



ECP Urged to Make Critical Information Public

Details of constituency-wise voter registration, polling stations and complaint mechanism vital for political parties and citizens to make electoral decisions

Introduction

Free and Fair Election Network (FAFEN) acknowledges the authority and responsibility of the Election Commission of Pakistan (ECP) in administering elections. ECP official policy is to ensure transparency and openness in election administration. One goal of FAFEN's pre-election observation methodology is to assist the ECP to demonstrate its commitment to fulfillment of this policy during all stages of the election process. To this end, FAFEN has deployed 110 trained District Long-Term Observers (DLTOs) across the country and equipped them with a comprehensive set of checklists on a wide range of pre-election issues. Data gathered by these DLTOs is the basis for this report.

This FAFEN Pre-Election Update is based on interviews of 87 District Election Commissioners (DECs) conducted by FAFEN DLTOs. These findings were gathered from 31 districts in Punjab, 24 in Sindh, 17 in Khyber Pakhtunkhwa (KP), nine in Balochistan, five in the Federally Administered Tribal Areas (FATA), and one in the Islamabad Capital Territory (ICT).

1. Access to Public Information

FAFEN has prepared a standardized interview format consisting of 18 one-off questions asked of the DECs in one-on-one interviews. These questions are based on public information that FAFEN strongly believes will help ECP identify potential problem areas for the upcoming General Election well ahead in time.

The questions pertain to complaint handling mechanisms in place to assist the public; DECs satisfaction with the resources and security made available to them; potential issues that the DECs might be facing in facilitating the marginalized segments of the society such as women, people with disabilities, internally displaced persons and minorities.

Legal Framework

Transparency of election administration includes access of citizens to information regarding the state's preparations for an election process. Article 19A of the Constitution of Pakistan (1973), part of the 18th Amendment of 2010, secures for every Pakistani citizen "the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law." The enabling Right to Information Act 2010 is intended "to promote the right to information as a constitutional right" and "to facilitate and encourage, promptly and at the lowest reasonable cost, the disclosure of information" (Article 3). Article 19 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan in 2010, also protects the right to information.

The activities being undertaken by FAFEN include access to information on voter registration process — information that needs to be in the public domain and highly visible for people to benefit from it.

Data on voter registration, also being sought by FAFEN as part of its election observation efforts, will assist the ECP in identifying districts with potential voter registration issues.

Lastly, the identification of polling stations across a district is information that directly affects the people in a constituency. The people need to be fully informed of any such developments so that they are able to lodge complaints well in time for the DEC to be able to take corrective measures. The data can also serve as an early warning system for the ECP to identify potential problem areas and address them in time.

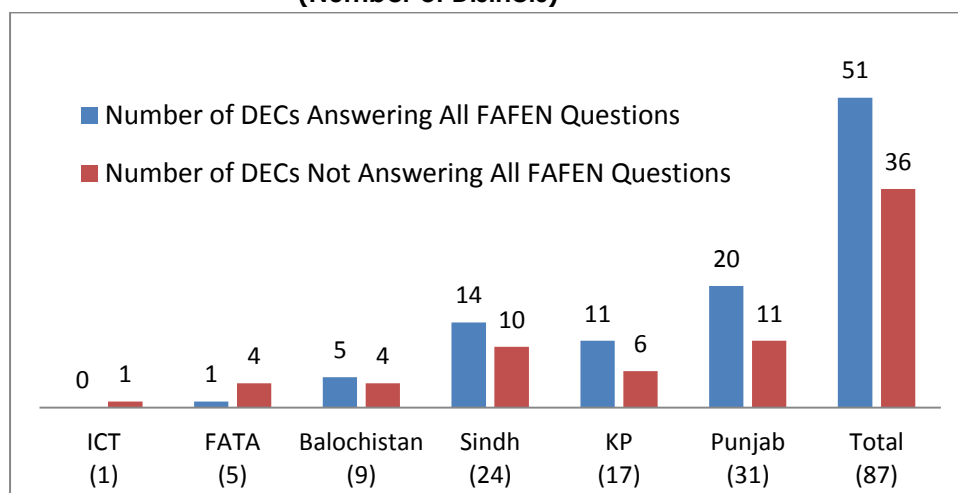
2. DECs Answering and Not Answering FAFEN Questions

More than half of ECP District Election Commissioners (DECs) (51 out of 87, or 58.6%) responded to all questions during interviews with FAFEN DLTOs. In Punjab, 20 out of 31 interviewed DECs cooperated fully with FAFEN DLTOs, as did 14 out of 24 DECs in Sindh, nine of 17 in KP, five of nine in Balochistan, and one out of five in FATA.

