

## Incidents Prior to Second Phase (June 28) Local Elections

Analysis Update – 7

*Period: May 22 – June 11, 2017 | Published: June 16, 2017*

### Summary

As preparations resumed and campaigning intensified ahead of the second phase of local elections scheduled for June 28, provinces 1, 2, 5 and 7 saw a spike in election-related incidents. Nepal Monitor recorded 46 incidents in these provinces between May 22 and June 11, up from 19 during the period of May 12 to May 21. Of the 46 pre-election incidents: 15 were related to Rashtriya Janta Party Nepal (RJPN) protesting against elections; 11 were related to the Communist Party of Nepal (CPN), either its cadres conducting ‘anti-election’ activities or the police preemptively arresting its cadres; six incidents involved intra-party disputes when party cadres were not satisfied with candidacies selected for the upcoming elections; six incidents involved inter-party disputes; and five incidents entailed dissatisfaction over boundaries of the newly formed local units.

Election-related incidents continued to decline through this period in provinces 3, 4, and 6.<sup>1</sup> Of the nine incidents reported, four were related to the tearing of ballot papers at a counting center in Bharatpur Metropolis of Chitwan. According to multiple media and election observer reports, representatives of the Communist Party of Nepal (Maoist Center) [CPN (MC)] in Bharatpur allegedly tore ballot papers while vote counting neared completion. The vote counting was halted after this incident. The other five incidents included: the disappearance of a Nepali Congress cadre in Humla; three Communist Party of Nepal-Unified Marxist-Leninist (CPN-UML) cadres being beaten by Nepali Congress cadres in Humla; a Nepali Congress cadre being attacked in Dhading; police arresting CPN cadres in Salyan; and Nepali Congress cadres beating a voter in Nuwakot.

Uncertainties about the second phase of elections increased on June 11 when the major Madhesh-based RJPN announced it would boycott the elections and launch protest programs and general strikes with the intention of disrupting polling in the Tarai. There are concerns that the number of violent incidents will rise in coming days as clashes occur between the boycotting RJPN and other political parties that continue to campaign, or between RJPN and security forces.

It is imperative that the government and RJPN continue negotiations towards reaching a consensus that can prevent further violence and ensure that successful elections are held in a peaceful environment.<sup>2</sup>

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<sup>1</sup> Using Nepal Monitor data, DRCN has counted 22 incidents in provinces 3, 4, and 6 between May 15 and June 11, a significant reduction from [the 81 incidents recorded immediately around election day, May 11-14](#), and the [56 incidents recorded during the pre-election period](#) of April 22 to May 10. See [Analysis Update 6](#) for immediate post-election analysis, during which at least 13 incidents were recorded.

<sup>2</sup> On June 11, in a move to have RJPN participate in the elections, the government amended the Act Related to Political Parties-2017 to allow RJPN to receive a common election symbol to compete under during the elections. On the same day, the government also requested that the Supreme Court vacate its May 26, 2017

## Overview of Incidents<sup>3</sup>

### Bharatpur Counting-Related Incidents

- On May 28, CPN (MC) representatives allegedly tore multiple ballot papers from Ward 19 at the vote counting center in Bharatpur Metropolitan City, Chitwan. This is said to have occurred after a dispute between representatives of CPN (MC) and CPN-UML. Counting was halted after the papers were torn, at that time counting had been completed in 27 out of 29 wards, with the CPN-UML mayoral candidate leading the count by 733 votes over its nearest rival CPN (MC).<sup>4</sup> The Chitwan Superintendent of Police confirmed that it was the CPN (MC) representatives who tore the ballot papers. The police arrested two CPN (MC) cadres suspected of tearing the papers.
- On May 30, CPN-UML held a protest in Bharatpur Metropolis to demand resumption of vote counting, whereas the Nepali Congress and CPN (MC) coalition demanded a new election be held in Ward 19.
- On June 4, CPN-UML organised a torch rally in Bharatpur Metropolis against the Election Commission of Nepal's (ECN) decision to hold a re-election in Ward 19.<sup>5</sup> On the same day, three more political parties including Naya Shakti Party Nepal (NSPN), Rastriya Jana Morcha (RJM), and the Communist Party of Nepal (Marxist-Leninist) [CPN (ML)], issued a joint statement against the ECN's decision to rerun elections in Ward 19, accusing the ECN of favouring the CPN (MC) and Nepali Congress alliance.

