represented in the legislature to 30 percent (26 CA members are yet to be nominated by the Council of Ministers). This is largely due to the achievements gained following the end of the armed conflict and the negotiations for peace, which included stipulating special measures on gender in the IC. Following the adoption of the IC, the ECN took concrete steps to ensure that the spirit of the Constitution was maintained and that all stakeholders worked towards enhancing women's participation in the electoral process.

The Commission reached out to political parties to educate them on the new legislation and procedures for the nomination of candidates, to raise their awareness on ways to make the electoral environment more conducive to women's participation, and to require that political parties abide by strict codes of conduct during the campaign period.



Some of the special provisions adopted by the ECN during the 2013 CA elections to enhance the environment for women's participation included:

- Code of conduct
- Rules/procedures
- Special initiatives
- Volunteers

SHANTA NEPAL

District Election Officer, Lalitpur

"I have been part of the whole electoral process from voter registration to E-day and it was a big challenge managing, but I managed successfully."

Shanta Nepal is the District Election Officer of Lalitpur District. For the last seven years, she has held this position. She has been involved in the whole electoral process from voter registration to E-day. She managed all the activities effectively by coordinating with the security personnel, stakeholders, election management bodies, and her staff.

“ *In the 2013 CA elections, the ECN made sure of the participation of women in all possible areas and that was visible at all levels of the electoral process. In this day and age, women are equally competent and capable but all they need is opportunity.*

She was fully involved in all election related activities - from trainings to voter education to the overall monitoring and management of polling centres in the district. Her devotion, dedication and hard work paid off, as E-day went smoothly in her district.



WOMEN

as election administrators

Elections in Nepal are administered by the ECN, a constitutional body established in 1951 and mandated to hold elections to national and local bodies. The ECN drafts and implements election laws, issues regulations, adjudicates complaints, and oversees the processes of voter registration, campaigning, voting and counting.

As a post-conflict country and due to the political uncertainties at the time, the ECN faced enormous challenges in the lead up to the 2013 CA elections. Following the dissolution of the CA in May 2012 when it could not finalise or adopt a democratic Constitution for the second time, the country was in limbo with regards to its constitutional standing and the way forward for completing the peace process. Elections became the only way to move the country forward and bring it back on track to successfully completing the peace process that ended the decade-long armed conflict in the country. The political deadlock ended when political parties reached consensus around the holding of a second CA election which was announced for 19 November 2013.

The ECN is led by a five-member Commission; one Chief Election Commissioner and four Commissioners are appointed to a six-year term each. According to the IC, the Commissioners are appointed by the President on recommendation from the Constitutional Council headed by the Prime Minister. Since the establishment of the institution, there have only been two female Commissioners; the first female Commissioner, Ms. Usha Nepal, was appointed in 2007 ahead of the first CA elections in 2008, and the current Commissioner, Ms. Ila Sharma, was appointed on 24 March 2013.

In addition to its permanent and contractual staff, the ECN relies on a large number of deputed staff to carry out an election. For the 2013 CA elections, a total of 195,288 persons took part in the election both as ECN permanent staff, contract staff, those deputed from various government agencies, and community volunteers. *Table 4* lists the number of persons deployed for the 2013 CA elections.

Table 4: *Staffs Deployed During 2013 CA elections*

POST	TOTAL DEPLOYED	% FEMALE
Returning Officer	240	0.8
Polling Officer	18,921	4.0
Asst. Polling Officer	19,568	11.0
Asst. Employee	62,387	31.3
Support Staff	31,766	15.0
Volunteer	62,406	51.4
Total Staffs Deployed	195,288	30.4

As part of its efforts to enhance women's participation throughout the electoral cycle, the ECN carried out targeted trainings on gender and elections; these trainings targeted ECN officials, poll workers, security officials, community leaders, and volunteers supporting voter education. In line with its ongoing capacity building program, the UNDP/ESP supported the ECN in carrying out a variety of trainings designed to educate and raise awareness on the importance and role of women in elections. *Table 5* details the trainings carried out on gender.

Table 5: *UNDP Supported Trainings on Gender (2010-2012)*

TRAINING	TARGET AUDIENCE	TOTAL PARTICIPANTS
In total 12, Gender and Election training conducted in various districts of Nepal.	- Civil society groups - Women from media	268, out of which 106 were female

In an effort to institutionalise the Commission's efforts in enhancing women's participation throughout the electoral cycle, the ECN, with support from the UNDP/ESP, adopted its first ever gender policy in 2013. The objective of the policy is to mainstream gender across all



of the electoral processes, to incorporate a gender perspective in all the processes, and to develop the ECN as a gender sensitive and inclusive institution. The adoption of the policy is a major achievement which must be followed through with concrete initiatives designed to work towards the achievement of the ambitious goals outlined in the policy. The UNDP/ESP is currently supporting the ECN to develop an action plan for the implementation of the policy and specific gender indicators and targets to include in its new five-year strategic plan. The ECN has established a gender committee and unit to carry out gender-related activities including the implementation of the 'Gender and Social Inclusion Policy.'

ECN'S GENDER AND SOCIAL INCLUSION POLICY 2013

Incorporating CEDAW's provisions and the provision under Article 63 (4) of the Interim Constitution of Nepal, the Election Commission of Nepal adopted the 'Gender and Social Inclusion Policy' 2013.

The Policy has the following objectives:

1. Gender mainstreaming in all electoral processes.
2. Incorporate inclusion perspective in all the electoral processes.
3. Develop the ECN as a gender sensitive and inclusive institution.

The Policy has identified the lack of gender-friendly infrastructure and materials in the electoral processes and the trend of non-adherence to gender- and proportionality-policies/processes by political parties as challenges/problems to conducting free/fair and credible elections.

Specific strategies have been developed for each of the goals, which include a gender perspective to prepare Directives for the Voter Roll, a gender-friendly voter education programme, the deployment of female officials at different levels during elections, gender-friendly polling centres and the identification of the special needs of voters, and ensuring the compliance of political parties in nominating candidates for the FPTP and PR systems in an inclusive manner.

Women Take the Lead in Voter Education

The ECN mobilised nearly 30,000 voter education facilitators and volunteers in Village Development Committees (VDCs) and each Municipality ward-wise for the 2013 CA elections. These voter education facilitators and volunteers conducted voter education programmes in VDCs/Municipalities by conducting door-to-door activities, group interactions (through different groups/networks like women's groups, ward citizens forums (WCFs), citizen awareness centres (CACs), schools posturing/pamphleting, and the distribution of education materials at the local level.

Ms. Jafaran Khatun, who worked as a volunteer during the elections, shared her experience on voter education. She felt that she was able to teach the local communities through voter education materials, especially using flip charts and sample ballot papers. During the voter education process, she was also able to teach people how to vote correctly by conducting practical sessions with sample ballot papers. She considers her work with pride because she was part of the historic 2013 CA elections.

