

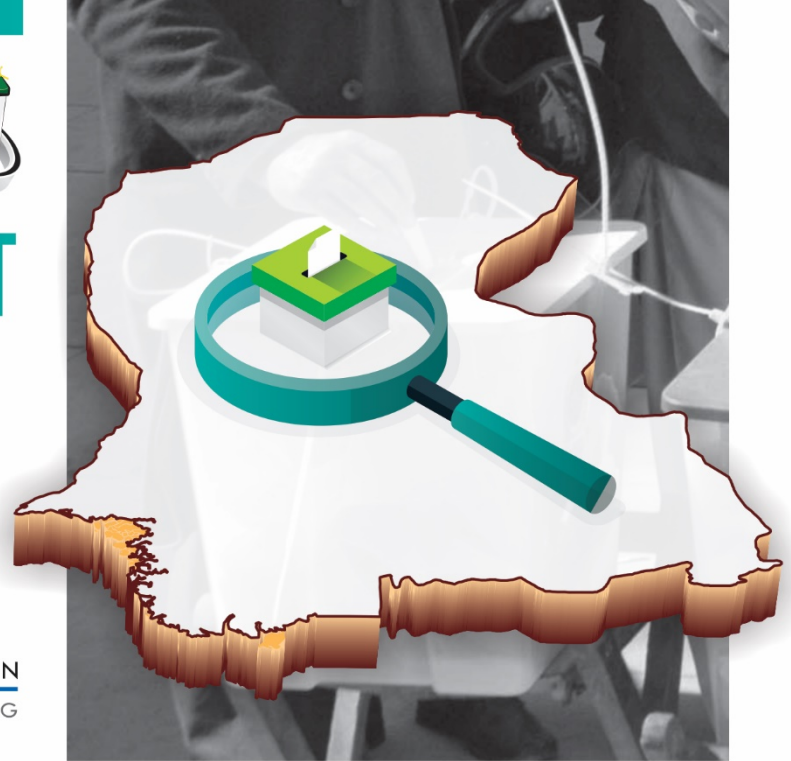
SINDH LOCAL GOVERNMENT ELECTIONS 2022



FAFEN Observation Report



FREE & FAIR ELECTION NETWORK - FAFEN
WWW.FAFEN.ORG



SINDH LG ELECTION 1ST PHASE: LAPSES IN RESULT MANAGEMENT PROCESS UNDERMINE IMPROVEMENTS IN POLLING DAY MANAGEMENT

- **Persisting Irregularities and Overcrowding Need to be Checked during Second Phase of LG Elections**

ISLAMABAD, July 8, 2022: Around 40 percent of the registered voters turned out to vote in the first phase of the local government (LG) elections to elect 5,331 general members of Union Councils, Union Committees, Municipal Committees, Town Committees and District Councils, and Chairmen and Vice Chairmen of Union Councils and Union Committees in 14 districts of Sindh on June 26, 2022, resuming the process of strengthening the grassroots democracy. However, the results of the otherwise orderly and well-managed voting and counting processes are yet to be notified by the Election Commission of Pakistan (ECP), indicating lapses in this crucial aspect of electoral integrity.

Considering the scale and complexity of the exercise, the polling day remained largely orderly and well-managed. However, scattered incidents of localized violence, legal and procedural irregularities and overcrowding at polling stations followed by allegations of rigging and manipulation of election results by contending parties need urgent attention of the ECP for improved legal and regulatory enforcement for the next phase of LG elections in Sindh as well as the overdue LG elections in Punjab and Islamabad Capital Territory (ICT). Some of the key areas that need further reinforcement included check on the campaigning and canvassing on election day to minimize the possibility of violence, proper setting up of polling stations to avoid overcrowding, adherence to legal process by polling staff for voter identification to avoid both disenfranchisement and ensure only registered voters are allowed to vote, complete compliance with legal requirements for issuance of ballot papers, availability of female staff at



female polling booths, greater investment in the training of polling staff, and provision of basic facilities at the polling stations.

The polling was held despite efforts and calls by all major parties including Pakistan Peoples Party Parliamentarians (PPPP), Muttahida Qaumi Movement Pakistan (MQMP), Grand Democratic Alliance (GDA) and Pakistan Tehreek-e-Insaf (PTI) for further delay in the long-overdue LG elections on various pretexts including need for further empowerment of local governments, updating electoral rolls and issues of delimitation. The uncertainty over the conduct of the polls prevailed until the last day. However, Election Commission's resolve to hold the polls according to the schedule announced in April this year remained undeterred.

