



**2013 INTERNATIONAL ELECTION
OBSERVATION MISSION TO PAKISTAN**



**PRELIMINARY STATEMENT OF THE
NATIONAL DEMOCRATIC INSTITUTE-ASIAN NETWORK FOR FREE ELECTIONS
INTERNATIONAL ELECTION OBSERVATION MISSION TO PAKISTAN**

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OVERVIEW

This preliminary statement is offered by the joint election observation mission of the National Democratic Institute (NDI) and the Asian Network for Free Elections (ANFREL). The mission consists of 48 observers from 18 countries. Observers were deployed to 12 locations in Islamabad and three of the nation's four provinces, visiting more than 250 polling locations. Security concerns prevented direct observation in Balochistan and the Federally Administered Tribal Areas (FATA). However, the mission was in frequent contact with candidates, parties and nongovernmental organizations in those areas to follow election-related developments that were not accessible to the delegation.

Pakistan's May 11th general elections consisted of 272 distinct contests in separate constituencies for general seats in the National Assembly and 577 contests for general seats in the Provincial Assemblies of Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh (as well as contests for 60 seats reserved for women, and ten seats reserved for non-Muslims in the National Assembly and 128 seats reserved for women, and 23 seats reserved for non-Muslims in the Provincial Assemblies). These elections unfolded differently in various parts of the country.

The 2013 elections were a critical step in continuing the nation's return to democracy, which began five years ago. Millions of Pakistanis expressed their support for the democratic process by voting despite extremist attempt to disrupt the polls. The Election Commission of Pakistan (ECP) estimated voter turnout around 60 percent. Voters' courage and resolve in casting their ballots despite the mounting violence was a victory for democracy and the people of Pakistan. The stage has been set for the country's first transfer of power from one democratically elected government to the next.

The campaign period saw the political parties compete vigorously where it was safe to do so. Print and electronic media provided extensive coverage of the candidates and the issues of greatest concern to voters, such as economic growth, energy, high prices, unemployment, education, and security.

The elections saw 456 women candidates contest for general seats in the National Assembly and Provincial Assemblies, which is more than twice as many women candidates that contested in the 2008 general elections. However, their numbers remain extremely low, representing only 2.9 percent of the total number of candidates contesting for general seats. More parties and candidates participated in these elections than in the previous general elections. In Balochistan, parties that boycotted the 2008 elections reentered the electoral process and, for the first time in the nation's history, political parties fielded candidates in FATA.

Over the last few years, political parties cooperated as never before in developing an improved legal framework for the elections. Their efforts resulted in the selection of a Chief Election Commissioner (CEC) by unanimous consent and establishment of a framework for designating national and provincial caretaker governments. The ECP appears to enjoy a high-level of public confidence and constructed the most complete and accurate voters list in the nation's history. In addition, the ECP cooperated with political parties, media representatives and civil society to negotiate five separate codes of conduct for political parties and candidates, observers, polling personnel, media, and security personnel.

NDI-ANFREL observers were generally welcomed by polling personnel on election day and noted a calm and peaceful environment at most polling stations, reporting much enthusiasm among voters. Many of those casting ballots remarked that the polls would lead to a better future. Voting was generally well-conducted and the secrecy of the ballot was largely respected. The process benefited from greatly improved electoral rolls and the widespread use of a text message-based system that allowed voters to verify their polling locations. While information is still incomplete, it appears that voter turnout nationally will be high compared to previous polls. This is a remarkable achievement in light of the frequent and well-publicized security threats in many parts of the country.

NDI-ANFREL observers identified several administrative problems in the conduct of the polls. These included: inadequate facilities at some women's polling stations to process the large number of voters, resulting in long lines and overcrowding; problems at several polling stations when voters could not find their names on the roll and relied on partisan polling agents to help them; and, at some polling stations, polling agents being viewed as an extension of the polling staff and being permitted to perform duties that were the responsibility of election officials, such as assisting disabled voters, checking voters' identities, and locating voters on the lists. While these administrative problems did not seriously impair the integrity of the election, they could be damaging in future elections if allowed to persist.

The elections contained a central paradox. While there were many improvements in the electoral process, the May elections were perhaps the nation's most violent. In the year leading up the polls, political violence, especially by non-state actors, plagued several parts of the country, notably Balochistan, Karachi, Khyber Pakhtunkhwa and the tribal areas. While many parties and their candidates were victimized, the Pakistani Taliban specifically targeted three parties — the Awami National Party (ANP), the Muttahida Quami movement (MQM), and the Pakistan People's Party Parliamentarians (PPPP) — all parties of the outgoing government. The violence curtailed voters in some areas from hearing the messages of these parties and could have adversely affected the integrity of the elections in certain constituencies in Balochistan, Karachi, Khyber Pakhtunkhwa, and the tribal areas.

