



**EUROPEAN UNION
ELECTION OBSERVATION MISSION
NEPAL CONSTITUENT ASSEMBLY ELECTION 10 APRIL, 2008**

PRELIMINARY STATEMENT

Largely successful election day despite tense campaign

Kathmandu, 12 April 2008

The European Union Election Observation Mission (EU EOM) has been present in Nepal since 2 March 2008 following an invitation from the Interim Government of Nepal. The EU EOM is led by Jan Mulder, Member of the European Parliament. The EU EOM deployed the largest international mission with 120 observers from 22 EU Member States and Norway and Switzerland present in 62 of the 75 districts. The observers were deployed throughout Nepal to observe and assess the electoral process in accordance with international standards for elections as well as the laws of Nepal. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation commemorated at the United Nations in October 2005. The EU EOM was joined by a seven member delegation from the European Parliament, led by Josep Borrell Fontelles, Member of the European Parliament, who endorse the views expressed in this statement. On election day, observers visited 517 polling stations in 83 constituencies to observe voting. The EU EOM is currently observing the counting and will remain in country to observe post-election developments and the tabulation of results. This statement is preliminary; a final report will be published within a period of two months after the end of the electoral process.

Executive Summary

- **The 10 April 2008 election to the Constituent Assembly represents a crucial step towards the restoration of representative democracy in Nepal. So far, it has generally been organised in a professional and transparent manner meeting many international standards. The people of Nepal turned out in large numbers to select their representatives demonstrating popular support for Constitutional reform and a return to accountable and elected multiparty democracy. On election day there were a limited number of incidents of violence, intimidation and overt attempts to disrupt the poll in parts of the country, but generally polling went smoothly. In contrast, the campaign environment was tense across the country and the freedoms of expression, movement and assembly were at times seriously undermined. There were also several incidents of violence and killings.**
- **As the counting process continues across the country the European Union Election Observation Mission (EU EOM) sincerely hopes that all political parties will patiently await the results and respect the rule of law. The Election Commission should also ensure that the publication of final results includes a breakdown of**

turnout at polling station level, as an essential safeguard to guarantee transparency. If the parties have complaints about polling procedures the EU EOM would encourage them to submit these to the Election Commission and follow the due legal process.

- Election day generally went smoothly across many parts of the country and the environment on election day was largely calm, though there was a limited number of incidents that led to the cancellation of polling in a number of the affected polling stations. Voting was generally conducted in a peaceful and orderly manner throughout 239 constituencies where polling took place. Polling procedures in 89 per cent of polling stations visited by EU observers were assessed as very good or good. The polling staff proved to be committed, efficient and generally well trained in most polling stations visited.
- The legal framework generally, has so far, provided for a democratic and inclusive election process in line with international standards. The Interim Parliament and Election Commission has introduced numerous improvements to the legal framework to provide comprehensive and in most areas, detailed provisions, for the conduct of the election. However, whilst improvements are evident, the legal framework has a number of shortcomings that are not fully in line with best practice. These include a lack of a consolidated election act, clear deadlines for the publication of results and concise rules for the display of results. There is also a lack of clarity in the mechanisms for appeals
- The Election Commission has 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 key issues demonstrating flexibility as well as developing an open media strategy. It did, however, fail to fully enforce the Code of Conduct in light of numerous breaches during the campaign period.
- The most recent voter registration drive was conducted in January-February 2007. This programme was generally considered successful, despite some obstacles. The exercise increased the number of registered voters to a total of 17.6 million, representing an increase of 15 per cent from 2006. Even with the postponement of the previously planned elections, the sequence of events did not allow for an update of the register. This meant that persons who reached the age of 18 after the cut off date of 15 December 2006 were excluded from voting in this election. There is also a lack of adequate mechanisms to audit the voter register to identify multiple entries and other anomalies.
- During the campaign period political parties and candidates did not always enjoy the full rights afforded by the principles of freedom of assembly, freedom of movement and freedom of expression due to lack of law and order and poor security environment across much of the country. There were numerous incidents of violence

and a significant number of clashes between cadres of political parties. The campaign environment has been characterised by a high degree of tension leading to campaign activities being restricted in some areas. All these incidents have contributed to a general atmosphere of fear and intimidation and at times seriously undermined the right to campaign freely. According to EU observers there were complaints of widespread voter intimidation and some attempts at vote buying by political parties.

