



## Marginalized Voters: Minorities, Women, IDPs and Voters with Disabilities

Pre-U27/10-April-2013

# ECP Urged to Enhance Efforts for Marginalized Voters

## Introduction

This Pre-Election Update is based on interviews with 90 District Election Commissioners (DECs) conducted by District Long-Term Observers (DLTOs) of the Free and Fair Election Network (FAFEN). The interviews were held in 32 districts in Punjab, 25 in Sindh, 18 in Khyber Pakhtunkhwa (KP), eight in Balochistan, six Agencies in Federally Administered Tribal Areas (FATA) and the Islamabad Capital Territory (ICT).

The interviews focused on steps being taken by DECs to facilitate marginalized communities, including women, religious and ethnic minorities, people with disabilities and internally displaced persons (IDPs). FAFEN believes elections can only be free and fair if all segments of society are able to exercise their fundamental rights to vote and to participate in civic affairs in the country.

## Summary

Out of 90 DECs interviewed by FAFEN observers, 55 said they are taking steps to facilitate women voters in their districts, while 30 said they haven't taken any steps to facilitate them. FATA had the highest percentage of DECs (four of six, or 66.7%) who said they are taking no steps to facilitate women, followed by Balochistan (five out of eight, or 62.5), KP (10 out of 18, or 55.6%), eight in Punjab (25%), and three in Sindh (12%). One DEC in each province/region other than FATA declined to answer this FAFEN question.

Only two DECs said minorities in their districts were facing any issues related to the elections, despite a year of record violence against minority groups. Two-thirds of DECs in KP (67%) admitted they are not taking any special steps to ensure the full participation of voters with disabilities, followed by half of DECs in Punjab (16), Balochistan (four) and FATA (three), and 11 in Sindh (44%). Among 19 DECs in districts with internally displaced people (IDPs), two-thirds of DECs (12, or 67%) said they are taking specific steps to facilitate IDP voting, but one-third said they are not (six, or 33%).

## Legal Framework

May 11, 2013, will be the first General Elections held since Pakistan accepted new legal obligations under the International Covenant on Civil and Political Rights (ICCPR), ratified in 2010. Among the fundamental rights protected by the ICCPR are those pertaining to equality for all citizens, including women and minorities. ICCPR Article 25 states:

"Every citizen shall have the right and the opportunity, without any distinction ...:

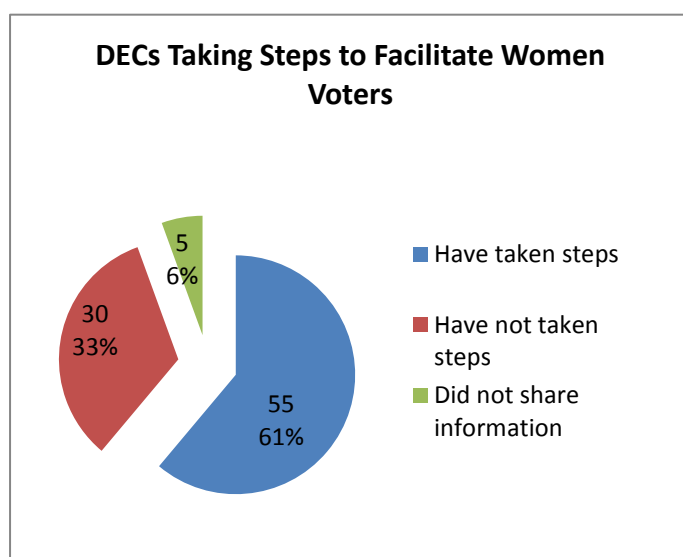
- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; [and]
- (b) To vote and to be elected at genuine periodic elections."

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by Pakistan in 1996, provides similar protections for women's rights to full participation in elections and public life.

## 1. DEC's Facilitating Women Voters

Out of 90 DEC's interviewed by FAFEN observers, 55 said they are taking steps to facilitate women voters in their districts, while 30 said they haven't taken any steps to facilitate them. Five DEC's declined to share information with FAFEN observers on this topic.