Ms. Khatun is friendly and cooperative and supported other volunteers by helping them hold coordination meetings with WCFs, CACs, and different groups (especially women's groups) during the voter education programme. She also conducted orientation sessions for her colleagues on voter education and joined them for door-to-door activities.

She says, "Mobilisers have been able to motivate the voters to participate in the elections and use their voting rights. We faced problems during the voter education programme like people would not open the door thinking we were from political parties, and the team had to convince them of the reasons for being there."

Based on her experience, she says, "The duration for voter education was very short in the 2013 elections. Voter education is a continuous process, and if not, it should be for at least six months before the elections."



निर्वाचन आ
नेपाल

WOMEN'S POLITICAL PARTICIPATION

as voters

While women in Nepal obtained the right to vote in 1947, they did not get the opportunity to exercise their right to vote until the Parliamentary General Elections in 1958.

Women made history again with their participation as voters in the 2013 CA elections, turning out in record numbers to cast their votes for members of a CA tasked with drafting the country's democratic Constitution. The disaggregated *Table 6* demonstrates the voter registration. The long lines of women waiting to cast their votes was a major achievement for the country and the ECN, which faced significant obstacles to ensuring a conducive environment on Election Day. The efforts of all stakeholders paid off when more than 79.9 percent of registered voters turned out to vote despite threats of violence and announced boycotts by some of the opposition parties.

Table 6: Voter Registration

DEVELOPMENT REGION	MALE	FEMALE	THIRD GENDER	TOTAL
Eastern Region	1,440,950	1,468,154	34	2,909,138
Central Region	2,115,064	2,079,012	77	4,194,153
Western Region	1,134,043	1,235,894	25	2,369,962
Mid-Western Region	755,227	794,863	9	1,550,099
Far-Western Region	535,597	588,906	10	1,124,513
Grand Total	5,980,881	6,166,829	155	12,147,865

In order to vote, all eligible persons 18 years of age and older must register with the ECN. Ahead of the 2013 CA elections, women turned out in large numbers to register to vote;

according to official figures, 6,173,227⁸ women are registered to vote, and this represented more than 50 percent of the total number of persons registered to vote. This achievement in women's registration as voters is due in large part to the efforts of the ECN to improve the registration system and to involve more women as staff in the process.

In 2010, the ECN adopted a new biometric voter registration system to replace the 2008 register that was believed to contain many discrepancies. The new voter registration process also required collecting fingerprints and photographs, thereby enhancing the accuracy of the register and helping to prevent fraud on Election Day. Not only was the system more robust, but the voter registration process helped to encourage women to register. Through house-to-house visits, mobile camps and coordinating with the Home Ministry to conduct joint registration drives, the ECN put in place special measures to target vulnerable and marginalised communities.

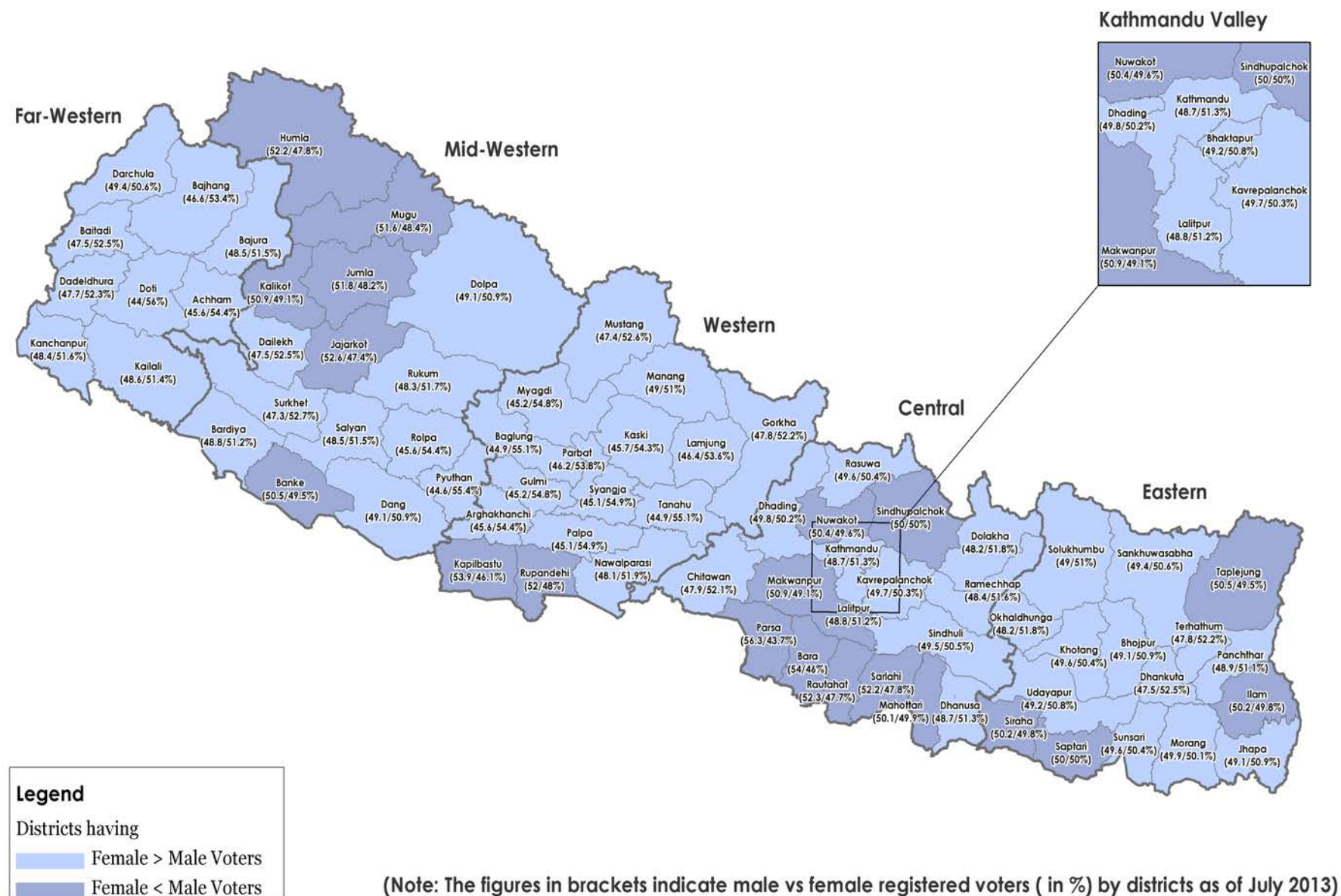
Special Measures to Facilitate the Registration of Women as Voters

- Establishing joint mobile registration desks for issuance of citizenship certificates and voter registration
- Engaging 50% female enumerators
- Engaging 30% female data entry operators
- Engaging 40% registration location helpers