According to the ECP's schedule, the election results were to be consolidated within four days of the polling i.e. by June 30, 2022, but the official results are still awaited. However, the available Form-XI (the Statement of the Count) of the polling stations suggest that 42 percent of the registered voters including 45 percent of the registered male voters and 40 percent of the registered female voters exercised their right to vote.

The 14 districts where first-phase LG polls were held included Jacobabad, Kashmore, Shikarpur, Larkana, Kamber Shahdadkot, Ghotki, Sukkur, Khairpur, Naushahro Feroze, Shaheed Benazirabad, Sanghar, Mirpurkhas, Umerkot and Tharparkar. A total of 6,277 seats for general members of 101 Town Committees, 23 Municipal Committees, 14 District Councils as well as general members and Chairmen and Vice Chairmen of 93 Union Committees and 794 Union Councils were to be filled, of which 946 were decided uncontested while 21,298 candidates contested for the remaining 5,331 seats.

The ECP had set up a total of 9,023 polling stations – 1,910 male, 1,895 female, and 5,218 combined – comprising 28,742 polling booths – 15,116 male and 13,626 female – to facilitate 11,304,860 registered voters including 6,147,442 men and 5,157,418 women. Of 9,023 polling stations, 2,145 (23 percent) were declared highly sensitive, 3,482 (39 percent) sensitive and 3,396 (38 percent) normal.

The report is based on the observation findings from 831 polling stations, which included observation of opening process at 199 polling stations and counting process at 180. Moreover, a general observation covering the availability of election staff and material at the booths was carried out at 1,959 polling booths, while a detailed observation covering voter identification, verification, and ballot issuance processes was conducted for 2,475 voters, who presented themselves to vote at 692 polling booths. FAFEN deployed 333 trained citizen observers - 224 women and 109 men – who were duly accredited by the ECP.

1. Orderly Conduct of Polling Process with Scattered Interruptions

The polling process remained largely organized and smooth with adequate security arrangements made at the polling stations by the ECP barring instances of verbal altercations and physical clashes. Security personnel were present at 90 percent of the observed polling stations before the start of the polling process. During the day, these officials were observed to have been present outside 90 percent of the observed polling stations, and inside 80 percent of the observed polling booths. In addition, FAFEN observers witnessed

CCTV cameras installed at 18 percent of the observed polling booths. Besides the deployment of security personnel, the Elections Act, 2017 empowers the Election Commission to install itself or direct the government concerned to install surveillance cameras in each booth of a polling station that has been declared as highly sensitive.

Notwithstanding the security arrangements, FAFEN observers reported 55 incidents of violence from 48 polling stations spread across eight out of 14 districts.

These incidents included an instance of armed clash and eight incidents of physical clashes while the rest were verbal altercations among supporters of various candidates and parties, voters, polling officials, and security personnel. As many as 69 percent of these incidents took place inside the polling stations and 27 percent outside the polling stations while the remaining four percent involved people both outside and inside the polling stations. According to observers, as many as three persons were wounded in one of these incidents.

As many as 19 of these incidents led to an interruption in the polling process at the respective polling stations

for varying periods ranging from five minutes to an hour. At one polling station, the polling had to be stopped for the entire day after an altercation over errors in ballot papers. However, the deployed security officials took control of the situation and restored order at most of the affected polling stations.

Overcrowding inside six percent of the observed polling stations also led to a disorderly polling process. Moreover, the polling staff took breaks on account of prayers or meals at four percent of the observed polling stations despite clear instructions by the ECP for uninterrupted polling during the day.

2. Unchecked Campaigning and Canvassing Inside and Around Polling Stations

FAFEN observers reported that the political workers and supporters of contesting candidates had set up their camps in the vicinity of 70 percent of the observed polling stations. More than half of these camps (56 percent) were observed to have been issuing vote *parchis*, a quarter (25 percent) displaying political advertisements, and 10 percent distributing campaign material such as badges, caps, stickers, etc. to incoming voters. Around 16 percent of these polling camps had the presence of armed persons as well. Such campaigning and canvassing around polling stations at times becomes a source of Election Day violence due to

intense competition, while unchecked display of arms and weapons may also create an atmosphere of intimidation for voters.

According to observers, campaign materials such as banners, posters, flags, and other material belonging to almost all contesting political parties and candidates were seen inside three percent of the observed polling stations as well as on the outer walls of 11 percent. Political parties and/or candidates were also seen providing transport services to their voters outside 38 percent of the observed polling stations.