However, 36 of the 87 interviewed DECs (41.4%) answered some, but not all, questions asked by FAFEN DLTOs. DECs in 11 districts of Punjab (35.5%) declined to answer all questions, followed by 10 in Sindh (41.7%), six in KP (35.3%), four each in Balochistan (44.4%) and FATA (80%), and the one DEC in Islamabad Capital Territory (ICT). Questions pertaining to the complaint-handling mechanism elicited the least responses, followed by questions on financial resources.

The DECs in Islamabad and Kamber Shahdadkot district of Sindh province were the least cooperative, opting not to answer 17 of the 18 questions (94.4% non-response rate). The DEC in Buner (KP) did not answer nine questions (50%), followed by the DEC in Bajaur Agency (FATA) who declined to answer eight questions (44.4%), the Malakand (KP) DEC who left five questions unanswered (27.8%), and the Abbottabad (KP) DEC who did not answer four questions (22.2% non-response rate).

**DECs Answering and Not Answering All FAFEN Questions by Province
(Number of Districts)**



3. Unanswered Questions

FAFEN's standardized interview protocol consists of 18 questions asked of the DECs in one-

on-one interviews. A total of 36 DEC's declined to answer two or more questions.

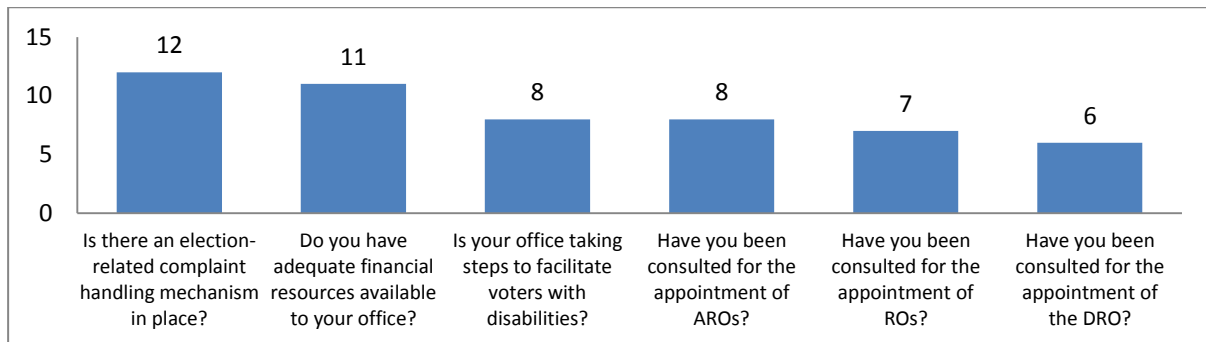
Questions pertaining to election complaint-handling mechanisms elicited the least responses. Twelve out of 87 DEC's (13.8%) declined to state whether they had an election complaint handling-mechanism in place, though 75 DEC's (86.2%) were willing to answer this query. DEC's who refused to answer represent Islamabad;, Swabi, Kohistan, Buner and Abbottabad (KP); Awaran and Mastung (Balochistan); Kamber Shahdadkot and Sanghar (Sindh); Dera Ghazi Khan and Rahimyar Khan (Punjab); and Mohmand Agency (FATA).

When asked whether they were satisfied with the financial resources available to them for administering the upcoming General Election, 11 DEC's out of 87 (12.6%) did not respond from Islamabad; Bajaur Agency(FATA); Khairpur, Kamber Shahdadkot, Naushero Feroz and Larkana (Sindh); Kohistan and Abbottabad (KP); and Mandi Bahauddin, Okara and Rajanpur (Punjab). However, 76 DEC's (87.4%) did respond to this question.

Eight DEC's (9.2% of 87) were unwilling to share information on whether they are planning steps to facilitate persons with disabilities in the voting process. These DEC's were from Islamabad, Malakand and Buner (KP), Chiniot and Dera Ghazi Khan (Punjab), Kamber Shahdadkot (Sindh), Gwadar (Balochistan), and Mohmand Agency (FATA). Another 79 DEC's (90.8%) responded to this query.