### RJPN-Related Incidents

- On May 30, at least 24 RJPN cadres were arrested in Gaur, Rautahat when they attempted to padlock the District Election Officer's (DEO) office. On the same day, at least four RJPN cadres sustained injuries as they clashed with police in Rajbiraj, Saptari. The clash took place when police attempted to stop the cadres from padlocking the DEO's office. RJPN cadres also picketed the regional election office in Biratnagar, Morang from 10am to 11am on May 30. Also on May 30, RJPN cadres padlocked the DEO's office, offices of Returning Officers, and six rural municipality offices in Mahottari.
- On May 31, Sanghiya Gathabandhan (Federal Alliance), an alliance of several Janajati and Madheshi political parties (including RJPN), picketed the offices of Returning Officers in Ramgram Municipality, Pratappur Rural Municipality, and Palhinandan Rural Municipality, all in Nawalparasi.

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interim order to stay a Cabinet decision to increase the number of local units in Tarai. The Supreme Court refused to change its decision. Despite the government's efforts, RJPN reiterated that an amendment to the constitution and an increase in the number of local units remain its major preconditions to participating in local elections. For more read the Kathmandu Post's [RJP-N ups ante, says it will disrupt polls](#).

<sup>3</sup> See [Nepal Monitor for a complete list of incidents](#).

<sup>4</sup> The Bharatpur Metropolis mayoral election received nationwide attention because the CPN (MC) fielded Renu Dahal as its mayor candidate. Renu is the daughter of former Prime Minister Pushpa Kamal Dahal.

<sup>5</sup> On June 3, the ECN decided to hold a new election in Ward 19. The Supreme Court stayed the ECN's decision and is yet to give a final ruling on the case.

- On May 27, RJPN held torch rallies in Mahottari, Dhanusha, Saptari and Siraha districts.
- On May 27, RJPN cadres burned voter education materials at Balan Bihul Rural Municipality, Saptari. The incident took place when the RJPN cadres disrupted a voter education program being held at Janata Rashtriya Primary School in Chanahi Malhaniya village in Saptari.
- On May 28, RJPN cadres organized lathi (stick) rallies in protest of the elections in Jaleshwar of Mahottari and Rajbiraj of Saptari.
- On June 9, RJPN cadres burned tires at various places on the East-West Highway to obstruct a CPN-UML election campaign event being held in Golbazar Municipality of Siraha. Despite the protests, the event went ahead as police removed the tires and chased RJPN cadres from the highway.
- On June 11, RJPN cadres and police were involved in a scuffle in Rajbiraj Municipality, Saptari when police stopped the cadres from disrupting an interaction event being attended by Chief Election Commissioner Ayodhee Prasad Yadav. RJPN cadres chanted slogans against the election and the commissioner.
- On June 11, RJPN cadres protested Sanghiya Samajwadi Forum Nepal (SSFN) leader Upendra Yadav's participation in an election campaign event in Madhubangoth Rural Municipality, Sarhali. RJPN cadres and police scuffled near the venue when police attempted to stop cadres from disrupting the event. The cadres also burned an effigy of Upendra Yadav near the venue.
- On June 11, RJPN cadres burned a Nepali Congress flag at Shiva Chowk in Janakpur Sub-Metropolitan City, Dhanusha. The flag burning was to disrupt an election meeting being held by Nepali Congress at the Chowk. During the flag burning, the Dhanusha RJPN coordinator said that the party would disrupt all campaigns in the district. On the same day, police stopped RJPN cadres from foiling an event being conducted by the ECN in Janakpur.

