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## Report From the Field, January 2009: The Constituent Assembly Elections, Nepal, Rukum District (Kol, Rangsi, and Kandar VDCs)

Jenny Anderson

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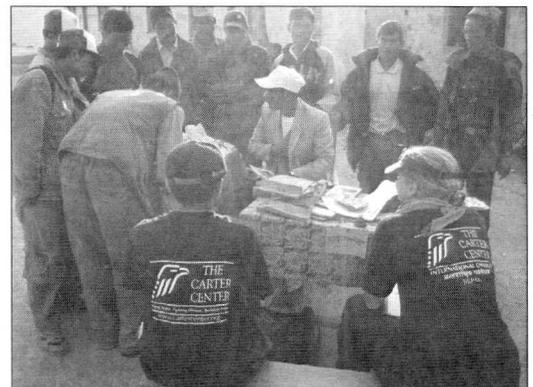
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JENNIFER ANDERSON QUEUING TO VOTE, RUKUM



CARTER CENTER ELECTION OBSERVERS (JENNY ANDERSON ON RIGHT)

JENNY ANDERSON

## REPORT FROM THE FIELD, JANUARY 2009: THE CONSTITUENT ASSEMBLY ELECTIONS, NEPAL, RUKUM DISTRICT (KOL, RANGSI, AND KANDAR VDCs)

The CPN(Maoist) surprisingly won the majority of the vote across Nepal—even in the Tarai districts where former Maoist People's Liberation Army (PLA) commanders formed armed opposition groups and seemingly have some influence and control. Most pundits and international observers give this election the thumbs up—perhaps not necessarily as free and fair, but at least credible. However, pieces are missing from this puzzling victory.

For the 15 months before the election I traveled around Nepal as an international observer, reaching more than 30 of 75 districts, often by foot, traveling from village to village in roadless remote areas. In these areas, people in general were still afraid of the Maoists. They were fearful the Maoists would once again take up arms. They claim “psychological fear” from the continued presence of the same PLA and Maoist militia, who were based in their villages during the war, now operating under the new name of the Young Communist League (YCL).

Before the elections, when I asked villagers how they would vote most had no idea, but said they wanted “peace.”

In remote roadless villages often the only party has been the CPN(M), specifically the YCL cadre. Other political parties based in the District Headquarters (DHQ) often stated that they could not venture out into villages—as the YCL would beat, abduct, or kill them. However, in some cases the members of these other parties were just a bunch of lazy guys who found it convenient to claim that it was the YCL keeping them from campaigning or doing any sort of social service in difficult-to-reach villages outside of the DHQ. It is difficult to decide which has greater weight.

Three days before the Constituent Assembly election my team partner and I flew by helicopter to a remote area of Rukum district near the border of Dolpa district. Rukum, along with Rolpa, is notorious as the origin of the CPN(M)'s People's War. During these three days, most villagers we spoke with had no idea of how they would vote—most said their village leader would make the decision for them. However, also during this time there were large numbers of YCL roaming about in the villages. Some were local, but we were

told that many had also come from “outside.” The YCL were all wearing CPN(M) t-shirts, identified by the red hammer and sickle, and track suits with “Young Communist League” written in Nepali on the back. Often they were walking as an army would, with lathis (sticks, also used by the police), seeming to survey the perimeter of the village. YCL commanders, most likely former PLA from the DHQ, had also come and carried VHF radios to communicate with the other commanders based in nearby polling locations.

On the day of elections, all appeared fine at the first polling location we visited within the location itself. However, on the way out and down the trail leading back to the village—about 200m from the polling location—there were about 25 YCL with voters' lists who were stopping each person on their way to vote. They gathered names of all registered residents who were not present to vote. We saw the YCL ask people their names and if their names were not on the list they were given the name of an absentee voter and showed where to stamp their vote for CPN(M) on a ballot. When asked what they were doing they told us they were “helping” the polling staff by checking the names on the voters' lists and giving the voter a slip of paper to give to the identification officer with “the correct” information, so that the election official could easily find their name.

At all of the polling locations we visited it seemed as if all the polling staff were under intimidation and had come to some sort of deal with the YCL. At each location the identification officer never once asked for nor checked identification. If the officer had been local and knew everyone who was coming to vote, then maybe they could have had an idea of who was actually voting. However, not one of the polling officials was local, all were brought in from different districts. When they needed to verify someone's identity they asked the CPN(M) party representative for verification. When we asked the polling staff about the YCL, they denied they actually were YCL, instead saying they were “local volunteers.” However, when we asked these “volunteers” directly they proudly stated, “We are YCL!” We visited one polling location obviously under CPN(M) control. The polling location was surrounded by YCL with red lathis, as well as having a

team of YCL checking people's names right at the start of the queue, and here again also assigning names when the person was not on the voters list, in plain view of the polling officers. When we asked the YCL why they had surrounded the polling location, the YCL replied for "security." At another location local residents and a domestic observer told us that the polling staff had to shut the polling location for an hour because a group of YCL had taken over and voted over 100 times. However, when we asked the polling officers directly about this they said, "There have been no problems here."

In the villages we visited in Rukum, the YCL told us they had gone door-to-door to collect the names of registered voters not in the village. They found almost one-third of residents were missing. After the election we learned of a village, just an hour away from where the YCL told us they had collected names of absentee voters, where every single registered voter had voted—not a single person had left to work in Kathmandu, died, or gone abroad.