Region-wise, Sindh had the highest percentage of DEC's (21 out of 25, or 84%) who said they are taking steps to facilitate women, followed by almost three-quarters in Punjab (23 out of 32, or 72%), more than one-third in KP (seven out of 18, or 39%), and two each in FATA (out of six, 33%) and Balochistan (out of eight, 25%). FATA had the highest percentage of DEC's (four out of six, or 66.7%) who said they are taking no steps to facilitate women, followed by Balochistan (five out of eight, or 62.5%), KP (10 out of 18, or 55.6%), eight in Punjab (25%), and three in Sindh (12%). One DEC in each province/region other than FATA declined to answer this FAFEN question.



### Procedural Framework

Following sustained FAFEN advocacy since 2008, these will be the first General Elections in Pakistan for which women's voter turnout data will be available. Presiding Officers in polling stations will implement a new procedure to count separately the number of ballot papers in ballot boxes from female polling booths and male polling booths, and record this data on the polling station Statement of the Count.

Based on ECP data from the 2008 General Elections, FAFEN identified 564 polling stations with 0% female voter turnout, often because candidates and parties agreed in advance of elections to bar women from voting. In these electoral areas, FAFEN is implementing a project with influential male community leaders to mobilize women's voting.

Regarding the specific steps to facilitate women, most of the DEC's said they have initiated voter education and registration programs, including marking National Voters Day on October 17, 2012. DEC's also said that they are holding seminars and awareness campaigns in collaboration with civil society organizations to mobilize women voters. A number of DEC's said they have formed voter education committees comprising members of all segments of society to increase women's turnout in the upcoming elections.

The DEC in Sahiwal (Punjab) said the voter education committee working in his district had 40% representation of women, which he believed would help increase women's turnout. The DEC in Jhelum (Punjab) said his team is collaborating with schoolteachers, lady health workers and female students to carry out mobilization campaigns.

DEC's in Okara (Punjab) and Kech (Balochistan) said they are establishing separate polling stations for women in close proximity to men's polling stations in order to facilitate women voters. The DEC in Charsadda (KP) explained that the number of polling stations have been increased from 400 to 500, with 46% polling stations specifically dedicated for women.<sup>1</sup> In

<sup>1</sup> However, FAFEN observation data from the 2008 General Elections indicates that women's voter turnout may be

addition, he said he has formed special committees in government schools that are carrying out voter education campaigns for women in the district.

Interestingly, the DEC in Lasbela (Balochistan) revealed that the number of registered female voters was higher than the number of registered male voters in the district. He said his office is taking the issue of women's voter registration very seriously to ensure maximum turnout of women in elections.

A majority of DEC's who are not taking any steps to facilitate women assured FAFEN observers that they would be launching voter education programs and mobilization campaigns with the help of civil society organizations to increase women's turnout. They also pledged to take any other necessary steps that may help in this effort. For instance, the DEC in Karak (KP) said his office is establishing polling stations within a distance of two kilometers from each other and providing vehicles to women to bring them to polling stations. The DEC in Tor Ghar (KP) said his office will focus on sensitizing men on the importance of women's participation in elections.<sup>2</sup>

Only two DEC's indicated that they have reservations about facilitating women voters. The DEC in Hangu (KP), for instance, said that his office cannot take any step to facilitate women due to security concerns. Similarly, the DEC in Orakzai Agency (FATA) said that tribal culture does not allow his office to take any practical steps to facilitate women in the region. Nevertheless, he claimed that the turnout of women in some tehsils would be 100%.

The following table gives a region-wise summary of DEC's interviewed by FAFEN observers who said they have or have not taken steps to facilitate women:

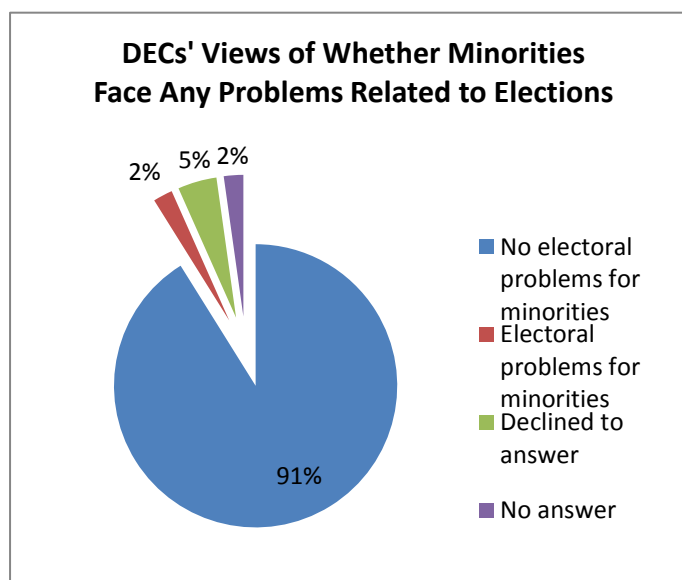
Province /Region	DECs Taking Steps to Facilitate Women	DECs Not Taking Steps to Facilitate Women	DECs Not Sharing Information
<b>Punjab</b>	Attock, Bahawalnagar, Chakwal, Chiniot, Dera Ghazi Khan, Faisalabad, Gujrat, Jhelum, Kasur, Khanewal, Multan, Nankana Sahib, Narowal, Okara, Pakpattan, Rahim Yar Khan, Rajanpur, Rawalpindi, Sahiwal, Sheikhupura, Sialkot, Toba Tek Singh, Vehari	Bahawalpur, Gujranwala, Hafizabad, Jhang, Khushab, Lodhran, Mandi Bahauddin, Sargodha	Bhakkar
<b>Sindh</b>	Dadu, Ghotki, Hyderabad, Jacobabad, Jamshoro, Karachi Central, Karachi East, Karachi South, Karachi West, Kashmore, Malir, Matiari, Mirpurkhas, Sanghar, Shaheed Benazirabad, Shikarpur, Sukkur, Tando Mohammad Khan, Tharparkar, Thatta, Umerkot	Khairpur, Larkana, Naushero Feroz	Kamber Shahdadkot
<b>KP</b>	Buner, Charsadda, Kohistan, Lower Dir, Nowshera, Swabi, Tank	Abbottabad, Bannu, Dera Ismail Khan, Hangu, Karak, Kohat, Mansehra, Mardan, Peshawar, Tor Ghar	Malakand
<b>Balochistan</b>	Kech, Lasbela	Gwadar, Kalat, Kharan, Khuzdar, Washuk,	Awaran
<b>FATA</b>	Bajaur Agency, Khyber Agency	Kurram Agency, Mohmand Agency, Orakzai Agency, South Waziristan	
<b>ICT</b>			Islamabad

higher in combined polling stations where male family members can accompany women to the polls.

<sup>2</sup> FAFEN focus group discussions indicate that activities to increase women's voting should target men, rather than women, since the most significant obstacle to women's voting is men's attitudes towards female participation, rather than lack of information about elections among women.

## 2. DEC's Views on Minority Voters' Electoral Issues

Out of 90 DECs interviewed by FAFEN observers, 82 said there were no issues being faced by ethnic or religious minorities in their districts. Two DECs said minorities in their districts were facing electoral issues; four DECs declined to share any information, and two DECs did not give any response to FAFEN observers.



Despite a significant increase in violent attacks and other actions against minorities in 2012,<sup>3</sup> no DEC identified any security or other concerns for minority voters. The only issue identified by two DECs regarding minority voters is that these voters are now included in the general electoral roll rather than having separate electorates. The DEC in Toba Tek Singh (Punjab) stated that minorities in the district prefer to elect a separate candidate to represent them. The DEC in Lasbela (Balochistan), which has a large Hindu population, said there is no separate mechanism for non-Muslims to vote in the district.

### Legal Framework

Separate electorates for minorities were the norm until the 2002 General Elections. Individuals who are members of religious or other minority groups may now contest as candidates on general seats, and there are 10 seats reserved in the National Assembly for minorities. Voters of religious minority groups are now included in the Final Electoral Roll (FER), with the exception of Ahmadis, whom the 1973 Constitution (2<sup>nd</sup> Amendment, 1974) defines as non-Muslims.