#### CPN-Related Incidents

- On May 25, the CPN District Secretary of Kanchanpur was arrested at his home in Betkot Municipality. Police said that he was involved in 'anti-election' activities.<sup>6</sup>
- On May 28, police arrested two CPN cadres from Danabari in Deumai Municipality of Ilam for conducting 'anti-election' activities. A week prior to this incident, police had detained three other CPN cadres from Ilam for the same reason.
- On May 31, police arrested 13 CPN cadres in Gulariya, Bardiya for conducting 'anti-election activities'. This was their second time being arrested: they were also arrested prior to the first phase of elections for the similar reasons. The arrested cadres commented that police had detained them on false charges.

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<sup>6</sup> The reports did not mention what kind of 'anti-election' activities he was involved in.

- On June 1, police arrested two CPN cadres for conducting ‘anti-election’ activities in Ward 4 of Pauwa Dungma Rural Municipality, Bhojpur. They were detained while they were placing a signboard with ‘United Revolutionary People's Council’ written on it at the ward office. A statement issued by Maden, the CPN district secretary, announced that the party would not allow elections to be organised in Pauwa Dungma.
- On June 2, police arrested a CPN cadre in Nijgadh, Bara with a locally made ‘Katuwa’ pistol, bullets, and pamphlets containing messages against the election.
- On June 6, CPN announced the formation of a “people’s government” in various rural municipalities in Doti, including in the former VDCs of Joroyal, Gadsera, Mannakapadi, Barchhain and Lanakedareswar. CPN has reportedly intensified wall painting and the distribution of pamphlets against local elections in the district.

#### Inter-Party Incidents

- On May 25, an unidentified group injured a CPN-UML candidate for Ward 5 chairperson as he was returning from his election campaign in Ghorahi Sub-metropolis, Dang. The CPN-UML candidate claimed that a group from Nepal Student Union, the student wing of Nepali Congress, attacked him with rods while aiming a pistol at him. CPN-UML Dang released a press statement condemning the incident.
- On June 1, a CPN (MC) cadre allegedly attacked a CPN-UML cadre in Jante Dhunga Rural Municipality of Khotang while the latter was campaigning. Police arrested the CPN (MC) cadre the next day after a complaint was filed by the local CPN-UML chapter. The CPN-UML cadre’s leg was seriously injured in the incident.
- On June 10, a CPN-UML candidate for Ward 3 chairperson of Diprung Rural Municipality of Khotang was injured during a clash with Nepali Congress cadres. The incident reportedly happened after CPN-UML cadres tore a Nepali Congress flag.

#### Intra-Party Incidents

- On May 27, the CPN-UML area committee office in Dharan Sub-metropolis of Sunsari was padlocked by a group of dissatisfied party cadres. The cadres, who picketed the office after padlocking it, accused party leaders of selecting Dharan Sub-metropolitan City ward candidates on the basis of nepotism rather than merit.
- From May 24-29, a Nepali Congress cadre went on hunger strike in front of the district party office in Dhangadi Sub-Metropolis to protest the selection of certain party candidates in Kailali district. The hunger-striking cadre accused the district party leaders of selecting candidates on the basis of nepotism and bribery.
- On June 6, CPN-UML cadres from Chaudandi Municipality in Udaypur vandalised their party municipal committee office. The cadres were angered by the provincial committee’s selection of a mayoral candidate that went against the municipal committee’s recommendation.

- On May 29, the CPN-UML secretary of Lekbesi Municipal Committee in Surkhet was attacked by a group led by Bir Bahadur Rawat. Rawat was disgruntled with the secretary, as the latter did not nominate Rawat for the position of municipal executive member. The secretary sustained injury during the attack.