In the closing days of the campaign, the Pakistani Taliban announced its intentions to disrupt the elections, stating that "our war is against democracy." Nevertheless, political parties and candidates in the most threatened parts courageously continued their campaigns. On election day, political violence reportedly resulted in dozens of deaths. From March 16, when the National Assembly was dissolved, until May 7, the United Nations (UN) recorded 196 deaths due to election-related violence. Campaign fatalities included at least seven candidates.

In recent years, the Pakistani people have done much to build a more democratic society. There is a robust and independent print and electronic media, the capacity of civil society is increasing, there is an independent and assertive judiciary, and political parties are maturing, as seen by their willingness to cooperate on establishing an improved legal framework. The May 11th elections illustrated the resolve of the people of Pakistan to build on the progress that they have made in developing their democratic institutions. We encourage that the international community to continue its support for these efforts to advance the democratic process.

OBSERVATIONS AND FINDINGS

Mission Overview

Building on the work of NDI's December 2012 pre-election assessment mission, the NDI-ANFREL mission arrived in Pakistan on April 26, 2013 to observe the pre-election period. The mission, comprised of 48 international observers, is led by Kjell Magne Bondevik, former Prime Minister of Norway; Russ Carnahan, former U.S. Representative from Missouri; Nora Owen, former Minister of Justice from Ireland; Amina Rasul-Bernardo, ANFREL representative and former Presidential Adviser on Youth Affairs of the Philippines; Shari Bryan, NDI Vice President; and Peter Manikas, NDI Director for Asia Programs. For polling day, the mission deployed observers to Attock, Chakwal, Faisalabad, Haripur, Hyderabad, Islamabad, Karachi, Lahore, Multan, Rawalpindi, Risalpur, and Sukkur.

NDI-ANFREL observers held approximately 300 meetings with election administration and government officials, as well as with candidates and representatives of political parties, civil society groups, and the media. Members of the group met with leaders and regional representatives, including women and youth leaders in the parties, of the ANP, Balochistan National Party--Mangal (BNP-M), Jamiat Ulama-e-Islam--F (JUI-F), Jamaat-e-Islami (JI), Jamhoori Watan Party (JWP), MQM, National Party (NP), Pakhtunkhwa Milli Awami Party (PkMAP), Pakistan Muslim League--Functional (PML-F), Pakistan Muslim League--Nawaz (PML-N), Pakistan Muslim League--Quaid-e-Azam (PML-Q), PPPP, Pakistan Tehreek-e-Insaf (PTI), and Qaumi Watan Party, as well as several independent candidates.

The NDI-ANFREL mission will continue to observe the post-election period and issue a final report on the elections in the coming months.

The mission's observations have been made in the context of the legal framework of Pakistan as well as international standards for democratic elections. All NDI-ANFREL observers pledged to abide by the Election Commission of Pakistan's (ECP's) Code of Conduct for Observers and received accreditation from the ECP and additional credentials from the Ministry of Interior. Moreover, NDI-ANFREL observers conducted their activities in accordance with the Declaration of Principles and Code of Conduct for International Election Observation, which has been recognized with appreciation by the United Nations General Assembly, and to which both NDI and ANFREL are signatories. NDI and ANFREL recognize that, ultimately, it will be the people of Pakistan who will determine the credibility of their elections.

Election Day

Polling was scheduled to take place in a total of 69,801 polling stations on May 11. Women and men voted separately, either in separate polling booths inside polling stations or through single-gender polling stations.

NDI-ANFREL observers visited more than 250 polling locations and followed opening, voting, closing, and counting procedures.

NDI-ANFREL observers noted a calm and peaceful environment in most polling stations. Voters demonstrated enthusiasm and dedication, sometimes patiently enduring long waiting times, harsh weather conditions, and overcrowding. Voter turnout, which observers generally assessed to be high, varied widely among polling stations visited. Opening, voting and closing procedures were mostly followed, though some disorganization and lack of consistency was noted. Observers reported overcrowding in multiple locations across the country. Continuation of campaign activities on

election day was observed in almost all polling locations visited by NDI-ANFREL observers.. Instances of voters and polling personnel experiencing difficulties finding voters' names on the electoral rolls was observed in the majority of observed areas.

Most polling stations observed opened on time or with less than half an hour delay. Significant delays were reported in Hyderabad, Karachi, and Lahore because of the late arrival of essential election materials or polling personnel. Some of the delays were attributed to poll workers being late or disorganized, including Haripur, Karachi, Lahore, and Rawalpindi. In Karachi, long queues outside the stations caused tension and resulted in extended voting hours.

During various stages of the election process, observers noted insufficient attention paid to ensuring that ballots and official forms and stamps were kept securely. In some places, ballot box seals were not affixed tightly enough to prevent tampering.

Campaign tents were closer than the prescribed 400 yards at almost all polling locations visited. Campaign materials were at times displayed on polling stations and voters and polling agents were widely reported to be wearing party insignia. NDI-ANFREL observers reported instances of polling agents instructing voters for whom to vote in Haripur, Islamabad, and Karachi. In addition, many voters entered polling stations carrying "chits" with party symbols and photographs of candidates or party leaders.