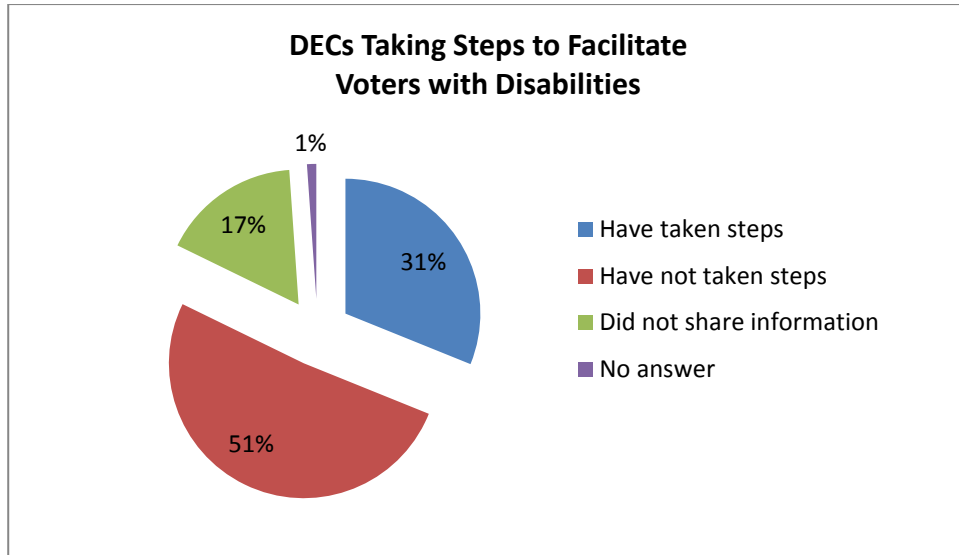
According to one study, the number of minority voters is greater than the 2008 General Elections margin of victory in at least 40 National Assembly constituencies in Punjab and 12 NA constituencies in Sindh. See *Religious Minorities in Pakistan's Elections*, Church World Service (CRS), 2012. Approximately 1.4 million Hindus are registered as voters, followed by 1.24 million Christians.

## 3. Facilitation of Voters with Disabilities

Out of 90 DECs interviewed by FAFEN observers, less than one-third (28, or 31%) said they are taking steps to facilitate voters with disabilities in their respective districts, while half (46, or 51%) said they have not taken any steps to facilitate them. Fifteen (17%) DECs declined to share information with FAFEN observers, while one DEC did not respond to the question.

Region-wise, almost half of Sindh DECs (12 out of 25, or 48%) said they are taking steps to facilitate voters with disabilities, followed by almost one-third in Punjab (10 out of 32, or 31%), two out of six (33%) in FATA, three out of 18 in KP (17%), and one out of eight (12.5%) in Balochistan. Two-thirds of DECs in KP (12, or 67%) admitted they are not taking any steps to facilitate voters with disabilities, followed by half of DECs in Punjab (16, or 50%), four in Balochistan (50%), three in FATA (50%) and 11 in Sindh (44%).

<sup>3</sup> See, for example, *Human Rights Commission of Pakistan Annual Report 2012*.



The following table gives a region-wise summary of DEC's who said they are taking steps to facilitate voters with disabilities:

Province /Region	DECs Taking Steps to Facilitate Voters with Disabilities	DECs Not Taking Steps to Facilitate Voters with Disabilities	DECs Not Sharing Information	DECs Not Giving Any Response
<b>Punjab</b>	Attock, Bahawalnagar, Chakwal, Hafizabad, Kasur, Lodhran, Rahim Yar Khan, Rajanpur, Sheikhupura, Sialkot	Faisalabad, Gujranwala, Gujrat, Jhang, Jhelum, Khanewal, Khushab, Mandi Bahauddin, Multan, Nankana Sahib, Okara, Rawalpindi, Sahiwal, Sargodha, Toba Tek Singh, Vehari	Bahawalpur, Chiniot, Dera Ghazi Khan, Narowal, Pakpattan	Bhakkar
<b>Sindh</b>	Dadu, Ghotki, Karachi Central, Karachi South, Kashmore, Matiari, Naushero Feroz, Sanghar, Tando Muhammad Khan, Tharparkar, Thatta, Umerkot	Hyderabad, Jacobabad, Jamshoro, Karachi East, Karachi West, Khairpur, Larkana, Malir, Mirpurkhas, Shaheed Benazirabad, Shikarpur	Kamber Shahdadkot, Sukkur	
<b>KP</b>	Charsadda, Dera Ismail Khan, Nowshera	Abbottabad, Bannu, Hangu, Karak, Kohat Kohistan, Mansehra, Mardan, Peshawar, Swabi, Tank, Tor Ghar	Buner, Lower Dir, Malakand	
<b>Balochistan</b>	Lasbela	Kalat, Kharan, Kech, Washuk	Awaran, Gwadar, Khuzdar	
<b>FATA</b>	Bajaur Agency, Khyber Agency	Kurram Agency, Orakzai Agency, South Waziristan	Mohmand Agency	
<b>ICT</b>			Islamabad	

