



# Policy Brief

**Strengthening Democracy and Electoral  
Governance in Pakistan**

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## Executive Summary

This policy brief conducts a comprehensive analysis of the nuanced intricacies within Pakistan's electoral landscape, delineating critical challenges and proffering strategic avenues for reform. A central concern elucidated is the erosion of public trust in the electoral process, stemming from recurrent irregularities, suspicions of rigging, and protracted disputes. Despite periodic legislative amendments and endeavors to refine legal frameworks, the consolidation of democracy confronts persistent impediments. The document meticulously examines the participation dynamics of marginalized groups, including transgender persons, religious minorities, and the youth, acknowledging commendable advancements while underscoring enduring challenges such as underrepresentation and disenfranchisement.

A prominent apprehension highlighted in the brief is the escalating trend of political and electoral violence, including acts of terrorism. These incidents not only imperil citizens' security but also cast a pall over their political engagement. Localized violence and the designation of more than half of polling stations (55%) as 'sensitive' by the Election Commission present formidable challenges in ensuring a secure and stable electoral environment.

In tandem with ground-level challenges, the policy brief meticulously explores the pervasive influence of online media on the democratic process. The ubiquitous use of social media introduces complexities related to misinformation, fake news, and unregulated political advertising. A noteworthy lacuna in the legal framework for monitoring online campaigning further complicates efforts to ensure fairness in elections.

To address these multifaceted challenges, the policy brief proffers a nuanced set of recommendations. These encompass imperatives such as fortifying the legal framework surrounding elections, sustaining momentum in voter registration efforts, fostering internal democratic mechanisms within political parties, and instituting post-election audits for heightened transparency and accountability. The document underscores the pivotal significance of collaborative engagement among stakeholders, encompassing civil society, political entities, and the public, to efficaciously implement these recommendations.

In essence, the policy brief advocates for a comprehensive and strategic approach to fortify democracy and elevate electoral governance in Pakistan. By adeptly addressing issues related to public trust, marginalized group participation, election-related violence, and online media influence, the nation can chart a course towards more credible, inclusive, and transparent electoral processes. This, in turn, will fortify democratic principles and engender enduring stability and progress in Pakistan.

## Public Trust in Electoral Process and Institutions

Elections are a fundamental pillar of any democracy. Periodic elections serve as a key indicator of the consolidation of citizens' electoral representation. The practice of citizens electing their governments and holding them accountable is just one aspect of a functional democracy. Elections serve as a strong proxy to the status of citizen freedoms and liberties in a state and provide a peek into whether the culture of democracy is deepening in a country. In Pakistan, elections have been held irregularly since the country gained independence in 1947. However, Pakistan's current election infrastructure and institutions date back to 1973 when the country agreed on a federal system of governance through a new constitution. Nonetheless, almost all the elections held under this constitution have been called into question amid varying degrees of suspicion of rigging, manipulation, and wrongdoing.

After the end of the second military regime post-1973 constitution era in 2008, Pakistan picked the streak of regular periodic elections, contributing to a sense of hope among citizens that the country was on its way to consolidating democracy. A major amendment to the constitution in 2010 attempted to provide greater powers to the Election Commission of Pakistan (ECP), thereby, defining transitional caretaker arrangements, and ensuring continuity of democracy in-between two elected governments<sup>1</sup>. A similar parliamentary consensus in 2017 gave the country a more refined and unified legal framework<sup>2</sup>. However, the consolidation hopes were tainted by a perpetual state of underlying instability, largely emanating from election disputes after the 2013 and 2018 general elections.

The post-election periods witnessed growing political instability due to concerns of the opposition parties about rigging in elections, leading to political agitation and maneuvers to oust the governments formed as a result of these elections. The public response to these events has been indicative of a growing skepticism toward the electoral process. Surveys and studies conducted during these periods reflect a significant decline in public trust, with citizens expressing doubts about the fairness and transparency of elections. The perceived failure of the Results Transmission System (RTS) during the 2018 elections<sup>3</sup> served as a major blow, further exacerbating mistrust.

