

NATIONAL ELECTION MONITORING ALLIANCE (NEMA)
Regional Coordinator's Training on Constituent Assembly Election (TOT)
10-12 September 2007
Kathmandu

Background

National Election Monitoring Alliance (NEMA) has been established for free, fair and fearless environment of upcoming Constituent Assembly Election. NEMA is committed to monitor the election environment in three phases that is pre-poll, during the poll and post-poll. NEMA organized different training and monitored the election environment in the 18 districts and conducting cascading training to train coordinators at regional coordinators, district coordinators and booth observers.

NEMA organized three days Training of Trainer (TOT) on Constituent Assembly Election Monitoring from Sept. 10 to 12, 2007 in Kathmandu. All 24 Regional Coordinators from six regions have participated in the training. For the purpose of smooth election observation, NEMA has divided mid region in two parts (Central Pahad & central Terai) on the basis of transportation and communication facilities. Mr. Subodh Raj Pyakurel, Convener of NEMA inaugurated the program and provided information about the NEMA and its objectives. Mr. Pyakurel addressed all the regional coordinators about importance of CA Election that everyone is hurry about the election. Content and skill about the training topic should be more emphasized. Election Commission has given the permission to 43 organizations to monitor the election environment. Among those organizations, NEMA is playing the pro-active role and mobilizing more than twenty thousands observers all over Nepal. So both national and international community is watching the activities of NEMA. In local level, there must be cooperation between other government and non- government organizations so that the monitoring result would be more effective. The condition of pre-poll and during the poll is more important, however, post- poll condition will be complex. NEMA is one movement that seeks the free, fair and fearless election. Country is in political juncture and only the new drafted constitution can overcome this situation. Our responsibilities is to be logical and neutral and no unwanted debate with others. We have to follow the rule of Nepal's government and Election Commission.

Mr. Sagar Prasai, The Asia Foundation (TAF) talked about the institutional arrangement of NEMA. DFID is providing the financial assistance and TAF has the technical support. Since TAF has already monitored the election environment of more than sixteen countries. The tried and tested technicalities regarding the election has been tried to modify in the Nepalese context. The main focus of monitoring is technical observation. Since NEMA represents the civil society's organization, the role of civil society is doubtful mostly in the election time. Total emphasis of monitoring is its technicalities and instrument based and quantitative observation such as intimidation, hurdles in election. The basic role of regional coordinator is monitor, logistic, provide training to district coordinator, establish the coordination between national and international observers and with local polling officers. In every si there are four regional coordinators and one is in leading or managing role and oth monitoring. The leading organizations do grant managing, accounting, reporting a



with central level focal persons. In case of district, there are four district coordinators and role is somewhat similar with regional coordinators. District coordinators do train the constituency coordinators, coordinate with security official, district election office, local media management in district, clarify the image of NEMA and describe the view with political parties about the objectives of NEMA. The fund goes directly to the respective organizations and only sends to regional, district and constituency level. In constituency level too, one organization is grant manager and other do monitoring. The grant managing organization do not interfere the selection of observers and it will be according to the procedure of Election Commission. In district, there is more pressure and occurrence logistic and security problem. Thus the selection of observers is a challenging job. We have already established regional coordination office in all the six regions on 1st September. District and Constituency coordination office will be establish on 15th Sept. and 1st October respectively. Constituency coordinators training will be around 1- 12 Oct. However, observers training will be two weeks prior to CA Election. There will around half day observation orientation for the observers about the two important points that is how to follow the election code of conduct and how to fill up the form. During the Election Day, every observer should reach to the booth fifteen minutes prior to booth opening. In case the observer is prohibited for entering into the booth, he/she the can return by writing " no access to booth" in the form. Among the four constituency coordinators, one can only tabulate the constituency report and other three go to district with the ballot box and district coordinators do counting observation and tabulation. Only the tabulated sheets are taken to region and do the press release. In case of any threat towards the observer, he/she should not argue and return back from the booth.

Resource Persons were Mr. Yubaraj Sangroula, Co-convener of NEMA, Mr. Bhimarjun Acharya, a constitutional lawyer and Mr. Bharat Mani Sharma. Mr. Yubaraj Sangroula presented the difference between parliamentary election and CA election. Political parties involve in the election to form the government. Even the small political parties try to coalition with the big parties for making government and thus in the long run the main objective of political parties is to make the government. Every political party has their own manifesto and tried to catch the people's sentiment. Basic needs of the people are changing the political parties change the content of their manifesto in every five years. In conclusion, election is one mandate for ideologically governing over the people. The clear distinction between parliamentary election and CA election is necessary for monitoring the election. If any political parties serve the populist program such as making tap, school, playground etc, those programs do not reflect directly to the future constitution. If the political parties go for populist program, then CA election will be unfair. As much as large number of true representative of people is necessary in CA election. Historically, in BS 2007, political parties had tried for constituent Assembly. Contemporary Constituent Assembly and present Constituent Assembly is totally different. Presently, political parties have the mandate of people. Monarchy and liberal democrat cannot move together. Now what type problem we are trying to address? People's exclusion was the main problem. From the historical period of unification of Nepal, majorities were excluded and minority ruled the state. Even after democracy, there was economic and political exclusion that, 54 percent of the National Gross Product is used by 20 percent rich people. Again, 5 percent poor people use 20 National Gross Product. Economic transformation creates the vast gap between poor. Untouchables are lack behind economically and socially. Bahun and New



