



FAFEN PRELIMINARY ELECTION

OBSERVATION REPORT of GE-2024

----- February 10, 2024 -----



Approximately 60 million voters went to the polls in Pakistan on February 8, 2024, to elect their representatives in 265 National Assembly and 590 Provincial Assembly constituencies in one of the country's most competitive political contests. The elections followed two tumultuous years of political upheaval, discord and polarization, which have left behind a debris of constitutional confusions, judicial misadventures, communal stress, economic downturn and growing public distrust in public and electoral institutions – issues that must be taken up by the future government as its top priorities.

Despite a spiral of allegations by multiple political parties about not getting a level playing field as well as a spike in militant violence in some parts of the country, none of the political parties backed out of the electoral race. All parties continued until the last minute their efforts to muster public support, which augurs well for Pakistan's struggling democracy. In addition, the pre-election perception of an unlevel playing field does not seem to have prevented the accusing political parties from gaining electoral ground.

Notwithstanding the general perception that pre-election media freedoms were constricted and sporadic incidences of restrictions on expression and speech, in fact Pakistani print, electronic and digital media continued to contribute tremendously to strengthening the political and electoral process. The media kept voters informed through their undiluted reporting, which helped voters make informed choices. Independent civil society groups deserve praise in particular for focusing attention on rights

and liberties during the election process, including infringements of the rights of citizens and political parties.

Unfazed by a spate of scathing criticism from some political parties, the Election Commission of Pakistan (ECP) must particularly be acknowledged for having organized the country's largest electoral exercise – with the greatest number of candidates and highest number of voters – in a reasonably orderly manner. More than 1.1 million election officials performed election duties in a highly challenging political environment. They ensured the integrity of voting and counting processes at the polling stations that largely remained free of controversy, notwithstanding sporadic complaints by political parties and candidates about not getting the election results forms to which they are legally entitled. More than 0.7 million police and military officials stood guard across Pakistan and outside polling stations, ensuring peace and order on the election day against the backdrop of fears of militant and political violence.

However, whatever the reasons and explanations, the ECP's delay in the preparation and announcement of preliminary election results overshadowed an otherwise orderly election, raising questions about the credibility of the election outcome. In addition, the caretaker government's suspension of cellular and internet services on election day – regardless of the security reasons – undermined years of parliamentary efforts to reform the election results management process through amendments to the Elections Act, 2017, which were meant to maximize the





integrity, efficiency and transparency of electoral outcomes.

Nevertheless, the country has found a closure to a period of unsettling uncertainty that was not only exhausting for the people but also for the economy, with lingering inflation, unemployment and general disenchantment. Now it is the responsibility of political parties to bring to end their obstinate

disengagement for a smooth transition of power in order to ensure the much-needed political stability in the country. Many of the concerns raised by the political parties and their candidates need to be addressed on legal merit by the ECP as promptly as possible, while residual matters can be addressed by the election tribunals that will be formed and start working in less than two months.

A FAFEN FINDINGS

The Free and Fair Election Network (FAFEN) deployed 5,664 observers – 3,913 men, 1,740 women and 11 transgender persons – to observe 22,656 polling stations, around 25 percent of a total of 90,675 polling stations set up in 265 constituencies. FAFEN observers had undergone a day-long training on provisions relevant to voting and counting processes at the polling stations as provided by the Elections Act, 2017, Election Rules, 2017 and ECP handbooks for election officials. FAFEN acknowledges the ECP for setting in place a hassle-free process of accreditation for these observers, which is indicative of the Commission's greater focus on increasing the transparency of the electoral processes. FAFEN observers typically observed four polling stations through the election day, starting from the observation of proceedings before the opening of a polling station and ending with the counting of votes. Most observers, however, could not transmit their observation reports using FAFEN's dedicated mobile app due to the caretaker government's suspension of cellular data services, preventing FAFEN from publishing its progressive voter turnout reports as planned for election day.