The current sense of mistrust of electoral institutions is fairly rooted in events during the past two and a half years. The electoral institutions and processes became a center of public discourse in 2021 when the then Pakistan Tehreek-e-Insaf (PTI) government introduced

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<sup>1</sup> "18th Amendment to the Constitution of Pakistan," Constitution.org, April 8, 2010, Accessed at [https://www.constitution.org/cons/pak/18th\\_amendment.pdf](https://www.constitution.org/cons/pak/18th_amendment.pdf)

<sup>2</sup> Elections Act, 2017," Pakistan Election Commission, enacted on October 2, 2017, <https://www.ecp.gov.pk/PrintDocument-Files/Act2017.pdf>

<sup>3</sup> GEO News Thursday, July 26, 2018, Accessed at <https://www.geo.tv/latest/204878-election-results-delayed-due-to-technical-glitch-sources>



electronic voting machines (EVM) and voting rights to Pakistani diaspora in their countries of residence through a rather hasty legislation<sup>4</sup>. This attracted widespread criticism, including from the Election Commission of Pakistan (ECP), which opposed the move, citing technical reasons. This sowed a seed of discord between the then government and the Commission. The public display of mistrust of the ECP by the sitting government was unprecedented. It led to contempt notices to sitting federal ministers by the ECP, which enjoys the powers of a High Court.<sup>5</sup>

The controversial ousting of PM Imran Khan's government by the opposition parties through a no-confidence motion sparked a prolonged charged protest movement by Khan's party over what they claimed was a 'foreign instigated regime change conspiracy'<sup>6</sup>. The new government took no time to overturn EVM-related amendments to law<sup>7</sup>. The protest movement led by PTI involved protest moves such as *en-masse resignations* from the National Assembly. Ironically, the outcome of elections conducted by ECP on PTI's vacated national assembly seats during these tumultuous times ended up in favor of PTI. The party believed that its sweeping win in the by-elections was a clear indication of the popularity of its post-ouster narrative.

In January 2023, PTI-led governments dissolved provincial assemblies in Punjab<sup>8</sup> and Khyber Pakhtunkhwa (KP)<sup>9</sup>, where it held power, in an attempt to expedite general elections. However, ruling parties in other provinces and the federal government opted to complete their legislative tenures until their expiry in August 2023.

The ECP decided against holding elections in Punjab<sup>10</sup> and KP<sup>11</sup> within the constitutionally warranted 90 days, citing constitutional, operational, and technical reasons. This extraordinary delay raised concerns about ECP's commitment to follow the rules of the game in providing the electors a chance to elect their governments. Following the arrest of former Prime Minister Imran Khan on May 9, 2023, violent protests erupted<sup>12</sup>, leading law enforcement agencies to arrest and detain PTI leaders and workers nationwide.

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<sup>4</sup> Elections (Amendment) Act, 2021 (LV of 2021). Accessed at: [https://na.gov.pk/uploads/documents/61b2f42fd4abc\\_490.pdf](https://na.gov.pk/uploads/documents/61b2f42fd4abc_490.pdf)

<sup>5</sup> ECP Cause List for Hearing of Cases, (August 30, 2022). Accessed at: <https://ecp.gov.pk/cause-list/cause-list-for-30-8-22>

<sup>6</sup> Rhea Mogul and Sophia Saifi, CNN (May 27, 2022), Accessed at <https://edition.cnn.com/2022/05/27/asia/pakistan-imran-khan-us-conspiracy-intl-hnk/index.html>

<sup>7</sup> Elections (Amendment) Act, 2022 (X of 2022). Accessed at: [https://na.gov.pk/uploads/documents/62b42c13b8cb2\\_923.pdf](https://na.gov.pk/uploads/documents/62b42c13b8cb2_923.pdf)

<sup>8</sup> Dissolution order of Provincial Assembly of Punjab (2023). Accessed at: <https://www.pap.gov.pk/media-center/notification-detail/en/21/1214>

<sup>9</sup> Dissolution order of Provincial Assembly of Khyber Pakhtunkhwa (2023). Accessed at: <https://www.pakp.gov.pk/wp-content/uploads/Dissolution-order.pdf>

<sup>10</sup> ECP Notification in Respect of Withdrawal of Election Program for Provincial Assembly of Punjab (2023). Accessed at: <https://ecp.gov.pk/storage/uploads/2oCdwBKIPviOTPNx2FkArgfDknx9pDCKIIQty0yP.pdf>

<sup>11</sup> ECP Notification in respect of Announcement of Election Date for Provincial Assembly of Khyber Pakhtunkhwa (2023). Accessed at: <https://ecp.gov.pk/storage/uploads/yTmAyojk38kbNGKVwbl4jhxql9oNOI2qBtMbB23l.pdf>

<sup>12</sup> By Asif Shahzad and Gibran Naiyyar Peshimam, Reuters, (May 9, 2023), <https://www.reuters.com/world/asia-pacific/former-pakistan-pm-imran-khan-arrested-geo-tv-2023-05-09/>

