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Political Situation Update

Key Observations from the Local Level By-Elections 2024

No. 15 | December 2024

SUMMARY

The by-elections for 44 vacant posts at the local level were held on December 1, 2024. These by-elections attracted significant attention as they occurred in a context where parties were actively preparing to secure victory in the 2027 elections. Political parties made it a matter of prestige and deployed central-level leaders to campaign during the by-elections. The Constitution of Nepal and pertinent electoral laws aspire toward gender equity between the two top-most municipal offices of the local level Chief and Deputy-Chief and Chief and Deputy-Chief of District Coordination Committees. Therefore, wherever one of these two offices had become vacant, the Election Commission directed political parties to field women candidates if the other remaining office was occupied by a male elected representative. This directive resulted in an increase in the rate of nomination of women. Along with this, the fact that votes were counted at the ward level itself, that results were declared promptly, and the reduction in the ratio of invalid votes were notable highlights. Although the by-elections were conducted peacefully and adhered to procedural standards, issues such as anomalies in verification of identity cards, challenges in terms of voters' ease of access to polling stations, lack of uniformity in the practice of vote by nominated proxy, and the practice of candidates sponsoring for snacks, food, and transportation to polling stations have raised questions on the quality of the election. This election has indicated that the majority of voters in rural areas continue to choose the traditional large parties, while voters in urban areas are seeking alternatives to those very parties.

1. INTRODUCTION

In May 2022, the second round of elections for the local levels took place since the implementation of federalism. However, posts became vacant at the local levels due to various reasons including death, resignations, or dismissal of elected representatives. The Local Level Election Act 2017 states that by-elections should be held for the offices of Chief and Deputy Chiefs of District Coordination Committee (DCC), Chair and Vice-Chair of rural municipalities (RMs), Mayors and Deputy-Mayors of municipalities, and Ward Chair across municipalities and rural municipalities, if more than a year remains in the five-year term. Accordingly, the Election Commission Nepal (ECN) announced by-elections for 44 vacant positions including two DCC Chiefs, one Mayor, one Deputy- Mayor, two RM Chair, four RM Vice-Chair, and 34 Ward Chairs.

Of the 8,403 total elected representatives, including DCC Chiefs and Deputy Chiefs across 77 districts, Chairs and Vice-Chairs of 753 local levels, and 6,743 Ward Chairs, these by-elections were being conducted only for 44 positions. A total of 226,799 voters were eligible in these by-elections, which is 1.26 percent of the total voting population. Therefore, the results of these by-elections cannot give a picture of the nationwide level of a political party's popularity or lack thereof, or of the public's choice. However, it can provide some indication of the public's loyalty or lack of loyalty toward specific political parties and their candidates.

This Political Situation Update (PSU) focuses on the 2024 local level by-elections. DRCN observed the elections in a

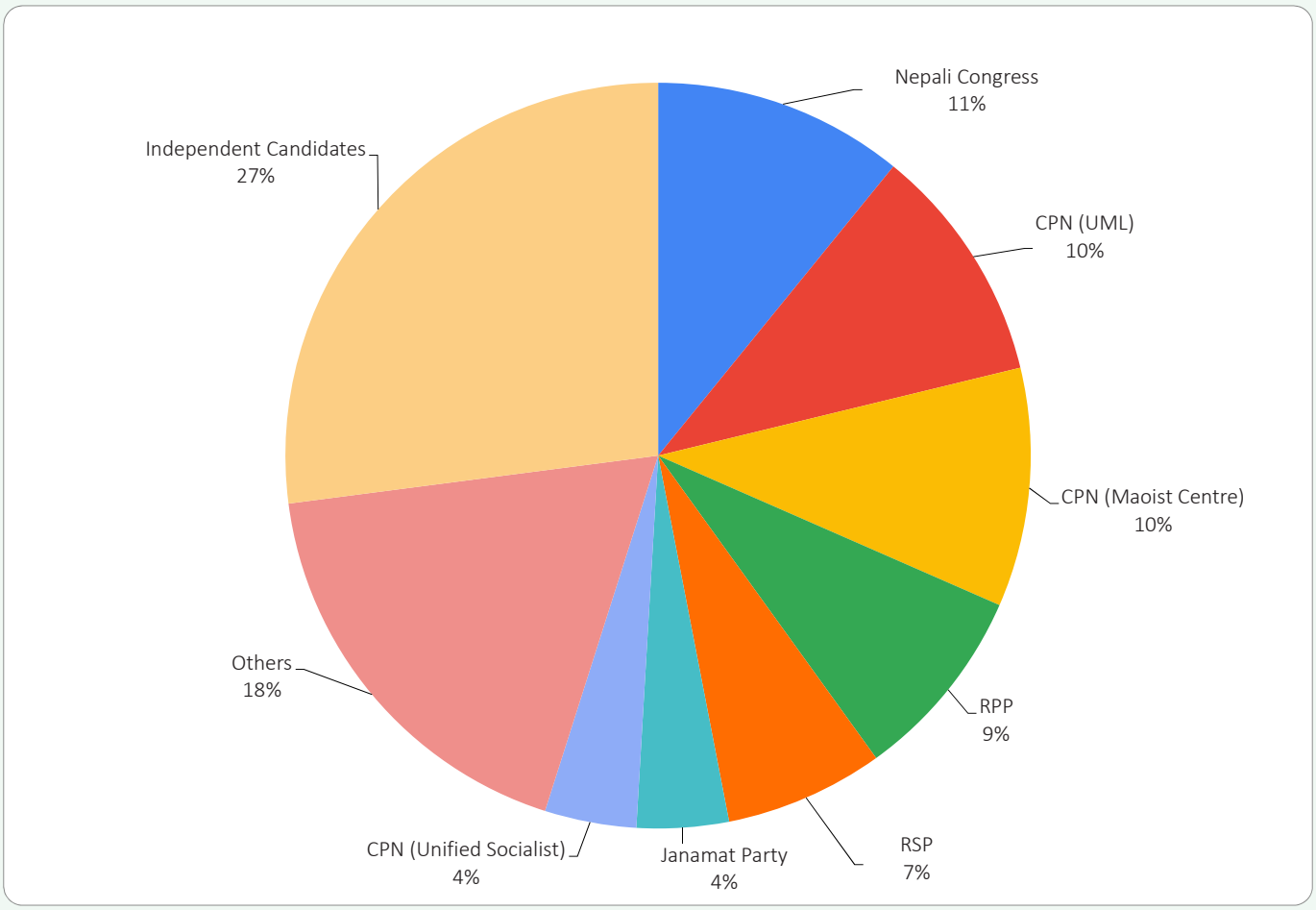

Figure 1: Number of political party candidates and independent candidates

few places.[1] This brief is based on election observation, interviews, and pre-published materials.