Observers generally reported being welcomed by polling personnel, who largely appeared organized and knowledgeable of procedures. A majority of observed polling officers conducted their duties in a professional and neutral manner. However, in some locations the high turnout seemed to overwhelm the staff. Having single Presiding Officers supervise the process in multiple booths at times resulted in lack of oversight and control. Observers also noted inconsistent application of procedures, particularly regarding the reading out of voters' names and Computerized National Identity Card (CNIC) numbers, checking CNICs against the electoral rolls, recording voters' data on the counterfoil, instructing voters how to vote or fold ballots, and applying indelible ink. The identity of veiled women was not always verified.

Relatively few problems were reported related to the electoral rolls. Most voters used chits that included all the necessary data to find their names on the rolls. However, some confusion remained, when voters showed up at the wrong booths or stations, instances of which were observed in the majority of areas visited. A verification system that allowed voters to learn their polling location through text messages seemed to supplement, but not eliminate the party-distributed chits and the active role of polling agents in assisting voters on election day.

Some NDI-ANFREL observers reported similar conditions and procedures in male and female booths, while others witnessed fewer polling booths for women, longer lines, and less effectively implemented procedures. In one instance, in a rural area of NA-125, observers reported that male polling booths were orderly, well organized, and fully staffed, while the female booths were unable to open by late morning due to the absence of necessary polling personnel.

Observers reported that the secrecy of the vote was generally respected, apart from several instances with group voting, inadequate room setup, and the positioning or absence of voting screens.

Security personnel were observed at all polling stations visited by NDI-ANFREL observers, who assessed that they generally adhered to their mandated roles, and contributed to peaceful conduct of polls. Two instances were reported where security personnel performed duties assigned to polling officials. In another case, security officials prevented observers from adequately viewing the voting process.

NDI-ANFREL observers reported few difficulties accessing the polling locations or obtaining necessary information, though several teams were asked to reduce their observation time, leave or not enter certain polling stations because of tension and potential violence. In one instance, observers in Faisalabad were refused entry to a polling station the Presiding Officer, who demanded a special authorization from the constituency's Returning Officer (RO).

Near the scheduled time for the closure of polling stations at 5:00 p.m., the ECP announced extended voting for one additional hour for the entire country and three additional hours for specific constituencies in Karachi. A number of polling stations observed in Islamabad notified of the extension after they had already started closing and counting ballots.

The ECP announced that it currently plans to conduct re-polling at 43 out of 180 polling stations in NA-250 in Karachi because of delayed openings, threats to polling personnel, and stolen election materials. In some cases, the closing and counting procedures were described as chaotic and lacking transparency. Procedures for reconciliation generally were not followed and ballots were not always screened for validating stamps and signatures. Observers reported that, in some cases, polling personnel experienced difficulties filling out counting forms.

The consolidation and compilation of results has not yet been completed. The NDI-ANFREL mission will comment on this process in its final report.

Political Environment

Political Violence and Security Environment

In past elections in Pakistan, the sources of violence have largely been the contesting parties. In the 2013 elections, non-state actors have been the primary perpetrators of the violence that plagued the electoral process.

In the pre-election period, the ability of candidates and political parties to engage voters freely was sharply undermined in certain areas of the country because of the grave level of violence and threats of violence. Violence and threats were targeted primarily at three parties: the ANP, MQM, and PPP. The Pakistani Taliban claimed responsibility for dozens of attacks against election administrators, candidates, campaign staff, and their supporters. On April 28, the situation escalated when the group announced its intention to end the democratic system altogether and began targeting additional parties. Some parties in Balochistan, FATA, Karachi and Khyber Pakhtunkhwa were prevented from holding outdoor rallies, requiring them to mobilize supporters and communicate campaign messages through social and other media. This resulted in an unlevel playing field for those parties in certain areas of the country.

According to the UN, 196 people were killed and 645 were injured as a result of more than 300 recorded incidents of election-related violence from March 16, when the National Assembly was dissolved, to May 7, a few days before the elections. Domestic observers and media reported that more than a thousand people had died as a result of election-related violence since the beginning of the year. Dozens more people were killed on election day. Areas of Balochistan, FATA, Karachi, and Khyber Pakhtunkhwa suffered the highest number of incidents. According to news reports, fatalities included at least seven candidates; another candidate was kidnapped during the pre-election period. As required by the Representation of the People Act, the ECP suspended elections in three National Assembly constituencies and six Provincial Assembly constituencies because of the deaths of registered candidates. The ECP suspended at least one additional election in the tribal areas, NA-38, because of an unspecified "law and order" situation.

The violence and threats discouraged citizens from freely attending campaign events and more broadly participating in the elections as candidates, campaign staff, election administrators, observers, and simply as voters. Attacks and threats against election officials and election facilities also impeded the effective administration of the elections.

