



# OBSERVATION REPORT

NA-240 Karachi

## Violence, Abysmal Turnout Overshadow Generally-Compliant Voting, Counting Processes

**ISLAMABAD, June 20, 2022:** Election on a working day deterred a majority of voters from casting their ballots in NA-240 (Korangi Karachi-II) by-polls that largely remained orderly, but was overshadowed by two high-profile incidents of violence widely covered on national media, reports Free and Fair Election Network (FAFEN).

According to FAFEN observers, the presence of party camps in close vicinity of polling stations was one of the most persistent and prominent violations of the Election Commission of Pakistan's (ECP) Code of Conduct for Political Parties and Contesting Candidates. Supporters of rival candidates had set up camps around 88 percent of the observed polling stations. FAFEN observers reported the presence of armed persons at 22 percent of these camps. While these camps are generally set up by candidates to facilitate their voters in checking their serial numbers on electoral rolls, they are also the primary triggers of violence particularly in hotly contested neighborhoods. One such clash between rival parties in NA-240 outside Polling Station No.52 led to the killing of one person.

Earlier before noon, an incident of firing on the car of a key leader of a contesting party in the Landhi area, repeatedly covered by national media, may have created a sense of fear in the constituency discouraging potential voters to go out and vote. In addition, the by-election being conducted on a working day led to a turnout that remained the lowest during any of the by-elections held since the General Election (GE) 2018. Inhabited by mostly workers employed in surrounding industrial areas, the constituency registered an abysmal 8.38 percent voter turnout as compared to 37.38 percent in GE-2018. According to Form-47 (Provisional Consolidated Statement of Results of The Count), only 44,388 – 31,677 men and 12,711 women – of a total of 529,855 registered voters – 294,385 men and 235,470 women – exercised their

### CONSTITUENCY HIGHLIGHTS ...



#### REGISTERED VOTERS

There are 529,855 registered voters in NA-240 Korangi Karachi-II including 294,385 male voters and 235,470 female voters.

##### GENERAL ELECTION 2018

MALE	FEMALE	TOTAL
271,160	204,363	475,523

##### BY-ELECTION 2021

MALE	FEMALE	TOTAL
294,385	235,470	529,855

##### CHANGE IN REGISTERED VOTERS

MALE	FEMALE	TOTAL
8.6%	15.2%	11.4%

#### POLLING STATIONS (PS)

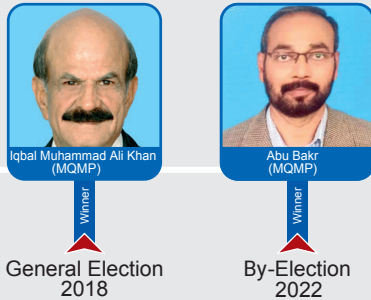
Election Commission of Pakistan (ECP) had set up 309 polling stations – 100 male, 99 female and 110 combined for the by-election. Overall, 1236 polling booths – 620 male and 616 female – were established.

MALE PS	FEMALE PS	COMBINED PS
100	99	110
1,236 POLLING BOOTHS		

right to vote on June 16, 2022. As many as 440 ballots were excluded from the count, while the margin of victory between winner and runner-up was merely 64 votes.

FAFEN observers reported that the voting process remained largely compliant with the procedure provided in the Elections Act 2017, the Elections Rules 2017, and the ECP's instructional handbooks. However, they reported some procedural irregularities at polling stations such as setting up of party

### TIMELINE OF ELECTIONS



campaigns outside the polling stations, missing or improperly placed secrecy screens at polling booths, and skipping out necessary voter verification steps, which indicate the need for greater investments in training as well as increased scrutiny of officials before their selection for election duties.

The by-election was compelled due to the death of Mr. Iqbal Muhammad Ali Khan, who had won this constituency on Muttahida Qaumi Movement Pakistan's (MQMP) ticket by securing 61,165 (34 percent) of the polled votes during GE-2018, while the Tehreek-e-Labbaik Pakistan's (TLP) Mr. Muhammad Asif was the runners-up bagging 30,535 (17 percent) of the polled votes. Seven political parties including MQMP, TLP, Grand Democratic Alliance (GDA), Mohajir Qaumi Movement Pakistan (MQM-P), Pakistan Muslim League (PML), Pak Sarzameen Party (PSP), and Pakistan People's Party Parliamentarians (PPPP) fielded their candidates for the by-election, while 18 candidates contested independently.