- There was a wide range of coverage in the mass media of the election campaign and freedom of speech was largely respected for most of the campaign period. In this respect, the overall climate for journalists remained relatively good compared to the period that preceded the election campaign. The media did, however, experience pressures from political parties claiming bias in the media in an effort for the individual parties to receive greater amounts of coverage. There were also a number of assaults on journalists and one was kidnapped during the final days of the campaign period.
- The Interim Constitution and the Constituent Assembly Election Act recognise and provide extensive protection for the rights of women and traditionally marginalised groups. These are to be elected through the provision of a quota system that will give unprecedented levels of representation. However, the design of the quota system may not necessarily guarantee a fully broad based representation in the Constituent Assembly as originally intended.
- A parallel mixed electoral system, combining constituency based first-past-the-post and nationwide proportional representation election systems, was adopted to establish a 601 member Constituent Assembly. Twenty six of these members will be appointed by the new Interim Government. There were no overly restrictive requirements for candidates to stand for election and it was contested by a total of 9,648 candidates. This is a significant increase from previous elections. A total of 3,947 candidates from 55 political parties contested 239 of the 240 seats allocated by the first-past-the-post race after elections in one constituency were rescheduled. The closed lists of 54 political parties were approved by the Election Commission for the proportional representation race with 5,701 candidates contesting 335 seats.
- The Election Commission delivered an ambitious voter education programme. The official initiative was complemented with a broader campaign facilitated by civil society organisations that included civic education and public outreach. Despite the scale of these efforts, the level of awareness of the Constituent Assembly election amongst the public remains insufficient.
- A large number of international and domestic observers were accredited to observe the election. According to the Election Commission over 60,000 domestic observers were accredited from 148 organisations. A total of 28 international observation missions also registered to monitor the elections with 856 international observers.

- During the campaign period approximately 230 formal complaints were submitted to the Election Commission. Numerous informal complaints about breaches of the Code of Conduct have also been brought to the attention of the EU EOM. The majority of formal complaints were related to partisan governmental employees, misuse of state resources and electoral violence. So far, in all cases where infringements of the Code of Conduct were confirmed by the Election Commission it has not applied any sanctions against the offenders. The rejection of the relevant courts of jurisdiction in appeals related to the decisions of the Election Commission means there are no adequate appeal mechanisms currently in place.
- The EU EOM will continue to closely observe the electoral process until its completion. This will include the counting and tabulation of results that should be conducted in an accountable and transparent manner. It will also assess the performance of the election administration in their response to any complaints submitted to them by the political contenders as well as adherence to the principles of the Code of Conduct by political parties.

Statement of Preliminary Findings

BACKGROUND

The Constituent Assembly election held on 10 April was a key condition of the Comprehensive Peace Agreement (CPA) signed by the Communist Party of Nepal (Maoist) (CPN-M) and the Seven Party Alliance on 21 November 2006. The Constituent Assembly is elected to draft a new Constitution that will be the basis for creating new structures for a democratic and inclusive Nepali state. For the first time in the history of the country a more participatory and inclusive process has been designed to bring about fundamental constitutional reform. It is also the first national election in Nepal to take place since 1999. The successful completion of the election offers the opportunity to fulfil one of the principal provisions of the CPA and represents an important step towards the restoration of representative democracy in the country.

The volatile and often conflictual nature of Nepalese politics, the lack of law and order coupled with the poor human rights record and a culture of impunity in the country have been profound challenges for the organisation of the election.¹ In September 2007 fundamental disagreements about the status of the monarchy, security sector reform and the election system between the CPN-M and other signatories of the CPA led to the withdrawal of the CPN-M ministers from the Interim Government. Demands by traditionally marginalised communities for greater political representation and subsequent civil unrest in parts of the country including the Terai also coincided with the breakdown of consensus amongst the main political parties. This added to the deterioration of the political climate for the planned election in November 2007. These

¹ See reports of the National Human Rights Commission of Nepal and United Nations Office of the High Commissioner for Human Rights in Nepal.

conditions caused the postponement of the election. This followed an earlier postponement of the election that was scheduled to take place in June 2007 because of time constraints.

After an agreement in December 2007 between the Interim Government and CPN-M to proclaim Nepal a republic by constitutional amendment during the first sitting of the Constituent Assembly, the CPN-M re-entered the Interim Government. Changes to the balance of seats elected by proportional representation and first-past-the-post system were also part of the agreement, increasing the number elected by proportional representation. The re-engagement of the CPN-M meant that the election could take place with the participation of all major political parties. Agreements between the Interim Government and the United Democratic Madhesi Front on 28 February 2008 and the Federal Republican National Front on 1 March further cleared the way for even broader participation with a commitment of these groups to the election.