As a result of escalating violence, the Ministry of Interior (MOI) issued instructions on April 15th to provincial governments and law enforcement agencies to increase security measures and provide security personnel to protect all candidates. While party representatives have reported to NDI-ANFREL observers that several party leaders, high-profile candidates, and others have received security personnel, many have reported that not all candidates have received such support and some felt the personnel provided was inadequate. The MOI could not provide NDI-ANFREL observers with specific details about the criteria used to decide which candidates were provided personnel and the level of support provided. Many candidates and party representatives reported and were observed to be using private security guards.

The ECP developed three security designations for polling stations: “highly sensitive,” “sensitive,” and “normal.” The ECP designated 22 percent of the approximately 69,801 polling stations in the country as highly sensitive, another 22 percent as sensitive, and the remaining 56 percent as normal. Balochistan possessed the highest percentage of polling stations designated as highly sensitive at 48 percent, followed by Khyber Pakhtunkhwa at 23 percent. According to the ECP and MOI security plan, the police and other security services were to deploy seven to eight personnel to each “highly sensitive” station, five to six personnel to each “sensitive” station, and two to four to each normal station, but maintained flexibility to change deployments according to needs on the ground. Additionally, the army announced plans to deploy some 70,000 troops in support of election security, including “Rapid Response Forces” sent to each constituency to respond to incidents as they occur. On May 10, the army announced it had modified its election security plan at the request of the CEC to deploy troops at “prioritized” polling stations among those categorized as most sensitive.

Political Parties, Candidates and Campaign Environment

Despite the unprecedented level of election-related violence, the pre-election political environment was characterized by active competition among several national and regionally-based parties, including newly prominent contestants. A number of political parties that boycotted in 2008 chose to contest the 2013 elections, including BNP, JI, NP, PkMAP, and PTI. The campaign was vigorous in most parts of the country, though campaign events were severely restricted in areas where political violence was prevalent.

The elections were highly competitive and thousands of citizens exercised their right to contest as candidates. An average of 17 candidates contested each National Assembly constituency for general seats, and an average of 19 candidates contested for general seats in the Provincial Assemblies. Notably, the 2013 elections included the participation of the first woman candidate in FATA, as well as the first ever transgender candidates. Despite the unfavorable political environment for non-Muslims, multiple Christian political parties fielded candidates for general seats.

As seen through the media and observation of campaign activities, the campaign discourse was dominated by discussion of the economy, peace and security, energy, law and order, corruption, and social development. Opinion surveys conducted in the lead-up to the elections indicated that these were generally the issues of greatest importance to voters. The diversity of views and platforms presented by the parties and candidates offered voters distinct choices in the elections.

In most parts of the country, political parties and candidates utilized conventional methods of campaigning, including rallies, processions, corner meetings, indoor events, distribution of printed materials, door-to-door activities, persuasion and mobilization calls, print and broadcast media, as

well as newer methods such as social media, internet, e-mails, and text messaging to reach Pakistan's estimated 29 million internet users and 120 million mobile phone subscribers. Most prominent political parties utilized Facebook pages and Twitter accounts, in part to reach out to young voters, who represent almost half of the registered electorate. One party organized its internal party elections largely through the use of a text message-based voting system.

As a result of extending the Political Parties Order to FATA, political parties were able to field candidates for general seats in the National Assembly in the tribal areas for the first time. Previously, only independents could contest these seats. Representatives of political parties and civil society organizations working in FATA, as well as individual candidates, told NDI-ANFREL observers that the elections in FATA were characterized by a greatly increased atmosphere of political competition, as most prominent parties fielded candidates in the tribal areas for general seats in the National Assembly. The extension of the Political Parties Order was an important step in an incomplete process of bringing FATA into the political and legal structures enjoyed by the rest of Pakistan. It remains problematic that political agents in FATA hold unchecked administrative, judicial, and election administration powers. Moreover, as Article 247 of the Constitution grants all administrative and legislative powers for FATA directly to the President of Pakistan, the elected members of the National Assembly from constituencies in the tribal areas will have limited legislative power to address issues related to the tribal areas.

Media and Domestic Observers

The media offered widespread coverage of the 2013 campaign throughout the country in multiple languages and provided a broad diversity of views to voters through multiple media outlets. Despite its designation as one of the most dangerous places in the world for journalists, Pakistan has an active media environment that has grown exponentially over the last decade to include approximately 90 television stations, 67 radio stations, hundreds of newspapers, supported by the work of an estimated 17,000 journalists.

FAFEN, a coalition of 42 domestic civil society organizations, deployed almost 400 constituency-focused long-term observers and approximately 41,000 short-term observers on election day. FAFEN conducted an audit of the electoral rolls, produced dozens of reports on political violence, candidate scrutiny, code of conduct monitoring, and other topics during the pre-election period, and implemented a parallel vote tabulation on election day, sampling 9,000 polling stations. Other domestic observer groups focused on women's participation, campaign finance, and tracking incidents of election-related violence and campaign violations.

