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PAKISTAN

ELECTION ADMINISTRATION AND
ELECTION LAWS, RULES &
PROCEDURES

Training Module for Journalists

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About the Manual

Who can use the Manual?

The manual aims to sensitize and build the capacity of journalists on electoral laws and mechanisms that support elections in Pakistan. It can be used by media organizations including media houses, press clubs, academia and media unions to:

- ✓ Improve understanding on election laws, rules and procedures prevailing in Pakistan; and
- ✓ Produce stories on electoral process with an inclusive lens.

The manual can be used to revise the curricula used in colleges and universities by departments of mass communication and journalism.

How can this Manual be used?

The manual contains simple information in regard to pre-election, during election and post-election phases in Pakistan. With next general elections scheduled for July 25, 2018 this can be a useful source of information for journalists.

Objectives of the Manual

This manual aims to:

- ✓ Increase the capacity and understanding of selected journalists on some important parts of Elections Act, 2017
- ✓ Enhance journalists' understanding of the electoral processes (pre-poll, polling day and post-poll), and role of the Election Commission;
- ✓ Assist in the identification of key stakeholders that play a pivotal role in ensuring free, fair and transparent elections.

Outcome of the Manual

- ✓ Understanding of the users (journalists) on parts of the new Elections Act, 2017, electoral processes and procedures and roles and responsibilities of relevant institutions has improved significantly.

Framework of the Manual

The manual has been divided into three sections:

Section 1: Theoretical basis;

Section 2: Training programme;

Section 3: Detailed activities.

Introduction

Election is a process by which democracy survives, grows, takes roots, and flourishes throughout a country; its people and institutions. Representative democracy needs elections. The system of election depends on the collective thought process of the legislature depicting itself through laws. The laws and rules governing the electoral process decide how people will be translated into a representative government. How elections are conducted determines acceptance of the outcome. What and how media reports allow people to form opinion – not just about the election but about everything that happens before and after. The role of civil society makes a big difference in supporting the state by raising voices to protect the fundamental rights of the citizens. This is all connected. Taking a piece out will have hugely negative impact on the state as whole.

A VOTE is like a rifle: its usefulness depends on the character of its user

Democracy in Pakistan has faced numerous challenges but the past decade has seen unprecedented democratic developments. The transfer of power from one democratically elected government to another in 2013 and completion of five-year term of the government formed as a result of the 2013 general election has undoubtedly strengthened the democracy and with it enhanced Pakistan's standing among the comity of nations. While this success is rightly celebrated, there is a need to understand that continuity of the electoral-democratic process is the key to further deepening of democratic values in the country. It is a huge challenge that must be overcome through educating masses and reforming political processes including election system and the law that governs it.

The conduct of free and fair elections is necessary in line with the constitutional provisions and the relevant laws. Consolidation of democracy requires efforts from all stakeholders: political parties, civil society, the media, the judiciary and other state institutions, and most importantly, the people of Pakistan. Making choices and taking decisions is good but making informed choices and taking informed decisions is better. Thus informed decisions and informed choices require the right kind of information: accurate and free from personal prejudices. One should not expect miracles to happen when ignorance prevails!

- What to report?
- How to report?
- When to report?
- How to articulate information

People look towards media for information – including social media. This dependency puts a massive responsibility on the media persons to report in a neutral manner on any issue including elections and whatever happens around them. To be able to report correctly, one needs to know at least fundamentals of the issue being covered.

These questions set a process in motion where media persons must regularly weigh their actions and see how information dissemination or breaking news is strengthening the society and helping the institutions to manage the state affairs.

The last decade of democracy can also be termed as the decade of media. There has been phenomenal expansion of media's role in opinion making. The next general elections, scheduled to take place on 25th July 2018, will be most watched democratic event in the history of Pakistan. With

changes in the political landscape of the country, an intense competition is expected between political forces. And it is natural. In such intensity how media will report election related news and maintain its balance when balance might become a challenge. Media will certainly need to play a significant role in informing citizens regarding the conduct of elections, existing laws, rules and procedures. It is equally important that journalists understand elections and relevant laws and procedures themselves to be able to inform citizens.

Looking back, the Election Commission of Pakistan (ECP) had issued five different codes of conduct for all the relevant stakeholders including political parties and their candidates, observers, media, polling personnel and the security personnel before 2013 General Elections.¹ The ECP for the first time held long sessions of deliberations and consultation with all major print and electronic media organizations and bodies, and formulated 15 guidelines for Media for 2013 General Elections addressing various aspects of reporting during elections.²

However, the Pakistan Electronic Media Regulatory Authority (PEMRA) and/or the Election Commission of Pakistan (ECP) did not monitor the media, resulting in gross violations before, during and after the elections. According to the European Union Election Observation Mission (EUEOM) Pakistan, news channels devoted very little (1-2%) of the airtime for voter education. On the other hand, TV channels dedicated a lot of time to paid content including campaign advertisements; the time dedicated to news and the paid content was almost the same. According to the EUEOM, the channels that were monitored showed that 16 hours of live airtime was dedicated to PML-N; nine hours to MQM; five hours to PTI and four hours to PPP. This shows that “money is playing an important part” commented one of the election observers who was part of the EU EOM team. The coverage by newspapers was fairly balanced. The observer mission recommended that there should be a “realistic enforcement mechanism” for monitoring the media by an independent body.³ A number of national and international civil society organizations (CSOs) made a serious effort to educate and build the capacity of media personnel on election coverage, yet a lot of shortcomings were observed, also reported by the EU EOM.⁴

With next general election just around the corner it is essential that the capacity of the selected journalists is built on the relevant parts of the election law, rules, and procedures as well as dos and don'ts of the election coverage during all phases: pre-poll, poll-day, and post-poll. This will contribute towards the conduct of free, fair and transparent elections which the ECP is required to deliver under Article 218(3) of the Constitution. Media also has the responsibility of encouraging and educating citizens to avail their right to vote and perform their duty to elect their government. More importantly, it is essential for the journalists to have a comprehensive understanding of the key electoral matters as provided in the election law, rules and procedures.