Elections in Punjab and KP never materialized, as the remaining provincial legislatures completed their terms in August 2023. This paved the way for elections across all legislatures in October 2023. However, the outgoing federal government obtained approval for the official results of the seventh census from the Council of Common Interests (CCI)<sup>13</sup>. The approval necessitated fresh delimitation of constituencies as required under section 17(2) of the Elections Act 2017. Faced with two constitutional provisions—holding elections within the mandated two months and conducting fresh delimitation, causing a delay of at least four months—the ECP opted for the latter. On August 17, 2023, the ECP issued the schedule for fresh delimitations. Draft delimitation proposals were notified in late September, with objections from the public sought until October 27, 2023, and the final list issued on November 30, 2023. The ECP then issued a schedule for the general elections.<sup>14</sup>

Although the outgoing government made it sure to enact necessary amendments to further refine and define the legal framework governing elections<sup>15</sup>, these two delays, coupled with ECP's inaction over a crackdown on PTI, have majorly contributed to growing concern on the neutrality of ECP by PTI its supporters. The absence of a level-playing field concerns is also echoed by staunch opponents of PTI, such as the Pakistan People's Party (PPP). The general perception that the military is maneuvering political and electoral events may sound like an oversimplification of the facts but it persists as an emerging narrative. This simplified narrative hinges upon the theory that the military establishment first picks a party and then maneuvers events to ensure its success. The perceived interference in candidate selection, known as the 'electable' phenomenon, has led to the belief that the electoral stage is set even before polling begins. The lack of a level playing field, with allegations of biased intervention, fuels public suspicion.

Despite its historical influence and direct rule, the military is not the only factor affecting elections. Judiciary in post-2009 lawyers' movement shares the burden of perception with the military. For example, the 2013 general elections were tagged as 'RO' elections<sup>16</sup>, a reference to judicial officers who managed elections as Returning Officers (RO). The current crisis is also attributed to a greatly liberal interpretation of defection provisions in the constitution by the

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<sup>13</sup> Dawn.com | Sanaullah Khan Published (August 5, 2023), Accessed at [https://www.dawn.com/news/1768537#:~:text=The%20Council%20of%20Common%20Interests%20\(CCI\)%20%E2%80%9Cunanimously%E2%80%9D%20approved.year%20was%20almost%20certain%20now](https://www.dawn.com/news/1768537#:~:text=The%20Council%20of%20Common%20Interests%20(CCI)%20%E2%80%9Cunanimously%E2%80%9D%20approved.year%20was%20almost%20certain%20now)

<sup>14</sup> ECP. "Notification of Election Program for GE-2024." Accessed at <https://ecp.gov.pk/storage/files/2/GE2024/election%20schedule%20General%20Election%20-2024.jpg>

<sup>15</sup> Elections (Amendment) Act, 2023." Passed wholesale electoral reforms pertaining to the conduct of elections, delimitation, and transparency of processes. The Act also provided more powers to caretaker governments

<sup>16</sup> The Express Tribune, (January 18, 2024), <https://tribune.com.pk/story/551779/elections-2013-zardari-blames-ros-for-ppps-defeat-in-punjab>

Supreme Court in June 2022. This interpretation led to a prolonged period in which Punjab province couldn't elect a new Chief Minister. When the election finally took place, the level of polarization had soared. Moreover, the judiciary has consistently been interfering in the decisions of ECP for the past decade or so.

The perception of election fixing is not new to the Pakistani context, but its resurgence after radical changes to electoral institutions and processes caused a blow to Parliament's serious efforts to provide the country with a reliable election administration. The dynamics of the equation of power among key players, the hybrid nature of democratic regimes, and the powerful judiciary all have contributed to growing mistrust. However, the ECP still stands a chance to prove that it is a true custodian of people's will by conducting free and fair elections in February 2023 when it plans to hold general elections for the national and provincial assemblies. It has demonstrated time and again that it has the capacity to hold fair elections, technically speaking. However, the level playing field issues suggest that the next general elections will also remain at least as or even more controversial than the 2018 general elections.

Pakistan can learn from India, where the supreme electoral body asserted its influence among a complex interplay of factors and came a long way to reach a point where the electoral outcome is generally accepted by the stakeholders.