Both the media and domestic observer groups played an important role in the 2013 elections in educating voters on the electoral process and holding election administrators, political parties, and candidates accountable for their actions.

Legal Framework and Election Administration

Legal Framework

National Assembly and Provincial Assembly elections in Pakistan are governed by the Constitution of Pakistan and numerous acts, orders, and rules, including the Delimitation of Constituencies Act of 1974, the Representation of the People Act of 1976, Electoral Rolls Act of 1977, the Conduct of General Elections Order, and the Political Parties Order of 2002, as well as ECP regulations.

Internationally, Pakistan has acceded to the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), and most recently, in 2010, the International Covenant on Civil and Political Rights (ICCPR). Collectively, these international agreements outline Pakistan's commitments toward holding democratic elections.

Election Reform Since 2008

Following the 2008 general elections, ECP officials and lawmakers began an ambitious election reform process in cooperation with political parties and civil society. The ECP developed and partially implemented a five-year 2010-2014 Strategic Plan, and lawmakers sought constitutional and legal reform, in part through the establishment of special committees. Notable progress was made through the reform process, including three important amendments to the Constitution that bolstered the independence and neutrality of the Election Commission, considerably improved accuracy of the electoral rolls, and the removal of education requirements for candidates, which were viewed as unduly restrictive. Lawmakers also extended the Political Parties Order to FATA, which allows party-nominated candidates to contest for National Assembly general seats in the region. Further, the ECP issued new administrative Codes of Conduct for political parties and candidates, observers, polling personnel, media, and security personnel. The codes reinforced many provisions already outlined by law and outlined new guidelines, for instance, detailing roles and responsibilities for observers and forbidding the practice of entering informal agreements to bar women from voting. These reform measures were developed through consultative processes, which included representatives of political parties, civil society, and the media, among other relevant electoral actors.

However, the reform process remains incomplete, as several important issues have been insufficiently addressed, including the electoral dispute resolution system, candidate scrutiny process, gender equality measures, rules for observers, and results compilation and consolidation mechanisms, among others. Efforts to address these issues and establish a unified election code were not successfully completed prior to the 2013 elections.

2013 General Elections

The ECP is a constitutionally mandated, independent central election management, responsible for assisting the Election Commission in implementing its policies and decisions. The Election Commission consists of five commissioners: the CEC and four Election Commission Members, one representing each province.

In discussions with NDI-ANFREL observers, most political party and civil society representatives expressed confidence in the impartiality and independence of the ECP. Many felt that the 2013 elections were more competently and uniformly administered than previous elections. Many political parties, journalists, and civil society representatives told NDI-ANFREL observers that the elections were generally conducted in a more transparent atmosphere, and several commended the ECP on its commitment to consultative outreach to interested parties during the reform process.

Electoral Rolls

There is widespread agreement that the electoral rolls have been substantially improved from previous elections. Slightly more than 86 million citizens of Pakistan were registered to vote in the May 11th elections through a list developed in cooperation with the civil registry authority, the National Database and Registration Authority (NADRA), which is based on citizens' Computerized National Identity Cards (CNICs). Linking voter registration to the possession of a CNIC has resulted in substantial improvements to the accuracy of electoral rolls, with more than 37.2 million unverified voters eliminated and more than 36.7 million new voters added through the initial process.

The ECP displayed the updated preliminary electoral rolls in more than 52,000 locations around the country for 21 days in early 2012 and established a program where citizens could check their voting registration status and electoral area, the census block to which their registration address belongs, via text message using their CNIC numbers. On May 6th, the week before the elections, the text message voter registration verification system was expanded to allow voters to check their polling station location in addition to the previously provided information. The ECP said the system was accessed

55 million times in the final 10 days of campaign, including 17 million times on election day itself. NDI-ANFREL observers in multiple regions of the country confirmed with dozens of voters that the system functioned properly.

However, some civil society groups and election administrators expressed concerns about the CNIC-based voter registration system: 1) as many as 10 percent of voters had their voting registration addresses changed through the initial transition to the new system; 2) those without birth certificates, a high percentage in Pakistan, face difficulties in acquiring CNICs, which is now required to register to vote; and 3) CNIC possession among women is disproportionately low compared to men, and young women living in urban areas are particularly unlikely to possess CNICs.

Similarly, many political parties and civil society representatives expressed concerns to NDI-ANFREL observers about expected voter disenfranchisement of internally displaced persons (IDPs) from the conflict-affected areas of Balochistan, FATA, and Khyber Pakhtunkhwa. While election administrators took measures to enable IDPs to vote, including setting up polling stations in IDP camps and other locations where IDPs live and in food distribution facilities, these measures were not expected to reach all IDPs. Notably, many who consider themselves IDPs are not registered as such by Pakistani authorities, and without official IDP registration, they could not vote at the polling stations set up for IDPs.