¹ Report on the General Elections 2013: Election Commission of Pakistan (ECP). VOL – 1, P. 16, Accessed online from: <https://ecp.gov.pk/Documents/General%20Elections%202013%20report/Election%20Report%202013%20Volume-I.pdf> Date of Access: April 04, 2018.

² The agreed draft on guidelines for elections 2013: Election Commission of Pakistan. Accessed online from: <https://ecp.gov.pk/Documents/Downloads/General%20Election%202013/Misc/Code%20of%20Conduct%20for%20media%2004-03-2013.pdf> Date of Access: April 18, 2018.

³ The Express Tribune, “Media coverage favoured top political parties, say election observers”, October 10, 2013. Accessed online from: <https://tribune.com.pk/story/615763/media-coverage-favoured-top-political-parties-say-election-observers/> Date of Access: April 19, 2018.

⁴ Toolkit for reporting on Pakistan's 2013 elections, Democracy Reporting International (DRI), Accessed online from: <http://www.af.org.pk/Election%20Monitor/VOTERS/toolKit/DRI-PK%20Toolkit%20for%20Reporting%20on%20PK2013%20Elections%20EN.pdf> Date of access: April 19, 2018.

Therefore, this manual has been designed to build the capacity of media persons in Pakistan on the following:

1. Election Commission as a constitutional institution
2. What's new in Elections Act 2017 and Election Rules 2017
3. Electoral processes: pre-poll, poll-day and post-poll
4. Key stakeholders to ensure fair and transparent elections in Pakistan
5. Media's role to sensitize citizens regarding the laws, rules and procedures of elections

1. Election Commission of Pakistan: A Constitutional Institution

The Election Commission of Pakistan (ECP) is a constitutional body (empowered under Articles 213-221 of the Constitution) to hold and conduct elections in the country.⁵ Under the 1973 Constitution of Pakistan, the ECP has been assigned the duties as follows⁶:

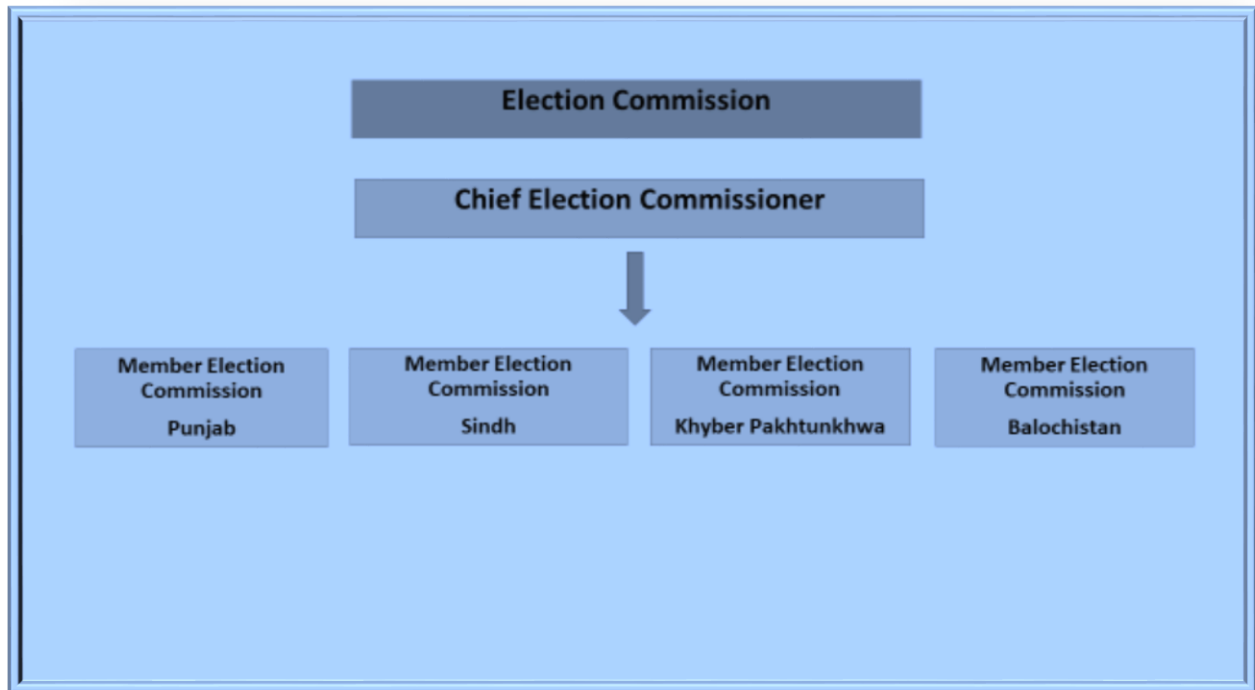
- Preparing electoral rolls for election to the National Assembly, Provincial Assemblies and local governments, and revising such rolls periodically to keep them up-to date;
- Organizing and conducting election to the Senate or to fill casual vacancies in a House or a Provincial Assembly;
- Appointing Election Tribunals;
- Holding of general elections to the National Assembly, Provincial Assemblies and the local governments; and
- Such other functions as may be specified by an Act of Majlis-e-Shoora (Parliament)

The Commission is composed of a Chief Election Commissioner - a retired judge of the Supreme Court or BPS-22 civil servant or a technocrat - and four members, one from each province – a retired judge of High Court or senior civil servant or a technocrat. The CEC and the four members are appointed by the President on the basis of recommendations made by a 12-member parliamentary committee.⁷

⁵ Part VIII, Chapter 2, Article 218, “The Constitution of Islamic Republic of Pakistan”, National Assembly of Pakistan, Modified up to 2012, Retrieved from: http://na.gov.pk/uploads/documents/1333523681_951.pdf Date of Access: April 9, 2018

⁶ Article 219, “The Constitution of Islamic Republic of Pakistan”.

⁷ Shahid Hamid. Briefing Paper: The Elections Act, 2017: Powers and responsibilities of the Election Commission of Pakistan. Tabeer: Pakistan Institute of Legislative Development and Transparency (PILDAT). February, 2018. P.9. ISBN: 978-969-558-707-2.



Chief Election Commissioner and Members of the Election Commission are appointed for a five-year term, and are given the responsibility under Art 218 of the Constitution to hold free, fair and transparent elections and to guard against corrupt practices.

