

## OBSERVATION REPORT

PS - 11 - Larkana II



# PROCEDURAL IRREGULARITIES PERSIST IN LOW-TURNOUT LARKANA BY-ELECTION

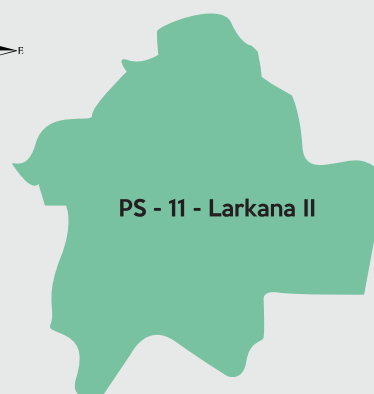
ISLAMABAD, October 18, 2019: Low-turnout, peaceful by-election for the provincial constituency seat in Larkana was marked by persisting procedural irregularities and statistically improbable turnout at at least one of the booths of 30 percent of the observed polling stations, says the Free and Fair Election Network (FAFEN) in its observation report.

The report is based on the observation of 69 polling stations received from 21 observers who used a standardized methodology based on the Elections Act, 2017, Election Rules 2017, ECP Codes of Conduct and handbooks for election officials. These trained, nonpartisan and duly accredited observers visited up to four polling stations on Election Day to directly observe and report on the election environment inside and outside polling stations, instances of electoral and political violence, pre-voting preparations at polling stations and voting and counting processes inside polling stations. Each observer spent nearly one hour at each polling station to observe polling processes.

FAFEN documented instances of improbable voting at at least one of booths of 21 polling stations where an average of more than 33 votes per hour had been cast at the time of observation. These polling stations included polling stations numbers 10, 21, 22, 27, 28, 29, 30, 31, 37, 44, 56, 57, 61, 72, 73, 75, 95, 102, 108, 110 and 112. According to Form 48-Consolidated Statement of the Results of the Count Furnished by the Presiding Officers, GDA emerged winner at 17 of these polling stations as compared to four such polling stations where PPPP candidate secured a majority vote.

The improbable voting pattern is calculated on the basis of estimated time required to complete the voting process – right from the appearance of a voter before the Polling Officer to his/her actual casting of ballot – is 108 seconds or 1 minute and 48 seconds. This estimation is based on the provision of Section 59 (3) of the Elections Act, 2017 which requires the

## CONSTITUENCY HIGHLIGHTS ...



### REGISTERED VOTERS

There are 152,614 registered voters in the PS - 11 Larkana II, including 83,016 male voters and 69,598 female voters.

#### General ELECTION 2018

MALE	FEMALE	TOTAL
81,496	67,430	148,926

#### BY-ELECTION 2019

MALE	FEMALE	TOTAL
83,016	69,598	152,614

#### CHANGE

MALE	FEMALE	TOTAL
1.9%	3.2%	2.5%

### POLLING STATIONS (PS)

Election Commission of Pakistan (ECP) set up 138 polling stations – 44 male, 44 female and 50 combined for the by-election. Overall, 493 polling booths – 258 male and 235 female – were established.

MALE PS	FEMALE PS	COMBINED PS
44	44	50
493 POLLING BOOTHS		

Returning officers to allocate, as far as practicable, not more than 1,200 voters per polling station and not more than 300 voters per booth. This legal provision averages the polling rate per hour at 33. Any rate higher than 33 raises questions about the quality of the voting process and needs to be scrutinized by the ECP to see whether election officials have fulfilled all legal formalities before issuing a ballot to the voter.

FAFEN observers also reported instances of breach of secrecy of voters inside polling booths, indicating issues with the management of polling stations. Out of 230 observed polling booths, 18 instances of breach of secrecy were observed at as many booths. The breach of secrecy was due to multiple reasons including setting up of secrecy screens in a manner not consistent

### TIMELINE OF ELECTIONS



with guidelines provided by the ECP, voters accompanying by other persons behind secrecy screens, voters queuing up too close to the secrecy screen waiting for their turn to vote, etc. Equally concerning is the observation that the CCTV cameras at as many 31 polling stations were installed in a manner that they could compromise the voter's secrecy guaranteed by the constitution and the law.

Authorized polling agents, who are legally allowed to witness the polling process and object to any irregularity, were appropriately seated at most (213 or 93 percent) of the observed polling booths and were able to see the entire polling process. However, the seating arrangement for polling agents at the remaining 17 (seven percent) polling booths did not enable them to see the polling process clearly.

Despite a competitive campaign that preceded the by-election, the voter turnout remained 39 percent, two percent less than the turnout recorded during the General Election 2018. As many as 60,161 of 152,614 registered voters turned to vote. The male turnout decreased from 46 percent to 43 percent and the female turnout remained unchanged at 35 percent.

ECP had made elaborate security arrangements for the by-election deploying Sindh Rangers for polling stations security and a contingent of Pakistan Army on stand-by to handle any untoward situation. According to FAFEN observers, security personnel were seen performing their duties outside all observed polling stations and inside more than 95 percent polling stations.

The security personnel generally followed the guidelines provided to them by the ECP in their code of conduct except for five polling stations where they allowed voters to carry their phones inside the polling stations. They also allowed access of media along with

## CONSTITUENCY HIGHLIGHTS

### MAJOR POLITICAL PARTIES

As many as 12 candidates including representatives of GDA, PPPP and 10 independents contested the by-poll.