This preliminary report is based on the observation reports received from 3,534 observers from 12,177 polling stations in 262 NA constituencies. These include 5,083 male polling stations, 1,730 female stations and 5,364 combined stations. In addition, the preliminary findings include constituency-level observation reports from 231 long-term observers – 195 men and 36 women – as well as observation of the process of preparation of preliminary results

at the offices of Returning Officers (ROs) in 265 NA constituencies. The following preliminary findings are based on the observations and interviews with multiple stakeholders conducted by these observers. FAFEN will publish its comprehensive election observation findings in subsequent reports.

1. TRANSPARENCY WAS LARGELY MAINTAINED AT POLLING STATIONS, BUT COMPROMISED AT RO OFFICES

The ECP established an efficient mechanism for the accreditation of observers, which ensured the timely delivery of accreditation cards to FAFEN observers when they successfully completed their training. The importance of election observation was also consistently reinforced in all ECP training materials for election officials as well as the ECP code of conduct for security officials, a topic that was weak in training for earlier general elections. As a result, FAFEN faced fewer restrictions to its observation of voting and counting process at polling stations. Nevertheless, 53 FAFEN observers were stopped from observing the voting process by either the polling staff or security officials at 76 polling stations in Okara, Dadu, Sujawal, Peshawar, Islamabad, Shirani, Multan, Quetta, Lahore, Shangla, Khairpur, Kech and Manshera.

Similarly, FAFEN observers were allowed to observe the vote counting process at polling stations, with a few reports of restrictions coming from Faisalabad, Sanghar, Malakand, Karachi and Bannu. Plausibly due to supply of fewer copies than required at every polling station, Presiding Officers at more than one-quarter (28.4 percent) of 2,761



polling stations covered by this preliminary report did not provide the copy of Form-45 (Result of the Count) to FAFEN observers, as clearly required by the Elections Act, 2017. Similarly, the Presiding Officers at 49 percent of these polling stations did not provide the observers with Form-46 (Ballot Paper Account), again a violation of clear legal provisions. In addition, the Form-45 was not affixed at a conspicuous place outside almost one-third (29.4 percent) of the observed polling stations, a measure that is necessary to ensure electoral transparency at the first critical stage of the result management process.

Compared to the relative procedural transparency at polling stations, FAFEN's observers were not as consistently permitted at the offices of ROs to observe the process of the preparation of preliminary electoral results. Of 244 National Assembly (NA) constituencies, the ROs in only about half (114 or 46.7 percent) allowed FAFEN observers to witness the result tabulation proceedings. The fact that ROs in 130 constituencies refused permission to FAFEN observers contravened the instructions by the ECP to allow all independent observation of all stages of election result preparation, a vital measure for electoral transparency. The constituencies where FAFEN observers were refused permission included 78 in Punjab, 21 in Sindh, 17 in Khyber Pakhtunkhwa, 11 in Balochistan and three in Islamabad Capital Territory (ICT). Restrictions on one or more candidates and their agents to be present at the tabulation proceedings were also reported from 66 NA constituencies – 46 in Punjab, 10 in Khyber Pakhtunkhwa, five in Sindh, three in Balochistan and two in ICT.

During the nomination process, 171 ROs refused to allow FAFEN observers to inspect the nomination papers of contesting candidates as per Form-31 (Notice in Respect of Nominated Candidates), disregarding the provision of Section 60(7) of the Elections Act, 2017. Similarly, 88 ROs barred FAFEN observers from observing the candidate scrutiny process, compromising the efforts of the ECP to enhance electoral transparency. A similar pattern

was also observed in earlier general elections where ROs tended to act independently, disregarding the instructions of the ECP in their administrative handbooks.

2. REGIONAL DISPARITIES PERSIST AS TURNOUT SLIGHTLY DIPS

Based on FAFEN's assessment of the Form 47 (Provisional Consolidated Statement of the Result of the Count) from 235 National Assembly constituencies, as announced by the Election Commission, the voter turnout for these elections was 48.2 percent. Islamabad witnessed the highest voter turnout with over 54.2 percent of registered voters participating in the polls across three NA constituencies, followed by Punjab with 51.7 percent voter turnout in 133 NA constituencies. In Sindh, the voter turnout reached 43.9 percent across 56 NA constituencies; in Khyber Pakhtunkhwa, it was 41.4 percent across 40 constituencies; and in Balochistan, it was 35 percent across three NA constituencies.