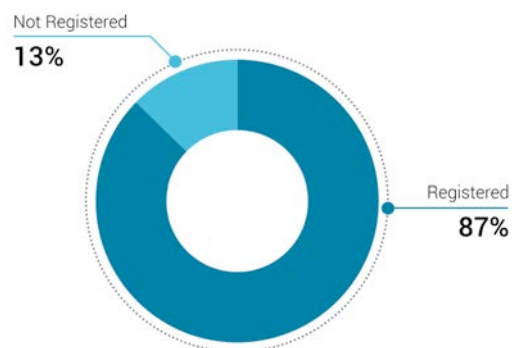
Despite the success of the voter registration programme, increased effort is needed to ensure that women across all regions of the country have access to and register to vote. The map below shows the gender breakdown of voter registration by district; as illustrated, across most of the country, women outnumber men in terms of voter registration numbers. However, there are pockets of districts in the mid-west and across the southern

⁸ VR figures based on ECN data as of July 2013

Registered Voters by Districts



Map 1: Gender breakdown of voter registration by district



belt where fewer women than men are registered to vote despite population figures that indicate women outnumber men. It is in these areas where more effort must be made to ensure that all qualified women have equal access to the voter registration process.

In order to take part in the voter registration process, it was mandatory for eligible voters to produce citizenship certificates. One key issue relating to this was the high proportion of women who did not have citizenship certificates. To help address this issue, the Home Ministry established joint mobile camps to facilitate citizens needing certificates for the registration process. As an added measure, the ECN relaxed the requirement of the citizenship certificate from 31 July 2013 before the November elections, allowing eligible voters to register even if they did not have a citizenship certificate but were listed in the 2008 voter list.

According to a public opinion poll conducted after the 2013 CA elections, 35 percent of women who did not register to vote reported the lack of a citizenship certificate as the main reason for failing to register (UNDP/ESP Baseline Survey, 2014). There are structural as well as societal barriers to women's access to citizenship certificates; this is an important area that requires further intervention so that women are not disenfranchised because they do not have access to or are prevented from obtaining a citizenship certificate.

Although they are registering in large numbers, women are still demanding more information on the voter registration process; in a public opinion survey carried out in 2013, nearly 40 percent of respondents gave top priority to receiving information on voter registration.

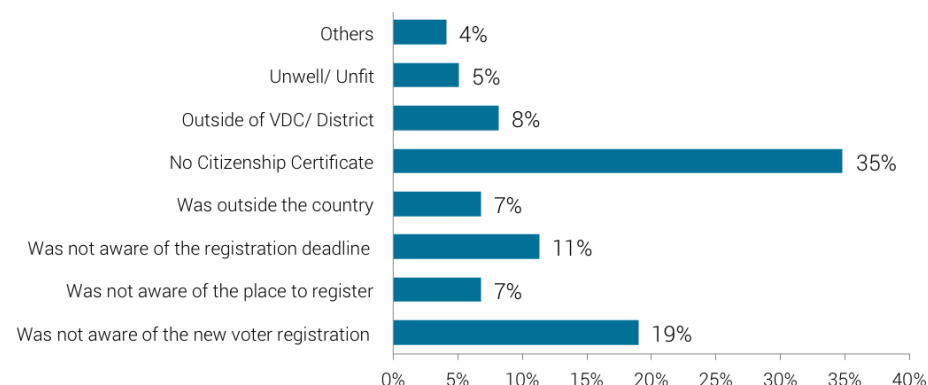


Figure 8: Reasons for NOT registering in the voters list with photograph

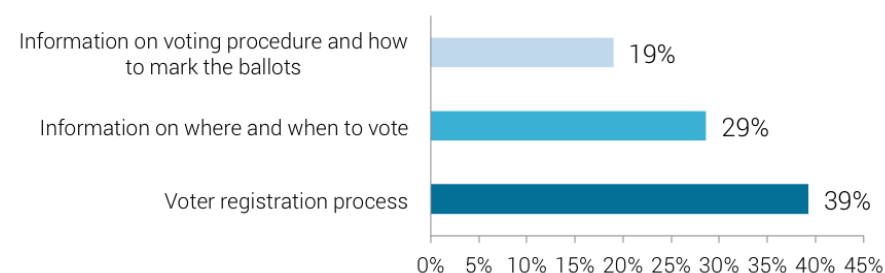


Figure 9: Which areas of the election process are priority areas for you to receive more information? (First Priority)

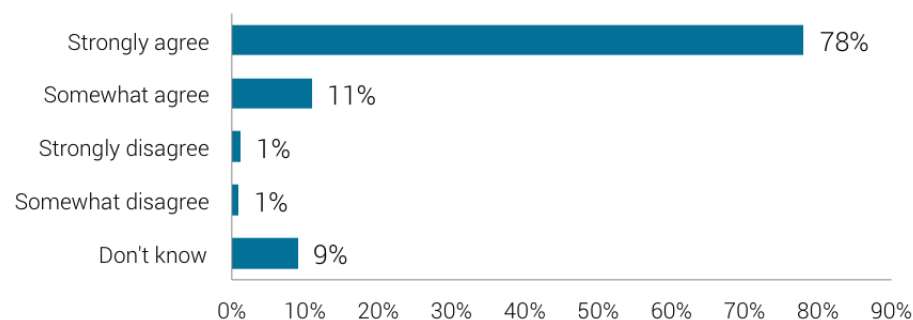


Figure 10: The Constituent Assembly should have equal number of men and women

BINA CHITRAKAR

Polling Officer, Lalitpur

"If women are given the opportunity, they are more committed and dedicated than men"

Bina Chitrakar is an agro-economist and has been in government service for more than 27 years. She says, "I am a technical person and have no knowledge of election management. When my friends said that my name was selected as a polling officer, I could not believe what I heard and went to reconfirm. Bina shares, "I have very little knowledge on elections, however, the training conducted by the ECN on polling and counting was very informative and helped me to understand the electoral process and also gave me confidence to take up my responsibilities."

“ *I took this opportunity as a challenge, and I am happy I was able to contribute to the 2013 CA elections. I hope my contribution and hard work will be recognised and a new Constitution will be written in the stipulated time.*

In the 2013 CA elections, 120 centres were successfully run by women; Bina was one of the female polling officers who led the polling centre at Lalitpur constituency number three. As the centre was run exclusively by women, it had become an attraction for observers, media people and voters as well.

She explains that the Returning Officer, co-workers and voters appreciated and expressed that centres run by women were equally well-managed. She laughs and says, "A day prior to the election, we had to set up the centre and every detail had to be taken care of so that on E-Day we would not receive complains. The whole team worked very hard and everything went smoothly." Bina shares that success with her team and says that at the end of E-Day, they all celebrated the teamwork.

She feels proud that she was able to contribute to the 2013 CA elections as a polling officer, as prior to that, she had only participated as a voter.