## **Public Perception of Non-Political Forces in the Election Process**

In relative terms, the military had taken a backseat between 2008 and 2011 when the PPP governed the federation and successfully restored the original scheme of devolution enshrined in the 1973 constitution. It was clearly indicated that the country was moving towards a two-party parliamentary democracy, which for some people is an indicator of democratic maturity, when PTI, a relatively smaller political party, became hyperactive at once in 2011. Both the major parties, i.e., Nawaz Sharif's Pakistan Muslim League Nawaz (PMLN) and PPP thought PTI was being introduced by the military as a third force. Although PMLN won the 2013 elections, the PTI emerged as a strong parliamentary party. By 2018, it had become large enough to win the polls<sup>17</sup>. Other parties alleged that PTI's ascension to power was engineered.

Between 2009 and 2013, the judiciary was perceived to be supporting PMLN, but PTI became a clear favorite when Prime Minister Nawaz Sharif was disqualified by the Supreme Court and then imprisoned. The judiciary's controversial role continues even today which has been divided into two clear camps where one camp is visibly favoring one political party or the other.

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<sup>17</sup> PTI managed to grab 149 seats in the House of 342. It formed a coalition with five smaller parties to manage majority and form the government.

Big businesses are said to adopt one party or the other during elections in which they pump money into virtually unregulated political finances<sup>18</sup>. It is believed that big groups pick their favorites, invest money for their success, and then seek its return when their favorite party comes into power.

The much-talked-about foreign intervention element is perceived to be there, too - at least for commoners. But for a foreign government to influence Pakistani elections is not an easy task, particularly for the Western governments, which do not have significant clout in the Pakistani establishment. However, the Arab World (most importantly Saudi Arabia and the UAE) and the American governments' influence is much more strongly believed to be there.

To curb the influence of non-political forces on election results, Pakistan can follow many of the success stories from across the world. For example, India has successfully curtailed the business community's influence on election campaigns by tightening its campaign regulations. Turkey had a history of military interventions, but through consecutive effective measures, it has curtailed military's interventions into the electoral process and has transitioned to a democracy with credibly conducted regular elections.

## **Inclusion of Youth, Women, and Vulnerable Segments**

Despite constitutionally guaranteed equality of citizens, non-discrimination, and a range of affirmative measures taken by the state to protect peoples' electoral and democratic rights, women, transgender persons, PWDs, and religious minorities have historically faced challenges to participating in political and electoral processes as voters, candidates and elected representatives.

### **Participation of Women:**

Women's electoral participation in Pakistan has witnessed both promising advances and persistent challenges in recent decades. According to the Global Gender Gap Report 2023, Pakistan ranks 92nd out of 146 countries in the political empowerment of women's sub-index. While the country has twice elected a female head of government in 1988 and 1993, only one-tenth of the ministers and one-fifth of parliamentarians were women in the last government.

As an affirmative measure to boost women's political participation, the 1973 Constitution initially reserved around five percent of legislative seats for women, with a sunset clause of ten years, assuming that after this initial phase, women would be able to compete with their men counterparts on an equal basis. However, women representation dropped drastically upon the

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<sup>18</sup> There is no spend cap on political parties whatsoever. Also, expenses incurred by on behalf but without permission of individual candidates are also not accounted for, which practically rules out any scrutiny of election expenses.



expiry of this period, leading to the revival of reserved seats and the increase of women's quota to 17 percent in 2002. This time it was meant to continue indefinitely.

Following up on the constitutional spirit and consistent advocacy by women's rights groups, the Election Act of 2017 introduced provisions aimed at enhancing women's electoral participation, including increasing women's voter registration, a five percent quota for women candidates in each political party, recording sex-disaggregated voter turnout, and the potential to void election results for constituencies where women cast fewer than 10% of the votes. Since 2017, the Election Commission, in collaboration with civil society, has conducted an extensive campaign to register more women voters, successfully narrowing the gender gap on electoral rolls.

Despite these initiatives, women still remain under-registered as voters, their right to vote and candidature is not consistently respected, and they have minimal voice or role, much less leadership, within political parties. Still, there are over 10 million fewer women on the electoral rolls than men. While the population statistics from 2017 indicate 982 women to 1,000 men in the 18 and above age group, the latest electoral rolls show 850 women to 1,000 men, highlighting persistent under-registration. Moreover, registered women encounter more obstacles than men in exercising their right to vote, as indicated by a lower voter turnout of about 47%, compared to men's 56%<sup>19</sup>.

Historically, women's representation on general seats has been dismally low. Although the number of women candidates has increased since the 2002 General Elections, the pace at which women's electoral participation is increasing remains slow. In the last general elections, only 4.5 percent of all National Assembly candidates were women, with eight women securing seats through direct electoral contests.