2. PREPARATIONS BY THE ELECTION COMMISSION NEPAL

A September 15, 2024 meeting of the Council of Ministers decided to hold the by-elections on December 1, 2024, as recommended by the ECN.[2] As per the legal provisions requiring the closure of new voter enrollment after the announcement of the date for the elections, the voter lists were closed. Citizens who had reached 18 years of age by November 30, 2024 and had their names registered on the voter list were considered eligible to vote. For the by-elections, the total voter number was 226,799, with 114,900 male voters, 111,896 female voters, and 3 in the 'Other' category.

The ECN published the timetable for the by-elections on September 18, 2024 and Local Level Election Directives 2024 on October 23, 2024. The Election Directives included 73 annexes, which had all the necessary directions for conducting the by-elections. Chief Returning Officers and Returning Officers received online training on November 9, 2024. Subsequently, the office of the Chief Returning Officer was established on November 11, 2024, to start the necessary preparations for the by-elections.[3]

The ECN directed political parties to nominate female candidates to vacant posts wherever the other office

[1] DRCN conducted election observations in Gaurishankar Rural Municipality in Dolakha, Kakani Rural Municipality in Nuwakot, Mahabu Rural Municipality in Dailekh, Kirtipur Municipality in Kathmandu, and Shuddhodhan Rural Municipality in Kapilvastu, with permission from the Election Commission Nepal. DRCN sent two observers to each locality, with a total of 10 observers deployed.

[2] Office of Prime Minister and Council of Ministers. 2024. Available at: www.opmcm.gov.np/download/संवत-२०८१-साल-भदौ-महिनाका/?wpdmdl=10305&refresh=675afc930b9181734016147; accessed on December 12, 2024 (in Nepali).

[3] Election Commission. 2024. Local Level By-elections 2024: Election Result Document. Available at https://election.gov.np/admin/public/storage/Bi-LL-2081/final%20report%20llbi.pdf; accessed on December 11, 2024 (in Nepali).

between RM Chair or Vice-Chair, Municipality Mayor or Deputy-Mayor, DCC Chief or Deputy Chief, is currently occupied by a male representative.[4]

A total of 377 candidates contested for the 44 vacant posts. Among them, 56 were women, 320 were men, and 1 candidates identified as others. 102 candidates were independent candidates and the rest were affiliated with political parties. Two DCC Chairs and one Ward Chair were elected unopposed. Consequently, elections were held only for 41 posts.

3. ELECTION PREPARATION AND CAMPAIGNING BY POLITICAL PARTIES

The political parties appeared to give high importance to these by-elections, by considering them as precursors to the 2027 elections. The ruling party Nepali Congress created a Local Level Election Committee under the leadership of General Secretary Bishwa Prakash Sharma on October 30, 2024.[5] The Communist Party of Nepal (Marxist-Leninist) [CPN-UML] secretariat meeting directed district and province-level committees to send candidate lists to the Central Committee by November 8, 2024, and for all party officials to shift their focus towards the by-elections.[6] The Communist Party of Nepal (Maoist Centre) [CPN Maoist Centre] gave the responsibility of selecting candidates to local level committees, and instructed that the candidate lists be finalized by November 11, 2024.[7] The fourth largest party in the House of Representatives, the Rastriya Swatantra Party (RSP), decided to participate in the local level by-elections in August, and on November 6, 2024, created the By-elections Coordination Committee under the leadership of its central committee member and parliamentarian Ganesh Parajuli.[8] These by-elections became the first time in which the RSP took part in the local elections.

During the different election rallies organized in Kirtipur Municipality, CPN-UML General Secretary Shankar Pokharel, the two Nepali Congress General Secretaries Gagan Thapa and Bishwa Prakash Sharma, and CPN Maoist Centre Chair Pushpa Kamal Dahal addressed the voters.[9] Leaders including Dr. Minendra Rijal, Dr. Prakash Sharan Mahat, and Jiban Pariyar of Nepali Congress, Ishwar Pokharel, Sher Dhan Rai, and Astalaxmi Shakya of CPN-UML, and Raj Kumar Sharma, and Tek Bahadur Basnet of CPN Maoist Centre were involved in election campaigning at the local levels. RSP's Sumana Shrestha, Manish Jha, and Biraj Bhakta Shrestha were also involved in election campaigning. Mayor Harka Sampang of Dharan Sub-metropolitan City, who was elected as an independent candidate, was involved in election assemblies and rallies for two independent candidates – Kirtipur's mayoral candidate Rajman Maharjan, and Kathmandu-16's Ward Chair candidate Pashupati Kathayat.[10]

The political parties that had formed a coalition for the 2022 local level elections decided to contest these by-elections separately. However, agreements were made at a few local levels. In Rukum East's Putha Uttarganga RM, Nepali Congress and CPN-UML formed a coalition to put up a CPN-UML's candidate under the Nepali Congress election symbol of a tree.[11] In Bajura's Swamikartik Khapar RM, CPN-

[4] Election Commission. 2024. Directives for Political Parties. Available at: https://election.gov.np/admin/public/storage/Bi-LL-2081/Press%20Release%202081-07-01.pdf; accessed on December 3, 2024 (in Nepali).

[5] Kantipur. 2024. Local Level By-election Management Committee Formed Under the Leadership of Congress General Secretary Sharma. October 30. Available at: https://ekantipur.com/news/2024/10/30/formation-of-local-level-by-election-coordination-committee-under-the-coordination-of-congress-general-minister-sharma-11-00.html; accessed on November 30, 2024 (in Nepali).