Chief Election Commissioner and the Commission⁸

- Election Commission takes decision on the basis of majority principle
- Chief Election Commissioner has one vote like any other Member of the Commission
- Chief Election Commission can form a bench comprising at least three Members
- Decision of a bench will be considered a decision of the Commission
- Chief Election Commissioner has administrative powers to appoint, promote and demote an official of the Commission
- Chief Election Commissioner, after passage of Elections Act 2017, does not require approval of the Ministry of Finance to create a position within the ECP
- Commission has the powers to penalize a person for contempt, same as a High Court
- Law freezes all postings and transfers with issuance of election schedule by the Commission
- Caretaker government cannot transfer an officer without Commission's approval
- Commission can hear complaints and take suo-moto notice of any violation of election law
- Commission has the authority under Art 220 of the Constitution to seek assistance from all authorities in the federation
- ECP appoints election staff: District Returning Officers, Returning Officers, Presiding Officers, Assistant Presiding Officers, Polling Officials, monitoring teams, etc
- Commission formulates rules and approves them – earlier election rules were approved by President of Pakistan

⁸ Part VIII, Chapter 1, “The Constitution of Islamic Republic of Pakistan”, National Assembly of Pakistan, Modified up to 2012, Retrieved from: http://na.gov.pk/uploads/documents/1333523681_951.pdf Date of Access: April 9, 2018

The Elections Act, 2017 was passed by the Parliament last year. Through this Act, the Parliament has repealed and consolidated the following laws into one Act:

- The Electoral Rolls Act, 1974
- The Delimitation of Constituencies Act, 1974
- The Senate (Election) Act, 1975
- The Representation of the People Act, 1976
- The Election Commission Order, 2002
- The Political Parties Order, 2002
- The Conduct of General Elections Order, 2002
- The Allocation of Symbols Order, 2002

1.1. Role of Media in Ensuring Efficient Performance of ECP

The media plays an essential role in ensuring that the ECP performs its duties efficiently. For this purpose it is vital for the journalists to scrutinize the following elements⁹ of fair elections and political processes:

1. Effective oversight of electoral processes;
2. Informing citizens and encouraging them to actively participate in the process;
3. Inclusion of socially excluded groups i.e. women, transgendered persons, persons with disabilities, and disadvantaged groups;
4. Sustainable local engagement.

It is essential for journalists to evaluate the electoral procedure in the light of the aforementioned elements in order to ensure a transparent, fair and free electoral process.

2. What's new in the Elections (Amendment) Act 2017?

i. Introduction of Key Reforms

The key reforms¹⁰ introduced by the new Elections Act are described in the section below:

a) Empowerment of the ECP

- Financial autonomy to ECP – *Chief Election Commissioner can create various positions in the ECP without seeking approval of the Finance Ministry; ECP had no such power before the Election Act*

⁹ USAID, “Supporting Free and fair Elections”, Democracy, Human Rights and Governance, Retrieved from: <https://www.usaid.gov/what-we-do/democracy-human-rights-and-governance/supporting-free-and-fair-elections> Date of Access: April 12, 2018

¹⁰ Pakistan’s Elections Act 2017: What you need to know. Democracy Reporting International (DRI), February 15, 2018, Accessed online from: <http://democracy-reporting.org/pakistans-elections-act-2017-what-you-need-to-know/> Date of access: April 19, 2018.

- Power to initiate disciplinary action against staff whose conduct deviates the election rules and laws
- Charged to make rules for conduct of elections and define provisions for things left unexplained by law
- *Clear contempt of court provisions in line with Contempt of Court Ordinance 2003 – Commission is considered equal to a High Court*

b) Improved accountability and increased transparency

- ECP obligated to make its rules available for public feedback.
- ECP to prepare and submit annual review reports by federal and provincial legislatures.
- Establish Electronic Results Management System and proactively publish results at polling stations and ECP website.

c) Participation of Women

- ECP empowered to nullify results of constituencies with women voter turnout less than 10%
- ECP to take practical measures against agreements of forcibly banning women from voting.
- Political parties required to assign 5% of general seats for National Assembly, Provincial Assembly and Senate
- Facilitate registration of women, transgendered persons, persons with disabilities and non – Muslim Pakistanis.

d) Complaints and Tribunals

- Every citizen of Pakistan has a right to file a complaint with ECP against any aspect of elections.
- ECP to respond to complaint efficiently (within 30 days of complaint).

e) Caretaker setup and local government elections

- The new Act restricts caretaker setup to take policy decisions
- The legally binding timeline for holding the elections is 120 days after local councils are dissolved.

The ECP has also been made responsible for the training and capacity building of its staff, running awareness campaigns and establishing a results management system.

ii. **Shortcomings of the New Act**

The Elections Act 2017 has the following shortcomings¹¹:

a) **Data types, timelines and other transparency measures**

The existing Act does not stress on the need of publishing data (for instance results of a constituency) and timeline to complete such task. By introducing a provision on publishing data of each constituency within a certain period of time, more transparency can be added to the whole process.

b) **Party finances and disclosures**

Financial limits were imposed on the expenditures of political parties in the draft bill; however, these limits were lifted in the finalized bill of the Act. By reintroducing these limits, a level playing field will be allowed to all the parties.