Candidate Scrutiny

In order to be registered as a candidate for general elections in Pakistan, an individual must meet the following criteria: be 25 years of age or older; be a citizen of Pakistan without dual citizenship; be registered to vote in any area of Pakistan (for National Assembly general seats or seats reserved for non-Muslims) or in a specific province (for National Assembly seats reserved for women and Provincial Assembly seats); be “sagacious, righteous, non-profligate, honest, and ameen” (trustworthy); not having (nor one’s spouse or dependents) defaulted on a loan of two million rupees or more for more than one year; not having defaulted on payment of utilities or government dues in excess of 10,000 rupees for more than six months. Additionally, Articles 62 and 63 of the Constitution require that Muslim candidates possess “adequate knowledge of Islamic teachings,” be “of good character,” and not be “commonly known as one who violates Islamic Injunctions.” Non-Muslims are required to possess “good moral reputation.”

According to the ECP, 8,059 people filed nomination papers to contest for general seats in the National Assembly, and 19,016 people filed nomination papers for general seats in the Provincial Assemblies. The determination by ROs of who met candidate eligibility requirements was inconsistently administered across the country, in part due their exercising broad latitude in asking personal questions to the candidates based on Articles 62 and 63. Certain high-profile candidates, including former President Pervez Musharraf and PML-N leader Chaudhry Nisar Ali Khan, were rejected in some constituencies but not in others. In certain constituencies, according to media reports, prospective candidates were asked to recite passages of the Koran and other questions to test the morality and religiosity of the candidates. These questions reportedly included whether candidates had watched an uncensored movie, eaten pork, or believed in honeymoons.

Domestic observers and media reported that nominees were rejected for several reasons, including incomplete documentation, being defaulters on loans, not paying required taxes or utilities, physical absence of the candidate, incorrect taxes or assets declarations, previous convictions in criminal cases, possessing dual nationality, having previously contested an election with a fake degree, and other criteria outlined by Articles 62 and 63.

The inconsistently implemented candidate scrutiny process drew wide criticism from political parties, candidates, civil society, and media. Candidates and individual citizens filed 1,649 appeals to the

decisions of ROs, of which 594 (36 percent) were accepted by Appellate Tribunals and overturned. Ultimately, following RO scrutiny, the appeals process, and large-scale withdrawals, 4,671 contestants were registered to compete for National Assembly general seats, and 10,958 contestants were registered to compete for Provincial Assembly general seats. Including candidates for seats reserved for women and non-Muslims, a total of 16,692 contestants were registered for the elections.

Many individuals have appealed the decisions of the RO and Tribunal-led scrutiny process to high courts, which in some cases disqualified accepted candidates and overturned the rejection of others, even into the final days of the campaign following the printing of ballots. On May 4, one week before the elections, the Lahore High Court intervened, stating, “The RO cannot embark upon a subjective inquisition by throwing a volley of self-styled questions, unrelated to the record before him.” The ROs were advised “to immediately refrain from asking random, intrusive, and inquisitive questions that have no nexus with the information supplied in the nomination papers or do not arise from objections raised by the other side.”

Women’s Participation

Some positive steps were taken to improve women’s ability to exercise their political and civic rights in the 2013 elections. Women represent 44 percent of registered voters on the electoral rolls. A comparison of the electoral rolls from 2008 with 2013 reveals an increase of around 7 percent in registered men and 5 percent registered women. The Benazir Income Support Program (BISP) and other efforts which provided relief to flood victims required recipients to possess a CNIC. NADRA set up mobile teams to register women voters in target districts with very low percentages of women who possessed CNICs. These initiatives resulted in significant numbers of women added to the electoral rolls.

Several political parties sought to promote women’s involvement in party activities through various mechanisms, such as: encouraging women’s wings of the party; including women in higher-level decision-making; and providing women activists with training in campaigning skills. All parties currently represented in the National Assembly and other prominent parties included specific language about women in their platforms, which varied from brief acknowledgements to detailed policy proposals, and some used advertisements targeted at women, promoting women as leaders and role models. It is also a positive development that these elections saw the first women candidate contest the elections in FATA.

The ECP’s decision to track voter turnout data, disaggregated by gender, is a further positive step towards supporting women’s political participation in Pakistan. This data will prove invaluable to better understanding and supporting women’s political participation in the country, as well as helping candidates, political parties, and policy-makers to better address their concerns.

Nevertheless, women remain grossly underrepresented in all aspects of the electoral process, including as candidates, election administrators, and voters. According to UN Women, women candidates represented only 2.9 percent (456 candidates) of the 15,629 total contestants registered to compete for general seats in the elections. There were 158 women contestants registered to compete for National Assembly general seats and 298 registered for Provincial Assembly general seats. These figures constitute increases of 119 percent (86 additional candidates) and 156 percent (182 additional candidates), respectively, from the 2008 general elections. There were 255 women that contested for the 60 seats reserved for women in the National Assembly, and 557 women that contested for the 128 seats reserved for women in the Provincial Assemblies.