[6] Pandey, Keshab Raj. 2024. By-election: Political Parties Focus on Candidate Selection. *NayaPatrika*, November 5. Available at: www.nayapatrikadaily.com/news-details/152845/2024-11-05; accessed on December 3, 2024 (in Nepali).

[7] BC, Ganga. 2024. Political Parties in Preparation for By-election. *Kantipur*, November 1. Available at: https://ekantipur.com/news/2024/11/01/major-parties-preparing-for-by-elections-39-vacancies-will-be-held-on-november-16-12-58.html; accessed on December 3, 2024 (in Nepali).

[8] Nepal Press. 2024. RSP Prepares to Participate in Local Level By-election, Coordination Responsibility Given to Ganesh Parajuli. Available at: www.nepalpress.com/2024/11/06/528104/#:~:text=यस%20उपचुनावका%20लागि%20रास्वपाले%20के%; accessed on December 3, 2024 (in Nepali).

[9] BC, Ganga. 2024. Major Party Leaders Address the Kirtipur Election Assemblies, Who Said What? *Kantipur*, November 28. Available at: https://ekantipur.com/news/2024/11/28/address-of-top-leaders-of-major-parties-in-kirtipur-by-election-who-said-what-44-07.html; accessed on December 5, 2024 (in Nepali).

[10] Giri, Shankar. 2024. Harka Sampang Travelled to Kirtipur to Campaign for Rajman. *Onlinekhabar*, November 25. Available at: www.onlinekhabar.com/2024/11/1573340/hark-sampang-is-coming-to-kirtipur-and-asking-for-votes-for-independent-candidate-rajman; accessed on December 5 (in Nepali).

[11] KC, Mahesh. 2024. CPN Maoist Secures Win in Putha Uttarganga by Defeating Congress and CPN-UML Coalition. *Kantipur*, December 2. Available at: https://ekantipur.com/news/2024/12/02/maoist-wins-putha-uttarganga-vice-seat-defeating-congress-uml-alliance-53-34.html; accessed on December 4 (in Nepali).

UML and CPN (Maoist Centre) formed a compact for the by-election and the upcoming 2027 elections. This compact caused disagreement within CPN (Maoist Centre).[12]

Most of the election campaigning was done through door-to-door campaigning and election assemblies. During these programs, the political parties distributed pamphlets and displayed banners and party flags. Motorcycle rallies were organized in a few places. In earlier elections, slogan-writing on walls, sticking posters, distribution of flags bearing election symbols and political party logos, and clothes including t-shirts, caps, sari, and scarfs were extensively used for candidate publicity. However, the ECN has put a ban on such publicity methods. Yet, such items were occasionally seen being used by the party members during these by-elections. It is a new reality that such traditional methods to reach the voters have seen a steep decline while digital media has emerged as the new forums for advertising and promotion. Campaigns on social media sites including Facebook, X (formerly Twitter), TikTok, and WhatsApp were used to solicit votes, and advertisements were also run in local level radios and online portals.

4. ELECTION AGENDAS

These by-elections were taking place at a time where parties were shifting focus toward attracting voters for the 2027 elections. As a result, the political parties took these by-elections as an opportunity to understand the voters' mindsets, and attract large swaths of voters to their side. For this, parties were found to be resorting to making popular but abstract election promises.

Nepali Congress issued an internal circular asking its candidates to make the strengthening of democratic values, making local levels more people-focused, making the federal government further accountable, and returning the savings of victims of the cooperative scams as the election agenda. Additionally, it asked candidates to instill new confidence in the party by reminding citizens of the development projects previously carried out in their locales and by pushing incomplete development projects toward completion, and to prioritize the issue of responsibly representing local-level concerns in accordance with the desires and needs of the local inhabitants.[13] CPN-UML claimed that its demonstration in Durbarmarg organized on November 22, 2024 had been aimed against anarchy and to ask for votes for the by-elections.[14] CPN (Maoist Centre) made its grand campaign against corruption as its main election issue to tap into the voters' distrust against the ruling parties.[15] RSP also issued an internal circular to continue the movement against corruption, irregularities and retribution as its election campaign agenda.[16] Although the by-elections were held at the local levels, the political parties prioritized national issues rather than local issues. The promises made by political parties did not match the positions for which elections were being held.

Candidates raised local issues, but they also often indulged in giving populist reassurances. The main focus of the candidates was on development work. They also committed to providing employment opportunities by prioritizing education, health, agriculture, and industry. Their election agenda also included reassurances to continue the good works started by the local levels and to speed up such works. Sanitation Activist and Kirtipur Mayoral Candidate Rajman Maharjan made health and cleanliness the focus of his election campaign.[17] Janata Samajwadi Party (JSP)'s Honey (Dipak) Maharjan, another Mayoral candidate in Kirtipur, made health, education, and employment her

[12] Shah, Arjun. 2024. By Creating Division Agreements for 084, CPN-UML and Maoist Centre Reach Agreement in Bajura. *Kantipur*, November 27. Available at: https://ekantipur.com/pradesh-7/2024/11/27/uml-maoist-alliance-by-dividing-for-084-21-56.html; accessed on December 9, 2024 (in Nepali).

[13] Pokharel, Prasanna. 2024. Congress Circular Includes Returning Savings to Cooperatives Victims. *Setopati*, November 22. Available at: www.setopati.com/politics/344218; accessed on December 5, 2024 (in Nepali).

[14] OnlineKhabar. 2024. CPN-UML States Kathmandu Assembly Against Anarchy. November 20. Available at: www.onlinekhabar.com/2024/11/1570465/uml-said-assembly-of-kathmandu-against-anarchy; www.onlinekhabar.com/2024/11/1570465/uml-said-assembly-of-kathmandu-against-anarchy; accessed on December 5, 2024 (in Nepali).

[15] Nepal Press. 2024. Asking for Votes in By-election Prachanda Says: We Are Campaigning Against Corruption, Please Help Us. November 27. Available at: www.nepalpress.com/2024/11/27/534705/; accessed on December 6, 2024 (in Nepali).

