

Dispatches from The Hall of Ideas!

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MARCH ELECTIONS: A REALITY CHECK*

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Within the first few weeks of the Gen Z protest, there was angst amongst people. The fear was that we were heading towards a prohibitory regime. Indeed, we had faced such a regime immediately after the civil war, but targeted attacks on private property and even incumbent political party leaders was not the norm. But as is well known, Nepal is a resilient nation, and that fear of a prohibitory regime has subsided overtime. Even within political parties, there is at least some form of renewed energy. The CPN-UML, the second largest political party going by the previous election's number, has successfully completed its convention. Although there have been only minor changes in the leadership position and the overall structure of the political party, it is nonetheless worth noting that they did follow a democratic election process. This exercise I believe will act as a push factor for the largest political party, the Nepali Congress. These incidents, I believe, are important for the consolidation of democracy together with timely elections in March.

Despite these positive indications, there is some

form of confusion regarding the fate of elections in March. Particularly, political party leaders and even members of the Gen Z movement have come out and said publicly that elections shall not happen in March. I believe one should not take statements made by politicians at face value. But aside from this, if one looks at what is going on with political parties, one soon realises that they are adopting two strategies together. A case in the Supreme Court regarding the validity of the incumbent government filed by members of the CPN-UML is pending, and just recently some members of the Nepali Congress have approached the Supreme Court. On the other hand, political parties are also preparing for elections. How will the Supreme Court approach the matter, what or when its decision will come are all important questions and they are sure to change the dynamics, but so far, it is abundantly clear that political parties are strategically utilising all available options.

Aside from this, there is a genuine question about the timing of the election and the capacity of the Election commission to successfully conduct elections. On the latter, some historical context is essential. It can be argued that the situation that Nepal finds itself in is not entirely new, at least there are episodes in Nepali history which are similar to the one we find ourselves in i.e. a protest resulting

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in the declaration of fresh elections and mandate. Back in the 1990s, when multiparty democracy was restored, it took us around a year to hold elections. In 2006, after the comprehensive peace accord was signed, it took us nearly two years to hold the elections. Indeed, there are similarities between what happened on September and what happened previously, and one could argue that these historical instances provide us with some form of clarity over the fate of the March elections. Even examples from countries with similar political economies suggest that an election within a time frame of six months is not possible. But with that said, it is not entirely unfeasible to imagine that elections will be held on March, despite what historical precedents might have us believe. After all, in each of these instances, the election commission has been able to strengthen itself as an institution, whether it be through the use of technology in each successive election or just its overall management of election, the commission has learnt ample lessons to pull this off successfully.

But there is a genuine concern about whether election in March is possible given Nepal's climatic patterns. There are about 21 districts in Nepal that fall within the Himalayan region. Migration pattern in these regions is such that people migrate to the lower plains during the months of winter (typically between November and June). In Pokhara there is an entire school that provides education to children

election. I would argue that if elections are held in March without adequate preparation for out-electoral constituency voting, many citizens will be left out the elections. It is our duty under the Constitution of Nepal to ensure that no one is left behind from the voting process.

Perhaps it is this realisation which has ensured that elections in Nepal are always held in months when every citizen has a reasonable chance of participation. In fact, the last time we held elections so close to the month of March was back in 1959 after the fall of the Rana regime. Then too, it took us about 45 days to complete the entirety of the process of the election and I would argue that even then we adopted a phase wise election strategy, citizens from the Himalayas were left out, albeit not too the degree in which they would have left out if it was a single phase election. One might argue that Nepal should conduct its upcoming elections in multiple phases. If Nepal were to do so, there would be serious concerns about the security of the ballot box. Per our election law, counting cannot begin until and unless all phases of elections are completed. To that extent, the security of the ballot box is a genuine concern.

On the question of security of the ballot box, there is also the concern about the morale of the Nepal police. The Nepal police has always been our first line of defence during elections. Indeed, they are



who have migrated within these months from the Himalayan region of Mustang. This raises a genuine concern about the inclusion of these citizens in the

helped by the Armed police force and the Nepal Army, but the Nepal police remain the most widely



not frequent.

These are some challenges for the upcoming elections. There are of course some logistical challenges as well. These are mostly to do with the printing of the ballot, an area where Nepal has not focused on, and an area where there is a serious lack of quality. But despite these challenges, I do firmly believe that elections should be held on time and a free and fair manner. But what we must not forget in the process is our constitutional duty to ensure that every citizen has a reasonable opportunity to vote.

mobilised security apparatus. Back in September, the Nepal police took a serious beating, their posts were looted and burned down and some even lost their lives. It would not be a stretch to say that their morale is extremely low. The question therefore is, will we be able to successfully mobilise the Nepal police and ensure that elections are free, fair and without any major incidents.

To conduct any election, the Election Commission plays a major. Together with the election, the Government, especially, the government formed out of a revolt also plays a major role. In their role, both agencies ensure continuous dialogue with all existing stakeholders, including the political parties. The need for dialogue, in a transitional phase is especially important given the need for ownership amongst all stakeholders. But this continuous dialogue is missing. On part of the Election Commission, it can be argued that it is primarily because it is incomplete. The position of Chief Election Commissioner remains vacant, and in a bureaucratic setting which is hierarchical in nature, position matters. This is not to undermine the efforts of the Election Commission, but rather it is merely an indication that the Election Commission is not functioning under its full capacity. Dialogue between the government and political parties, although initiated, nonetheless is