IMPROVING THE ELECTORAL ENVIRONMENT FOR WOMEN

Observer recommendations related to women

- The IC and subsequent electoral law has provided for quotas to ensure the inclusion of women and traditionally marginalised groups to membership of the CA. While these quotas have allowed for a great deal of advancement for the targeted groups, there are deficiencies in the application and implementation of the quotas. Amendments to the quota rules, as set out in the section of the 'Law on Election to the Members of the Constituent Assembly' (2007), would further the participation of women and other marginalised groups in political life.
- Low numbers of women contested the elections. The greater participation of women in political life could be achieved by amending the 'Political Parties Registration Rule' (2007), which could be considered as a way to impose temporary affirmative action measures upon political parties. The inclusion of women in decision-making structures at all levels within parties could be made a condition/precedent to party registration.
- The ECN was unable to deliver upon its aspiration to recruit significant numbers of female staff. Efforts to enforce the gender policy in the ECN's structures must be addressed through recruitment practices on an on-going basis.
- Women-focused voter education should be conducted to minimise invalid votes.
- Female security personnel needs to be increased.
- Special provisions are required for women interested in filing their candidacy, as grantee amounts cannot be paid by women.
- Due to a lack of citizenship, women were unable to participate in elections.
- Polling centres need to be allocated considering the geographical diversity of the country. Centres in remote areas meant that several women (pregnant, sick and elderly) could not use their voting rights.
- Reporting needs to be conducted through a gender lens, and journalists should be gender-sensitive.
- In the mainstream media, women candidates should also be given space and in primetime slots.



Annexes

- CA Women Member List32
- ECN Organogram36
- Gender and Inclusion Policy, 2014.....37

CA Women Member List

CA Women Member List under FPTP

DISTRICT	CONST. NO.	NAME	AGE	POLITICAL PARTY
Udaypur	2	Manju Kumari Chaudhary	39	CPN UML
Siraha	3	Sita Devi Yadav	57	Nepali Congress
Mahottari	2	Kiran Yadav	46	Nepali Congress
Bara	4	Najma Khatun	45	CPN UML
Kaski	2	Sharada Paudel	61	Nepali Congress
Kaski	4	Sita Giri (Oli)	46	CPN UML
Baglung	3	Gyan Kumari Chhantyal	56	Nepali Congress
Rolpa	2	Onsari Gharti Magar	35	UCPN (Maoist)
Dang	1	Parbata DC Chaudhary	47	Nepali Congress
Dang	2	Sushila Chaudhary	45	Nepali Congress

CA Women Member List under PR

NAME	AGE	POLITICAL PARTY
Ambika Basnet	64	Nepali Congress
Anita Devkota	50	Nepali Congress
Anjana Tamli	40	Nepali Congress
Anjani Shrestha	44	Nepali Congress
Asha BK	38	Nepali Congress
Bhotani Devi Khawas	46	Nepali Congress
Binda Devi Ale (Rana)	48	Nepali Congress
Bishnu Maya Pariyar	55	Nepali Congress
Chandra Devi Joshi	35	Nepali Congress
Chitra Lekha Yadav	48	Nepali Congress
Dipshikha Sharama Dhakal	53	Nepali Congress
Dr. Araju Rana Deuba	51	Nepali Congress
Ishwari Neupane	53	Nepali Congress
Kabita Kumari Sardar	48	Nepali Congress
Kalpana Sop	41	Nepali Congress
Kamala Pant	53	Nepali Congress
Kaushar Shah	55	Nepali Congress
Kumari Laxmi Rai	64	Nepali Congress
Laxmi Devi Bhandari	61	Nepali Congress
Lila Koirala	74	Nepali Congress
Madhu Shahi Thakuri	54	Nepali Congress

NAME	AGE	POLITICAL PARTY
Mahalaxmi Upadhaya (Dina)	48	Nepali Congress
Mahendra Kumari Limbu	54	Nepali Congress
Minakshya Jha	55	Nepali Congress
Mithu Malla	58	Nepali Congress
Mukta Kumari Yadav	36	Nepali Congress
Om Devi Malla Joshi	41	Nepali Congress
Pramila Devi Das	41	Nepali Congress
Puspalata Lama	58	Nepali Congress
Rajya Laxmi Shrestha	44	Nepali Congress
Rasmi Thakur	27	Nepali Congress
Ratna Sherchan	56	Nepali Congress
Reeta Shahi	33	Nepali Congress
Sabitri Devi Chaudhari	64	Nepali Congress
Sangeeta Mandal (Dhanuk)	41	Nepali Congress
Saraswoti Bajimaya	56	Nepali Congress
Sarawat Ara Khatun Halwaini	49	Nepali Congress
Sarita Prasain	46	Nepali Congress
Seeta Gurung	37	Nepali Congress
Shanti Devi Chaudhari	37	Nepali Congress
Shila Sharma Khadka	57	Nepali Congress
Subarna Jwarchan	67	Nepali Congress
Sujata Koirala	59	Nepali Congress
Sujata Pariyar	40	Nepali Congress
Usha Gurung	45	Nepali Congress
Ambika Khawas Rajbanshi	47	CPN UML
Anarkali Miya	40	CPN UML
Asha Yadav	36	CPN UML

NAME	AGE	POLITICAL PARTY
Asta Laxmi Shakya (Bohora)	59	CPN UML
Basundhra Rokaya	43	CPN UML
Bidhya Devi Bhandari	52	CPN UML
Dil Shova Pun (Khadka)	45	CPN UML
Dulari Devi	43	CPN UML
Gaura Prasai(Koirala)	54	CPN UML
Gauri Kumari Oli	40	CPN UML
Gyanu Devi Gaire	57	CPN UML
Jayanti Devi Rai	46	CPN UML
Jivan Kumari Ghimire	62	CPN UML
Kalpna Sharma Joshi	41	CPN UML
Kamala Devi Mahato	45	CPN UML
Kamala Kumari Ghimire	44	CPN UML
Ku. Teku Nepali	56	CPN UML
Lila Magar	48	CPN UML
Madan Kumari Shah	44	CPN UML
Mahin Limbu	56	CPN UML
Mamata Giri	48	CPN UML
Meena Devi Yadav	44	CPN UML
Naradevi Pun Magar	44	CPN UML
Pemba Lama	43	CPN UML
Prabha Devi Bajracharya	50	CPN UML
Rabani Chaudhari	32	CPN UML
Rajlaxmi Golchha	53	CPN UML
Ranjana Kumari Sarkar	44	CPN UML
Ranjana Shrestha	40	CPN UML
Ranju Kurami Jha	48	CPN UML