Women on reserved seats are indirectly elected through a proportional system, tying them more to political parties than specific constituencies. Women contestants often come from politically influential families, and there are still geographical areas where reserved seats for women remain uncontested due to a lack of candidates. In some cases, women serve as proxies for their male family members, and their own political merit is overlooked by parties.

However, there has been a positive shift with an increasing number of women entering politics across all parties in recent years. Still, there is a considerable distance to cover toward achieving genuine gender equality in political representation in Pakistan.

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<sup>19</sup> Constituency-wise Percentage of Women Voter Turnout (2018). Accessed at: <https://ecp.gov.pk/storage/files/1/gw-13.pdf>

## Participation of PWDs:

The foremost issue with PWDs' political and electoral participation has been their undercounting. While people avoid declaring their own or family members' disabilities due to the social stigma associated with it, there have been several structural issues hindering the accurate counting of the PWD population. World Health Organization (WHO) estimates the disability prevalence rate to be at 13.4 percent in Pakistan<sup>20</sup>. Yet, the 2017 population census counted only around 0.9 million PWDs across the country, which makes them less than half (0.4) percent of the country's total population. The accuracy of this figure is contradicted by the census report itself, acknowledging the undercounting of persons with disabilities due to inadequate training of enumerators. More than half of all the counted PWDs are 18 years or older, making them eligible for voter registration. Unfortunately, the last available statistics of voters with disabilities from the Election Commission of Pakistan (ECP) reveal that around one in three eligible PWDs are unregistered.

The low registration of PWDs as citizens and voters can be partly attributed to administrative and institutional obstacles in obtaining the National Identity Cards (NICs). Social protections and electoral participation for PWDs are tied to NICs with a wheelchair symbol. However, the complex process of obtaining these cards, requiring additional medical documentation even for visible disabilities, poses a significant barrier, dissuading PWDs from navigating the bureaucratic hurdles.

Pakistan has been a signatory to the Convention on the Rights of Persons with Disabilities (CRPD) since 2011. In compliance with it, federal and provincial legislatures have recently enacted legislative measures affirming the protection and promotion of PWDs' civil and political rights. The Elections Act of 2017 also proactively included measures to enhance PWDs electoral participation, including special voter registration and education campaigns and voting by post. Recently, the Punjab province reserved seats for PWDs in the local governments.

However, the procedural complexities surrounding postal voting make the option more cumbersome than in-person voting. For this reason, several National Assembly constituencies reported no receipt of any request for postal ballots from individuals with disabilities during the last general elections (held in 2018). Additionally, accessibility issues persist at the polling stations, with nearly two-thirds being inaccessible for wheelchair-bound voters as per observation reports of FAFEN. While those unable to mark ballot papers can seek assistance, visually impaired voters lack braille ballot papers.

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<sup>20</sup> WHO, World Disability Report (2011). Accessed at: <https://www.who.int/teams/noncommunicable-diseases/sensory-functions-disability-and-rehabilitation/world-report-on-disability>

There has been an ongoing debate on reserving seats in legislatures for PWDs, with parliamentarians from major political parties proposing constitutional amendments since 2008. However, these proposals have not yet been voted upon in Parliament. Although PWDs face no restrictions in contesting general seats, their participation remains low. In the 2018 general elections, only three candidates with disabilities contested, none of whom emerged victorious. This highlights the formidable barriers in the political landscape for individuals with disabilities in Pakistan, despite the country's international commitment to the Convention on the Rights of Persons with Disabilities (CRPD).

As efforts persist to address these challenges, there is hope that future elections will reflect a more inclusive and accessible electoral process for all citizens, irrespective of their physical abilities.

### **Participation of Transgender Persons:**

In the last decade, the state authorities, Parliament, and election authorities have taken multiple initiatives concerning political and electoral participation of transgender persons in Pakistan. The citizen registry recognized transgender as a third gender in 2009 as a result of a landmark Supreme Court judgment. The recent changes in the election framework emphasized taking measures to register transgender persons as voters and ensuring they freely exercise their right to vote.