3. Secrecy of Vote Largely Maintained

According to FAFEN observers, ECP-provided secrecy screens were installed at 94 percent polling booths of the observed polling stations to protect the secrecy of voters. However, at seven percent of these polling booths, these screens were placed in a manner that could have potentially compromised their secrecy. Moreover, in 48 percent of the 362 observed polling booths where CCTV cameras were installed, they were angled towards the area behind the secrecy screen and might have compromised the secrecy of the vote.

The observers reported polling agents accompanying voters behind the secrecy screens at two percent of the observed polling booths, election agents and security officials at one percent each, while other unauthorized persons were seen accompanying voters behind secrecy screens at five percent of the observed polling stations. At two percent of the observed polling stations, the observers saw voters being inquired about their voting choice.

FAFEN observers reported that the voters were carrying voter *parchis* displaying the name or symbol



of a contesting party or candidate at five percent of the observed polling stations. These chits that voters usually receive from party camps outside the polling stations are helpful for polling officers to search the voters' names in the electoral rolls but a chit with the

party or candidate's name on it can compromise the secrecy of the vote. The Supreme Court of Pakistan also banned the provision of such chits to the voters in Pakistan Workers' Party Case, 2012.

4. Facilitation to Women and Marginalized Participation Needs Improvement

The Elections Act, 2017 includes specific provisions to enhance electoral and political participation of marginalized groups including women, persons with disabilities, minorities, and transgender persons. The Election Commission had ensured the availability of ramps at 19 percent of the observed polling stations to facilitate wheelchair-bound voters, whereas access to 48 percent of polling stations was wheelchair worthy. FAFEN observers reported that Presiding Officers at 36 percent of the observed polling stations maintained a list of the persons who assisted the voters with disabilities in casting their ballots.

The code of conduct for security officials required them to facilitate on priority persons with disabilities, senior citizens, transgender persons, and pregnant women or mothers carrying infants to polling stations. However, they were observed not giving preferential treatment to transgender persons at 15 percent of the observed polling stations, women at three percent, persons with

disabilities at two percent, and women accompanied by minors at 10 percent. These percentages are calculated based on the number of polling stations where FAFEN observers had seen the voters from these groups. Moreover, FAFEN observers reported that a usable toilet facility was available at 72 percent of the observed polling stations, while clean drinking water was available at 71 percent of the observed polling stations.

FAFEN observers reported that 31 percent of the observed female polling booths only had male Assistant Presiding Officers (APOs) available at the time of observation, while an additional five percent had both female and male APOs. Similarly, 40 percent of the observed female polling booths had male Polling Officers (POs). The presence of male staff at female booths may deter women from exercising their right to vote in certain cases.

5. Compliance with Ballot Issuance Requirements Need Reinforcement

The voting process inside the polling booths were observed to be largely compliant with the procedural requirements barring some instances when election staff deviated from legal and procedural requirements of ballot issuance by the APOs to the voters whose identity had been duly verified by the POs.

FAFEN observers reported POs to be complying with the due procedure laid out for voter identification and verification in Section 84 of the Elections Act and relevant rules. They were duly checking the hands of incoming voters for any prior mark of indelible ink in

90 percent of the observed polling booths; calling out loudly their serial numbers and names and striking off the entry relating to the voter on the electoral rolls in 93 percent of the observed polling stations; and obtaining their thumb impression on the electoral rolls in 92 percent of the observed polling booths.

Election Commission had printed three kinds of ballot papers including green ballot paper for Chairman and Vice Chairman of union council or union committee, off-white for general member of union council or union committee, and blue ballot paper for general members

of town committee, municipal committee or district council. FAFEN observed the issuance process of green and blue ballot papers for 2,475 voters.

The APOs were observed to be complying with the requirements of filling the counterfoils with the complete set of entries – the name of the council, the serial number of voters on electoral rolls and National Identity Card (NIC) number of voters – for 96 percent of voters for whom FAFEN observed the ballot issuance process. The thumb impressions were being obtained on the counterfoil for 97 percent of the observed voters. Moreover, the APOs were signing and putting official stamps on the counterfoils for 97 percent and 96

percent of the observed voters. The APOs were signing and putting official stamp on back of the ballot paper for 94 percent and 93 percent of the observed voters. The APOs' sign and stamp of the back of the ballot paper is a crucial requirement for validity of the vote and the ballots without official stamp and APOs' signatures are excluded from the count. In some cases, the APOs put the official stamp and signatures on the back of ballot paper beforehand to expedite the ballot issuance during rush hours. However, the ECP needs to discourage this practice to avoid the potential misuse of such ballots. According to observers, each voter took an average of six minutes to cast their ballots.