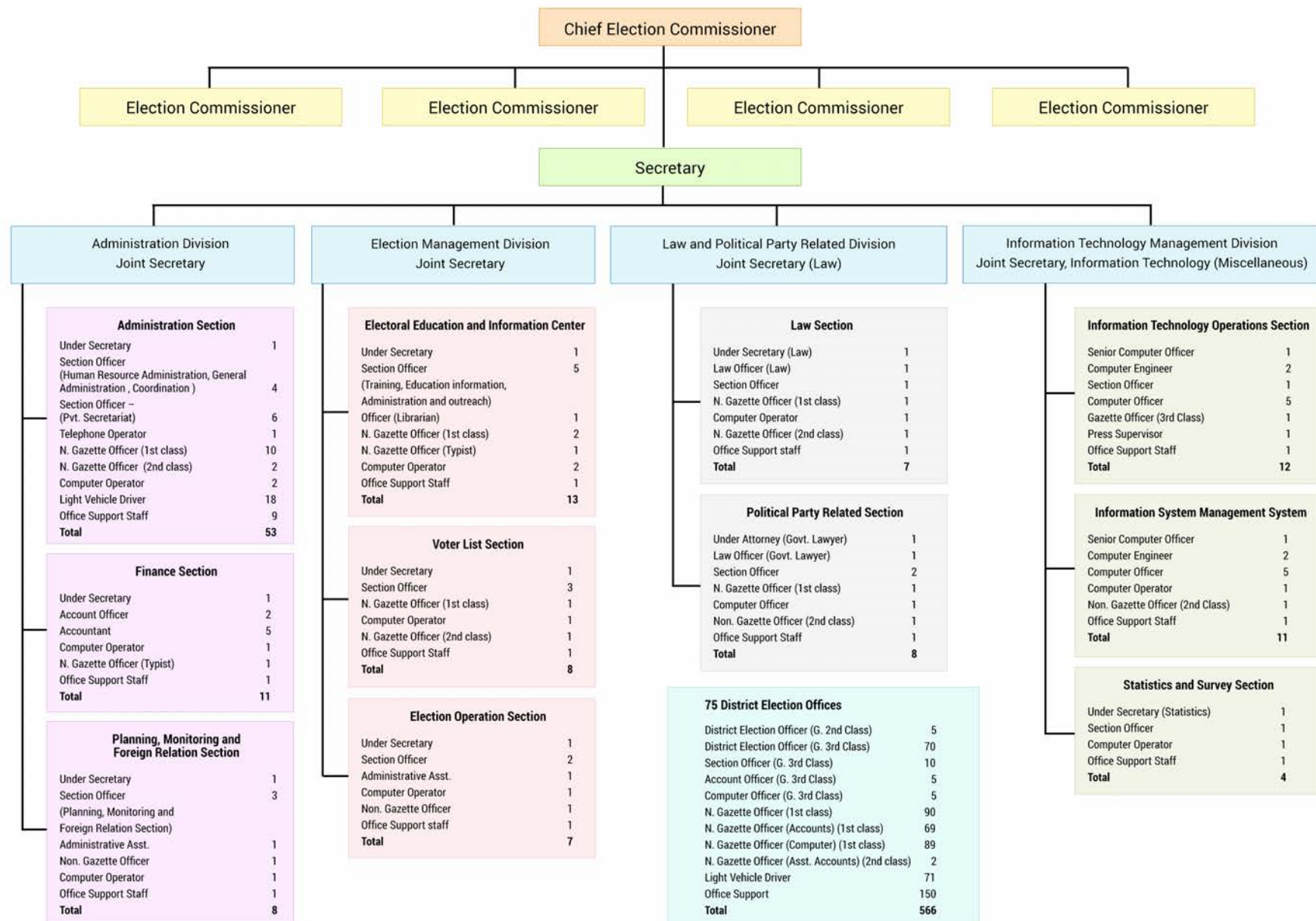
NAME	AGE	POLITICAL PARTY
Ratna Devi Gurung	46	CPN UML
Rita Rawal	40	CPN UML
Sabiya Prabin	52	CPN UML
Santa Manabi	67	CPN UML
Shakuntala Rajbhandari Karki	44	CPN UML
Sharada Kumari Bishwokarma	38	CPN UML
Shiva Kumari Gotame(Sarki) Nagarkoti	39	CPN UML
Shreemaya Thakali	47	CPN UML
Shushila Nepal	45	CPN UML
Sindhu Jalesa Budhathoki	43	CPN UML
Tara Devi Rai	55	CPN UML
Tuka Bhadra Hamal	51	CPN UML
Anita Kumari Pariyar	32	UCPN (Maoist)
Anjana Chaudhary	31	UCPN (Maoist)
Asha Koirala	43	UCPN (Maoist)
Bed Maya Bhandari Shakya	58	UCPN (Maoist)
Bhesh Kumari Raut Bhattarai	31	UCPN (Maoist)
Dhana Maya Biswokarma (Khanal)	33	UCPN (Maoist)
Dhana Pahari	52	UCPN (Maoist)
Dil Maya Dhami	42	UCPN (Maoist)
Dulari Harijan	31	UCPN (Maoist)
Durga Khuna	43	UCPN (Maoist)
Goma Kunwar	30	UCPN (Maoist)
Janaki Kumari Saud Rawal	30	UCPN (Maoist)
Kamala Dong	39	UCPN (Maoist)
Kesari Dharti Mangar	26	UCPN (Maoist)
Lalita Kumari Regmi	32	UCPN (Maoist)

NAME	AGE	POLITICAL PARTY
Nisha Kumari Sah	30	UCPN (Maoist)
Phuljari Devi	44	UCPN (Maoist)
Pratikshya Tiwari Mukhiya	31	UCPN (Maoist)
Radhika Tamang	30	UCPN (Maoist)
Rekha Sharma	44	UCPN (Maoist)
Rupa Maharajan Shrestha	32	UCPN (Maoist)
Sita Nepali	38	UCPN (Maoist)
Soniya Yadav	35	UCPN (Maoist)
Srijana Taramu Khatri	28	UCPN (Maoist)
Tej Kumari Paudel	34	UCPN (Maoist)
Tulsa Rana	34	UCPN (Maoist)
Usha Kiran Ansari	31	UCPN (Maoist)
Babina Moktan Lawati	38	RPP Nepal
Dhanu Mahara	40	RPP Nepal
Kamala Devi Sharma	55	RPP Nepal
Kanta Bhattarai	56	RPP Nepal
Kunti Kumari Shahi	36	RPP Nepal
Lila Devi Shrestha	51	RPP Nepal
Rajeshwori Devi	42	RPP Nepal
Ram Dulari Chaudhary	44	RPP Nepal
Sayandra Bantawa	55	RPP Nepal
Shreekanti Pasi	42	RPP Nepal
Sita Luitel Gyawali	47	RPP Nepal
Anandi Panth	63	RPP
Gita Singh	51	RPP
Laxmi Thapa Pasman	29	RPP
Rajya Laxmi Shrestha	47	RPP