Based on an evaluation of 228 NA constituencies where gender disaggregated voter turnout was available, the male turnout was 52.2 percent, which was nine percentage points higher than the female turnout, standing at 43.2 percent. In terms of absolute numbers, around 55.1 million voters exercised their right to vote in 235 NA constituencies, and as many as 60 million voters are estimated to have cast ballots across all constituencies.

3. BALLOTS EXCLUDED FROM THE COUNT

As many as 1.6 million ballots were excluded from the count by the Presiding Officers at polling stations in 235 NA constituencies. This number is almost the same as that excluded during the 2018 General Elections.

FAFEN analysis suggests that there are 25 NA constituencies where the number of ballots excluded from the count exceed the margin of victory – 23 in Punjab and one each in Khyber Pakhtunkhwa and Sindh. As many as 14 of these constituencies have been claimed by Pakistan



Muslim League – Nawaz (PMLN), five by Pakistan Peoples Party Parliamentarians (PPPP) and four by Pakistan Tehreek-e-Insaf (PTI)-backed independents and two other independents. As many as four constituencies have reported more than 15,000 excluded ballots each. Another 21 constituencies have excluded 10,000 to 15,000 ballots. Large number of constituencies (137) fall in the category of excluded ballots reported in the range of 5,000 to 10,000. A total of 67 constituencies have reported fewer than 5,000 but greater than 1,000 excluded ballots. Only six constituencies have reported fewer than 1,000 excluded ballots each. The highest number of ballots excluded from the voter count have been reported from NA-59 Talagang-cum-Chakwal (24,547 ballots), followed by NA-213 Umerkot (17,571 ballots). The lowest number of ballots excluded are reported from NA-236 Karachi East-II (51 ballots).

4. ELECTION CAMPAIGN LONG DRAWN AND COMPETITIVE

The February 8, 2024, election followed a competitive and long campaign, but it lacked traditional fanfare. The campaign had started when a former Prime Minister alleged at a public rally in Islamabad that his ouster was being orchestrated due to a foreign conspiracy. After he was ousted through a no-confidence motion in April 2022, the PTI persistently called for fresh elections and dissolved the Provincial Assemblies in Punjab and Khyber Pakhtunkhwa in an otherwise failed bid to mount pressure for early elections. Already angered at the delay in elections, despite higher courts' rulings in favour, PTI supporters turned violent on May 9, 2023, after the arrest of their leader in a graft case. Subsequent events saw a massive crackdown against the party leaders and workers for their alleged involvement in arson and attacks on government and military buildings. However, the detentions and arrests of PTI leaders and workers and their subsequent trials in military courts gave impetus to the party's narrative of being unjustly suppressed in a country where perception of political victimization has historically attracted public sympathies.

Another reason the campaign period lacked its typical level of energy may have been related to the harsh and unusually foggy winter in large swathes of the country combined with speculative uncertainty about the timeline of elections. Although the election campaign in Sindh and Balochistan had started, it lacked its characteristic colour in Punjab and Khyber Pakhtunkhwa as candidates of two major political parties – PMLN and PTI (which was not permitted to use its electoral symbol) – were allocated tickets only on January 13, 2024, allowing little time for the production of colourful campaign banners and bunting. Moreover, major political parties announced their election manifestoes only a couple of weeks prior to the election day. According to FAFEN interviews with 484 NA candidates, they relied upon corner meetings, door-to-door visits, small constituency-level rallies and social media as major campaign strategies.