6. Counting Process Meets Minimum Requirements, Preparation of Result Forms Requires Improvements

The integrity of the counting process is critically important to the legitimacy of the election results. The election staff was observed to be generally complying with the ballot counting requirements. At 85 percent of the observed polling stations, the Presiding Officers placed the ballot boxes at a central location before opening them and starting the counting. The doors at 68 percent of the polling stations were closed before the start of the counting so that no person can leave or enter the room during the counting process. At seven percent of the observed polling stations, unauthorized persons were present during the counting process. The election staff was checking the official stamp and signature of APOs on the ballot papers at 78 percent of the observed polling stations.

They were complying with the requirement of loudly announcing the retrieval of an unstamped ballot and the choice of a voter on the ballot paper at 56 percent and 60 percent of the observed polling stations, respectively. The observers reported that the polling agents objected to the Presiding Officer's decision to exclude a ballot from the count at seven percent of the observed polling stations. Similarly, at 73 percent of the observed polling stations, the staff was keeping a separate pile of ballots excluded from the count. The

Presiding Officers at 18 percent of the observed polling stations conducted a second count of the ballots at the request of polling agents, while at 31 percent of polling stations on their own motion. Moreover, the polling agents and security officials were seen to be touching the ballot papers at 17 percent and four percent polling stations, respectively.

FAFEN observers received Form-XI from 121 of the observed polling stations. An assessment of these forms revealed that the Presiding Officers did not mention the gender disaggregated registered voters on 40 (33 percent) of the received. In addition, the number about registered voters as provided on 32 (26 percent) forms did not match the number of registered voters allocated to the respective polling station in the Final List of Polling Stations. These wide-spread discrepancies may be because of the inconsistencies between the Form-XI provided to the Presiding Officers for use on the Election Day and the Form-XI as provided in ECP's Handbook for the Presiding Officers used for their daylong training. The Form-XI used for the training was the same form as provided in the Sindh Local Councils (Election) Rules 2015, which did not ask any information on the registered voters. To avoid any such confusions in the next phase of local government



elections in Sindh and upcoming elections in ICT and Punjab, ECP should engage with the governments concerned to emphasize upon ensuring consistency between the electoral processes and forms provided in the local government laws and rules and the Elections Act, 2017 and Election Rules, 2017.

From 63 polling stations, for which both registered voters and polled votes are available, the voter turnout was recorded 42 percent – 45 percent male turnout and 40 percent female turnout.

7. Scattered Incidents of Voters' Disenfranchisement

FAFEN observers reported 151 incidents spread across nine percent of the observed polling stations where voters coming to the polling stations were not listed on the electoral rolls of the respective polling station. This may be due to lack of information among voters about their assigned polling station or issues with the polling scheme. Moreover, at three percent of the observed polling stations, voters were not allowed to cast their votes despite presenting a valid NIC to the polling staff. Moreover, observers witnessed 15 instances spread across two percent of the observed polling stations where registered voters were barred from voting despite presenting original NICs. Furthermore, the polling staff did not allow 21 voters with expired NICs to cast their vote in two percent of the observed polling stations despite clear legal instructions to the contrary.

FAFEN observers reported six instances where the voters were being allowed to vote on a photocopy of NIC, two instances each of voters being allowed to vote

without a NIC, and voters being allowed to vote on an identity document other than NIC were reported. In addition, 11 instances of APOs issuing ballot papers to voters who refused to mark their thumb impression on counterfoil were also reported. These instances were reported from less than one percent of the observed polling stations.

The security personnel were checking the NIC and voter *parchis* of each voter before allowing them enter the polling stations at 86 percent and 84 percent of the observed polling stations. However, the ECP's code of conduct for security officials clearly states that the security official "shall not ask the voters to produce their *parchis* or prove their identity as it is the duty of polling officer".

Moreover, at 14 percent of the observed polling stations, the voters present inside the polling stations were not allowed to vote after the official close of the poll-time 5:00 pm despite clear instruction to the contrary under section 89 of the Elections Act, 2017.

8. Unrestricted Observation but Transparency of Results Management Needs Improvement

FAFEN's accredited and non-partisan citizen observers did not face any restriction to enter the polling stations and remain present for the observation of the voting process; however, the observers were barred from conducting a detailed observation of the voter verification and ballot issuance processes at three polling booths, and the counting process at two polling stations.

The Presiding Officers are required to show empty ballot boxes to the polling agents of the contesting parties and candidates before sealing them in presence of the agents or candidates and obtain their signature on the relevant form regarding inspection of Ballot Boxes before the start of the poll. According to FAFEN observers, the Presiding Officers showed empty ballot boxes to the candidates or their agents at all 199 polling stations where they observed the opening

of the polling stations and sealed the boxes afterwards except at two places. However, the signature at the form was obtained in 86 percent of the observed polling stations. At four percent of the observed polling stations, the polling agents raised objections to the proceedings before the opening of the poll. Moreover, FAFEN observers noted that one or more polling agents were restricted from observing the opening proceedings at 10 percent of the observed polling stations.