[16] Setopati. 2024. RSP's Circular to Conduct Assemblies Against Government in Areas with Candidacies. November 21. Available at: www.setopati.com/politics/344345; accessed on December 5, 2024 (in Nepali).

[17] Acharya, Roman. 2024. Even If I Win Election, I Will be Sweeping in Kirtipur: Rajman Maharjan. *Ratopati*, November 26. Available at: www.ratopati.com/story/459419/even-if-we-win-the-election-we-will-increase-kirtipur-rajman-with-video; accessed on December 5, 2024 (in Nepali).

main election agenda.[18] She also wanted to ensure access of gender and sexual minorities to these facilities.

A lot of the agendas set forth by the candidates were difficult to fulfill within the two years left in the current term. CPN (Maoist Centre) candidate Namo Narayan Majhi mentioned in his election manifesto that he would make Gramthan RM in Morang into a smart village.[19] While Nepali Congress Mayoral candidate in Kirtipur, Krishnaman Dangol, made hospital construction his main election agenda,[20] CPN-UML candidate Surendra Manandhar emphasized the importance of developing municipal infrastructure in Kirtipur.[21]

5. ELECTION CODE OF CONDUCT

The ECN issued a notice stating that all the provisions of the Election Code of Conduct 2022 had been implemented from November 17, 2024, until the conclusion of the elections completed, for persons holding public office, Government of Nepal employees, political parties, candidates, observers, media, etc.[22] Section 14 of the Election Code of Conduct 2022 provides that a candidate can use a maximum of two light vehicles for campaigning. However, there were many examples of parties flouting this rule in the local level by-elections. On the last day of the election campaign in Mahabu Rural Municipality of Dailekh, the CPN-UML used more than a dozen vehicles to transport cadres from various villages to an election assembly held in the Rural Municipality, while the CPN (Maoist Centre) held a motorcycle rally. Assistant Returning Officer of Mahabu RM, Udayaraj Upadhyay, stated that no action had to be taken as no complaints were received.[23]

A government vehicle was also used in an election campaign program organized in Gramthan RM, Morang, on November 27, 2024, which was attended by Nepali Congress General Secretary Gagan Thapa.[24] During the by-election campaigns, campaign materials with photos of candidates were visible everywhere, and election symbols of various parties were painted on stones and walls along the streets in multiple locations. Campaign banners of the Nepali Congress, CPN-UML, and CPN (Maoist Centre) put up around the Mahabu RM office in Dailekh were not removed until the afternoon of the election day. These campaign materials were removed at 2 pm on the election day by a security team led by a police inspector. However, no action was taken against any party or candidate for this violation or any other reason.

There were a few complaints about candidates violating the code of conduct. RSP filed a complaint with the office of the Chief Returing Officer stating that Nepali Congress had organized an assembly on the day before election at Gramthan RM, Morang, where it distributed money. Nepali Congress had defended itself saying that no such assembly had taken place, and that the video was from a gathering of party cadres at the party office.[25] After receiving a complaint about the violation of the code of conduct, ECN mobilized monitoring teams under Senior Superintendent of Police Dipak Regmi in Kirtipur Municipality, and under Joint Secretary Narayan Prasad Sapkota in Kathmandu Metropolitan City Ward 16.[26] The ECN sought clarifications regarding Code of Conduct violations from 6 candidates, including the CPN (Maoist Centre) candidate, in Kirtipur, and from four candidates contesting for the office of the

[18] Kaka, Akshar. 2024. Will Give Opportunities for Students Who Have Completed Plus 2 and Provide Interest-Less Loans. *Setopati*, November 24. Available at: www.setopati.com/politics/344345; accessed on December 5, 2024 (in Nepali).

[19] Acharya, Arjun. 2024. Local Level By-election: Leaders Crowd Gramthan. *Ratopati*, November 25. Available at: www.ratopati.com/story/459282/local-level-by-elections-laskar-of-party-leaders-in-villages; accessed on December 5, 2024 (in Nepali).

[20] Pokharel, Prasanna. 2024. Will Construct a 15 Bed Hospital in Kirtipur: Krishnaman Dangol. *Setopati*, November 22. Available at: www.setopati.com/politics/344142; accessed on December 5, 2024 (in Nepali).

[21] Kaka, Akshar. 2024. Will Make Kirtipur Habitable for Hundred Thousand People: Surendra Manandhar. *Setopati*, November 19. Available at: www.setopati.com/politics/343971; accessed on December 5, 2024 (in Nepali).

[22] Election Commission. 2024 BS. Local Level By-election 2081: A Report on Election Results. Available at: https://election.gov.np/admin/public/storage/Bi-LL-2081/final%20report%20llbi.pdf; accessed on December 11, 2024 (in Nepali).

[23] Interview with Upadhyay on November 28, 2024.

[24] Muluki Khabar. 2024. Gramthan By-election: Security Threats due to Political Parties. November 28. Available https://mulukikhabar.com/2024/11/60949/; accessed on December 5, 2024 (in Nepali).

[25] Budhathoki, Kishor. 2024. RSP accuses Nepali Congress of Violating the Silent Period in Gramthan, Morang. *Annapurna Post*, November 30. Available at: https://annapurnapost.com/story/469362/; accessed on December 3, 2024 (in Nepali).

[26] Election Commission. 2024. Press Release: Regarding Election Code of Conduct. November 27. Available at: https://election.gov.np/admin/public/storage/Bi-LL-2081/Press%20Release/Press_Release_2081_08_12.pdf; accessed on December 5, 2024 (in Nepali).

Ward Chair of Kathmandu Metropolitan City Ward 16.[27] The candidates and their representatives were questioned on issues regarding the use of loudspeakers at high volume in vehicles, and use of campaign banners in quantities exceeding the permitted numbers.