A parallel mixed electoral system, combining constituency based first-past-the-post and nationwide proportional representation election systems, was adopted to establish a 601 member Constituent Assembly. Twenty six of these members will be appointed by the new Interim Government. Polling was scheduled to be conducted in 20,889 polling stations across the country.

LEGAL FRAMEWORK

Elections in Nepal are governed by a diverse range of legislation that includes the Interim Constitution of Nepal, five statutory Acts, a Code of Conduct and numerous detailed regulations issued by the Election Commission.² Nepal has either ratified or acceded to all of the major treaties containing international standards for elections.³

The legal framework generally, has so far, provided for a democratic and inclusive election process in line with international standards. The Interim Parliament and Election Commission have introduced numerous improvements to the legal framework to provide comprehensive and in most areas, detailed provisions, for the conduct of the election. Where there were gaps in the legal framework, the Election Commission introduced regulations in most areas to provide for an improved framework. Improvements include the introduction of rules for campaigning such as a prohibition on vote buying, intimidation or obstruction and the use of state resources in campaigning activities as well as ceilings for campaign expenditure. Adequate legal measures for handling complaints have also been introduced providing recourse for aggrieved parties. Finally, a key innovation in the election law has been the introduction of a quota system reserving a number of seats for women and marginalised groups.

However, whilst some improvements are evident the legal framework does contain a number of shortcomings. The legal framework is highly fragmented and in the absence of a consolidated

² The Election of Members of the Constituent Assembly Act (2007); The Law on the Functions, Duties and Powers of the Election Commission (2007); The Act Relating to Electoral Rolls (2006); The Election Offences and Punishment Act (2007) and The Constituent Assembly Court Act (2007).

³ The International Covenant on Civil and Political Rights (ICCPR); Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the Convention on the Elimination of All Forms of Racial Discrimination (CERD); and the Convention on Economic, Social and Cultural Rights (CESCR).

election act, legislation is contained in numerous laws and regulations and therefore lacks clarity. Once the number of seats won by each list is determined by the Election Commission, the central committees of political parties are able to select winning candidates among those candidates nominated from anywhere in their closed lists. This seriously dilutes the relationship between voters and elected representatives and lacks transparency.⁴ Furthermore, the ‘others’ category in the quota system has no adequate and specific rules for which ‘others’ the quota system should apply. The interpretation of the Interim Constitution to include all groups in this category that were not included specifically in the quotas means that the representation of the underprivileged groups that this category could have benefited is undermined. The quota system was also not extended to parties that fielded below 101 candidates in the proportional representation election, so in a scenario whereby the smaller parties receive large amounts of votes, the quota could be weakened.

Although legislation addresses most aspects of the election process legal provisions for some fundamental parts are absent. The Election Commission therefore relied on *ad hoc* regulations that were open to change and some were issued very late which did not provide legal certainty. Notable areas that lack clear legal guidelines include an absence of provisions for special needs voting. This includes migrant workers, internally displaced persons and those unable to access polling stations due to physical incapacity or hospitalisation. The EU EOM also has concerns that there is a lack of an appeal mechanism to challenge the Election Commission decisions, after rejection of the Supreme Court of jurisdiction (see Complaints and Appeals below).

ELECTION ADMINISTRATION

The Election Commission of Nepal is established as an independent body responsible for organising all elections and referenda in Nepal. The Chief Election Commissioner and four Commissioners were appointed in the second half of 2006 by the Prime Minister for a six-year period, upon recommendation of the Constitutional Council. The Election Commission decisions are implemented by an administrative structure of approximately 240,000 election officials working in all five regions, 75 districts and 240 constituencies. Significant technical assistance was provided by the United Nations Mission in Nepal (UNMIN) on a nationwide basis.

Wide ranging powers are afforded to the Election Commission to manage the entire election process. These include developing and enacting regulations, preparing voter lists, registering political parties, conducting voter education and adjudicating on complaints with powers of sanction. The Election Commission has acted as an independent body with integrity and competence. It consulted political parties and other stakeholders on key issues demonstrating flexibility, as well as, developing an open media strategy. Whilst this provided a largely transparent process granting greater access to observers to the decision making process and meetings of the Commissioners would have enhanced accountability and transparency.