The record number of candidates contesting for NA and PA seats during the 2024 General Elections distinguished this contest from the previous 11 general elections. As many as 17,911 candidates – 5,166 at national level and 12,745 at provincial – competed for NA and PA constituencies. In comparison, the General Elections 2018 saw 3,426 candidates contesting for 272 NA seats and 8,242 candidates for 572 PA seats.

5. LAST MINUTE DELIMITATION CREATED DISADVANTAGE FOR POLITICAL PARTIES AND CANDIDATES

The late delimitation of constituencies, triggered after announcement of the Seventh Digital Population Census days before the dissolution of the National Assembly in August 2023, delayed the elections beyond the constitutionally-stipulated 90-day period, and created a disadvantage for political parties and candidates in their election preparations. The timing of the publication of the census fuelled uncertainty about the election timeline and exposed the ECP to competing legal requirements under Sections 17(2) and 22(1) of the Elections Act, 2017. The former section necessitates delimitation after the official publication of the



census, and the latter section requires that any amendment, alteration or modification be made in the final list of constituencies at least four months before the announcement of the election program (calendar). Despite the Election Commission's rigorous efforts to complete the fresh delimitation in a record three-and-a-half months, the political parties and candidates had little time to get to know their constituents due to finalization of constituencies only two weeks before the announcement of the election program on December 15, 2023. The legal framework needs to be amended to avoid similar situations in the future and to ensure that any delimitation is completed well ahead of elections.

6. ELECTION DAY REMAINED LARGELY PEACEFUL AND MOSTLY ORDERLY

Contrary to fears of disorder, discord and violence against the backdrop of a highly polarised political atmosphere and spike in militancy, the election day generally remained peaceful, orderly and organized amid heightened security measures by law enforcement agencies across the country. FAFEN observers reported a generally peaceful environment in and around the majority of polling stations. A total of 139 minor incidents of squabbles and brawls were reported by FAFEN observers, in addition to 122 similar incidents reported by media. On election day, media reported five incidents of militant violence, including ransacking of polling stations by terrorists in Dara Adam Khel (Kohat district), Khyber Pakhtunkhwa, prompting re-polling at 25 stations; a blast near a polling station in Panjgur, Balochistan, leading to a halt of the polling process; a terrorist attack on a police mobile van, killing five policemen and injuring two others in Dera Ismail Khan, Khyber Pakhtunkhwa; an attack on a Levies forces van leading to the death of a security official and injury of two others; and a grenade attack on security forces in Gawader, Balochistan, injuring two security officials.

The deployment of as many as 0.7 million security officials on election duties ensured the peaceful conduct of election day, following two deadly

bomb attacks in Balochistan a day prior to the election. The first blast, which killed at least 16 people, took place at the office of an independent contesting candidate, while the second occurred in Qilla Saifullah near an office of Jamiat Ulema Islam (JUI) leading to the death of at least 12 people and several injuries. Based on an evaluation of the security situation, the Election Commission had classified 27,628 polling stations as sensitive and 18,437 as highly sensitive, deploying security officials.

With regard to the administration of election procedures, there were sporadic incidents of irregularities, but the voting process on election day generally was smooth and orderly. In addition, the voting and counting processes remained accessible to media, observers and candidates and their agents.

As a result of training of election and security officials conducted by the Election Commission, the procedural irregularities during these elections were reduced in comparison to previous elections. As many as 89 percent of security officials told FAFEN observers that they had attended an election training. FAFEN observers reported that polling was conducted uninterrupted at the majority of polling stations. However, at seven percent of polling stations, according to observers, the polling process was chaotic due to overcrowding and slow processing of voters.

The ECP established a total of 90,675 polling stations for the General Elections 2024, including 25,320 male stations, 23,952 female, and 41,403 combined stations. A total of 276,398 polling booths were established nationwide in these polling stations, including 147,522 male booths and 128,846 female booths. With an average of 1,471 voters allocated to a polling station, and 465 voters on average per booth, the polling stations were not set in keeping with the spirit of Section 59(3) of the Elections Act, 2017, which requires the allocation of voters not to exceed 1,200 at each polling station and 300 at each polling booth. As many as 59,213 polling stations (65.3 percent) were allocated more than 1,200 voters and 81,502 polling stations



(89.9 percent) having at least one polling booth with more than 300 assigned voters.