The ECN has set a limit for candidate expenses. The limit is further broken down into how much candidates can spend under specific headings like buying voter name lists, vehicles/horses, fuel and feed for vehicles and horses, purchase and transportation of campaign materials, workshops and mobilization of party cadres, advertisement through print and electronic mediums, office operations, mobilization of polling agents, and miscellaneous. For these by-elections, municipality mayors and rural municipality chair were permitted to spend up to NPR 450,000, while municipality deputy-mayors and rural municipality deputy-chair were permitted to spend up to NPR 350,000. Ward chair candidates in metropolitan cities were permitted to spend up to NPR 300,000. Ward chair candidates in municipalities were permitted to spend up to NPR 200,000 and ward chair candidates in rural municipalities were permitted to spend up to NPR 150,000.[28] However, the extravagances of the election campaigns seemed to challenge these limits. The candidates themselves accept that actual election expenditures and expenditure details submitted to the ECN differ. There was interest in, and concerns over, the rising cost of election campaigns.

6. ELECTION DAY

No major irregularities were observed in the voting process at the polling centers observed by DRCN. Voting followed the necessary procedures. However, voting began later than scheduled in some places in Mahabu RM of Dailekh and Gaurishankar RM of Dolakha, because representatives of the candidates did not arrive on time due to the cold weather. Nevertheless, voters in those areas also arrived late to vote, so there was no significant impact.

DRCN observers noted general disputes among the representatives of candidates at polling stations. Most of these disputes were related to the process of assisted voting for people with disabilities, senior citizens, and other voters needing assistance. While an assistant is allowed to help voters unable to vote independently, DRCN observed disputes regarding what qualified someone as "unable" to vote, and who could assist with voting in such instances. For instance, at the 'Ka' polling center of Jayanti Secondary School in Kharigaira polling station of Mahabu RM Ward No. 1, Dailekh, an elderly woman came to vote with her son acting as her assistant. Some representatives argued that she was capable of voting independently, while others disagreed. Ultimately, her son was asked to leave, after which the woman voted on her own. Similarly, at the 'Ga' polling center in Ibisthan polling station of Ward No. 5 of Gaurishankar RM, Dolakha, CPN (Maoist Centre) cadres protested after a candidate's representative was seen assisting various senior citizens. The dispute was resolved by agreeing that, moving forward, only members of the same household of disabled or elderly voters would act as assistants – not candidates' representatives. A similar issue arose in Ward No. 2 of Kakani RM in Nuwakot regarding the process of assisted voting.

Requirements regarding identity cards were inconsistent across polling stations. In some places, photocopies of identity cards were accepted, while in others, the original identity card was required. For example, at a polling center in Shivalaya Higher Secondary School, Ward-2 of Kakani RM in Nuwakot, a voter with a photocopy of identity card was turned away and had to return with the original to vote. But photocopies of identity cards were accepted in many other polling centers observed by DRCN.

On voting day, vehicles were allowed to operate in Kirtipur Municipality, Ward No. 2 of Kakani RM in Nuwakot, and Ward No. 16 of Kathmandu Metropolitan City, so voters faced no difficulties traveling. However, both private and public vehicles were stopped at entry points in Mahabu RM of Dailekh and Gaurishankar Rural Municipality of Dolakha. Voters in Mahabu RM complained that they had to walk two to three hours to reach polling centers. In contrast, within Gaurishankar RM, candidates extensively used vehicles to transport voters, which provided relief for some citizens. However, some voters complained that no transportation arrangements had been made for them to return home.

[27] Nepal Press. 2024. By-election: Clarifications Asked from 6 Candidates Including CPN (Maoist Centre) within 24 Hours. November 29. Available at: www.nepalpress.com/2024/11/29/535598/; accessed on December 5, 2024 (in Nepali).

[28] Nepal Gazette. 2024. Notice from Election Commission. November 14. Available at: http://rajpatra.dop.gov.np/welcome/book?ref=25763; accessed on December 5, 2024 (in Nepali).

DRCN observers noted that more women than men voters, and more elderly than younger voters were lining up to vote. Security checks at some polling stations were strict, prohibiting items such as mobile phones, tobacco, cigarettes, *gutka*, lighters etc., from entering the polling stations, while at others places such restrictions were not enforced. Polling stations in hilly areas were difficult to access for disabled and elderly voters due to the challenging terrain. However, upon entering the polling stations, these voters were given priority to cast their votes. The polling station at Ibisthan in Ward No. 5 of Gaurishankar RM was located by a roadside, near the site for a weekly market. Although a more convenient school was nearby, the polling officer explained that the center had been built there since elections had historically been conducted at the location.

There was a heavy presence of security personnel at polling stations. While security personnel were necessary due to past incidents of election violence and sensitive security situations, it seemed that little attention had been paid to the possibility that such excessive presence of security personnel could potentially intimidate the voters. Some voters, however, suggested that it was appropriate for a limited presence of security personnel to be deployed at polling stations, with reserve forces available nearby.

Shops and eateries near polling stations were unusually busy. Some voters disclosed that such shops and eateries were dispensing food and snacks sponsored by the candidates. For example, at the CPN (Maoist Centre) office near a polling station in Ward No. 2 of Kakani RM, free food was openly being distributed on polling day. Additionally, at Malika Secondary School in Ward No. 3 of Mahabu RM of Dailekh, and Salyansthan Basic School in Ward No. 4 of Kirtipur Municipality, DRCN observers were not allowed to properly observe the voting process.

7. ELECTION RESULTS

Votes were counted promptly since the elections were conducted in only a few places. The ECN's effort to count votes at the same polling locations for the posts of ward chairs across 15 wards which had only one polling station each was commendable. A total of 62 percent of eligible voters participated in these by-elections, in which 2.06 percent of votes were invalidated.[29] The ballot paper was simpler compared to the 2022 local elections, as only voters from Kirtipur Municipality's two wards had to vote for two posts and voting was done for one post in all other places. In this context, this rate of invalid votes cannot be considered insignificant.

In the election for 44 positions, the Nepali Congress won 19 positions, while the CPN (Maoist Centre) came second with 11 positions, and the CPN-UML stood third with 8 positions. Apart from the 38 posts won by these parties, the JSP won 2 posts, and the Communist Party of Nepal (Unified Socialist), the RSP, the Nepal Workers Peasants Party (NWPP), and the Independents won one post each. Independent candidate Laxmi Prasad Oli won the post of Ward Chair of Ward No. 6 of Kankai Municipality in Jhapa.[30] Oli, who had served as Ward Chair from the Nepali Congress in 2017, came second in the 2022 election as a rebel candidate from the same party.