NAME	AGE	POLITICAL PARTY
Saroj Sharma	75	RPP
Aasha Chaturbedi	54	Madhesi Janadhikar Forum, Nepal (Democratic)
Gita Chhetri	60	Madhesi Janadhikar Forum, Nepal (Democratic)
Kalapana Chaudhary	47	Madhesi Janadhikar Forum, Nepal (Democratic)
Ramani Ram	45	Madhesi Janadhikar Forum, Nepal (Democratic)
Sumitra Tharuni	45	Madhesi Janadhikar Forum, Nepal (Democratic)
Chhaya Sharma Pant	58	Madhesi Janadhikar Forum, Nepal
Janntunnisa Dhuniya	44	Madhesi Janadhikar Forum, Nepal
Laxmi Kumari Chaudhary	31	Madhesi Janadhikar Forum, Nepal
Usha Yadav	50	Madhesi Janadhikar Forum, Nepal
Indra Jha	53	Terai Madhesh Loktantrik Party
Mina Chaudhary	27	Terai Madhesh Loktantrik Party
Raj Kumari Gaderiya	43	Terai Madhesh Loktantrik Party
Kalasa Devi Mahara	45	Nepal Communist Party (ML)
Kamala BK	38	Nepal Communist Party (ML)
Madhavi Rani Sah	56	Sadbhawana Party
Shaill Kumari Devi	48	Sadbhawana Party
Radha Devi Timilsina	54	Sanghiya Samajbadi Party, Nepal
Urmila Devi Sah	44	Sanghiya Samajbadi Party, Nepal
Durga Paudel	42	Rastriya Janmorcha
Mina Pun	40	Rastriya Janmorcha
Mithila Chaudhary	47	Nepal Communist Party (Sayukta)
Pramila Rana	49	Nepal Communist Party (Sayukta)
Anuradha Thapa Magar	31	Nepal Workers and Present Party
Nirjala Raut	44	Rastriya Madhes Samajbadi Party
Milan Kumari Rajbanshi	31	Nepal Pariwar Dal
Seema Kumari BK	39	Rastriya Janmukti Party

NAME	AGE	POLITICAL PARTY
Yasodha Kumari Lama	45	Dalit Janjati Party
Amerika Kumari	48	Terai Madhesh Sadbhawana Party
Ganga Chaudhary Satgauwa	34	Tharuhat Terai Party Nepal
Rukmini Chaudhary	36	Sanghiya Loktantrik Rastriya Manch (Tharuhat)
Sarita Kumari Yadav	25	Madhesi Janadhikar Forum (Ganatantrik)
Dimpal Kumari Jha	34	Sanghiya Sadbhawana Party

ECN Organogram



Gender and Inclusion Policy, 2013

1. Background

The Article 12 of the Interim Constitution of Nepal, 2007 guarantees individual freedom for every citizen and Article 13 ensures the right to equality and also provides for formulating laws to make special provision for protection, empowerment or advancement of backward persons or community including women, dalit, indigenous peoples and Madhesi from economic, social or cultural perspectives. Right of women to participate in state structure on the basis of principle of proportional inclusion is enshrined under the right to social justice in Article 21. Likewise, the Article 33 (D1) states that the state shall pursue the policy for ensuring participation, on the basis of proportional inclusion, of all citizens of backward class and region including Madhesi, Dalit, indigenous people, women and backward classes in all the bodies of the state structure. Similarly, Article 142 provides for inclusive participation so that people from neglected and oppressed region including women and dalit are made members at different levels of executive committees that have to be registered for being recognized as a political party for election purposes.

According to the national population census, 2011, participation of women, despite their larger share in population, is found to be minimal compared to men in various areas of development including economic, social, political, administrative and policy making areas.

In order to build on the efforts made in the past for gender equality and inclusion, there is a need to formulate policies, laws, procedures and create institutional mechanism concerning election so as to address the needs and concepts of gender sensitivity and inclusion.

2. Past Efforts

Although women were given voting right since the enactment of the Government of Nepal Act, 1947, it was only in the parliamentary election held in 1958 when all women were allowed to participate. Local Self-governance Act, 1999, has the provision to ensure representation of at least a woman in a ward of a local body. It also provides for the promotion of participation of indigenous peoples, dalit and people pushed backward from

social and economic point of view in activities that bring in social equality in balanced manner and ensure equal distribution of the outcome of mobilization and development of sources and means.

The Election Commission had made an effort to accommodate the principle of gender and social inclusion while formulating and implementing policies and programs in course of managing the Constituent Assembly election, 2008. Attention was paid to gender aspects while publishing materials and mobilizing human resources for voter education in accordance with the provisions of gender inclusion in voter education policy as formulated by the Commission for CA Election 2008. Directives and code of conduct prepared for CA Election 2008 had prohibited the use of information that may have negative impact on principle of equality and social inclusion. Women enlists were prioritized while mobilizing enlists to conduct voter registration special program for that election. In addition to making arrangement for separate queues for men and women voters during the time of voting, women staffers were also mobilized in different tasks of conducting election including the ink-markers.

3. Present situation

The Election Commission has been taking different reforms initiatives in election management processes for making election process gender friendly and inclusive in accordance with letters and spirit of the constitution and different legal provisions. With a view that the women, dalit, indigenous peoples, Madhesi, oppressed, neglected and minority community, citizens of backward region are not left out in course of preparing electoral rolls with photo, which was an improvement from the past process for electoral rolls collection, the task of voter name registration was taken to the local level, time and again. Due to the conduction of voter education and voter registration strategy based on targeted community, voter registration process has been even more gender-friendly and inclusive. Also, the Commission has been formulating and modifying new policies and laws, directives for increased participation of all region, class and gender in election. Efforts made in areas of gender sensitivity and inclusions in election need to be reformed

as per the time and need and given continuity in the elections ahead.

4. Problems, Challenges and Opportunities

4.1 Problems:

Existing problems relating to gender and inclusion in election are as follows:-

- (1) Lack of adoption of proper measures and implementation of concept of gender proportion and inclusion as provisioned in the constitution and provided for by laws,
- (2) Lack of exact adoption of gender and proportional inclusion policy and processes on the part of political parties participating in the election,
- (3) Minimal participation of women in voting due to cultural and social discrimination,
- (4) Lack of gender-friendly physical infrastructure and material as needed in election process,
- (5) Lack of condition for women to fully enjoy their independent and confidential voting right.

4.2 Challenges:

The following are the challenges for fair, impartial, transparent and credible election in accordance with gender and inclusion principle.

- (1) Making policies and laws relating to election, gender sensitive and inclusive,
- (2) Effective implementation of policy provision related to gender and inclusion in election
- (3) Promoting effective public awareness by reaching out to the targeted community with issues concerning gender and inclusion
- (4) Mobilizing necessary resources for providing services and facilities in election as provisioned by policy and laws relating to gender and inclusion.