With the latest delimitation having been finalized on November 30, 2023, which was corrected, revised and notified as late as December 17, 2023, followed by the revision of electoral rolls, the ECP could not manage to issue the final lists of polling stations (the polling scheme) at least 30 days before the polling day as required by the law. The final lists were issued on January 26, 2024, giving too little time to the candidates to prepare and plan for their election day operations, including training and deployment of polling agents. Clarity about polling station assignments was also found to have been lacking among eight percent of 8,576 voters that FAFEN interviewed in 252 NA constituencies between January 17 and February 2, 2024. Twice as many women as men were not aware of their assigned polling stations. FAFEN observers also reported changes in the final lists of polling stations whose scale is being assessed, and will be made part of the detailed reports.

7. VOTING AND COUNTING PROCESSES FOLLOWED CORRECT PROCEDURES

FAFEN observers reported polling officials to be largely complying with the legally-prescribed processes of identification of incoming voters. The polling officers at 84 percent of the observed polling stations were found to be calling out the names of voters loudly in the presence of polling agents. At all the observed polling stations, FAFEN observers reported polling officers complying with marking voters' thumb with indelible ink.

Eligible voters were allowed to vote in almost all polling stations observed except for one percent of the observed polling stations where FAFEN observers reported at least one instance of a registered voter being turned away by polling staff despite the voter having their National Identity Card (NIC).

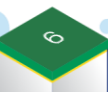
Similarly, the ballot processing was found to be in compliance with legal standards at the majority of polling stations where Assistant Presiding Officers were issuing ballot papers to the voters after duly

filling the counterfoils, obtaining the thumb impression of voters and stamping the counterfoil and back of the ballot papers with the official stamp carrying the distinct code mark. At almost all observed polling stations, the Assistant Presiding Officers were writing the NIC numbers of voters on the counterfoil. At one percent polling stations, the Assistant Presiding Officers missed stamping the back of ballot papers. Ballot papers without the official stamp and signatures of the Assistant Presiding Officers are excluded from the count.

The Presiding Officers at 2,761 polling stations enabled FAFEN observers to observe the vote counting processes. Legally, only the polling agents, polling staff and accredited observers can be present during the counting process. However, at 2.5 percent observed polling stations, the Presiding Officers carried out counting processes in the presence of unauthorized persons. Moreover, at two percent of the observed polling stations, the Presiding Officers did not acquire signatures of the present polling agents on Form-45 (Result of the Count). Similarly, at least one polling agent refused to sign the Form-45 at two percent observed polling stations. At half of the polling stations, the Presiding Officers did not carry out a mandatory second count of the ballots.

8. INFRINGEMENT OF FUNDAMENTAL RIGHTS AND LEVEL PLAYING FIELD

Some political parties including PTI raised their voices against what they called an unlevel playing field for their candidates. In many cases, PTI claimed that their rallies were obstructed, candidates were arrested or coerced into withdrawing from the race. Some candidates claiming to have the backing of PTI complained that they were not allowed to submit nomination papers. However, candidates affiliated with PTI submitted their nomination papers in greater numbers than any other party. PTI also complained of being singled out in rejection of nomination papers. The ROs rejected 12 percent of nomination papers for GE-2024 compared to 10 percent in GE-





2018 and 15 percent in GE-2013. The majority of candidates whose nomination papers were rejected during scrutiny for GE-2024 were allowed to run by the tribunals and in some cases higher courts. However, PTI lost its symbol after the Supreme Court of Pakistan upheld ECP's decision to deprive the party of the symbol for its failure to complete legal prerequisites of completing intra-party elections. Rights groups criticized the judgement for jeopardizing the chances of a political party to get its share of reserved seats for women and non-Muslims, but its supported candidates won the largest number of seats. The future Parliament may consider doing away with restrictive regulations on political parties and strengthening their role in the country's electoral framework. Regardless of legal merit, actions against political parties and workers during the election period taint the credibility of the electoral process.