Among the independent candidates, those from Kirtipur Municipality attracted the most attention. Out of a total of 20 candidates there, 11 were independent. Following the victory of Balen Sah in the Kathmandu Metropolitan City, Harka Sampang in the Dharan Sub-Metropolitan City, and Gopal Hamal in the Dhangadhi Sub-Metropolitan City as mayors in the 2022 elections, the wave of independent candidates has somewhat increased. Consequently, almost a third of the candidates in these by-elections were independent. However, some were dummy candidates, contesting with the aim of assisting other candidates by gaining facilities such as vehicle permits, and representatives at the polling station and during vote counting. For instance, out of a total of 11 independent candidates for ward chair of Ward No. 2 of Ramgopalpur Municipality in Mahottari, 9 received zero votes, and 2 received only 1 vote each.[31] The zero votes occurred because the candidates themselves,

[29] Election Commission. 2024. Local Level By-election 2081: A Report on Election Results. Available at: https://election.gov.np/admin/public/storage/Bi-LL-2081/final%20report%20llbi.pdf; accessed on December 11, 2024. (in Nepali)

[30] Drishti. 2024. Who is the Other Oli who defeated CPN-UML in Prime Minister's Home District? December 2. Available at: www.drishtinews.com/archives/357211; accessed on December 5, 2024 (in Nepali).

[31] Election Commission. 2024. Local Level By-election 2081: A Report on Election Results. Available at: https://election.gov.np/admin/public/storage/Bi-LL-2081/final%20report%20llbi.pdf ; accessed on December 11, 2024 (in Nepali).

Table 1: By-election Results

Party	Chief of Local Level	Deputy Chief of Local Level	Ward Chair	DCC Chief
Nepali Congress	1 (-2 Mahabu RM, Gramthan RM)	0 (-3, Swamikartik Khapar RM, Nalgad Mun, Gaurishankar RM)	16 (-3)	2 (0)
CPN-UML	1 (+1 Mahabu RM)	2 (+2 Swamikartik Khapar RM, Gaurishankar RM)	5 (-2)	-
CPN (Maoist Centre)	1 (+1 Gramthan RM)	3 (+1 Nalgad Mun)	7 (+1)	-
JSP	-	-	2 (+1)	-
CPN (US)	-	-	1 (+1)	
RSP	-	-	1 (+1)	-
NWPP	-	-	1 (+1)	-
Independent	-	-	1 (+1)	-

Source: Election Commission, Nepal

along with their nominators and supporters, did not vote for them, thus confirming that they were dummy candidates.

These by-elections demonstrated that traditional big parties dominated in the rural areas, whereas voters in urban areas are considering new parties like the RSP and independent candidates as alternatives to the traditionally big parties. Krishnaman Dangol of the Nepali Congress won in Kirtipur Municipality. However, the votes received this time were lower than those received by the Nepali Congress and the CPN-UML candidates in previous elections. In Kirtipur, Nepali Congress received 31, 42, and 26 percent of the total votes in 2017, 2022, and the recent by-election respectively. CPN-UML received 35, 26 and 21 percent of the votes. CPN (Maoist Centre) received 19, 19, and 22 percent of the votes in the consecutive elections. Meanwhile, the votes for independent candidates increased significantly. Of the total votes cast in the three elections, the independent candidates received 5, 3, and 23 percent of the votes.[32]

Similarly, CPN-UML candidate Jung Bahadur Shahi won the election as the Chair of Mahabu RM in Dailekh, a seat previously won by the Nepali Congress in the 2022 elections.[33] Shahi had served as the Rural Municipality Chair from the CPN-UML in 2017 but lost in the 2022 elections when he contested as a candidate for the CPN (Unified Socialist), a party that split from the CPN-UML. He rejoined the CPN-UML in October 2024. Likewise, CPN (Maoist Centre) candidate Namo Narayan Majhi won the election as the Chair of Gramthan RM in Morang, another seat which the Nepali Congress had won in 2022. Majhi's victory has drawn significant attention in this municipality, which is traditionally considered a stronghold of the Nepali Congress. Notably, Majhi himself switched to the CPN (Maoist Center) from the Nepali Congress. His victory was further facilitated by the lack of cooperation from the establishment faction of the Nepali Congress with the candidate aligned with the Shekhar Koirala-led faction.[34] The fourth-largest party in parliament, the RSP, and the fifth-largest party, the Rastriya Prajatantra Party (RPP), did not perform well in these by-elections. RSP managed to score a win only in Kathmandu-16. Of the 26 posts contested, RSP candidates lost their deposits in all places besides Kathmandu-16.[35] The result of previous general election and by-election had shown that RSP had gained higher votes in urban areas in comparison to rural areas. The result of this by-election showed a similar trend. RSP had not fielded any candidate in Kirtipur Municipality. Manish Jha, the Acting Spokesperson of RSP, said that RSP chose not to file candidacy in Kirtipur as there were already influential independent candidates in Kirtipur.[36] Similarly, the cooperative scandal surrounding the party Chair Rabi Lamichhane likely had an impact on the party's election performance.

The ECN had issued a binding directive to political parties requiring that, if a male candidate had been elected in the 2022 elections to the post of RM Chair or Vice-Chair, Municipality Mayor or Deputy Mayor, or DCC

[32] Kaka, Akshar. 2024. The Reflection Shown by Kirtipur Election to Nepali Congress and CPN-UML. *Setopati*, December 3. Available at: www.setopati.com/politics/345164; accessed on December 6, 2024 (in Nepali).

[33] Shahi, Om. 2024. Jung Bahadur Returned the Legacy of CPN-UML in Mahabu. *Shilapatra*, December 2. Available at: https://shilapatra.com/detail/149622; accessed on December 5, 2024 (in Nepali).

[34] Interview with a journalist based in Biratnagar on December 5, 2024.

[35] Kaka, Akshar. 2024. RSP: Win in Kathmandu-16, Loss in All Other Places. *Setopati*, December 2. Available at: www.setopati.com/politics/345046; accessed on December 10, 2024 (in Nepali).