more than 96 percent of civil service. Only 33- 35 percent of caste occupies the whole bureaucracy. Nation wise figure shows that 84 percent of Limbu and Magar are poor. Entire hill dwellers are poor in terms of language and political participation; Terai dwellers have less access in state resources. Political party is formal system of state. Past constitution of BS 2007, 2015 and 2047 always accepted the political exclusion. In case the upcoming Constituent Assembly cannot address the political exclusion, the situation would be disastrous. Inclusive democracy is the demand of time. Civil society, NGO can participate for political inclusion and only right monitor is possible. In Constituent Assembly, not only the reflection of political ideology, but there is involvement national unity and social process. Now we are monitoring the content and context of election and observe the election behaviors. To ensure socio-economic justice, equity based proportional participation on the basis of population (not equality based proportionality); identification of group identity, Constituent Assembly is necessary. Only Constituent Assembly can declare the republic state and if any group or political parties advocate about the republic state before the Constituent Assembly, then it is illegitimate. A hurdle to Constituent Assembly is to hurdle the democracy. There is a provision of nominating the 17 persons having multiple personalities in Constituent Assembly. Monitoring is necessary to ensure the nomination of academic persons either from political parties or from civil society. Key point of observation is not to ensure people's participation in voting booth, but to ensure the inclusive people's participation.

Mr. Bhimarjun Acharya presented the Election Act and CA election system. He described the election procedure and rules for observers. The principle of monitoring is just to record and report. Observers should not involve in government service and members of civil society and NGO are liable for observer. Following are the rules for observers.

- Strictly impartiality
- Clear-cut identification of observer (Identity card, dress).
- Use non- partisan symbol (color, banner) and activities that do not reflect any political parties.
- Documentation must be fact based and no personal views or comments are used.
- No disclose to media.
- National and international law should be followed.

Mr. Bharat Mani Sharma presented the role of facilitators, observation tools and technique of election. He presented three types of forms that is booth observation form, mobile observation form and vote counting form. He clearly delivered the instruction that precaution has to be taken while filling the form. Since the final report of the election is directly related to those forms. Mr. Pradip Ghimire, NEMA Secretariat Coordinator, briefed about NEMA, its location and introduction, objectives, member organizations and security issues. Mr. Madhu Baral, TAF, briefed accounting methodology needed for regional coordinators.

Issues Raised by Regional Coordinators

- Problem in report collection mechanism in booth to district level.
- Observer selection.
- Availability of bag, jacket, torchlight, radio, camera, tape- recorder to all th coordinators.



- Limited budget has been allocated for remote district and that should be revised.
- Representation of women for regional coordinators is zero except the central and western region. Women participation should be increased.
- Allowance allocated for booth observer is very less and revision is necessary.
- Insurance of observer is needed for security threat areas.

Identified Problems and their Solutions

- Proper coordination between observers and Polling Officer may delay for supplying the report to district level. Only sending the report with the polling officer may create the question of reliability. In some hill areas, it take more than two days to reach district headquarter. The possible solution is that observer him/herself go to accessible district with the report. Again, in some districts, teachers themselves are appointed as election officer and being the member organization of NEMA, TUN can also support. In case of timely unreachable area, other mechanism can be developed. According to NEMA convener, the report collection mechanism shall be developed with the coordination between Election Commission and NEMA.
- In selection criteria of observer, the observer must be matriculated and have no membership of any political parties. Since the number of observer is more and education level of people is low in remote area. Recruiting the observer in local level with coordination of constituency coordinators and with local organizations can minimize the problem.
- Observers shall receive Rs. 300 as a daily allowance during Election Day including one T- shirt, Cap, Ball- pen, diary, observation manual and half-day observation orientation.
- Budget has been already allocated for all level and revision is not possible.
- Since the regional and district level coordinators have already been selected and consideration will be taken in constituency level for gender, caste/ethnic, dalit inclusion.
- The observers should adopt safety-first measure.

Conclusion

Regional coordinator's training (TOT) was basically organized for providing the observation about the upcoming CA election. Regional coordinators should possess the knowledge about the technicalities about the election. They have to follow all the guidelines prepared by NEMA and during the cascading training in regional, district and constituencies level, every one should clear about the vision of NEMA for free, fair and fearless election. The proper guidelines of Steering Committee, resource persons and TAF have really influenced the TOT about observation (Observer selection, reporting), management (financial and technical) and media relations (Press conference, Press Release).