In 2018, Parliament enacted the Transgender Persons (Protection of Rights) Act further underlining the civil and political rights of transgender persons. Some parts of the Act have recently been contested in the higher courts and were suspended; however, the remaining law remains in effect. It not only reaffirms transgender persons' right to contest elections and participate as voters but also directs election authorities to ensure the implementation of these rights. The recent changes in the local government frameworks of Punjab and Sindh provinces have witnessed reservation of seats for transgender persons in the local councils. In a historic first, transgender representatives have been elected to local councils in the province of Sindh during the 2022-23 Local Government elections.<sup>21</sup>

Like other marginalized groups, transgender persons remain undercounted, with the 2017 census counting only 20,525 transgender persons aged 18 years and older in the entire country. Unlike citizen registries, the electoral rolls do not recognize transgender as a distinct gender and make disaggregation based on binary genders i.e., men and women. It is hard to count the exact number of registered transgender voters. However, it is estimated that only 71 percent of above 18 transgender persons possess an NIC, which means that the remaining 29 percent may be disenfranchised for not possessing an NIC. In a welcome break from the past,

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<sup>21</sup> Sindh Local Government (Amendment) Act, 2021 specified seats in secondary local councils in the province.

transgender persons contesting as election candidates<sup>22</sup> have been more regular news in recent years, yet this remains symbolic at present. Five transgender candidates competed in the last general elections but lost. They faced defamation on social media and serious harassment.<sup>23</sup>

## Participation of Religious Minorities:

Pakistan, with a diverse tapestry of religious communities, sees approximately 3.5 percent of its population identifying with religions other than Islam. Hindus comprise the largest minority, accounting for 2.1 percent, while Christians constitute 1.2 percent of the total population. Other religious groups include the Ahmadi community, Sikhs, Zoroastrians, Buddhists, Bahai, and irreligious individuals. Recognizing the need for representation, the country implemented the reservation of seats for religious minorities in legislatures in 1975.

Initially, these seats were filled through direct elections based on a separate electorate system. However, since 2002, elections for these seats have been held through a party-list-based proportional representation system. Since the enactment of 1973 constitution, the number of minority seats has increased from an initial six to 10 in the National Assembly and from nine to 24 in the four Provincial Assemblies.

Despite these measures, a significant challenge arises from the absence of specified geographical constituencies for minority representatives. This raises concerns about the disconnect between elected representatives and the communities they serve. Critics argue that this method fosters tokenism, providing minorities with limited real representation and restricting meaningful feedback.

While religious minorities face constitutional restrictions in contesting for the positions of President (Head of the State) and Prime Minister (Head of the Federal Government), they are not barred from seeking other elected offices. However, the participation of minorities in direct elections remains considerably low. The outgoing National Assembly, for example, had only one Hindu candidate successfully elected from Sindh province.

Although the separate electorate was abolished in 2002, the Ahmadi community continues to be listed separately on electoral rolls. Designated as non-Muslims through a 1974 constitutional amendment despite their insistence on being a sect of Muslim faith, Ahmadis find themselves politically marginalized.

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<sup>22</sup> The Times, Sabrina Toppa (JULY 23, 2018) Accessed at <https://time.com/5345533/pakistan-elections-2018-transgender-candidates/>  
<sup>23</sup> European Union. Final Report Election Observation Mission (2018). Accessed at: [https://www.eods.eu/library/final\\_report\\_pakistan\\_2018\\_english.pdf](https://www.eods.eu/library/final_report_pakistan_2018_english.pdf)



Their disenfranchisement remains a glaring yet unspoken issue in Pakistani political discourse as no one, except some rights group, dared raising the subject due to fear of hardcore Muslim groups that advocate Ahmadis' social and political boycott.

### **Participation of Youth:**

Around two-thirds of the Pakistani population are under the age of 30 years, which makes the country amongst the list of nations with the highest young population. Some experts opine that young voters tend to remain aloof from the electoral politics<sup>24</sup>. Nevertheless, there does not exist any objective and reliable data confirming this perception. Anecdotal evidence, however, suggests otherwise. Modern means of political mobilization have particularly influenced the youth to participate in politics and elections.

The penetration of higher education and the internet in the urban centers have provided youth with necessary platforms for political activation. Political movements in recent history, notably the lawyers' movement (2007-2009), Pakistan Tehreek-e-Insaf's anti-government mobilization (2014-2015), and religiopolitical parties' mobilization on a range of political, religious, and social causes have had significant youth participation. Recent political positioning by leaders of the Pakistan People's Party and Pakistan Muslim League Nawaz to woo young voters has also underlined the importance of youth participation in politics.

However, due to the increasing political polarization, the youth is also feared to instigate and normalize political violence. While measures should be taken for enhanced and meaningful political participation of youth, they should also be engaged and sensitized for nurturing and adhering to political values that are peaceful, productive, and tolerant.