⁴ Article 25 ICCPR guarantees the free expression of the will of the electors. United Nations Human Rights Commission, General Comment No. 25 paragraph 7: “Where citizens participate in the conduct of public affairs through freely chosen representatives, those representatives are able to exercise governmental power and are accountable through the electoral process for the exercise of that power.”

Logistical and technical preparations were generally conducted in an effective manner and key components were delivered according to the timetable. District Election Officers and Returning Officers, were generally perceived by political parties and civil society organisations to have prepared well. EU EOM observers assessed the cascade training for some 44,000 polling officers and assistants positively.

VOTER REGISTRATION

The most recent registration drive was conducted in January-February 2007 mobilising 22,630 registration clerks throughout the country. The exercise increased the number of registered voters to a total of 17.6 million, representing an increase of 15 per cent from 2006 with some degree of variance between regions. Despite the current register being generally accepted there are serious concerns about the quality and accuracy of the voter register. A number of eligible voters from marginalised groups have not been able to register. Given the fluid migration patterns of Nepali society and the number of internally displaced persons, the permanent residency criteria to qualify for registration excluded sections of eligible voters from the voter register.

Even with the postponement of the previously planned elections the sequence of events did not allow for an update of the register. This meant that persons that have reached the age of 18 after the cut off date of 15 December 2006 were excluded from voting in this election. It also led to the disenfranchisement of individuals that acquired citizenship since this date. There is also a lack of adequate mechanisms to audit the voter register to identify multiple entries and other anomalies.

REGISTRATION OF CANDIDATES AND PARTIES

There were no overly restrictive requirements for candidates to stand for election and it was contested by a total of 9,648 candidates, representing a significant increase from previous elections. A total of 3,947 candidates from 55 political parties contested 239 of the 240 seats allocated by the first-past-the-post election, after a candidate died in a constituency where the poll was rescheduled. Only the three major political parties, the Nepali Congress (NC), CPN-M and the Communist Party of Nepal-Unified Marxist Leninist (CPN-UML) fielded candidates in all 240 constituencies. A large number of 258 candidates withdrew from the nominations after local consultation between the parties and in some incidences intimidation.

A total of 55 political parties filed closed lists of candidates for the 335 seats allocated in the proportional representation race. Seven political parties filed lists to contest all 335 the seats. Many of them initially failed to meet the complex quota requirements. One party was disqualified for failing to comply with the female quota before the seven-day period for corrections expired. The Election Commission received only three objections against four candidates but scrutinised all 6,000 candidates for eligibility. From the 54 final closed lists 285 candidates' names were removed. One hundred and eleven of these were contained in the two lists submitted by the Rastriya Prajatantra Party (RPP) and Rastriya Prajatantra Party Nepal (RPP-Nepal). Most of these candidates failed to submit a certificate of citizenship or were found to be underage. The remaining candidates had registered on closed lists of two political parties at the same time or for both the first-past-the-post and proportional representation races.

CAMPAIGN ENVIRONMENT

During the campaign period political parties and candidates did not always enjoy the full rights afforded by the principles of freedom of assembly, freedom of movement and freedom of expression due to the lack of law and order and the poor security environment across much of the country. There were numerous incidents of violence and a significant number of clashes between cadres of political parties. The environment has been characterised by a high degree of tension with campaigning activities at times restricted in some areas. Serious incidents during the campaign period included nine killings, the majority of which were CPN-M cadres. Immediately prior to election day, the police killed eight people in Dang during clashes between cadres of CPN-M and NC and three more people were killed in Surkhet including a candidate. A number of people also died after an explosion of an improvised explosive device in Rautahat. There were also a number of bomb explosions, numerous assaults on candidates and party activists and abductions during the campaign period. The clashes between rival supporters of political parties led to numerous injuries of those involved. All these incidents have contributed to a general atmosphere of fear and intimidation and have seriously undermined the right to campaign freely. Reports of voter intimidation were also widespread with voters experiencing pressure both in their homes and in public places.

Despite the high levels of violence political parties did campaign in many parts of the country though the conditions for campaigning varied in the districts. An upsurge in violence in certain areas led the authorities to ban public meetings in some places. Several curfews were imposed following clashes between supporters of CPN-UML, NC and CPN-M. In some cases this resulted in both sides refraining from campaigning in the strongholds of their opponents to avoid hostile receptions. Much of the disruption to campaign activities and assaults to candidates and activists involved CPN-M and affiliated groups as well as armed groups in the Terai. However, EU observers also reported there were also other political parties which instigated violence, especially CPN-UML and NC in areas where they were dominant.