When asked about the details of steps being taken to facilitate voters with disabilities, most DEC's who answered in the affirmative said they have formed special committees to assist voters in the registration process and also held awareness sessions for disabled voters with the help of civil society organizations.

The DEC in Lodhran (Punjab) said he maintains a list of disabled voters in the district and will take all necessary steps to facilitate them on Election Day. Similarly, the DEC in Tharparkar (Sindh) said he had met with the Social Welfare Department and obtained a list of voters with disabilities to facilitate them in the voting process.

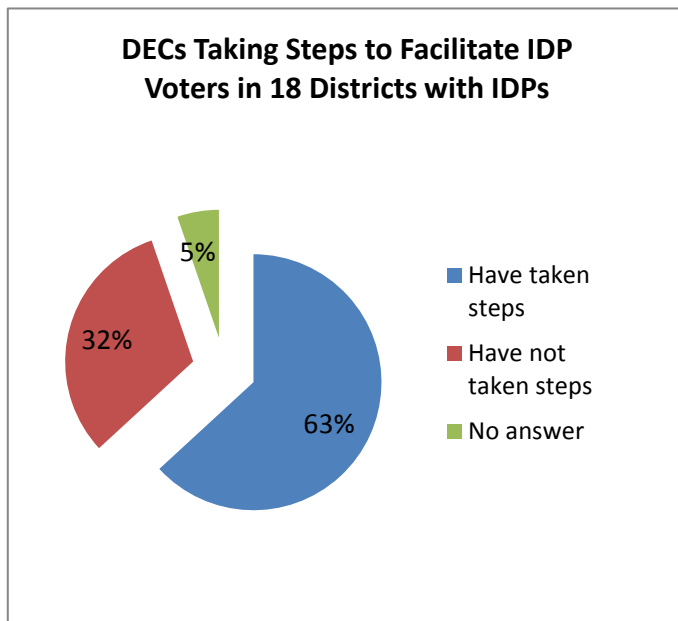
The DEC in Hafizabad (Punjab) and Thatta (Sindh) said they will facilitate voters with disabilities on Election Day by giving instructions to Presiding Officers that voters with disabilities should not have to wait in queues to cast their votes. Meanwhile, the DEC in Bajaur Agency (FATA) claimed that his office will provide transportation to voters with disabilities to facilitate them in voting.

Some DEC's who claimed to have taken steps to facilitate disabled voters could not give any specific details when asked. These DEC's represent 16 districts - Chakwal, Rahim Yar Khan, Rajanpur (Punjab); Tando Muhammad Khan, Kashmore, Naushero Feroz, Karachi Central, Karachi South, Ghotki, Sanghar, Dadu, Umerkot (Sindh); Charsadda, Nowshera (KP) and Khyber Agency (FATA).

While some of the DEC's admitted that they haven't taken any steps for disabled voters, a few of them said that a plan or policy was under development to facilitate these voters. These DEC's are in Khushab, Sargodha, Khanewal, Multan, Gujrat, Jhang (Punjab) and Hyderabad (Sindh).

#### 4. Facilitation of Internally Displaced Persons (IDPs)

FAFEN observers identified the presence of internally displaced persons (IDPs) in 19 out of 90 districts – five each in FATA and KP, four in Punjab, three in Sindh and two in Balochistan. Among the 19 DEC's interviewed by FAFEN observers regarding efforts to ensure participation of IDPs in General Elections 2013, two-thirds of DEC's (12, or 63%) said they are taking steps to facilitate IDPs, but one-third said they are not (six, or 32%). The DEC in Buner (KP) declined to answer this question.