#### Incidents Related to Local Restructuring

- On May 22, residents of former Raghunathpur Village Development Committee (VDC) picketed CPN-UML, Nepali Congress and CPN (MC) offices in Raghunathpur, Dhanusha. Residents protested against the splitting of Raghunathpur into two different municipalities.
- On May 23, residents of Subarnapur Rural Municipality of Parsa, including local political party cadres, staged a protest to demand municipality status for their rural municipality. The protesters burnt effigies of the Prime Minister and other ministers while announcing an indefinite *banda* in Subarnapur.
- On May 23, residents of the former Bahuarwa VDC in Dhanusha stopped vehicular movement in Bahuarwa to protest the merger of Bahuarwa into Dhanauji Rural Municipality. Residents said that Dhanauji is not accessible and is smaller and has less population than Bahuarwa.

#### **Field Observation Findings**

A DRCN Political Violence Monitoring (PVM) research team visited Kapilbastu, Rupandehi, Parsa, Bara, and Dhanusha districts from May 22-30 to better understand citizen perceptions about the expected elections and to assess the possibility of violence before the second phase of elections.<sup>7</sup> The team interviewed 20 stakeholders, including political party leaders, political activists, and journalists. The team also interviewed 30 citizens across the districts.

#### *Citizen Perspective*

Although citizens were enthusiastic about electing new local representatives in districts DRCN visited, widespread doubt existed about whether the elections would be held on the scheduled date if RJPN continues its protest. A majority of citizens interviewed believed that the possibility of violence would be high if the government continued with the elections despite RJPN's protest against them. Madheshi citizens interviewed also appeared confused because SSFN and RJPN, partners of Madheshi Morcha until recently, have taken a contradictory approach to the elections: SSFN has decided to participate in elections while RJPN will boycott them unless their demands are met. For example, in Birgunj, Parsa DRCN observed an SSFN election campaign rally that was followed within the hour by an anti-election RJPN rally. DRCN interviewed citizens who had witnessed both of the rallies, and nearly all were confused about whether they will participate in elections if they are pushed through without addressing RJPN demands. Most of the citizens the team spoke to maintained that the government must bring RJPN on board by addressing their demands for local elections to successfully happen in the Tarai.

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<sup>7</sup> The team selected these districts because of the high number of incidents that happened in them during previous elections and more recent political events, and because of the potential for an increase in incidents through this election cycle.

One shopkeeper interviewed in Prasauni Rural Municipality in Bara strongly believed that voter turnout will be significantly lower from the past if the elections are held amidst RJPN boycott. He explained that many will stay home in anticipation of violent incidents, this especially including women. Participants of a group discussion held in Bindawasini Rural Municipality, Parsa revealed similar concerns with the word “bloodshed” being frequently used to describe what could happen if elections are pushed through without bringing RJPN on board. Many of the discussion participants thought that holding elections despite opposition from RJPN might not be possible as candidates and voters already received threats. A potential CPN-UML candidate for Chairperson of Bindawasini Rural Municipality acknowledged that it would be difficult if not impossible for them to organize election campaigns if RJPN decides to disrupt elections.

A Nepali Congress hopeful for mayor in Janakpur Sub-Metropolis of Dhanusha also said that holding elections amidst the Madheshi population’s widespread dissatisfaction, this with the RJPN’s ongoing protest, would make it highly likely that candidates and supporters of political parties would receive threats and not participate in the elections. In Janakpur, residents interviewed also suspected that the elections would not be successfully held amidst RJPN’s protest. In Taulihawa Municipality, Kapilbastu, most of the citizens the DRCN team spoke said that though the government could hold elections in Pahadi dominated areas of the district, but that it would be challenging to conduct them in Madheshi populated areas. In Rupendehi, citizens interviewed were doubtful that elections could be held in Madheshi dominated areas because RJPN would disrupt them.