The ECP had set up 309 polling stations – 100 male, 99 female and 110 combined. As many as 208 polling stations had more than 1,200 voters assigned to them, which was above the legally advisable limit under Section 59 (3) of the Elections Act, 2017. The election law had included a maximum limit of voters to be assigned at a polling station in the interest of smooth voting and ensuring that the polling stations do not get cramped and crowded with voters. The law requires the Returning Officers to document categorical reasons for assigning more voters than the permissible limit at any polling station.

The report is based on the observation of 247 polling booths at 67 polling stations spread across the constituency by a total of 18 non-partisan, trained, and duly accredited observers – eight

## CONSTITUENCY HIGHLIGHTS ...

### MAJOR POLITICAL PARTIES

As many as 25 candidates including representatives of PPPP, GDA, MQMP, MQM-P, PML, PSP, TLP and 18 contested as independent in the by-election.



### TOTAL CONTESTING CANDIDATES

#### GENERAL ELECTION 2018

MEN	WOMEN	TOTAL
16	0	16

#### BY-ELECTION 2021

MEN	WOMEN	TOTAL
24	1	25

### POLLING PERSONNEL

PRESIDING OFFICERS	309
ASSISTANT PRESIDING OFFICERS	1,236
POLLING OFFICERS	1,236

### FAFEN OBSERVERS DEPLOYED

MEN	WOMEN	TOTAL
8	10	18

### ELECTION HISTORY

#### REASON OF BY-ELECTION

The seat had fallen vacant after the death of MQMP MNA Iqbal Muhammad Ali Khan.

#### GENERAL ELECTION 2018

VALID VOTES	VOTES EXCLUDED FROM THE COUNT	VOTER TURNOUT
177,759	2,801	37.38%

### SENSITIVITY OF PS BY-ELECTION 2021

HIGHLY SENSITIVE	203
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men and ten women. This includes the observation of the counting process at 13 polling stations.

Major observations are documented in the following sections:

## 1. Campaigning and Canvassing

The ECP's Code of Conduct for Contesting Candidates and Political Parties prohibits campaigning and canvassing inside and around polling stations on Election Day. This prohibition was observed to be effectively enforced inside a majority of the observed polling stations; however, its compliance outside the polling station buildings appeared weak.

FAFEN observers did not witness any campaign materials inside 99 percent of the observed polling stations. The remaining one percent of the observed polling stations were noted to have candidates' or political parties' campaign materials affixed on their walls.

FAFEN observers reported camps of political parties or candidates in the legally-prohibited vicinity of 59 (88 percent) of the observed polling stations. Nearly 13 (22 percent) of these camps also had armed personnel present at the time of observation. In another violation of the code of conduct, candidates and political parties were observed to have been providing transport services to voters outside five (seven percent) of the observed polling stations.

## 2. Electoral Violence and Conduct of Security Personnel

The ECP had sought support from the local police for security arrangements in the constituency as well as inside and around the polling stations on Election Day. The security officials deployed at the polling stations were generally observed to be welcoming and supportive towards voters except at 12 (18 percent) of the observed polling stations where they were seen to be treating voters harshly. The Presiding Officers can take assistance from security staff to remove any unauthorized person or any campaign materials from the polling station including the camps in the close vicinity. However, the presence of party camps indicates the reluctance on part of the Presiding Officers to implement this legal provision.

FAFEN observers reported that the security officials were allowing voters to enter the polling stations only after checking their National Identity Cards (NICs) and voter chits outside 55 (84 percent) and 44 (69 percent) of the observed polling stations,

respectively. Voter identification and verification is the responsibility of the Polling Officer, while the security officials are only required to ensure the peaceful and orderly conduct at the polling stations.

FAFEN observers reported two incidents of violence on Election Day including armed clashes outside Polling Station No. 130 and Polling Station No. 52.

## 3. Voting Process

FAFEN observed the voter identification and ballot issuance processes at 247 polling booths of the 67 polling stations. Overall, the observers reported smooth voting processes inside the polling booths without any major violation of the process. The polling process was observed to be organized at all of the observed polling booths except one where a break during the polling caused the process to become disorderly for some time period.

The election materials were also observed to be in adequate quantities at 222 (90 percent) of the observed polling booths. However, secrecy screens were observed to be missing at 15 (six percent) of the observed polling booths, indelible ink at one percent, stamp pads at one percent, voter lists at one percent, nine-matrix stamp to be used by voters for marking ballot papers at four percent, and the ECP official stamp used for marking the back of the ballot paper at three percent of the observed polling stations.