The campaign period has witnessed numerous breaches of the Code of Conduct by the political parties. There have been complaints to EU EOM observers of misuse of state resources for campaign purposes, attempts to buy votes and children involved in campaign activities. In addition to the violence and intimidation, a clear reflection of how openly the Code has been violated, is the publicly displayed posters and banners evident throughout the country in clear breach of its provisions. A culture of impunity has prevailed throughout the campaign period with only a few incidents where perpetrators were detained by a police force that lacks both capacity and a culture of proactively enforcing the law. The Election Commission failed to react in an appropriate manner in cases of violation of the Code of Conduct. It took a more mediatory role, so as to react to the sensitive nature of the election, in a volatile environment where sanctions for violations may have inflamed an already tense situation.

MEDIA ENVIRONMENT

There was a wide range of coverage in the mass media of the election campaign and freedom of speech was largely respected for most of the campaign period. In this respect, the overall climate for journalists remained relatively good compared to the period that preceded the election

campaign. The media did however, experience pressures from political parties claiming bias in the media in an effort for the individual parties to receive greater amounts of coverage. There were also threats and some cases of intimidation of journalists in Achham and Chitwan. Towards the end of the campaign period CPN-M supporters reportedly also kidnapped a journalist in Kaski and assaulted another journalist in Parbat.

The coverage of the campaign by state owned media was not balanced.⁵ Nepal Television's coverage provided CPN-M with the largest share of coverage with a 39 per cent share of news bulletins' coverage of political actors afforded to this party, followed by NC and CPN-UML with each party receiving 27 per cent and 17 per cent share of news coverage respectively. The coverage of Radio Nepal and the state owned newspaper *Gorkhapatra* also demonstrated a lack of balance in their news coverage in terms of time and space. Radio Nepal afforded CPN-M 43 per cent share of its news coverage of political actors, while NC received 27 per cent, CPN-UML 17 per cent and RPP less than 6 per cent. A talk show aired on Radio Nepal, 'Ghatna Ra Bichar,' was particularly controversial and was the source of a complaint filed to the Election Commission due to the dominance of CPN-M in the programme. The Election Commission subsequently issued a Directive to Radio Nepal requesting the station to abide by the Code of Conduct. This had little impact on the programme's content during the campaign period. The newspaper, *Gorkhapatra* granted a 43 per cent share of its coverage of political actors to CPN-M, with NC receiving 20 per cent, CPN-UML 16 per cent and RPP receiving less than 4 per cent.

CPN-M was also afforded the largest share of coverage in the private broadcast media receiving a total of 42 per cent of coverage on the radio stations monitored, though some of this coverage was critical of the party. CPN-UML received 22 per cent, NC 22 per cent and RPP less than 2 per cent share. A similar trend is evident in the coverage of private television channels with CPN-M receiving 37 per cent share of coverage, CPN-UML 22 per cent and NC 24 per cent. The Election Commission also established a system to grant free access to Nepal Television and Nepal Radio for party political broadcasts based on three phases according to which parties were allocated airtime proportionally to the number of candidates they fielded. There were also incidents when the moratorium was breached by television broadcasters.

PARTICIPATION OF WOMEN AND TRADITIONALLY MARGINALISED COMMUNITIES

The Interim Constitution and the Constituent Assembly Election Act recognise and provide extensive protection for the rights of women and traditionally marginalised groups to be elected through a provision of a quota system that will give unprecedented levels of representation for these groups. As a result women will fill a minimum of 24 per cent of the seats in the Constituent Assembly. However, the implementation of the quotas for traditionally marginalised communities was not adequately developed during the preparatory phase of the design of the system in order to guarantee fully a broad based representation in the Constituent Assembly.

⁵ The media monitored by the EU EOM between 23 March-7 April 2008 consisted of the state owned broadcasters Nepal Radio and Nepal Television and the private broadcasters Kantipur TV, Image Channel TV, Sagarmatha TV, Radio Nepal, Kantipur FM, Ujjalo FM and Nepal FM (06:00-10:00 & 18:00-22:00 hours). The state owned newspaper *Gorkhapatra* and the private newspaper titles *Kantipur Daily*, *Nepal Samacharpatra*, *The Himalayan Times* and *Naya Patrika* were also monitored daily.

Therefore, the representation of these groups could be less than what was originally intended. The domination of political parties by male members of elite groups remains an obstacle to the participation of women and traditionally marginalised communities in political life.⁶ Some sections of the traditionally marginalised communities and female candidates also faced particular financial and social constraints in campaigning. An outdated and inaccurate census that requires updating also meant that the quotas may not reflect real social demographics.