### *Political Party Perspective*

Political leaders in districts visited generally said that they would follow central level party policy. Leaders and cadres of RJPN interviewed consistently maintained that they would not take part in the elections and disrupt them unless their demands are addressed. The local leaders of all the major parties including Nepali Congress, CPN-UML, CPN (MC) and SSFN all said that they have begun election preparations as per central directives. However, leaders of all these parties were uncertain about whether the elections would happen as scheduled, and worried about the possibility of disruption of the elections and violent clashes if RJPN continues its protest.

While some SSFN leaders expressed their frustration over party’s decision to participate in local elections before having demands addressed, they said they had no choice but to follow the party line. During a DRCN group interview of SSFN cadres at their district office in Taulihawa Municipality, Kapilbastu, a heated debate broke out between different participants over whether the party’s decision to participate in elections was justified or not. One member clearly said that the party had committed a serious mistake in abandoning the demands of Madhesh movement. Others defended the party’s line. All were apprehensive about how they would justify the party’s decision to people on the ground. The Rupandehi district president of SSFN said that the local elections must be held on scheduled date. He explained that elections had been held in the past despite parties boycotting and threatening to disrupt them, and that this situation should be no different.

There were a few local leaders that said they might not follow their party line. A district leader of NSPN in Taulihawa, allying with SSFN for local elections, claimed their party would not participate in elections in the district if RJPN decides not to. Similarly, a SSFN

district leader in Dhanusha expressed her dissatisfaction with the party's decision to contest in local elections, leaving their long-standing demands behind. While very concerned of violent clashes with RJPN in the district, she still said that she would come around and join election campaign.

The leaders and cadres of RJPN the team interviewed all said that they would boycott and disrupt the elections in their districts if their demands are not met. The deputy district coordinator of RJPN of Rupandehi claimed that the party would not allow the second phase of elections to occur in the district unless provincial boundaries are restructured and the number of local units in the Tarai is increased, among other issues. Asked if the boycott would result into violence, he said that there is a possibility of a high level of violence if the government "imposes elections." The RJPN district coordinator in Dhanusha also foresaw the possibility of more violence if government holds elections despite their protest.

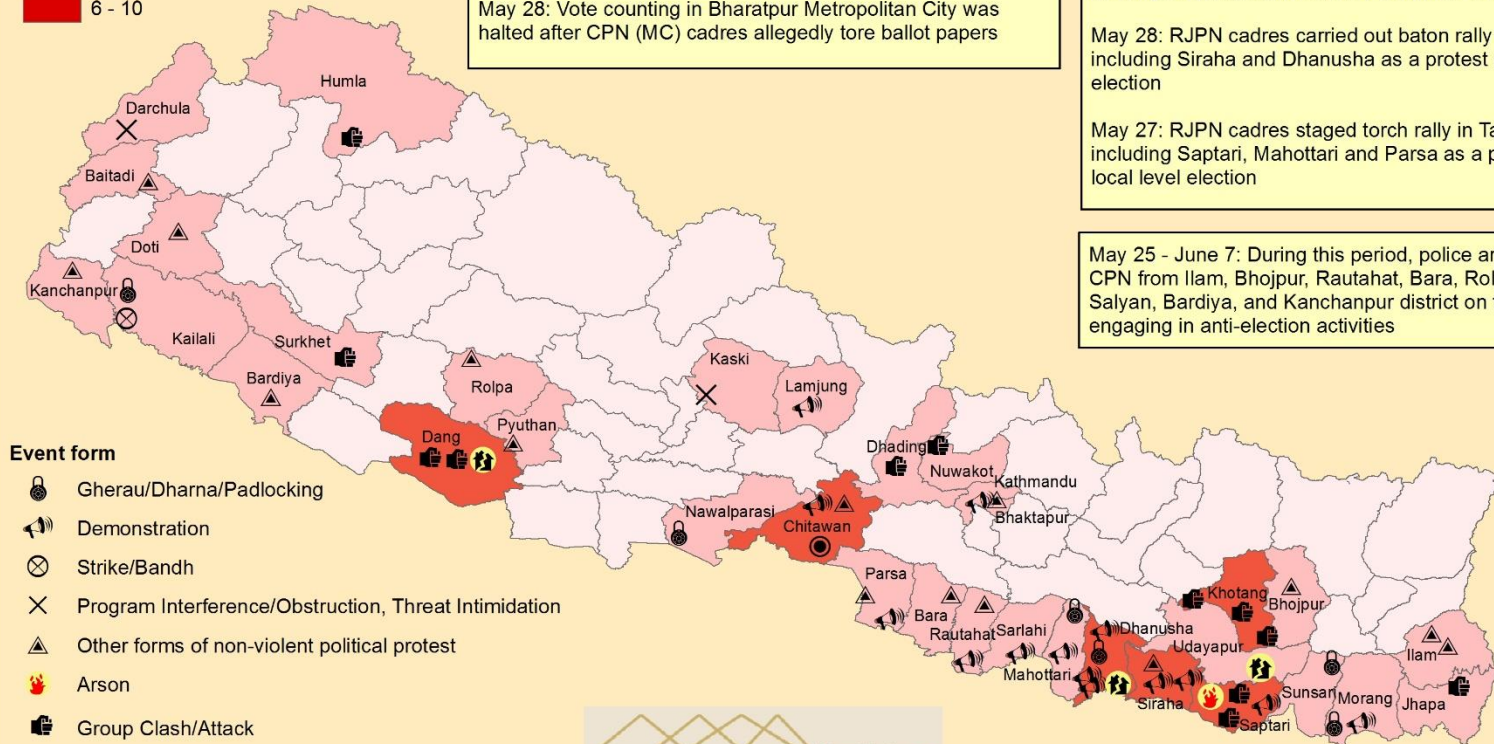
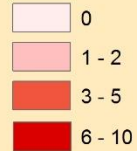
*Note: Please scroll down to see the map of incidents enlisted in the report.*