### TOTAL CONTESTING CANDIDATES

#### GENERAL ELECTION 2018

MEN	WOMEN	TOTAL
17	1	18

#### BY-ELECTION 2019

MEN	WOMEN	TOTAL
12	0	12

### ELECTION HISTORY

#### Reason of By-Election

The seat fell vacant due to the disqualification of Moazzam Ali Khan following verdict of apex court.

#### General Election 2018

VALID VOTES	INVALID VOTES	VOTER TURNOUT
58,630	2,612	41%

#### By-Election 2019

VALID VOTES	INVALID VOTES	VOTER TURNOUT
58,683	1,478	39%

### ELECTION OBSERVERS TRAINED

MALE	FEMALE	TOTAL
33	2	35

### By-Election Observed by

MALE	FEMALE	TOTAL
21	0	21

their cameras inside polling stations unlike instances observed in earlier by-elections where media faced such restrictions. However, they were observed to have been checking voter chits (perchees) at more than 95 percent of the observed polling stations disregarding the guidelines provided in their code of conduct.

FAFEN observed the presence of party camps outside 62 of 69 polling stations observed on Election Day. In 15 party camps, armed persons were observed to have been present. Although the election law clearly prohibits candidates and their supporters from providing transport to voters on Election Day, FAFEN observers reported this illegality from outside 50 of the observed polling stations. Moreover, election officials did not remove party campaign materials inside four polling stations.

Section 238 of the Elections Act, 2017 permits duly accredited election observers to observe polling proceedings, including the voting and counting processes. In compliance with the legal provision, FAFEN observers were allowed to observe the polling process at 69 polling stations without any restrictions. However, they were not allowed to enter at four polling stations. Similarly, FAFEN observers were allowed to observe the counting process at 14 polling stations and barred at four.

The observers also reported three incidents at two polling stations where voters were stopped to poll vote despite having original National Identity Cards (NIC). Moreover, one instance of voters being allowed to cast votes upon showing documents other than original NIC was witnessed at one polling station. Four instances at a polling station were observed when Assistant Presiding Officer (APO) did not sign on the back of the ballot paper before issuing it voters.

The observers also reported three incidents at as many polling stations where polling staff disallowed a voter with disability to seek assistance from a person of his choice for casting vote. A total of 51 of the observed polling stations also lacked adequate ramp facility for wheel-chair bound voters.

At four polling stations, six instances of people accompanying a voter behind the secrecy screen were observed. Seven instances at two polling stations were observed where polling Staff was found influencing voters by signaling towards a specific candidate or party.

Moreover, 21 instances of polling staff inquiring the voters about their voting choice was also received from four polling stations. Nine instances of polling agents influencing voters by signaling towards a specific candidate or party were observed at three polling stations while 36 instances of polling agents inquiring voters about their voting choice were observed at four polling stations.

FAFEN observer reported 45 instances at three polling

stations where unauthorized persons were found influencing voters to vote for a specific party or candidate. Two instances were reported from a polling station where unauthorized persons influenced polling staff while four instances at two polling stations about presence of unauthorized persons in polling booths were reported.

The Presiding Officers (POs) at three polling stations exercised their magisterial power to ensure smooth conduct of the election. District Returning Officer also issued an order to expel three persons including a member of National Assembly, a member of Provincial Assembly and Deputy Mayor Larkana from the constituency.

FAFEN also observed the counting process at 14 polling stations. At one polling station, the polling agent of PPPP refused to sign the Result of the Count (Form-45). The observers reported that the POs pasted the copies of Form-45 and the Ballot Paper Account (Form-46) outside 11 and 10 polling stations, respectively. Moreover, six out of 14 POs interviewed after the completion of the counting process said that they had transmitted Form-45 to the Returning Officer (RO) through Result Transmission System (RTS) while eight POs were reportedly unable to transmit the result through RTS. Eight POs said the security staff assisted them in the transmission of result, three reported otherwise while three did not give proper answer to it.

FAFEN also interviewed the POs during the polling process. According to these interviews, nine POs were given mobile phones by the ECP to electronically transmit the election result, 57 used their own phones and three transmitted the result manually. Moreover, 59 percent of 69 POs interviewed expressed dissatisfaction with the RTS training provided by the ECP, while others were satisfied.

The by-election followed a competitive campaign primarily between the candidates of Pakistan Peoples' Party Parliamentarians (PPPP) and Grand Democratic Alliance (GDA), though there were 10 Independent candidates as well. FAFEN documented violations of election codes of conduct and rules during the campaign that included, among others, use of loud speakers and large sized hoardings by the contesting candidates, flags of contesting political parties affixed on government buildings, reports of government resources by rival parties, etc.

A total of 12 candidates contested the by-election in PS-11. ECP set up 138 polling stations – 44 male, 44 female and 50 combined – for 152,614 registered voters of the constituency, averaging 1,106 voters per polling station – nine less than GE-2018. Only 89 polling stations were set up in strict compliance with Section 59 (3) of the Elections Act, which requires ROs to assign not more than 1,200 voters to a polling station. As many as 49 polling stations were assigned between 1200 and 2000 voters.