[36] Information shared by Jha at the Democracy Dialogue event titled 'Political Party Financing and Transparency' organized jointly by DRCN and Martin Chautari on November 19, 2024.

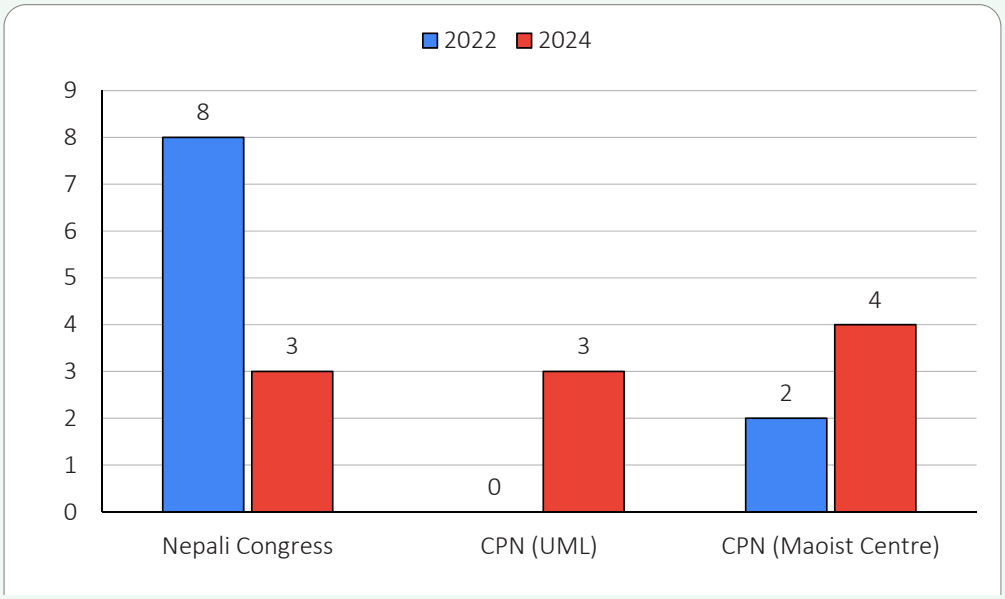

Figure 2: Comparison of Posts Won by Political Parties in 2022 and 2024

Chief or Deputy Chief, and if the male candidate was still in office while the other post of these pairs had become vacant, women must be fielded as candidates for the vacant posts. This commendable effort by the ECN has somewhat helped increase women's representation in these positions after the by-elections. While a total of 44 posts were being contested, 8 women candidates won elections, including 1 DCC Chief, 1 Municipality Deputy Mayor, 4 Rural Municipality Vice-Chair, and 2 Ward Chair.

In a review on December 3, 2024, the Nepali Congress considered the by-elections results satisfactory, stating that it secured first place by winning 19 of the 44 vacant seats. However, it lost 8 seats that it had previously won in 2022. Nepali Congress General Secretary and by-elections coordinator Bishwa Prakash Sharma remarked that although seats gained earlier through alliances were now lost, the present results, achieved without an alliance, were still fruitful.[37] The CPN-UML, which came third in the by-elections, acknowledged that the results fell short of its expectations.[38] CPN-UML Deputy General Secretary Pradeep Gyawali stated that public opinion in the urban areas appeared somewhat dissatisfied with the party and that this concern was being taken seriously in the CPN-UML secretariat meeting.[39] The CPN (Maoist Centre), which came second in these by-elections, issued a statement on December 3, 2024, asserting that a strong foundation had been laid for the upcoming elections and concluding that its decision to contest these elections on its own had received public approval.[40] The RSP stated that the results of these by-elections made the party more responsible and committed. It pledged to work with the goal of securing two-thirds of the votes in future elections, keeping the public mandate in mind. The RPP responded that the voters in the local level by-elections had once again chosen failed political parties. The RPP emphasized that it was neither disappointed nor disheartened by the results.[41]

The major parties have claimed that they have done well in the by-election. Nepali Congress has won most seats with 19 seats- and the party has made this the focal achievement. However, the party won 29 out of the 44 seats in the 2022 elections. The party has lost 8 seats including 2 RM Chair, 3 Vice-Chair, and 3 Ward Chair posts. The by-election had been conducted for 8 seats (2 Vice-Chair and 6 Ward Chair) that CPN (Maoist Centre) had won previously. The party won the second highest number of seats in the by-election, and added one Chair, 1 Vice-Chair, and 1 Ward Chair position (See Figure 2 and 3).

The by-election was held for 7 Ward Chair seats that CPN-UML previously held. However, the party was able to win 1 Chair, 2 Vice-Chair, and 5 Ward Chair seats. Comparatively, CPN-UML has won a higher number of seats. An in-depth analysis of the election result shows that

[37] Nepali Congress. 2024. Press Release. December 3. Available at: https://nepalicongress.org/single/press-release/thanks-congratulations-early-reviews-and-best-wishes; accessed on December 5, 2024 (in Nepali).

[38] Pandey, Shurojung and Keshav Prasad Pandey. 2024. Parties in Preliminary Review of By-election. *Nayapatrika*, December 3. Available at: www.nayapatrikadaily.com/news-details/154618/2024-12-03; accessed on December 5, 2024 (in Nepali).

[39] Onlinekhabar. 2024. CPN-UML Admits that the Urban Public are Unhappy with it. December 10. Available at: www.onlinekhabar.com/2024/12/1583568/uml-admits-that-urban-public-opinion-is-unhappy; accessed on December 12, 2024 (in Nepali).

[40] CPN (Maoist Centre). 2024. Press Release. December 3. Available at: https://cdn.cpnmc.one/media/popup/469255664_1098222658334796_2787959374886912512_n.jpg; accessed on December 5, 2024 (in Nepali).

[41] Nepal Press. 2024. RPP's Response to the Results of the By-election: We Did not Win, But We Are not Disappointed and Upset. Available at: www.nepalpress.com/2024/12/02/536675/; accessed on December 5, 2024 (in Nepali).