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*This is the seventh of a series of periodic analysis updates that Democracy Resource Center Nepal (DRCN) and the Collective Campaign for Peace (COCAP) | NepalMonitor.org will be releasing during the upcoming election period. This project receives financial and technical support from The Asia Foundation and The Carter Center.*

## Election Related Incidents, May 22 - June 11, 2017

### Total number of Incidents



### Event form

- Gherau/Dharna/Padlocking
- Demonstration
- Strike/Bandh
- Program Interference/Obstruction, Threat Intimidation
- Other forms of non-violent political protest
- Arson
- Group Clash/Attack
- Vandalism
- Other Violent Form

Jun 10: CPN UML candidate for the post of ward 3 chairperson of Dibrung Rural Municipality was injured in an attack by Nepali Congress cadres in Khotang

Jun 10: 5 CPN UML cadres were injured in an attack led by the Nepali Congress candidate for the post of chairperson of Adanchuli Rural Municipality in Humla

Jun 7: A Nepali Congress cadre was injured in an attack by CPN UML cadre in Halesi Tuwacung-2 of Khotang

May 28: Vote counting in Bharatpur Metropolitan City was halted after CPN (MC) cadres allegedly tore ballot papers

Jun 11: RJPN cadres disrupted a program attended by Chief Election Officer in Saptari

Jun 11: RJPN cadres tried to disrupt the program of Nepali Congress in Dhanusha and SSFN in Sarlahi

Jun 9: RJPN Cadres disrupted CPN UML's election campaign program in Golbazar Municipality of Siraha

May 30: Cadres of RJPN picketed District Election Office in Morang, Saptari, Mahottari and Rautahat district

May 28: RJPN cadres carried out baton rally in Tarai districts including Siraha and Dhanusha as a protest against local level election

May 27: RJPN cadres staged torch rally in Tarai districts including Saptari, Mahottari and Parsa as a protest against local level election

May 25 - June 7: During this period, police arrested cadres of CPN from Ilam, Bhojpur, Rautahat, Bara, Rolpa, Pyuthan, Salyan, Bardiya, and Kanchanpur district on the charge of engaging in anti-election activities