Three days before the election we met a few Nepali Congress (NC) supporters who had not been back to their village in five years, since being displaced by the Maoists during the People's War. They returned to vote and were very happy to be back. After the election, we happened to meet them again; they and 14 other NC supporters were abducted by the YCL the morning of the elections and held until that night—none was allowed to vote. In the DHQ we met 10 UML men who had the same experience—though their abduction was more violent, as the YCL held kukuris (large knives) to their throats, tied their arms behind their backs and forced them to lie with their faces in the dirt all day, until it was too late for them to vote.

The last ballot boxes arrived late in the night on the second day after the election, after being walked in with the armed and temporary police. After all the boxes arrived, the Chief Returning Officer (the election officer holding ultimate authority for the district) stated that counting would begin after an "all party" meeting (in this case 3 of the 7 parties that comprise the current interim government) first thing in the morning. However, the NC and the UML protested the start of the count as they had filed complaints against the CPN(M) with the election officers and wanted the complaints formally registered with the Central Election Commission (CEC).

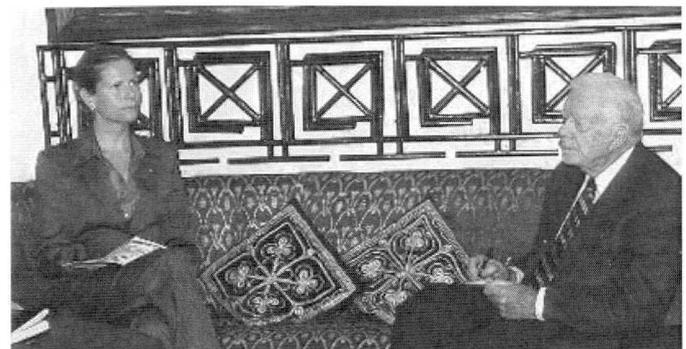
We arrived at the election office at 6 AM, where the election officers and the CPN(M)'s national second in charge (just below Prachanda and also a candidate for Rukum), were having a private meeting. They seemed very surprised to see us. When we asked where the other parties were they stated, "Oh . . . they are still coming." About an hour later they arrived, as they were told to arrive at 7 AM. During the three party meeting with the local election officers, it seemed as if the election officers had made a deal with the CPN(M)—as they sided with the CPN(M), stating that the counting must begin immediately and that there was no time for complaints to be formally registered with the CEC (which would have

only taken the time of a fax). When the UML and NC pressed harder the election officials stayed quiet, but the CPN(M) began shouting back, "the election is over and counting must begin immediately." We were not able to witness the rest of the meeting as our helicopter arrived before any deal was reached, but we were later informed that the NC and UML's complaints were never registered and the counting started that evening. The CPN(M) won Rukum.

We estimate that the CPN(M) stole as much as 35% of the vote in our area of observation—through voter impersonation, intimidation, and outright abduction of those known to support other parties. Additionally, the CPN(M) currently controls the Ministry of Communication and Information in the interim government. The EU has stated that the CPN(M) received more campaign coverage than any other party. Considering that the YCL did not allow other parties to campaign in many districts where they also received less air time, combined with YCL intimidation and violence, the conditions easily allowed for a large CPN(M) victory.

Why did the Maoists feel the need to use intimidation, violence, and impersonation in an area notoriously known as a Maoist stronghold? Throughout the last year, people I interviewed in nearly every district I visited believed the YCL would use secret cameras and binoculars to see how they voted. Why bother intimidating on E-Day itself when the YCL already put fear into everyone over the last year? Also, if intimidation was blatant in Rukum—was it the same everywhere outside of the easy-to-reach polling locations? The international election observers primarily stayed within a two-hour radius (driving or walking) of any DHQ—but many locations were a week's walk away from the DHQ. Also, why did the government polling staff cooperate with the CPN(M)? Obviously the polling staff were greatly outnumbered by the YCL, but, more to the point, why did they let the problems they encountered with the YCL go unmentioned once they were back in the DHQ and had safety in numbers?

*Yo naya Nepal ho?* A new Nepal? Many Nepalis in Kathmandu have since told me that they voted for the CPN(M) to vote for change. The current interim government, led by the NC, has been dreadful, so hopefully the CPN(M) can at least



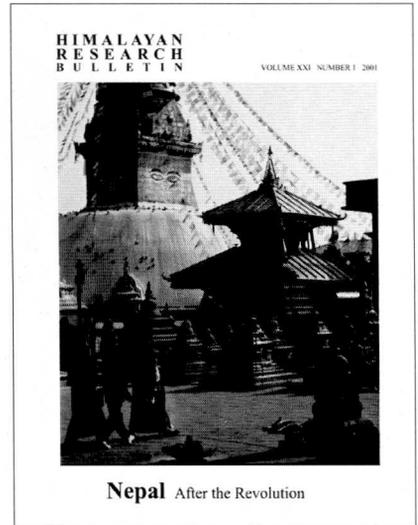
Jennifer Anderson with President Jimmie Carter at the Carter Center Kathmandu

achieve this level of incompetence—but that they possibly have “won” the elections through violence and intimidation may predict how they will run the nation, which may be a lot like the old Nepal or possibly worse.



Jenny Anderson shakes hands with Prachanda at a Carter Center function

Jennifer Anderson was *HIMALAYAN RESEARCH BULLETIN*'s assistant editor from 2001-2003, while working toward her MS in Geography at Portland State University [her thesis, begun as an analysis of repeat photography along the route from lamaosangu to Everest Base Camp, developed into a treatise on peoples' perceptions of change]. A professional photographer, she contributed a number of images to ANHS publications, including the cover picture for HRB volume XXI, pictured here. After finishing her Matser's degree she served as the Nepal Country Director for The Daywalka Foundation before moving to her job as an international elections observer at The Carter Center in Nepal.



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