Civil society representatives and individual candidates told NDI-ANFREL observers that women candidates faced considerable challenges in the elections. These included threats from militants, harassment, pressure from employers and local leaders, as well as difficulty resourcing their

campaigns. A woman candidate in Balochistan told NDI-ANFREL observers that she withdrew from her contest for a Provincial Assembly seat due to feeling threatened. A candidate in Khyber Pakhtunkhwa reported to NDI-ANFREL observers that she had been fired from her job as a result of becoming a candidate in the elections.

Women also remain severely underrepresented in Pakistan's election administration bodies. No women serve on the Election Commission, and the officers of the ECP, including its directors and provincial commissioners, are all men. The ECP further reported that less than 2 percent of its staff members and less than 2 percent of District Returning Officers (DROs), ROs and Assistant Returning Officers (AROs).

As voters, women also faced significant challenges to political participation. During the 2008 general elections, political and local leaders in some areas of the country conspired to restrict women from voting. According to FAFEN, no votes were cast in 564 women-only polling stations, 84 percent of which were located in the Northwest Frontier Province, now known as Khyber Pakhtunkhwa. The ECP Code of Conduct for Political Parties and Candidates expressly forbade the practice of colluding to bar women from voting in the 2013 elections. NDI-ANFREL observers were told by political parties, candidates, and civil society representatives that the Pakistan Ulema Council's decree, or *fatwa*, from April 25th, which declared that Islamic law does not prohibit women from voting, would discourage this practice and facilitate increased voting by women in the elections. Religious parties, which in previous elections discouraged women from voting, have explicitly supported women casting ballots in the 2013 elections. Despite these positive developments, domestic observers and media reported that women were barred from voting on election day in multiple areas in Khyber Pakhtunkhwa, Punjab, and FATA.

Youth Participation

Although a census has not been conducted since 1998, it is estimated that approximately 60 percent of Pakistan's entire population is under the age of 35, and Pakistan's "youth bulge" is expected to continue increasing in size well into the foreseeable future. According to NADRA, 48 percent of those registered to vote are under the age of 35, vividly demonstrating the potential of youth to have an outsized impact on the 2013 elections.

Political parties and candidates actively sought to engage youth in their election campaigns and developed electoral appeals specifically targeted at young voters. Many parties engaged youth as campaign staff, volunteers, and polling agents. Some parties worked to recruit young candidates to contest the elections, though specific statistics on youth candidates are currently unavailable on the ECP website, as posted candidate application documents do not contain data on candidates' ages.

Most parties included specific youth-focused policy prescriptions in their platforms, addressing the issues of unemployment, education, skills training, and youth civic forums, among others. In addition to more traditional campaign methods, parties and candidates also employed campaign tactics that sought to engage young voters, among others, including extensive use of social media and text messaging.

In addition to political parties, dozens of national and regional civil society groups implemented programs seeking to encourage youth participation in the election, including voter mobilization campaigns, election observation activities, and ECP-supported voter education campaigns for first-time voters. Representatives of political parties and youth-focused civic groups reported to NDI-ANFREL observers that opportunities for youth political participation were greater during the 2013 elections than any time before in Pakistan's history.

RECOMMENDATIONS

In the lead up to the 2013 elections, the ECP and other participants made efforts to respond to recommendations presented earlier by domestic groups and international organizations such as NDI to help strengthen the electoral process. These included measures to: increase voter education; mobilize ECP monitoring teams to enforce electoral regulations and codes of conduct; and broaden the use of mobile phone technology and social media to promote voter engagement.

The NDI-ANFREL international election observation mission offers the following recommendations in the spirit of international cooperation and to promote transparency in the immediate post-election environment and broader strengthening of democratic institutions and practices in Pakistan.

Political Violence and Security Environment

- 1. Political parties should stand together, with a unified voice, to address the issue of electoral violence.** Similar to the spirit of cooperation with which the political parties selected the Chief Election Commissioner and promoted important reforms in the years leading up to the elections, political parties should come together to mobilize public support to counter political violence. Their unity on this issue is essential to the advancement of the country's democratic reform process.
- 2. The Election Commission of Pakistan (ECP) and relevant law enforcement bodies should develop electoral security plans in a more timely manner.** The 2013 elections witnessed unprecedented levels of electoral violence, particularly in the pre-election period. Expected re-polling and by-elections following the May 11th polls present an immediate opportunity for the ECP to work with law enforcement agencies and the armed forces to develop and publicize security plans — particularly in high risk areas — and help ensure a more level playing field for electoral contestants. In addition, voter education should include clear descriptions of the role and responsibilities of law enforcement and the armed forces in the electoral process.