c) **Citizen Observers**

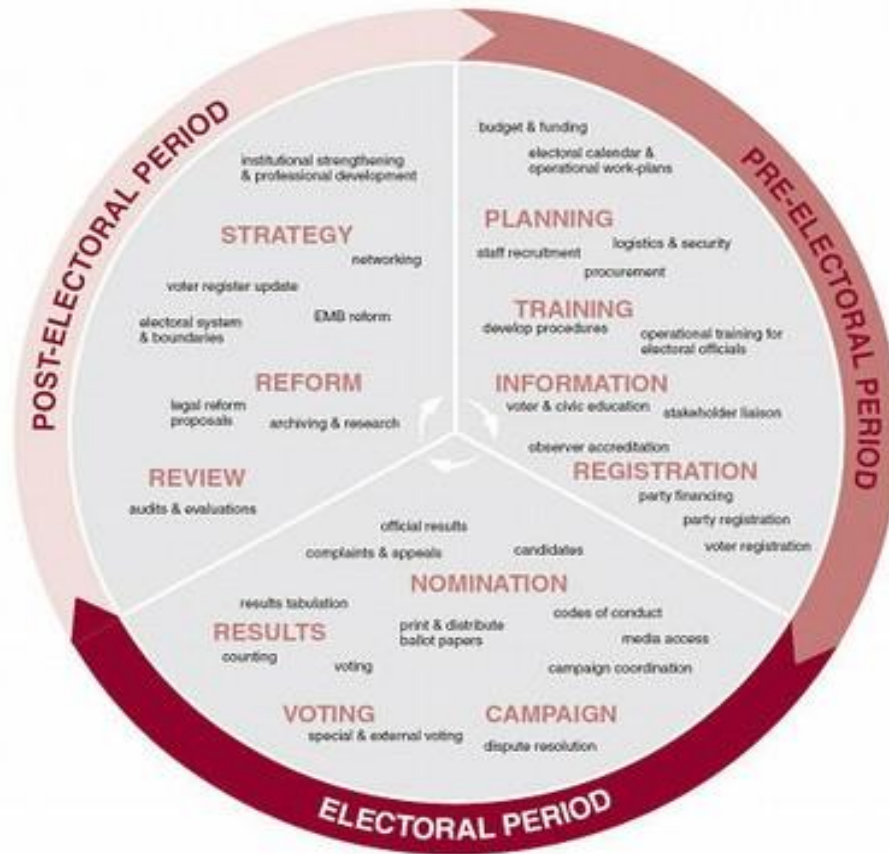
The law allows citizens to observe the whole polling, counting and tabulation process but doesn't guarantee observation of other important processes such as boundary limitation, nominations and dispute resolution.

3. Electoral Processes: Pre-Election, Election and Post-Election

Electoral Cycle

Globally, Election Management Bodies (EMBs) implement various activities during different phases of an election cycle. These activities are directly connected to each other and their effectiveness or the lack of it has a direct impact on others. The following diagram depicts this internationally accepted concept of electoral cycle:

¹¹ Ibid.



Source: ACE project

The electoral cycle diagram provides the following activities during different phases:

Pre-Election Period:

- *Planning: Budget, logistics, procurement, recruitment,*
- *Training: Capacity building of permanent staff, temporary election staff*
- *Registration: Party registration, voter registration, observer registration*
- *Information: voter education, stakeholder consultation, media engagement*

Election Period:

- *Nomination: Candidates, appointment of political party agents*
- *Campaign: Code of conduct, campaign finance, monitoring, complaints*
- *Voting: Polling station operation, election day security, counting of votes*
- *Results: Results compilation and announcement*

As per law an election petition filed with Election Tribunal must be decided within 120 days of its receipt by the Tribunal

Post-Election Period:

- *Review: Analyse what needs to be improved based on election*
- *Reform: Identify areas for reform, introduce legal and procedural reforms*
- *Strategy: Develop strategic and operational plan, conduct voter registration, identify and pilot electoral technologies*

Based on this we need to take a look at the activities which are undertaken during these three phases of electoral cycle in Pakistan in line with the Elections Act, 2017 and Election Rules 2017 as well as Election Commission's directives and administrative actions:

a. Pre-Election Phase (Pakistan)

The law requires from the ECP, at least four months before the general election is due to be held on expiry of the term of an Assembly, to prepare a comprehensive **action plan** specifying all legal and administrative measures to be undertaken in respect of the election, including the following:

- Delimitation of constituencies
- Revision of electoral rolls
- Enlistment of political parties
- Allocation of symbols
- Appointment and training of District Returning Officers, Returning Officers, Assistant Returning Officers, Presiding Officers, Assistant Presiding Officers, Polling Officers and other election officials
- Preparation of constituency-wise list of polling stations and list of polling personnel
- Determination and printing of requisite number of ballot papers and designation of printing presses
- Establishment of a transparent result management system for election results
- Introduction of any new technology
- Arrangements for election observers
- Appointment of the Appellate and Election Tribunals
- Security measures
- Monitoring mechanism to report progress regarding implementation of the Action Plan

Election to the National and Provincial Assemblies in Pakistan are held under First-Past-the-Post election system for single-member constituencies which is a simple majoritarian system where winner gets elected with simple majority of votes

The outlines of the plan of action as provided in the Elections Act, 2017 give a comprehensive pre-election framework. However, it also covers activities which fall within the election phase.

b. Election Phase (Pakistan)

The activities which are implemented during polling phase include the following:

- Provision of various election-related sensitive and non-sensitive materials – ballot papers, electoral rolls, forms used at different levels
- Logistical support for polling staff
- Preparation of polling staff deployment plan for each constituency
- Candidate nomination process - supported by a number of documents including a declaration by candidates that they qualify under Article 62 and do not have any disqualifications under Article 63 of the Constitution
- Scrutiny of nomination papers by Returning Officers
- Appointment of Appellate Tribunals to adjudicate upon acceptance or rejection of nomination papers
- Withdrawals of nomination papers
- Final list of candidates, and printing of ballot papers
- Preparation of different codes of conduct for various stakeholders – political parties and candidates, election observers (domestic and international), media, security officials, polling officials
- Accreditation of observers and appointment of election and polling agents by political parties and candidates
- Campaign period for political parties and candidates
- Deployment of monitoring teams by Election Commission to report on code of conduct violations
- Opening of the poll – Election Day
- Running the poll on day of election and close of poll activities
- Counting of votes at polling stations, consolidation of constituency level votes RO
- Preparation and announcement of results and later publication of final results in the Gazette of Pakistan

A candidate must provide the following while submitting nomination papers:

- Declaration for qualification and disqualifications under Art. 62 and 63 of the Constitution
- Exclusive account for election expenditure
- Completed and signed affidavit decided approved by Supreme Court
- Attested copy of NIC
- Statement of assets and liabilities as on preceding 30th June
- Proof that the fee has been deposited – for NA PKR 30,000 and for PA 20,000
- Party ticket if claims to be a party nominee

c. Post-Election Phase (Pakistan)