9. CAMPAIGNING AND CANVASSING ON ELECTION DAY PERSIST

In nearly all constituencies, major political parties and independent candidates established camps outside polling stations that were actively engaging in distributing campaign materials and food items in many instances. Similarly, candidates were observed providing transportation to voters for commuting to and from polling stations. At around 54 percent of the observed polling stations, party camps were established outside the polling stations within the prohibited limit, distributing voter chits bearing the serial number on electoral rolls and electoral block code of voters. At a majority of the polling stations observed, the Presiding Officers removed campaign material of political parties and contesting candidates as required by the law.

FAFEN observers also reported that unlike many by-elections over the last two years, political parties and candidates did not hold any campaign gatherings or assemblies on election day.

10. WOMEN VOTER REGISTRATION DID NOT TRANSLATE INTO HIGHER TURNOUT

Despite significant progress in narrowing the gender gap in voter registration, with collaborative efforts from the ECP, National Database and Registration Authority, and civil society, the increase in women voters did not fully translate into their turnout. The targeted initiatives have reduced the overall gender gap on the voter rolls between male and female voters from 12.4 million in 2018 to 9.9 million in 2024. However, their turnout remained 43 percent as compared to 52 percent male turnout, a similar gap reported in the general elections.

Efforts to enhance gender equality in voter registration must be accompanied by initiatives to promote active participation of women in elections by the ECP, political parties and civil society. Sustained efforts are needed to address existing gender gaps in certain regions and ensure equal access and opportunities for women to exercise their democratic rights. Electoral stakeholders must prioritize these efforts to truly achieve gender parity in electoral participation.

11. ELECTORAL INCLUSION GENERALLY IMPROVED

The Elections Act, 2017 includes specific provisions to enhance electoral and political participation of marginalized groups, including persons with disabilities, minorities, transgender persons and women. The ECP also issued special instructions for installation of ramps at polling stations to make them more accessible to persons with disabilities. However, at one-third (31 percent) of the observed polling stations, ramps were not installed for wheelchair users to access polling stations. The ECP's instructions for preferential treatment to the elderly, pregnant women, women accompanied by infants, transgender persons, and persons with disabilities were generally adhered to at the observed polling stations.

The political parties in accordance with Section 206 of the Elections Act, 2017 (Selection for Elective Offices) are mandated to nominate at least five





percent representation of women candidates while selecting candidates for general seats. As many as 111 political parties had nominated 280 women candidates to contest the elections on general seats, making up 4.64 percent of the total of 6,037 candidates they fielded. Another 614 women contested the general elections as independent candidates.

The degree of compliance with the five-percent legal provision varies among the elective houses. In the National Assembly, 94 parties had distributed tickets for general seats to a total of 1,872 candidates, with 93 women among them, constituting 4.97 percent of the total candidates. In the Punjab Assembly, 70 parties had distributed tickets to 1,878 candidates, of which 59 were women (3.14 percent of the total). In the Sindh Assembly, 50 parties had distributed tickets to 948 candidates, with 62 being women (6.54 percent of the total). In Balochistan Assembly, 37 parties had distributed tickets to 533 candidates, including 19 women (3.56 percent of the total). In Khyber Pakhtunkhwa Assembly, 44 parties had distributed tickets to 806 candidates, with 47 being women (5.83 percent of the total).

Of the total 306 women candidates competing for general seats in the National Assembly, as many as 12 have emerged as winners for NA seats from 235 constituencies announced so far – eight in Punjab, three in Sindh and one in Khyber Pakhtunkhwa.

Encouragingly none of the 235 NA constituencies recorded less than 10 percent share of women's polled votes in any constituency, which is the prerequisite for issuance of result. However, in NA-42 South Waziristan Upper-cum-South Waziristan Lower, the women turnout was only 9.2 percent of women registered to vote. At the other extreme, NA-214 Tharparkar-I reported a women turnout of 72.8 percent of women registered to vote.