According to observers, media persons were seen present at 18 percent of the observed polling stations, candidates at 48 percent, and election agents at 85 percent. FAFEN observers also reported that other voters or local influential persons were present inside nine percent of the observed polling stations before the start of the polling process.

The guiding signs were placed outside 73 percent of the observed polling stations, while the name and number of the polling stations were displayed outside 76 percent of the observed polling stations.

FAFEN observed the availability of polling staff and critical election materials as well as the seating arrangements at 1,959 polling booths across 831 polling stations. The polling agents of one or more candidates were present inside 94 percent of the observed polling booths. Moreover, the ballot boxes at 93 percent of the observed polling booths were placed in such a way that polling agents could easily see them. Moreover, the polling agents at 86 percent of the observed booths had copies of electoral rolls that enabled them to verify each voter coming to the polling booth.

According to observers, around 79 percent of the observed polling stations had appropriate lighting

arrangements during the counting process. The observers also reported that the candidates or their polling agents or election agents were present during the counting at 94 percent of the observed polling stations. Of these stations, 83 percent had a seating arrangement that allowed the present agents to directly observe the counting process. Moreover, the observers at 81 percent of polling stations were seated at a place where they could directly see the counting process. However, the observers reported that polling agents of one or more candidates were not allowed to remain present during the counting process at four percent of the observed polling stations.

After the counting forms are prepared, the Presiding Officers are required to provide their copies to candidates or their polling/election agents and observers as well as paste a copy outside the polling station building for public inspection. FAFEN observers reported that the Presiding Officers provided copies of Form-XI to candidates or their polling/election agents at 72 percent of the observed polling stations, and observers at 67 percent of the observed polling stations. Similarly, they provided copies of Form-XII to the candidates or their polling/election agents at 61 percent of the observed polling stations and FAFEN observers at 52 percent of the observed polling stations. Moreover, they pasted copies of Form-XI outside 49 percent of the observed polling stations and copies of Form-XII outside 41 percent of the observed polling stations.

Around 16 percent of the Presiding Officers told FAFEN observers that the Returning Officers or any authorized person by ECP visited the polling station for monitoring purposes on Election Day. Moreover, they also reported visits by observers other than FAFEN from four percent of the observed polling stations.

9. Well Managed and Staffed Polling Stations, Yet Emphasis Required on Voter Assignment and Provision of Result Forms

The Election Commission had set up 9,023 polling stations comprising 28,742 polling booths for 11,304,860 registered voters. A majority of these

polling stations (56 percent) were assigned more than the legally-recommended limit of 1,200 voters.



Around 72 percent of the Presiding Officers who were interviewed on Election Day shared that they had prior experience in managing polling stations. Around 90 percent of them said that they had received a day-long training by the ECP.

FAFEN observers reported that the polling staff at 90 percent of the observed polling stations was ready to start the voting process at the prescribed time of 8:00 am. At 75 percent of observed polling stations, the first vote was cast during the first hour of the start of polling between 8:00 am and 9:00 am. The polling staff had set up 83 percent of the observed polling booths in separate rooms while the remaining were sharing a single room.

According to reports shared by observers, around 23 percent of the observed polling booths did not have an APO present at the time of observation. Similarly, POs were absent at the time of observation at 14 percent of the observed polling booths.

According to observers, the election materials were available at the majority of the observed polling

booths. Indelible ink was available at 95 percent of the observed polling booths, stamp pads, and electoral rolls at 97 percent, nine-matrix stamps used for marking ballot papers by voters at 93 percent, and ECP official stamps and transparent ballot boxes at 94 percent.

The availability of polling station counting forms – Form-XI and Form-XII – is necessary to ensure transparency of the election results. The presiding officer is required to send an official copy of these forms to the Returning Officer, and provide a copy to each polling agent present during the counting and observers while also pasting a copy outside the polling station building for public inspection. To fulfill these requirements, ECP should supply as many copies of the result forms at each polling station as are the contesting candidates in the election. According to the information shared by the Presiding Officers, three percent of the observed polling stations received less than five copies of Form-XI and Form-XII. The Presiding Officers shared that they would physically transport the counting forms to the Returning Officer.



FREE AND FAIR ELECTION NETWORK - FAFEN

electionpakistan.com fafen.org [/fafen.org](https://www.facebook.com/fafen.org) [@_fafen](https://twitter.com/_fafen)