Post-election phase in Pakistan includes the following activities:

- Appointment of Election Tribunals to address Election Disputes under Article 225 of the Constitution – where losing candidate(s) could challenge the election of a returned candidate and seek remedy
- Post-election review of the electoral process as provided in the Elections Act, 2017 – to assess what could have been done better in the conduct of election
- Identify areas of reforms – legal, administrative, procedural and others
- Strategically approach various issues including introduction of any electoral technologies as mentioned in the Elections Act
- Take strategic decisions for making the system more

Political Party registration with ECP:

- Within 30 days of formation of a political party, request should be made for enlistment with ECP
- PKR 200,000 is the registration fee
- Names of 2000 members with copies of NIC to be submitted with application

representative through inclusive approach as provided in the law – covering women, minorities and persons with disabilities

- Engage parliament for any necessary legislation to further improve the system
- Engage stakeholders for a coordinated effort for reform which is acceptable to all
- Have all major decisions and actions taken before start of the pre-election phase

4. Key Stakeholders for Free, Fair and Transparent Elections in Pakistan

Key stakeholders in the electoral processes in Pakistan include the following:

- **Political Parties**

Political parties are major actors in the electoral democracy. Election law and rules and how they are implemented affect them. Political parties' acceptance of election results is extremely importance for the credibility of elections and stability of the country. As such it is imperative that political parties are regularly consulted by the Election Commission before taking any major policy and strategic decision. According to ECP's report Road to General Election 2018 (Preparations), it has consulted key stakeholders including Political parties, Media and Civil Society Organizations. The aim of the consultations¹² was to obtain valuable inputs from the key stakeholders for improvement of the system.

A political party will not get a symbol to contest election if it fails to provide the list of five percent women fielded to the national and provincial assemblies on general seats

- **Media**

Media is another important stakeholder in elections – not just in Pakistan but around the world. The way media understands and reports an event determines how people might perceive about fairness of the process. Sometimes good elections could be jeopardized due to bad reporting which often results from limited understanding of the process. It is important that media is regularly engaged in discussion by the Election Commission to bridge any gap of misunderstanding between the two. Prior to 2013 general elections, ECP had extensively engaged the media and took their opinion on a number of important matters. This process needs to continue.

- **Civil Society**

Another important electoral stakeholder is Pakistan's vibrant civil society. Large and small civil society organizations across the county are an enormous power which can provide great support and credibility to the electoral process. ECP in the past held regular consultations with civil society organizations and this process has continued under ECP's gender and disability electoral working group. The work of this working group played a major role in bringing to the limelight the issues of women registration for national identity card as well as their registration as voters. ECP also gave attention to the various organizations asking for action against the elements allegedly preventing women from voting during elections. It is

¹² Election Commission of Pakistan (ECP), Road to General Elections 2018 (Preparations), Accessed online from: <https://www11.ecp.gov.pk/Documents/Brief%20for%20Media.pdf> Date of access: April 20, 2018.

imperative that ECP continues to engage with civil society while taking major policy decisions. Inclusion of women, minorities, persons with disabilities and transgender persons will make Pakistan's election process truly inclusive.

5. Role of Media to Sensitise Citizens regarding Election Laws, Rules and Procedures

The media plays the following¹³ roles to sensitize voters on the laws, rules and procedures:

- Voter educator (sensitizing them about their democratic rights);
- Assist in developing an election campaign;
- Communicator between the political parties and candidates;
- Communicator between all the other stakeholders including parties/candidates, the government, and to other voters;
- Platform for debate to the parties and candidates;
- Reporter of election results and as a monitor;
- Assist in scrutinizing the electoral process to evaluate the fairness of the process, its efficiency, and its probity;
- Help in avoiding violence by providing selective information.

Media can play an effective role in highlighting issues related to inclusion – women, minorities, persons with disabilities and transgender persons – in electoral process; by doing so it will be promoting inclusive electoral process

In accordance with the aforementioned roles of media, it is essential to have an all-inclusive approach, i.e. highlighting the right to vote, laws regarding elections, and electoral process vis-à-vis all vulnerable segments of society including:

- Women
- Transgendered persons
- Persons with disabilities
- Non-Muslims

The media may specifically focus the following issues in regard to inclusion:

- Challenges during election campaign for women, minorities, persons with disabilities and transgender community
- Issues faced at the polling stations – support from security officials or the lack of it when these segments of society approach a polling station
- Problems of voting particularly for the persons with disabilities
- Overall environment at or around the polling stations
- Understanding of election staff of the issues relevant to these groups

¹³ Media and Elections, ACE: The Electoral Knowledge Network. 3rd edition, 2012, Accessed online from: <http://aceproject.org/ace-en/topics/me/introduction/me10/default> Date of access: April 20, 2018.

5.1. Media’s Role in Election Campaigning

Political campaigns for elections have evolved with the new developments in the media landscape. Political parties shape their public profile by maintaining an active social media presence to market their selves. This social media presence becomes a source of news for the journalists covering election campaigns of the political parties. This advancement in the landscape of media adds to the responsibilities of journalists in propagating credible information regarding the political mandates and election campaigns in the mainstream media. With respect to this, media plays two significant roles when covering elections;

1. An impartial informer to the citizens regarding the manifesto of political parties, and their election campaigns.
2. Bringing forth the concerns of public in the mainstream media with an impartial approach towards the election campaign.

People have the right to know about political parties’ programs contained in their manifestos

In consideration with these roles, the following table explains what is frequently done wrong by the media and what should be done instead when journalists are covering elections in Pakistan;

What usually happens	What should be done
✓ Overemphasis on certain aspects of a story (e.g. discussions on unsubstantiated allegations or issues).	✓ Highlight whether political parties are adhering to the election campaign rules.
✓ Headlines or images that misrepresent the content of the story (e.g. using technique of yellow journalism).	✓ Scrutinize how much of the manifestos have the political parties put into practice during their term.
✓ Misquoting political figures (e.g. biased distortion of statements given in private or public events).	✓ Give equitable time on media outlets to all participating political parties and candidates; not just prominent figures.
✓ Having biased opinions regarding a political campaign; either promoting it or degrading it.	✓ Ensure impartial coverage of smaller political parties, independent candidates, candidates representing non-Muslim communities, and women candidates.
✓ Picking up information from social media without verification.	✓ Avoid sensationalism in scrutinising role of individual candidates/ political activists during election campaigning, especially women.
✓ Uncalled for character assassination of political figures, particularly for women.	✓ Report without exaggeration or deprecation of what the political candidate mentioned during their debate at an event or their public social media profile etc.