Regarding steps taken, the DEC in South Waziristan (FATA) said his office has devised a plan to establish 77 polling stations for IDPs. Similarly, the DEC in Dera Ismail Khan (KP) said he has divided the IDPs in the district into 907 electoral blocs so that polling stations and voter lists can be arranged accordingly.

The DEC in Gujrat (Punjab) said that his office had accepted all the IDP voter registration applications in the district and sent them to the National Database and Registration Authority (NADRA). The DEC's in Kohat, Hangu (KP), Toba Tek Singh, Nankana Sahib (Punjab), and Kurram Agency (FATA) also said they had facilitated IDPs in the voter registration process.

The DEC's in Tando Muhammad Khan, Jacobabad and Matiari (Sindh) did not give any details of the steps taken to facilitate IDPs, while the DEC in Lasbela (Balochistan) expressed dissatisfaction with NADRA over the process of IDPs' registration.

The DEC's who had not taken any steps to facilitate IDPs are in Bajaur Agency, Orkazai Agency, Khyber Agency (FATA); Peshawar (KP); Khuzdar (Balochistan) and Gujranwala (Punjab). None of them gave any reason for failing to take steps to facilitate IDPs.



Province /Region	DECs Taking Steps to Facilitate IDPs	DECs Not Taking Steps to Facilitate IDPs	DECs Not Sharing Information
<b>Punjab</b>	Gujrat, Nankana Sahib, Toba Tek Singh	Gujranwala	
<b>Sindh</b>	Jacobabad, Matiari, Tando Muhammad Khan		
<b>KP</b>	Dera Ismail Khan, Hangu, Kohat	Peshawar	Buner
<b>Balochistan</b>	Lasbela	Khuzdar	
<b>FATA</b>	Kurram Agency, South Waziristan	Bajaur Agency, Khyber Agency, Orakzai Agency	

## Recommendations

FAFEN recommends that:

1. DECs should take all possible steps to facilitate marginalized voters and carry out mobilization activities to encourage their participation in the electoral process.
2. ECP should adopt special measures to ensure the safety of marginalized voters, especially in those areas where they may face intimidation and/or violence on Election Day.

### About FAFEN

The Free and Fair Election Network (FAFEN), established in 2006, is a coalition of 42 leading civil society organizations working to strengthen all forms of democratic accountabilities in Pakistan. Governed by the Trust for Democratic Education and Accountability (TDEA), FAFEN also implements robust programs in-between elections related to monitoring parliamentary affairs, connecting constituents to their elected representatives, monitoring the performance of public and elected institutions and advocating electoral and democratic reforms.

## FAFEN Election Program

FAFEN is implementing a long-term election observation program nationwide, including both pre- and post-electoral processes. FAFEN has deployed almost 400 District Long-Term Observers (DLTOs) and Constituency Long-Term Observers (CLTOs) to observe election administration preparations and the political campaigns in all districts and National Assembly constituencies. In addition, FAFEN will deploy more than 43,000 trained, non-partisan citizens to observe polling stations across the country on Election Day.

All FAFEN observers adhere to the Election Commission of Pakistan's (ECP) Code of Conduct for National Observers as well as the Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations (April 2012). FAFEN's 10-month observation process, from February 1, 2013, helps keep all election stakeholders informed on issues relevant to fairness and transparency at every stage of the election process.

## FAFEN Election Observation Methodology

FAFEN's election observation activities are based on the Constitution and laws of Pakistan, global best practice standards for elections, as well as the legal obligations of the International Covenant on Civil and Political Rights, ratified by Pakistan in 2010.

FAFEN LTOs use standardized checklists to report electronically to the FAFEN Election Observation Secretariat. FAFEN compiles data and information from around the country to issue regular thematic updates for the consideration of voters and election stakeholders. FAFEN LTOs observe and report on the activities of DEC offices, preparations of elections, such as appointment and training of election officials, the process of candidate nominations, and compliance with the ECP's Code of Conduct for political parties and candidates. In addition, LTOs observe and report on compliance of the executive branch with legal responsibilities and ECP regulations, including restrictions on transfers of civil service personnel and initiation of new development schemes. LTOs also monitor political and electoral intimidation and violence, the actions of the police and security forces, and the overall political environment during the pre-election period.