According to FAFEN observers, the polling staff had appropriately set up the secrecy screens to protect voters' secrecy at 225 (91 percent) of the polling booths where they were available. However, 22 (nine percent) of these screens were reported to have been set up in such a way that allowed people in the polling booth to see the voters marking their ballot papers. CCTV cameras at 32 (13 percent) polling booths were placed in a way that could compromise the secrecy of voters. Moreover, authorized polling agents – who were legally allowed to witness the polling process and object to any irregularity as defined under the law – were seated appropriately at 237 (96 percent) observed booths and were able to witness the entire polling process.

Compliance with the legally required voter identification process by the Polling Officers was also observed across the observed polling stations. The Polling Officers were duly checking indelible ink on the hands of incoming voters, crossing out their particulars on the voter lists after verification, and obtaining their thumb impression on the voter lists. However, the names of voters were not being called

out loudly at four (six percent) of the observed polling stations. The action of calling out the names loudly enables the polling agents to object to any voter who they suspect is not registered at the polling station or is impersonating another voter.

Similarly, Assistant Presiding Officers were observed to have been following the legal and regulatory requirements for issuance of ballot papers at the observed polling stations including filling out the counterfoils with serial number and NIC number of voters, obtaining thumb impression of voters and marking official stamp. Moreover, the Assistant Presiding Officers were also observed to be marking the back of the ballot paper with their signatures and official stamp at all observed polling stations.

The observers at four (six percent) polling stations saw voters being sent away without casting their votes because their votes were not registered at the polling station. In addition, the observers reported instances of voters being barred from casting the vote with expired original NIC in one (one percent) of the observed polling stations against the legal provisions that required otherwise.

#### **4. Counting Process**

FAFEN observed the counting processes at 13 polling stations to document compliance with the procedure for the close of the poll and the vote-counting as stated in Section 90 of the Elections Act, 2017, and the relevant rules. FAFEN observers reported varied compliance with the due process at these polling stations.

Main entrances to all observed polling stations were closed at 5:00 pm – the official time for the close of the polling. At two polling stations, voters present inside the premises of the polling stations were not allowed to cast their votes.

In order to ensure the security of ballots, the polling staff must close the doors of the room where the counting process is administered to disallow any unauthorized entry. However, the ballot counting at eight observed polling stations was conducted with the doors open.

To ensure the transparency of the counting, one polling agent of each candidate is allowed to observe the process. At all the observed polling stations, polling agents were present and observing the process. However, polling agents were touching the ballot papers at two observed polling stations. The polling staff was checking the official stamp and signature of the Assistant Presiding Officer on

the back of ballot papers at all observed polling stations.

At three of the observed polling stations, the polling staff was not calling out loudly the name of the party and candidate to whom the vote was cast. Similarly, the polling staff was not making separate piles of votes that were excluded from the count at four polling stations. The polling agents raised the objection to the votes that were excluded from the count at one polling station. The polling staff was observed to be separately counting the Challenged and Tendered Ballot Papers at four and three of the observed polling stations, respectively. At seven polling stations, the Presiding Officers conducted a re-count at his/her own discretion, whereas the ballots were re-counted at the request of polling agents at two polling stations.

Observers reported that the polling staff provided copies of Form-45 (Result of the Count) to polling agents present at the end of the counting process at 12 of the 13 polling stations. No report of a polling agent/candidate refusing to sign Form-45 or Form-46 (Ballot Paper Account) at any of the observed polling stations was received.

Subsection 14 of Section 90 of the Elections Act, 2017 requires the Presiding Officers to paste Form-45 and Form-46 outside the polling station building for public inspection. Despite clear legal and procedural provisions, the Presiding Officers at four of the observed polling stations did not paste a copy of Form-45 on the outside walls or the gate after the completion of the counting process. Likewise, seven Presiding Officers did not paste Form-46. The polling staff at four polling stations did not provide a copy of Form-45 to FAFEN observers.

#### **5. Independent Observation**

Section 238 of the Elections Act, 2017 permits duly verified and accredited election observers to observe the proceedings including the voting and counting processes at the polling stations. In compliance with the legal provisions, FAFEN's trained, non-partisan and accredited observers were allowed to observe the polling process at 67 polling stations.