5.2. Essential Elements of Reporting Elections

When reporting elections, one of the critical responsibilities of journalists is to provide its audience with accurate and objective information regarding the election proceedings. In consideration of these responsibilities, coverage of elections is based upon the following elements of responsible media¹⁴;

1. Impartiality

- Non-partisan approach by journalists; keeping aside their political views and affiliations.
- Non-alignment to political movements or participation in political campaigns.

Journalists should avoid giving statements in favour of, or against a political stance/party/independent candidate. Rather, they should present all angles of the relevant information, in order to give the audience a critical review and something to ponder. For example, giving sweeping statements on the success or failure of candidates/party suggests biasness towards one or more candidates/party. The TV channels have used sensationalism as a tool to get rating points; announcing failure and success of political parties during general and by elections.

2. Fair Access

- Assigning equal coverage to all participating political parties, schools of thought or other stakeholders; inclusive of gender and vulnerable communities of society.
- No media coverage for political parties/ organizations that have been proscribed by state.

The content editors of both, TV news channel and newspapers must ensure that an equitable coverage is being given to all relevant figures of elections. For example, giving fair coverage to each political candidate; affiliated with prominent political party, small party, or an independent, strengthens the election campaign for the candidate. Moreover, it is essential that the journalists are familiar with what political parties are affiliated with state-banned organisations; and hence they ensure that no coverage is given to them (under NAP¹⁵). The monitoring of 6 news channels, 2 radio channels, and 4 daily newspapers during 2013 election period revealed that prominent political parties were given favourable media coverage.¹⁶

3. Relevance

- Avoid premature announcement of election results in order to influence the voters' choice.
- Announce accurate election result.

¹⁴ “Responsible Reporting and Conflict Sensitive Journalism in Khyber Pakhtunkhwa”, Individualland and USAID, 2014, Accessed online from: <https://grants.cvpa-tdea.org/grants/index.php?action=pdf&id=10> Date of Access: April 27, 2018

¹⁵ Database of People with Extremist Linkages, “Pakistan’s Response: The Plan”, Retrieved from: <http://www.doppel.org/pakresponse.htm> Date of Access: May 22, 2018

¹⁶ The Express Tribune, “Media coverage favoured top political parties, say election observers”, October 10, 2013. Accessed online from: <https://tribune.com.pk/story/615763/media-coverage-favoured-top-political-parties-say-election-observers/> Date of Access: May 24, 2018.

Media, today, is in a constant rat race for ratings, and hence relevance of facts and figures provided as breaking news is often ignored. For example, there have been instances where unofficial election results have been announced in the news leading to celebrations. The media needs to only announce official results to avoid sensationalism. A timeline of live updates on unofficial results (while ballot counting was in process) of NA 120 by-election in 2017 is evident of how unofficial announcements affects a situation during elections.¹⁷

4. Conduct of the Participating Political Parties and Candidates

- Monitor adherence of the political parties and candidates to the code of conduct devised by the Election Commission.
- Highlight violation regarding code of conduct by any participant of election.

Media act as the watchdog for society, hence it is essential for it to be familiar with the code of conduct put forward by the election commission. For example, when conduct of political candidate/party is not aligned with the code, they can be disqualified. Hence, the media needs to monitor their conduct and provide authentic evidence of misconduct.

5. Multiple Sources

- Avoid propagating information without confirming its authenticity via multiple reliable sources.
- Cite all sources when announcing partial results to gain credibility.
- Support commentary and analysis of the pre, polling and post election scenario with verifiable sources.

It is essential to have a source; authentic attribution of information disseminated via different media ensures credibility of the piece. For example, social media gives an echo chamber effect to any news shared on it. While social media users including political figures, activists and journalists, carry on a debate on a certain issue; many a times information is picked up by mainstream media without any verification and put up into their breaking news tickers. Thus, becoming likely to amplify disinformation in fever-pitch political climate during elections; further polarizing the audience.

6. Hate Speech

- Apply self-censorship to an extent in order to avoid offending communities on the basis of gender, physical disability, religion, sect, ethnicity, etc.
- Monitor and highlight inappropriate remarks/ hate speech propagated by participating candidates/ political parties during their campaign.

¹⁷ Samaa, “Unofficial results: PML-N beats PTI in NA-120”, Samaa Web Desk, September 117, 2017, Accessed online from: <https://www.samaa.tv/pakistan/2017/09/live-updates-voting-high-octane-na-120-elections-underway/> Date of Access; May 24,2018

During election period, rival political figures put forward claims and counter-claims which are not based on facts. These statements need to be analyzed on the basis of their nature before being disseminating them on the mainstream media. For example, statements that are offensive to different communities should be called out by the media rather than normalized in political jargon by its overuse by media. In November 2017, during a talk show on current affairs, a prominent news anchor/ host called out a prominent political figure for his sexist remarks on live television.¹⁸

7. Inclusiveness

- Election coverage should be inclusive of highlighting challenges vis-à-vis existing election policies through the lens of:
 - ✓ Gender aspect; women and transgendered persons;
 - ✓ Persons with disabilities;
 - ✓ Non-Muslim vulnerable citizens of Pakistan.
- Manifestoes of political parties, progress in previous term, and election campaign should be scrutinised with the lens of aforementioned inclusivity.

The election coverage should be inclusive on the basis of gender, religious, and political affiliation; especially giving fair coverage to women, transgendered persons, non-Muslim community representatives, and persons with disabilities. For example, having a representative of all vulnerable segments when discussing mainstream political issues on talk shows can highlight the challenges faced by each, and how they have progressed to date. With prominent transgendered person like Marvia Malik¹⁹, PWD Muneeba Mazari²⁰, many prominent women political figures and activists, and non-Muslim political figures and activists, the media has a pool of people to bring to the mainstream in order to ensure inclusiveness.