Political Parties, Candidates and Campaign Environment

- 3. Guidelines on the responsibilities of party polling agents should be publicized by election authorities as early as possible in the pre-election period.** This would enable parties to prepare and train their polling agents properly, and foster a greater understanding among party supporters of the roles and limits of polling agents.
- 4. Further political reforms are required to enable fair and transparent electoral processes in the Federally Administered Tribal Areas (FATA).** Political parties, parliamentarians and election authorities should continue to collaborate on legislative and administrative measures to bring FATA into the mainstream of the nation's political life.

Legal Framework and Election Administration

- 5. Election authorities and lawmakers should renew efforts to advance the electoral reform process.** A post-election review could be conducted by the ECP and measures should be taken to address issues such as: the establishment of a unified election code, gender equality measures, observer rights and rules, and results compilation and consolidation mechanisms, should continue to be addressed in the post-election period. In addition, the incoming government should build on the collaborative efforts of the Senate and National

Assembly committees focused on addressing election issues and reforms. The committees or other appropriate legislative bodies should continue to provide oversight of the election process during the post-election period.

- 6. The ECP should work with lawmakers to improve and expand the legal and regulatory framework for election dispute resolution.** Adjudicatory mechanisms should be created to enable electoral participants — including voters, domestic monitors and political parties — to challenge the ECP’s administrative decision-making on candidate nominations, voter registration, and campaign, voting and results tabulation procedures. In addition, the ECP should use its rule-making powers and work with lawmakers to clarify and expand the legal framework for election dispute resolution to include the management of complaints in the pre-election period.
- 7. Training for election personnel should be improved to address the inconsistent implementation of polling day procedures.** To promote proper election administration and voter confidence in the electoral process, election personnel should be trained as early as possible, in a uniform manner, and through processes that support consistent application of election procedures, particularly for closing and counting.
- 8. Election procedures should incorporate measures to increase ballot security.** These include steps to conduct ballot reconciliation and account for ballot box seals.
- 9. The ECP should publicly release polling station level results as soon as possible following elections.** This would enable domestic monitors and polling agents to compare the results they observed on election day to final results. This measure would foster transparency and help promote public confidence in the final electoral results as well as the electoral process as a whole.
- 10. NADRA and the ECP should maintain their collaboration to improve the electoral rolls.** Election authorities should promote a system for continuous voter registration, as well as automatic updates to the electoral rolls, in tandem with civil registration drives. Public outreach should be conducted to disseminate information on how to validate and correct information on the electoral rolls.
- 11. Election-day procedures and polling schemes should be designed to support greater participation of the disabled.** Resources and practical measures, such as providing the option of using postal ballots, should be considered to support the disabled to exercise their right to vote.

Women’s Participation

- 12. The ECP should review complaints, reports, and evidence of incidents where women were barred from voting.** The ECP should exercise its authority up to and including declaring election results null and void in areas where women were prevented from voting. In addition, the ECP should impose penalties for offenses that involve acts that deliberately prevent women from exercising their right to vote.
- 13. The ECP, political parties, civil society groups, and the media should continue efforts to increase electoral participation of women.** The ECP should address areas of low participation among women by cooperating with NADRA to increase the issuance of CNICs among women and ensure their inclusion on electoral rolls. Political parties, civil society

groups and the media should continue campaigns among women of all ages and regions to be active in the country's political and electoral processes.

Youth Participation

- 14. Voter education programs should streamline the use of various media and incorporate tailored approaches to communicate with young voters, particularly young women.** Election administrators and political parties should continue to actively encourage youth participation in elections, including through initiatives to educate young voters about the process and increase CNIC registration, particularly among young women in urban areas.

Participation of Minorities and Marginalized Groups

- 15. All eligible voters of Pakistan should be included in the general electoral rolls.** The requirement for separate registration of voters, including the Ahmadis, is inconsistent with the commitments provided under the Universal Declaration of Human Rights.
- 16. Election authorities and political parties should implement additional measures, such as tailored voter education and outreach campaigns, to promote the electoral participation of minorities and marginalized groups.**

NDI is a nonpartisan, nongovernmental organization that supports and strengthens democratic institutions worldwide through citizen participation, openness and accountability in government. NDI has been observing elections in Pakistan since 1988 and conducts ongoing programs in the country to strengthen political parties and increase political participation among women and youth. For more information about NDI please visit our website, www.ndi.org.

ANFREL is a network of 21 citizen election observation organizations from 15 countries across Asia. Since 1997, ANFREL has worked to advance the cause of electoral democracy in Asia through election observation, civil society development, and election-related advocacy and campaign work. ANFREL observed Pakistan's general elections in 2002. ANFREL maintains independence from its host countries' members when observing elections internationally. The Free and Fair Election Network (FAFEN) in Pakistan is an ANFREL member, but it is not formally involved in the NDI-ANFREL mission. For more information about ANFREL please visit its website, www.anfrel.org.

Both NDI and ANFREL are signatories of the Declaration of Principles for International Election Observation.