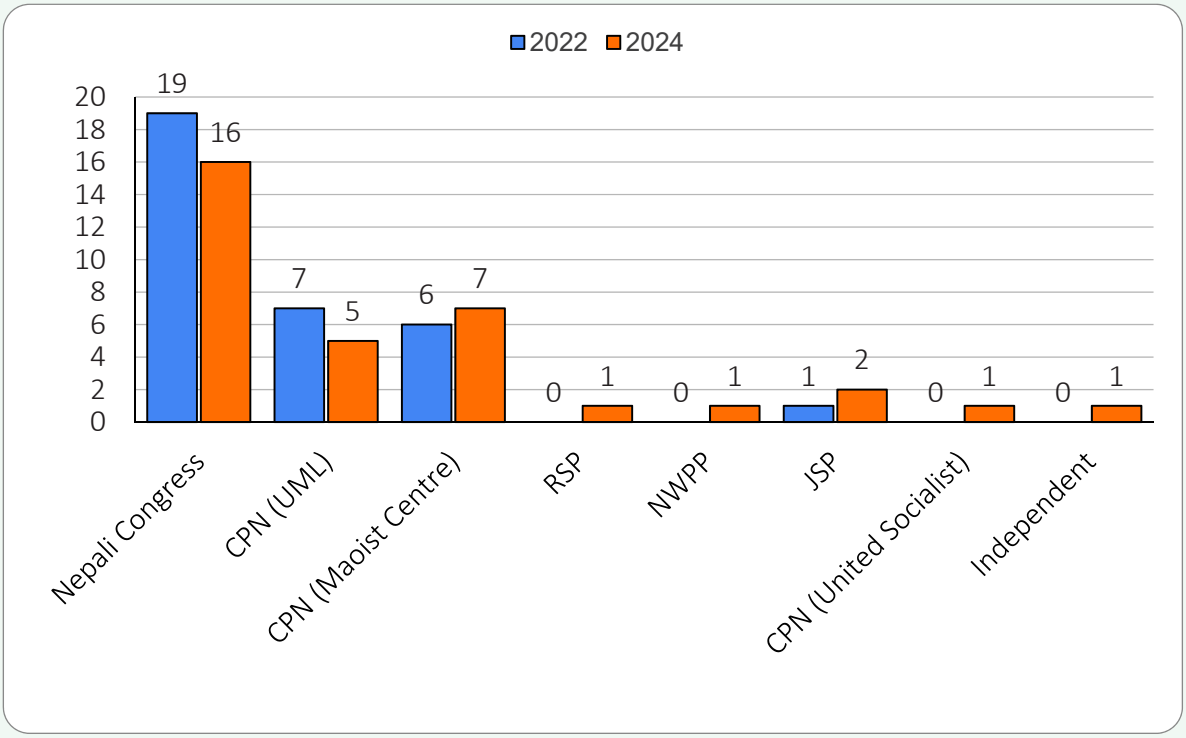

Figure 3: Comparison of Ward Chair Seats Won by the Political Parties in 2022 and 2024

excluding some exceptions, the parties have lost seats they have won previously and instead won in new places. The results show that while voters are not satisfied and looking for alternatives, the majority of voters are still looking for alternatives within the major political parties. There are only a few cases of other political parties or independent candidates being considered as an option.

Since voters in local elections pay more attention to personal relationships and a candidate's popularity than to the party, it is not possible to determine a party's overall popularity based on the results of these by-elections. However, since elections were held in various locations across all seven provinces, they do provide some insight into the current mood of the voters nationwide. Firstly, the results indicate that the main competition in the by-election was among the three major parties, confirming that these parties remain at the center of Nepali politics. However, examples such as the Nepal Workers and Peasants' Party winning the post of Ward Chair in Ward No. 4 of Tilagufa Municipality in Kalikot, the RSP in Ward No. 16 of Kathmandu Metropolitan City, the JSP in Ward No. 1 of Dakneshwari Municipality in Saptari, and an independent candidate in Ward No. 6 of Kankai Municipality in Jhapa demonstrate that there exist alternative forces which can challenge the major parties.

8. CONCLUSION

Elections are an appropriate method for gauging public sentiment. Political parties have shifted their primary focus to the local, provincial, and federal elections scheduled for 2027. These by-elections, occurring at such a crucial time, had become a matter of prestige for the parties. Consequently, they had considered them as rehearsals for the upcoming elections, deploying central-level leaders even for ward-level contests. The results of these elections have strengthened voices within some parties advocating for contesting future elections independently, without alliances. More than half of the five-year term of local governments has passed, meaning the newly elected officials will serve for less than half of the remaining term. However, the excessive expenditure by candidates, even for these limited terms, underscores the need for stricter implementation and monitoring of the electoral code of conduct in the future.

The popularity of a party cannot be accurately gauged based on the results of elections held in a few municipalities. Additionally, party loyalty alone is not decisive in local elections; factors such as a candidate's popularity, kinship, and caste significantly influence the votes they receive.

Despite this, these by-elections offer some basis for speculating about voter sentiments, party influence, and the role of coalitions. In these by-elections, there is a noticeable trend that the voters in rural areas favor traditional major parties, while those in urban areas are seeking alternatives. Although the victory of the RSP candidate for ward chair of Kathmandu-16 seems to indicate that voters in urban areas are seeking alternatives to the old parties, the weak performance of the same party in rural areas shows that the voters don't yet adequately trust it.

Although the local level by-elections were conducted peacefully and adhered to procedural standards, systemic challenges were apparent. These include irregularities in verification of identity documents, difficulties in voter access to polling stations, inconsistencies in the use of voting assistants, and the instances of candidates sponsoring snacks, food, and transportation for their voters. Such practices pose challenges to the fairness and integrity of elections. It is important for the ECN and other stakeholders to address these issues.

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Founded in 2014, Democracy Resource Center Nepal (DRCN) is a national non-governmental organization dedicated to the study and research of social and political issues. Since its establishment, DRCN has consistently undertaken in-depth and evidence-based research into various aspects of Nepal's transitional political landscape, including the implementation of federalism, local-level restructuring, and election observation. The outcomes of these studies are shared with stakeholders, fostering discussions and debates. DRCN's overarching objective revolves around advancing efficient governance within Nepal's federal framework through these rigorous research endeavors and thoughtful discourse.

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