8. Assisting the Voters

- Educate and assist the voters in making informed choices by their sensitization regarding political parties, their manifestos and their undertakings, and the entire procedure of elections.

Paid political/ government media campaigns are a common tool to strengthen election campaign by influencing voter via mainstream media. Another role for media is to ensure that the voters are aware of their rights and duties, and are capable of choosing for whom to vote. For example, media should emphasize upon the citizens' right to vote, as well as duty to vote, as every vote counts in forming the future government. A monitoring study of the general elections of 2013 revealed that only 1 – 2 percent of the primetime space was given to voter education.²¹

¹⁸ DAWN Images, “Watch this news anchor correct Mustafa Kamal’s casual sexism on live TV”, November 14, 2017, Accessed online from: <https://images.dawn.com/news/1178821> Date of Access: May 24, 2018

¹⁹ Marvia Malik is Pakistan’s first transgender model and is now a news Anchor on Kohenoor TV

²⁰ Muneeba Mazari is a physically disabled activist and motivational speaker

²¹ The Express Tribune, “Media coverage favoured top political parties, say election observers”, October 10, 2013. Accessed online from: <https://tribune.com.pk/story/615763/media-coverage-favoured-top-political-parties-say-election-observers/> Date of Access: May 24, 2018.

9. Abiding by Rules and Regulations

- Abide by the rules and regulations prescribed by the Election Commission and the media regulatory authority.
- Raise concern if the regulations violate freedom of speech, expression and information.

While the media scrutinize the conduct and activities of political candidates/ political parties; it is essential for them to keep in line with the media code of ethics. For example, media should ensure that a debate does not go off-track from criticism to offensive towards a certain individual (with a political/ religious affiliation, gender based discrimination, etc). Moreover, in case the media is forced into censorship over expression of free speech, it is their right to criticize this act. According to PEMRA Content Regulations 2013, advertisements should not be defamatory; distort individuals (citizens, activists, political figures, etc), propagate prejudice over dignity of persons, or be offensive in any way.²² Following the general election of 2013, countering the coverage of a 120-day sit-in by a prominent political party, a slanderous advertisement against that party was on-air on different channels.²³

Training Programme

A one – day training programme for capacity-building workshop for journalists is given below:

Training Programme	
10:30 am – 11:00 am	Introduction and Context Setting / Recap
11:00 am – 12:00 am	Role of Media in overseeing and reporting performance of ECP (Presentation: Elections cycle)
Break 12:00 am – 12:30 pm	
12:30 am – 01:00 pm	What's new in Election Act 2017; what should the Media highlight?
01:00 pm – 02:00 pm	Media and Electoral Processes: Pre, Polling day and Post Polling day Suggested resource person: Mr. Shabbir Ahmad
02:00 pm – 02:45 pm	Ensuring Free, Fair and Transparent Elections and Key Stakeholders
02:45 pm – 03:30 pm	Role of Media to Sensitize Citizens regarding Election Laws, Rules and Procedures
03:30 pm – 04:00 pm	Recap of the day
High Tea: Sessions Ends	

²² DAWN, “Anti-PTI ads – illegal, unethical, and on-air?”, Adnan Rehmat, Decemeber 12, 2014, Accessed online from: <https://www.dawn.com/news/1150220> Date of Access: May 24, 2018

²³ Ibid.

Detailed Activities

The activities to be conducted in the aforementioned training programme are detailed below:

Use an icebreaker to introduce the participants with one another.

NOTE: Maintain gender balance throughout training by ensuring participation of all female participants. Moreover, gender barriers should be countered by having integrated groups of men and women during activities.

Session 1: Media's role in efficient functioning of ECP

Time required: 75 minutes

Resources needed: Handouts (Annexure I), brown sheets, markers, and multimedia

Method:

Step- 1

Participants are briefed about the Election Commission of Pakistan (ECP) and the duties allocated to it as defined in the Elections Act 2017 via presentation. (A copy of the Act to be distributed among the participants as a Handout)

Step – 2

Handouts are distributed among the participants; they are divided into two groups and each group is assigned a theme:

- 1) Effective oversight of electoral process
- 2) Consensus – building for democratic oversight

Step – 3

Each group is asked to present an evaluation of the constitutional articles highlighted in the handout in relation to the assigned theme.

Step – 4

A discussion is generated on what the media needs to highlight in order to sensitize citizens on the operation of the ECP.

Session 2: What's new in Election Act 2017; what should the Media highlight?

Time required: 60 minutes

Resources needed: Multimedia (power – point presentation), handouts (Annexure II), flipchart, cards and markers

Method:

Step – 1

Participants are briefed about key reforms and shortcomings of the new Election Act of 2017 via presentation. Handouts on the key reforms and shortcomings of the act are distributed among the participants.

Step – 2

The facilitator divides the participants into two groups; each participant of the groups is asked to write on cards what needs to be highlighted by the media regarding the new additions in the Election Act of 2017;

Group 1: How to present key reforms of the Act on print and electronic media

Group 2: How to present shortcomings of the Act on print and electronic media

Step – 3

The facilitator asks a volunteer to collect the cards from each participant and paste them on the board under key reforms and shortcomings, respectively. A discussion is generated on the role of media in propagating impartial and neutral information on key reforms and shortcomings.