4.3 Opportunities:

- (1) To implement in practice the commitment expressed to recognize the concept of gender and inclusion by the Interim Constitution of Nepal, 2007.
- (2) To translate into action all the efforts made since past by election commission relating to gender and inclusion.
- (3) To put in practice the commitments expressed in the national, regional and international treaties and agreements that are ratified.
- (4) To address the issues of gender and inclusion raised through different media by women, dalit, oppressed caste/ethnic nationalities, backward community/

class, backward region, Madhesi and other minority citizens.

5. Need of Policy

In this context that Nepal has signed the Convention on Elimination of All Forms of Discriminations Against Women (CEDAW), 1979, election can be gender friendly and inclusive only if the concept of gender and inclusion is internalized in all activities related to election management and from the time when voter education is imparted for ensuring participation of Nepali citizens in election. To ensure participation of all the citizens in democratic election, it is necessary to formulate gender and inclusion policy through policy, structural and legal provisions and implement them. Against this background, this new policy has been formulated to consolidate the process of democratization as adopted by the state through increased participation, in every stage of election process, of women, men and third gender and dalit of all community, class and region that are deemed backward from the point of view of gender and inclusion and the oppressed, marginalized and excluded citizens.

6. Guiding Principles relating to gender and inclusion

The Interim Constitution of Nepal, 2007, provides, under the right to social justice, for the right of women, dalit, indigenous peoples, Madhesi community, oppressed class, poor peasants and laborer left backward from economic, social or educational point of view to participate in state structure on the basis of principle of proportional inclusion. Article 63 (4) of the constitution provides for political parties to pay attention to principle of inclusion while nominating candidates for the formation of Constituent Assembly and making proportional representation of women, dalit, oppressed caste/indigenous people, backward region, Madhesi and all other class while preparing the list of candidates. The Election Commission may formulate necessary policy and adopt processes for this. Nepal's interim constitution expresses commitment to basic human rights as accepted worldwide, democratic system, social justice and equality, full observance of concept of periodic, impartial, fair and transparent election and effective implementation of international treaties and agreements to which Nepal is state party. Therefore, due to constitutional provision of the country and the different provisions in international treaties and agreements, implementation of which is the commitment expressed by the country, it is necessary to make national election inclusive and gender mainstreamed.

7. Vision

To make proportional and inclusive representation of citizens in all state structures

through election as per constitutional provision and to develop the Election Commission as a sensitive institution in terms of gender and inclusion perspectives for making election fair, impartial, credible and transparent.

8. Objectives

- 8.1. To mainstream gender in all processes of election;
- 8.2. To incorporate inclusive viewpoint in all the processes relating to election;
- 8.3. To develop the Election Commission as gender sensitive and inclusive institution.

9. Policy

(A) Related to objective 8.1 (objective: To mainstream gender in all processes of election)

- 9.1. All laws, rules and guidelines relating to election will be improved and modified in accordance with gender perspective.
- 9.2. Continuous study and research will be conducted to identify different needs of the voters and candidates from gender perspective.
- 9.3. Records of the voters will be analyzed from gender perspective and while preparing electoral rolls, those with different needs from gender perspective will be identified.
- 9.4. Needs of the gender and other class will be addressed while imparting voter education.
- 9.5. Polling centers will be made gender friendly and adequate attention will be paid to gender need in course of voting process.
- 9.6. Different needs of woman and third gender candidates will be addressed directly through policy and programs.
- 9.7. Special provision will be made for making election fully inclusive from gender perspective.

(B) Related to objective 8.2 (To incorporate inclusive viewpoint in all the processes relating to election)

- 9.8. Process will be continuous to include gender issues in laws, rules and guidelines relating to election as per inclusion policy.
- 9.9. Special program for those with different needs from inclusion perspective will be formulated and implemented while collecting electoral rolls and in voting process.

- 9.10. Section-wise records from inclusion perspective of women, dalit, oppressed caste/indigenous peoples, backward class, backward region, Madhesi and minority voters will be prepared.
- 9.11. Shortcomings will be corrected in the process by analyzing voters from inclusion perspective at the time of electoral rolls preparation.
- 9.12. Principle of inclusion will be enforced when the political parties nominate candidates for direct election and when they prepare list of candidates for proportional election.
- 9.13. Women, dalit, oppressed caste/indigenous peoples, backward region, Madhesi and other minority citizens will be encouraged to participate in election through election education.

(C) Related to objective 8.3 (objective: To develop the Election Commission as gender sensitive and inclusive institution.)

- 9.14. Efforts will be made to maintain gender balance and inclusion while appointing or nominating office bearers and staffs in the election commission.
- 9.15. A separate mechanism to focus on issues pertinent to gender and inclusion will be formed by bringing in organizational and structural changes in the secretariat.
- 9.16. Emphasis will be given on continuous improvement by analysis of annual and periodic program of the election commission from gender and inclusion perspective.

10. Strategy

(A) Related to objective 8.1 (objective: To mainstream gender in all processes of election)

- 10.1. Issues to be addressed from gender perspective will be studied by subject experts before preparing the electoral rolls and in course of electoral rolls collection and the list of subjects to be addressed will be approved by the Commission.
- 10.2. While preparing the guidelines for electoral rolls collection and determining the program for electoral rolls collection, analysis will be made from gender perspective and modification will be made accordingly.
- 10.3. If deemed necessary, the Commission will have the process of electoral rolls collection monitored and analyzed from gender perspective even during the time when electoral rolls collection program is underway.
- 10.4. Voters with different needs from gender perspective will be informed about election process and necessity and importance of citizens' right to vote, during

the time of electoral rolls collection.

- 10.5. The Commission will arrange for easy access as far as practicable during electoral rolls collection to pregnant women, women needing maternity care, women accompanying infant or children, elderly people, needy persons and people with disability.
- 10.6. Those with different abilities will be included from gender perspective while arranging for human resource to collect electoral rolls.
- 10.7. Reports will be prepared by analyzing the facts from gender perspective on the basis of collected electoral rolls and the reports will be made public from time to time.
- 10.8. Code of conduct will be made and enforced against sexual violence and activities that undermine social harmony on racial, lingual or religious basis.
- 10.9. Women and third gender and other minority citizen will be encouraged to participate in election and file candidacy.
- 10.10. Arrangement of fast tract voting will be made for pregnant women, women needing maternity care, women accompanying infant or children old people, helpless, disable voter for easy access to voting place.
- 10.11. Arrangement will be made as far as practicable to mobilize female staffs to apply ink on fingers of female voters and male staffs to apply ink on fingers of male voters at the polling booth and that adequate number of women police and volunteers will be deployed.
- 10.12. The Commission will provide incentives and award to staffs of the outstanding polling centers from gender perspective.