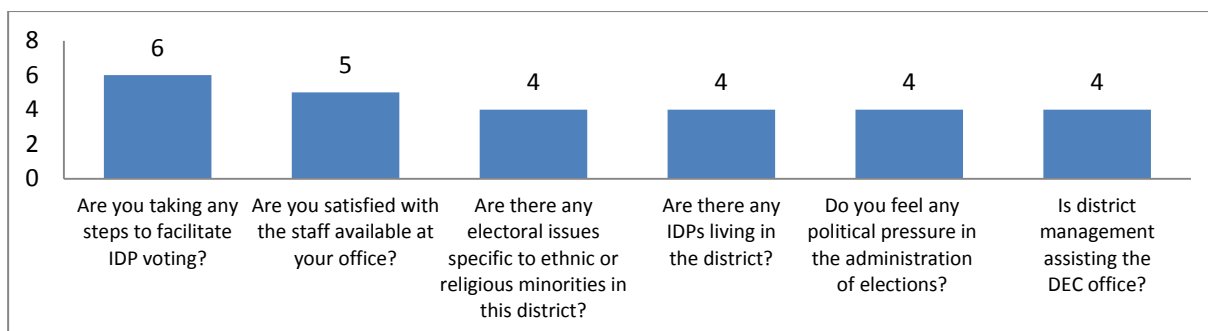
There were also eight DEC's (9.2% of 87) who did not say whether they were consulted on the appointment of Assistant Returning Officers (AROs) in Islamabad; Buner (KP); Bajaur and Kurram Agencies (FATA); Sheikhpura and Gujrat (Punjab); Kamber Shahdadkot (Sindh); and Kalat (Balochistan).

Seven of 87 DEC's (8.0%) declined to state whether they were consulted on the appointment of Returning Officers (ROs). They were from Sheikhpura and Gujrat (Punjab); Islamabad; Bajaur Agency (FATA); Kalat (Balochistan); Kamber Shahdadkot (Sindh) and Buner (KP). Six DEC's (6.9%) also would not answer whether they were consulted on the appointment of District Returning Officers (DROs) in Buner and Malakand (KP); Gujrat (Punjab); Islamabad; Bajaur Agency (FATA) and Kamber Shahdadkot (Sindh).



Six DEC's declined to answer a question about steps to facilitate voting by internally displaced people (IDPs) in their districts in Islamabad; Sukkur and Kamber Shahdadkot (Sindh); Chiniot and Rahimyar Khan (Punjab) and Buner (KP). A question about DEC satisfaction with their staff was not answered by five DEC's in Orakzai Agency (FATA); Abbottabad and Buner (KP); Kamber Shahdadkot (Sindh); and Islamabad.

Four DEC's each did not share information about electoral issues related to ethnic or religious minorities (Islamabad; Bajaur Agency (FATA), Kamber Shahdadkot (Sindh), and Buner (KP)), whether there are any IDPs in the district (Islamabad; Kamber Shahdadkot and Karachi West (Sindh) and Charsadda (KP)), whether they were facing pressures from any political parties (such as appointment of officials, location of polling stations etc.), and whether district officials are assisting the DEC (both in Islamabad; Bajaur Agency (FATA) and Kamber Shahdadkot (Sindh)).



Three DECs each were unwilling to share information on whether they were satisfied with the security in their district (Malakand (KP), Kamber Shahdadkot (Sindh) and Chakwal (Punjab)); being pressured by the bureaucracy regarding administrative preparations for the elections (Islamabad; Bajaur Agency (FATA) and Kamber Shahdadkot (Sindh)); and taking any steps to encourage female voter turnout (Islamabad; Malakand (KP) and Kamber Shahdadkot (Sindh)). Two DECs declined to state whether they were satisfied with NADRA's collaboration on voter registration in their district (Islamabad and Karachi West (Sindh)).

Recommendations

Based on 87 DEC interviews, FAFEN reiterates its recommendations that:

1. The ECP should send specific instructions to all DECs to be fully transparent and cooperative in sharing information about matters of public importance with FAFEN citizen observers and other election stakeholders.
2. The ECP should demonstrate consistently its commitment to election transparency at every opportunity and at every stage of the election process.

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 is deploying 130 District Long-Term Observers (DLTOs) across the country to monitor all phases of elections. FAFEN's Constituency Long-Term Observers (CLTOs) will observe the political campaigns in all National Assembly constituencies during the two months prior to Election Day. In addition, FAFEN will deploy more than 43,000 trained, non-partisan citizens to monitor 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, that began on February 1, 2013, will help 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 (ICCPR), ratified by Pakistan in 2010. FAFEN LTOs use standardized checklists to report electronically to the FAFEN Election Observation Secretariat in Islamabad regularly. FAFEN compiles data and information from around the country to issue regular thematic updates for the consideration of voters and election stakeholders.

FAFEN LTOs monitor and report on the activities of District Election Commissioner (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 (after the announcement of election schedule). 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 other security forces, and the overall political environment during the pre-election period.