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<sup>24</sup> PILDAT, (November 15, 2021), Accessed at <https://pildat.org/youth1/abysmal-voter-turnout-in-youth-must-be-changed-pildat>

## Key Challenges for Electoral Institutions and Civil Society Organizations in the next General Elections

### Elections Credibility:

The biggest challenge for election authorities in the general elections in 2024 is repairing the perception of it being an unfair election. Both global and domestic audiences have raised concerns about the fairness of the electoral process amidst the state's actions against Pakistan Tehreek-e-Insaf post-May 9 incidents. The series of events since the no-confidence motion against former Prime Minister Imran Khan have played against one political party, strengthens the impressions of the pre-poll understanding of keeping the party away from the electoral race. The political as well as legal controversies over the timeline of elections also strengthen the impression of unfairness.

First, the excuses by the executive and election authorities in holding elections to the provincial assemblies of Khyber Pakhtunkhwa and Punjab dissolved in January 2023, and then the delay in holding general elections due to delimitation of constituencies necessitated by the last-minute approval of population census are generally seen as part of a plan to minimize the chances of PTI's electoral success. The party's most of first and second-tier leadership remains behind bars while restrictions are being arbitrarily imposed even on those not detained.<sup>25</sup>

Other than the concerns over the absence of a level-playing field for political parties, unsettled electoral issues such as overseas voting and growing unrepresentativeness of the election system in an extremely polarized electorate also have considerable bearing on the credibility of the election outcome. Notwithstanding the contentions on the modus operandi of overseas voting, nearly all political parties have favored the idea of ensuring diaspora voters' participation in elections. Yet, the issue was left unaddressed in the recent set of amendments introduced in the electoral framework. This situation may give credence to suspicions that the extremely vocal diaspora expresses regarding their disenfranchisement. Moreover, the First-Past-the-Post system causes a majority of votes to remain untranslated into any parliamentary representation, not only disappointing the voters but also fueling the political instability post-election.

Despite the obvious nature of these challenges to the credibility of upcoming elections, the Election Commission has not proactively attempted to address the concerns in the recent past. Rather, it has been in a reactive mode, only responding after a controversy has been generated. For instance, the speculations and uncertainty around the date of the elections would

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<sup>25</sup> Following violent protests on May 9, several PTI leaders and workers were arrested and many still remain imprisoned for being under-trial. A rich news coverage of these events may be accessed through archive sections of newspaper websites [Dawn](#), [The News](#) and [BBC Urdu](#).

have been avoided had the Commission publicly shared the Action Plan for the general election that it was legally required to prepare four months before the expected general election, due to be held on expiry of the term of a legislative Assembly. Such a plan would have provided possible election dates for all likely scenarios including if delimitation of constituencies would become due. Yet, the Commission avoided giving a date until pressed by the Supreme Court.

## **Election Security:**

The incidence of political and electoral violence, including militancy has seen a rising trend since the onset of the election year in Pakistan. Since January 2023, there have been reports of more than 140 major incidents of terrorism targeting security forces, political actors, and public places, thus instilling fear among citizens for their security that may affect their political and electoral participation.<sup>26</sup> In addition, scores of instances of localized violence between political actors have also surfaced in recent months.

Given the growing polarization in society, the localized violence that had considerably reduced during the last two general elections may also resurge in the upcoming polls. With the security forces engaged in anti-terrorism operations, making security arrangements for polling stations may also become a challenging task for the election commission, which has marked more than half of the total polling stations as ‘sensitive’, i.e., requiring additional security measures.

## **Election-related Regulation of Online Media:**

Over the last few years, social media has transformed the nature of elections and political campaigns by providing a platform for news, discourse, and election-related information. Although social media has provided all election stakeholders an opportunity to access and influence public opinion, there are serious concerns about the authenticity and reliability of the content being circulated on the virtual spaces. Like many other countries, Pakistan is trying to grapple with the consequences that the extensive use of digital media has for elections and voter choices. Fake news, hate speech, disinformation, counterfactuals, and misrepresentations are increasingly becoming a permanent election feature.<sup>27</sup>

Citizens have the right to access accurate and truthful information about elections. The fundamental right to information, expression, and opinion is safeguarded by the Pakistani Constitution, as well as international covenants such as the International Covenant for Civil and Political

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<sup>26</sup> South Asia Terrorism Portal, Country Data Sheet of Incidents of Violence. Accessed at: <https://www.satp.org/datasheet-terrorist-attack/major-incidents/pakistan>

<sup>27</sup> Tahir Mehdi. Making Elections Credible. HRCP. Accessed at: <https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-Making-Elections-Credible.pdf>

Rights. Yet, the widespread mis/disinformation, particularly through digital means, undermines the basic principles of democracy. Such mis/disinformation can amplify voter confusion, impact voter turnout, suppress political participation, and erode trust in democratic institutions.<sup>28</sup>

In addition to mis/disinformation, online political advertisements on digital media have introduced new, uncharted dimensions to election campaigns. Social media facilitates the placement of paid political advertisements targeted to the preferences of different groups of voters. Such measures may give rise to challenges related to electoral transparency and accountability.