(B) Related to objective 8.2 (To incorporate inclusive viewpoint in all the processes relating to election)

- 10.13. The Election Commission will give high importance to aspects of inclusion, in different stages of election process, while appointing staffs, forming monitoring teams, permitting election observation, appointing temporary staffs, seeking services from experts, registering political parties, issuing code of conduct and conducting voter awareness program.
- 10.14. Provision of additional punishment will be incorporated in the law governing election crimes if the crime is committed targeting voters belonging to backward communities from inclusion perspective.
- 10.15. The Commission could issue necessary instructions to add inclusion provision in the statute of the existing political parties or the statute that is submitted during the registration of the political party.

- 10.16. Voters' list will be collected by planning program on the basis of segregated data for voters to be addressed from inclusion perspective.
- 10.17. While collecting electoral rolls on the basis of segregated data, participation of voters that are to be addressed from inclusion perspective will be monitored regularly.
- 10.18. The Commission shall conduct awareness-raising training programs by involving office-bearers of the political parties registered at the Election Commission.
- 10.19. Issues related to inclusion will be incorporated while conducting voters' education program and that the voter education materials will be published in different languages and brought to publicity.
- 10.20. Emphasis will be given on studying to find out whether programs of voters' education are effective from inclusion perspective.
- 10.21. Necessary initiatives will be taken for incorporating appropriate subject matter of voters' education from inclusion perspective in school level curriculum.
- 10.22. The concept of inclusion in election process will be followed effectively on the basis of inclusion check list.

(C) Related to objective 8.3 (objective: To develop the Election Commission as gender sensitive and inclusive institution.)

- 10.23. The Commission will draw attention of concerned bodies on issues about balance of gender and inclusion while appointing office-bearers in the Commission.
- 10.24. Gender balance and inclusion will be taken as basis while appointing, substituting staff in the Commission and agencies under it and while running capacity building program.
- 10.25. Emphasis will be given to capacity building of the working staffs in the Commission and agencies under it and they will be made capable to analyze from gender and inclusion perspectives.
- 10.26. Work place and working environment will be made favorable from gender and inclusion perspectives.
- 10.27. Emphasis will be given on cooperation and partnership with bodies concerned with gender and inclusivity while conducting different programs in course of the election.

11. Institutional Arrangement

- 11.1. Formation of Gender and Inclusion Coordination Committee:

To make necessary arrangement for effective implementation of provisions stipulated in this policy, a gender and inclusion coordination committee will be formed as mentioned below:-

- (1) Election Commissioner as designated by the Commission -coordinator
- (2) Member, National Women Commission -member
- (3) Secretary, Election Commission -member
- (4) Secretary, Ministry of Education -member
- (5) Secretary, Ministry for Women, Children and Social Welfare -member
- (6) Representatives from organizations working in the area of gender and inclusion and civil society as nominated by the Commission, 5 persons (dalit commission/nationalities' federation) -members
- (7) Gender focal point, Election Commission (joint secretary) -member secretary

11.2. Functions, Responsibilities and Rights of gender and inclusion coordination committee:

Functions, rights and responsibilities of the committee will be as following:

- (1) To help the Commission to make policy decision on issues relating to gender mainstreaming accompanied by inclusive perspective.
- (2) To examine whether Act, regulations, policy, work procedures, guidelines and code of conducts related to the Commission are in accordance with principle of inclusion and to give suggestions on those issues to the Commission for policy decision.
- (3) To receive suggestions through expert team on gender and inclusion in course of election and present that along with the recommendations to the Commission.
- (4) To conduct review of implementation status of this policy on annual basis and issue necessary directives to the Secretariat and the gender unit and submit the report to the Commission.

11.3. Formation of Gender and Inclusion Unit:

A gender and inclusion unit will be formed under gender focal point of the Secretariat to work on issues of gender and inclusion in election.

11.4. Function, Rights and Responsibilities of the Gender and Inclusion Unit:

Functions, rights and responsibilities of this Unit will be as follows:

- (1) To carry out work on issues of gender and inclusion in election.
- (2) To collect, analyze and publish segregated data of gender and inclusion.

- (3) To analyze Act, regulations, guidelines, work procedures, plans, budget, programs related to election process including existing social, cultural, economic and traditional values from the perspective of gender and inclusion and to take initiative to make these issues gender and inclusion friendly.
- (4) To make necessary work plan for carrying out policy as per the instructions of the Commission, gender and inclusion coordination committee and the Secretariat.
- (5) To address complaints relating to gender and inclusion in course of election.
- (6) To stipulate and present gender budget in election process and submit report to the Secretariat by analyzing the allocated budget from gender perspective.
- (7) To conduct examination as per the need over issues of gender and inclusion of the subject matter under one's own working areas.
- (8) To prepare code of conduct against sexual violence that may happen in course of election and present that for approval and ensure implementation of the approved code of conduct.
- (9) To help gender and inclusion coordination committee in its functioning.

12. Financial Management

A plan of action will be made in order to implement this policy and necessary resource and means will be managed. For this, the Commission may mobilize resources of the government sector and national and international non government organizations and the private sector.

13. Policy and Legal Reform

13.1 Legal Reform

- (1) Timely reform will be made on Act, regulations and guidelines relating to election for effective implementation of this policy.
- (2) While formulating new laws, steps will be taken to incorporate provisions in the spirit of this policy.

13.2. Policy Reform and Amendment

This policy will be reformed and modified as per need if the Commission deems it necessary after this comes into effect.

13.3. Policy Implementation Provision

- (1) Action plans will be made by maintaining coordination and harmony with all sides for implementation of this policy.

- (2) Coordination with the other bodies of Government of Nepal will be maintained and initiatives will be taken to update the existing or new policy and programs of those bodies so that they are harmonious with this policy.

14. Monitoring and Evaluation Provision

- 14.1. It is the responsibility of the Commission to conduct regular monitoring and evaluation of efforts made from the perspective of gender and inclusion in every activity performed by the Secretariat of the Commission and offices under it.
- 14.2. All the sections of the Secretariat of the Commission should collect and analyze the data from gender and inclusion perspective and provide that to the gender and inclusion unit.
- 14.3. Gender and Inclusion unit will prepare a periodic report every two months by integrating and analyzing all the data received and present the same to the Commission through the Secretariat for discussion.
- 14.4. Gender and inclusion unit will prepare annual report within two months from the date of the end of fiscal year and submit that to gender and inclusion coordination committee.
- 14.5. The annual report with suggestions presented by gender and inclusion coordination committee will be made public as per the decision of the Commission.

15. Risk:

The following risks may remain in policy implementation

- 15.1. Policy implementation may be difficult in case the process to reform laws so that they are in harmony with gender and inclusion policy does not proceed effectively.
- 15.2. Implementation of this policy may be neglected due to unhealthy competitive behaviors and practices among the political parties in course of election.
- 15.3. The goal targeted by the policy may not be achieved in case of unavailability of resources necessary for policy implementation.

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