Session 3: Media and Electoral Processes: Pre, Polling and Post

Time required: 60 minutes

Resources needed: Hand out, Brown sheets, markers

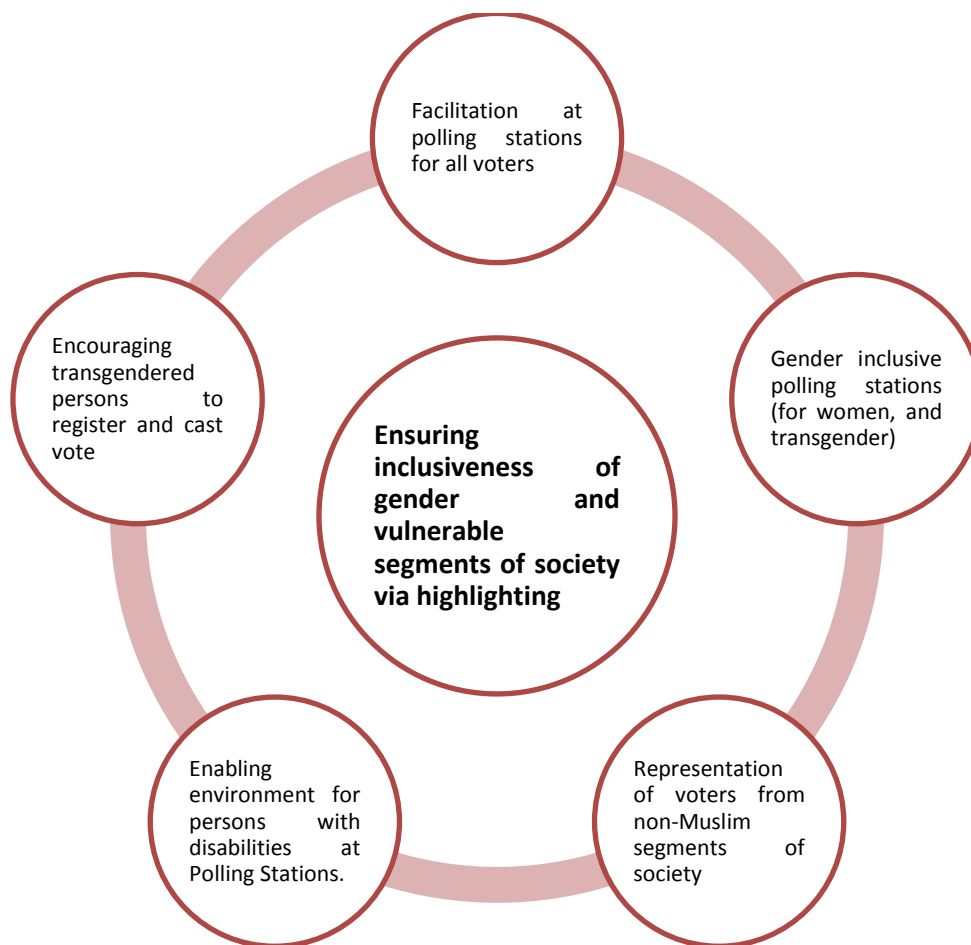
Method:

Step – 1

The facilitator briefs the participants about the electoral processes as defined in the Election Act and Rules 2017. Facilitator engages the participants in a brainstorming exercise to list down the activities in the Pre, Polling and Post election phases.

Step – 2

The participants are then briefed about the significance of vote and why it needs to be an inclusive process and the role of media during the different phases (pre, polling and post) of elections. Facilitator highlights important aspects of inclusivity that need to be covered during elections. vvv



Step – 3

Participants are divided into five groups; each group is assigned a topic from the aforementioned aspects and are to develop a script for live coverage of elections.

Step – 4

Each group perform a role – play act on their respective scripts; a feedback on each role – play act highlights;

- ✓ What was covered?
- ✓ What was skipped?
- ✓ What could be improved?

Session 4: Ensuring Free, Fair and Transparent Elections via Key Stakeholders

Time required: 45 minutes

Resources needed: Flipchart and markers

Method:

Step – 1

Facilitator highlights the significance of networking with key stakeholders in order to ensure free, fair and transparent elections.

Step – 2

Participants are engaged in a brainstorming activity in order to identify the key stakeholders;

- Election Commission and its functionaries
- Political Parties
- Voters (youth, women, persons with disabilities, transgendered persons, non-Muslim communities)
- Civil Society Organisations
- Media

Step – 3

A discussion is generated on how the key stakeholders can be engaged by media to ensure free, fair and transparent elections.

Session 5: Role of Media to Sensitize Citizens regarding Election

Laws, Rules and Procedures

Time required: 75 minutes (45' + 30')

Resources needed: Flipchart, markers, 4 different daily newspapers, scissors, glue-stick, and brown sheets

Method:

Step – 1

The significant role of media in sensitizing citizens regarding the laws, rules and procedures of elections is highlighted by the facilitator.

Step – 2

Participants are briefed on elements of reporting including;

1. Impartiality;
2. Fair Access;
3. Relevance;
4. Conduct of the Participating Political Parties and Candidates;

5. Multiple Sources;
6. Monitoring Hate Speech;
7. Inclusiveness
8. Assisting the Voters;
9. Abiding by Rules and Regulations.

Step – 3

Participants are divided into 4 groups; each group is asked to present points on applying the aforementioned elements of reporting when covering elections.

The following questions are displayed on the board for participants to examine and evaluate reporting of elections:

- ✓ Are all eligible citizens registered to vote?
- ✓ How will they register to the voters' list before deadline?
- ✓ Are the election policies and political party manifestos inclusive of women, transgendered persons, persons with disabilities, and non-Muslim communities?
- ✓ Are the political campaigns run for election with the aforementioned inclusivity?
- ✓ What is the status of security threats to political parties when holding public processions as part of their election campaign?
- ✓ Is the security of the polling stations a priority?
- ✓ What are the procedures of guarding ballots to ensure no rigging?

Step – 4

Each group present their points and the facilitator gives a feedback on the presentations at the end of the session.

Creating a Collage (30 Minutes)

- *Divide the participants into 2 groups; each group is given 4 different daily newspaper covering the same event (regarding election).*
- *The groups are to create a news story collage (in one column on brown sheets) with the;*
 - ✓ *Most appropriate headline*
 - ✓ *Relevant parts of story from all 4 newspapers*
 - ✓ *Relevant image added with the story*
- *In the second column of the brown sheets, the groups mention:*
 - ✓ *Similarities in all 4 news stories*
 - ✓ *Irrelevant elements that are incorporated*
 - ✓ *Relevant elements that are missing*
- *A discussion is generated on how the collages present understandable, descriptive, and credible stories.*

Conclude the training with a recap of the ideas highlighted by participants throughout the workshop.

Annexure

Annexure I

(Handout of portion from Constitution of Pakistan – PART VIII, Chapter 1)

Annexure II

(Handout of portion from Constitution of Pakistan – PART VIII, Chapter 2)