When it comes to legislation and regulations for monitoring social media and digital tech companies, countries around the world have struggled to define the scope of such regulations. Currently, the Pakistani electoral framework does not cover the aspects of monitoring social media content as well as costs. Moreover, the code of conduct for national media issued by the Election Commission only covers Pakistani social media influencers.<sup>29</sup> The absence of a sound legal framework for regulating online political campaigning, advertising, fund-raising, and third-party financing further complicates the job of election authorities to ensure fair elections. In the absence of a parliamentary consensus regarding the scope and methods of social media regulations, the impending elections may become embroiled in intricacies and disputes more severe than any previously encountered in the electoral chronicles of the nation.

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<sup>28</sup> See more at <https://online.maryville.edu/blog/social-media-influence-on-elections/>

<sup>29</sup> ECP's Code of Conduct for National Media (2023). Accessed at: <https://ecp.gov.pk/code-of-conduct-for-national-media-2023>



## Way Forward/Conclusion

- A holistic view/approach to strengthening democracy and electoral governance in Pakistan is needed. This must include measures to improve the social acceptability of democratic norms among segments of society, particularly political parties;
- Pakistan and its democratic institutions need to reiterate the importance of strengthening democracy and electoral governance for Pakistan's stability and progress
- Pakistan needs to provide the necessary insulation to electoral processes and institutions from the influence of executive and judiciary
- A call to action for all stakeholders to work together in addressing the outlined issues and implement the recommended solutions.

Despite several steps forward in the recent years, the electoral governance still contains caveats that adversely impact the true translation of public aspiration in to formation of executive and legislatures. Improving the quality of elections requires a comprehensive and collaborative approach, involving all stakeholders. Below are some recommendations to improve the electoral frameworks and processes in this regard:

### Strengthen Electoral Legal Framework:

The legal framework around elections has come a long way from Representation of Peoples Act 1976 to Elections Act 2017. Still, there remain areas for reforms with regards to the exercise of ECP's powers and conduct of polls in the law that require reforms. Civil society should conduct a thorough review of the Elections Act and its subordinate legislation to identify and rectify ambiguities, and ensure that the legal framework is transparent, inclusive, and reflective of international democratic standards.

### Sustain Voter Registration Momentum:

Despite encouraging voter registration since 2018, ECP needs to sustain the momentum to register all eligible age Pakistanis on electoral rolls especially those belonging to marginalized groups including women, PWDs, transgender, economically poor etc. ECP must implement a robust voter registration system using technology to ensure accuracy and conduct widespread yet targeted voter education and registration campaigns to enrol citizens on the electoral rolls and educate them about their voting rights and responsibilities.

### Political Party Reforms:

Encourage political parties to adopt internal democratic mechanisms, ensure transparent candidate selection processes, and promote inclusivity within party structures.

### Post-Election Audits and Reviews:

Establish an independent body to conduct post-election audits and reviews. Ensure timely and impartial investigations into electoral irregularities and complaints.

## **Public Accountability and Transparency:**

Foster a culture of transparency and accountability in electoral management. Implement measures to hold electoral officials, political candidates, and parties accountable for their actions.

## **About Accountability Lab**

Accountability Lab is a transnational network and a Pakistan based thinktank, committed to fostering transparency, accountability, and good governance, has played a pivotal role in shaping the discourse around electoral governance in Pakistan. With a focus on driving positive change through innovative approaches, the Lab has been at the forefront of initiatives aimed at enhancing the democratic processes in the country.

Through meticulous research and program development, The Lab has actively engaged in monitoring and evaluating various projects, contributing valuable insights to the discourse on electoral reforms in Pakistan. The Lab's emphasis on social acceptability, institutional insulation, and the holistic strengthening of democracy resonates with the recommendations presented in the policy brief. Learn more about exciting work of Accountability Lab on [www.accountabilitylab.org](http://www.accountabilitylab.org)