The level of participation of women and traditionally marginalised groups in higher levels of the election administration was also low. There were only two female Returning Officers from a total of 240. Participation of women in polling station committees was also very low. Despite this women took an active role in observing the elections and there were a significant number of female domestic observers.

VOTER EDUCATION

The Election Commission delivered an ambitious voter education programme with assistance from UNMIN and other members of the international community. A large number, 8,568, of Voter Education Volunteers (VEVs) worked on the programme conducting public outreach to local communities. Although VEVs have encountered numerous obstacles and cases of intimidation over the past months, the programme was delivered in all 75 districts, reportedly without any major obstruction or incidents. The official initiative was complemented with a broader campaign facilitated by civil society organisations. A number of novel formats for voter education have been employed including street drama and the production of television and radio programmes across national and local media. Despite the scale of these efforts the level of awareness of the Constituent Assembly election amongst the public remains insufficient.

CIVIL SOCIETY AND ELECTION OBSERVATION

A large number of domestic and international observers were accredited to observe the election. According to the Election Commission over 60,000 domestic observers were accredited from 148 organisations. A total of 28 international observation missions also registered to monitor the elections with 856 international observers.

COMPLAINTS AND APPEALS

During the campaign period approximately 230 formal complaints have been submitted to the Election Commission. Numerous informal complaints about breaches of the Code of Conduct have also been brought to the attention of the EU EOM. The majority of formal complaints were related to partisan governmental employees, misuse of state resources and electoral violence. The Election Commission also received four complaints against three NC nominated candidates who were found to be governmental employees. The three candidates were disqualified. In all cases

⁶ Out of 3947 candidates for the first-past-the-post system, only 367 candidates are women (9.29 per cent): CPN-M nominated 42 (17.5 per cent), CPN-UNL 26 (11.35 per cent), Nepali Congress 26 (10.8 per cent) and People's Front Nepal 28 (13.7 per cent), Nepal Workers Peasants Party 27 (27.5 per cent). Sixteen of the 54 parties whose nominations were accepted did not nominate a single woman. In 16 districts and 67 constituencies there is not a single female candidate.

where infringements of the Code of Conduct were confirmed the Election Commission did not apply any sanctions against the offenders. Two appeals against decisions of the Election Commission were submitted to the Courts: one to the Constituent Assembly Court and another to the Supreme Court. In both cases the two Courts concluded that they did not have jurisdiction to assess the complaints. The Constituent Assembly Court because it had no right to make a judgement on the disqualification of candidates. The Supreme Court rejected a petition referring to Article 118 (4) of the Interim Constitution 2007 that forbids raising any case in court, with the intention to disrupt, the Constituent Assembly election.

POLLING

Election day generally went smoothly across many parts of the country and the environment on election day was largely calm. There was, however, a number of incidents of violence, intimidation and overt attempts to disrupt the poll that led to the cancellation of polling in a number of the affected polling stations. Voting was generally conducted in a peaceful and orderly manner throughout 239 constituencies where polling took place. A large number of voters turned out to cast their ballots. The effort invested in logistical preparations meant that polling stations generally opened on time.

Polling procedures in 89 per cent of polling stations visited by EU observers were assessed positively. This was despite complex polling procedures. The polling staff proved to be committed, efficient and generally well trained in most polling stations visited. Efficient processing of voters, use of controls and safeguards by polling staff and the secrecy of the vote were also assessed as very good or good in almost 90 per cent of polling stations visited. Voters also demonstrated a good understanding of the voting process in a large majority of polling stations observed. EU observers assessed the overall environment positively, although the presence of either political party supporters canvassing voters outside of polling stations or non-officially prescribed filtering of voters was observed. Closing was also assessed as very good or good in 77 per cent of polling stations visited and the transfer of ballots to district counting centres was carried out throughout the night and continues.

COUNTING

The process of counting ballots is currently underway in the districts of Nepal. The transparency and efficacy of the counting and tabulation of results will be crucial to the successful completion of the election process. The EU EOM will continue to observe these processes until their completion in order for it to make its final assessment.

The EU EOM wishes to express its appreciation to the Interim Government of Nepal and the Election Commission of Nepal for their cooperation and assistance in the course of the observation. The EU EOM is also grateful to the Delegation of the European Commission in Nepal and to the International Organization for Migration for their support throughout.

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