12. ELECTORATE LARGELY VOTED FOR POLITICAL PARTY-BACKED CANDIDATES

GE-2024 witnessed a unique trend of more votes going to political parties or independent

candidates backed by PTI. Although, around 100 of returned candidates are technically independent, only eight of them are unaffiliated-independent; the rest are backed by PTI. Also, the trend of regionalization of parties' support seemed to have started reversing, with major political parties finding support bases in all regions. PMLN and PPP have got a seat share in all regions. Similarly, PTI-backed candidates registered wins in Khyber Pakhtunkhwa, Punjab and Sindh.

13. MAJOR POLITICAL PARTIES GENERALLY RETAINED THEIR VOTE BANKS

Major political parties largely retained or improved their vote banks in GE-2024. This calculation is based on the results of 235 NA constituencies. PTI-backed candidates secured 16.85 million votes compared to the party's tally of 16.9 million votes in 2018. PMLN increased its share of votes from 12.9 million in 2018 to 13.3 million in 2024. PPP's share increased from 6.9 million in 2018 to 7.6 million in 2024. Tehreek-e-Labbaik Pakistan's share has gone slightly up from 2.1 million in 2018 to 2.6 million in 2024. FAFEN will release a detailed report separately on vote banks of political parties.

14. RESULT MANAGEMENT PROCESS FALLS SHORT OF LEGAL REQUIREMENTS

Despite enhanced use of technology and more sophisticated election management system, the Election Commission did not publish progressive polling station-wise results on its website. The adherence to the recent amendments to the Elections Act, 2017 particularly focusing on the improving the efficiency and transparency of the election result management process remained weak, raising questions on the integrity of the election outcome. The recent amendment to Elections Act, 2017 required the ROs to issue Form-47 (Provisional Consolidated Statement of the Result of the Count) at 2:00 am the day following the election day, even if it is partially complete, and to complete by 10:00 am the provisional result at any cost. However, the ROs failed in issuing progressive results despite the Election Commission's post mid-night instructions that



were also publicized, and voters had to rely on media coverage of polling station results, with many making conclusions based on incomplete information. The suspension of cellular services disrupted the flow of information to ROs, ECP, media and observers alike. However, the ECP needs to clarify why the legal requirement for Presiding Officers to physically reach the RO offices and hand over the result was not fully complied with.

There might be security issues in some parts of the country for traveling polling staff at night, but almost all ROs faltered on this task, undermining the result management process and fostering rumours. The slowdown of election results process needs to be probed by the ECP in order ascertain the reasons and to ensure that such events maybe avoided in future elections.

B RECOMMENDATIONS

- ▶ The ECP should use its powers liberally to order recounts in order to earn greater trust among the candidates and to redress their complaints. The ROs should not reject applications for recount of ballots merely on technical grounds. Rather, they should allow recounts in close contests and where the number of votes excluded from the count exceed the margin of victory.
- ▶ The ECP should share the number of postal ballots issued by and returned to the ROs before the consolidation proceedings begin.
- ▶ The ECP must immediately address the complaints of illegalities and irregularities by political parties and the candidates and initiate proceedings against those responsible under Section 55 of the Elections Act, 2017.
- ▶ The ECP must exercise its authority under Section 8(b) of the Elections Act, 2017 to review the decisions of ROs with regards to the rejected ballots in constituencies where the margin of victory is less than the number of rejected ballots.
- ▶ The ECP must publish on its website as early as possible all Form-45 (Result of the Count), Form-46 (Ballot Paper Account), Form-48 (Consolidated Statement of the Results of the Count furnished by the Presiding Officers) and Form-49 (Final Consolidated Result) Per Section 95(10) of the Elections, Act, 2017, and complying with the spirit of Section 13(6) of the same Act, the ECP must publish all of these forms not later than 14 days from the date of the election.
- ▶ The ECP must publish on its website Form C (Return of Election Expenses) by the returned candidates.



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