
Policy Recommendations for Inclusive Democracy in Pakistan

March 2019

Note: This is a working document.

TABLE OF CONTENTS

ACRONYMS AND ABBREVIATIONS	1
1. CONTEXT	1
2. PROPOSED POLICY RECOMMENDATIONS	1
2.1 Election Commission of Pakistan.....	1
2.2 Parliament	3
2.3 National Database and Registration Authority	4
2.4 Civil society organisations.....	5
2.5 Political parties	6

Acronyms and Abbreviations

CNIC	Computerised national identity card
DVEC	District Voter Education Centre
ECP	Election Commission of Pakistan
ICT	Islamabad Capital Territory
MRV	Mobile registration vehicle (NADRA)
NADRA	National Database and Registration Authority
NCSW	National Commission on the Status of Women
PWD	Person with disabilities

1. Context

Political participation, especially voting, is the fundamental right of every citizen and the cornerstone of any democratic system. The right to vote has an even higher significance in a country like Pakistan where the system is still relatively new and evolving. The political participation of all segments of society is essential for democratic processes to be inclusive and representative, especially given Pakistan's cultural and socioeconomic diversity. However, women and members of other socially excluded groups are often unable to participate for several social and institutional reasons, including barriers to computerised national identity card (CNIC) registration and the lack of awareness and voter education.

There is a gender gap of around 12.5 million in Pakistan's electoral rolls. According to the Election Commission of Pakistan's (ECP) report on the final electoral rolls for 2018, women comprise 44.1% of approximately 105 million citizens registered as voters. This leaves a significant percentage of Pakistani women without CNICs who cannot exercise their right to choose political representatives and participate in electoral processes. Proactive implementation of gender-sensitive legislation governing electoral assistance is integral to the meaningful participation of women in democratic processes. Such legislation could combat the systemic impediments women face in the process of getting their names on to the electoral rolls, chief among which is the legal requirement of CNIC possession for voter eligibility. The case is much the same for persons with disabilities and transgender persons that lack a CNIC.

Socially excluded groups' lack of access to the National Database and Registration Authority (NADRA) is framed by the everyday deprivations of poverty, inequality and dependency. These problems are structural in that they go beyond NADRA's own institutional constraints and relate instead to the wider policy, economic and political contexts in which NADRA and other institutions operate. These structural constraints include cumbersome requirements: attested government documents, physical addresses, and the physical presence [when applying for a CNIC] of a blood relative who already possesses a CNIC.

The Elections Act, 2017 requires the ECP to take special measures to register women, persons with disabilities, minorities and transgender persons. It also states that these special measures should include actions to expedite the issuance of CNICs for these groups by NADRA. The Act puts the onus of voter registration on the ECP and NADRA, but this does not relieve civil society and democratic institutions, especially Parliament, of the responsibility of ensuring that all adult citizens are on the electoral rolls.

Voter turnout in the General Election is a key indicator of inclusion in democracy. In Pakistan, the overall voter turnout in 2018 was less than in 2013. However, the elections saw an increase in women voter turnout. This increase is often attributed to Section 9 of the Elections Act, 2017 which gave the ECP the power to declare a poll void in a constituency where the proportion of votes polled by women is less than ten percent. While the Act played a positive role in increasing women voter turnout, its provisions regarding postal ballots to facilitate the electoral participation of persons with disabilities did not have a significant impact. This was attributed to several reasons, including complicated voting procedures and a lack of awareness campaigns regarding postal ballots. Conversely, the voter turnout of transgender persons remained unknown as turnout data at the polling station level was collected for women and men voters, only. Due to a lack of data, it may be problematic to devise future strategies to increase the electoral participation of transgender persons.

Additionally, women and members of other socially excluded groups are not adequately represented in the country's legislative bodies. For example, transgender persons and persons with disabilities are not represented in Parliament at all, but there are 69 women parliamentarians and 11 parliamentarians from minority groups.

This policy note comprises of broad policy recommendations to ensure that Pakistan has an inclusive democratic system; one where no voice is unheard.

2. Proposed Policy Recommendations

2.1 Election Commission of Pakistan

	Objective	Recommendation
1	To increase the number of registered voters, especially women and members of other socially excluded groups.	<p>ECP should continue its voter registration campaign at the same pace until next General Elections in 2023. Prior to this, ECP should use the polling station voter registration and turnout data to identify pockets with low women voter registration.</p> <p>ECP should collaborate with civil society organisations and the local government bodies (especially women councillors) for collecting data of unregistered women, persons with disabilities and transgender population in their respective jurisdictions/constituencies.</p>
2	To increase voter turnout on election day, especially of women and members of other socially excluded groups	<p>Ensure separate entrances for men and women at Combined Polling Stations, besides establishing women-only Polling Stations, with female polling staff and women police, in known culturally sensitive areas.</p> <p>ECP should ensure that all polling stations and booths are accessible for persons with disabilities. For this purpose, it should proactively engage with relevant local and provincial authorities to emphasise the need for appropriate building codes and their enforcement in relation to prospective polling stations. Provincial governments must also be told to identify the lack of ramps in polling stations as missing facilities and then provide them.</p> <p>ECP should take steps to simplify procedural requirements for issuance of postal ballots to persons with disabilities, especially by removing the requirement of attestation by a BPS-17 or higher-grade officer. There should be no additional attestation requirement in cases where a person has a CNIC with a logo for physical disability.</p>

<p>3</p>	<p>To increase voter turnout on election day, especially of women and members of other socially excluded groups</p>	<p>ECP should further improve its training curriculum and training delivery mechanisms for its regular staff members as well as polling and security staff to be engaged for next elections. The trainings should be gender-sensitive and highlight the importance of treating all citizens, including persons with disabilities and transgender persons, with respect. Moreover, the rights of various stakeholders, including election observers, must be sufficiently explained to polling and security staff to pre-empt any confusions or complaints on the polling day.</p> <p>The ECP should report the turnout for transgender persons. For this purpose, it should add a column for registering transgender persons' turnout in Form 45 'Result of the Count', Form 47 'Provisional Consolidated Statement of Result and Form 49 'Final Consolidated Result'.</p>
<p>4</p>	<p>To transform ECP into a more gender sensitive organisation</p>	<p>ECP should develop and adopt a Gender Mainstreaming Policy which seeks to ensure, among others, substantially higher female to male ratio among its staff at all levels and in all its offices. It should also take steps to provide women staff members conducive and enabling work environments and mainstream gender concerns across the entire structure of the Commission.</p>

2.2 Parliament

	Objective	Recommendation
1	To increase the number of registered voters, especially women and members of other socially excluded groups.	Amend the NADRA Ordinance 2000 to mandate NADRA to proactively register and ensure issuance of CNICs to all eligible citizens within a set time frame so that ECP could prepare an inclusive and a comprehensive electoral roll
2	To increase voter turnout on election day, especially of women and members of other socially excluded groups	Amend Section 9 to enable the ECP to call for re-polling in each PS where the turnout of women voters is less than 10 percent. Further, it should be amended to ensure that election in a constituency are declared void if women voter turnout is less than 20 percent instead of less than 10 percent.
3	To ensure a greater inclusion in political parties	Legally bind political parties to ensure that at least 33% women are part of the list of 2,000 members that they are required to submit to the ECP at the time of their enlistment under Section 202(2).
4	To ensure greater representation of women and other socially excluded groups in the country's legislature	<p>Amend the Constitution to provide additional reserved seats in all assemblies – one each for female and male persons with disabilities (PWDs), one for transgender persons, an increase in minority seats with the stipulation of a percentage to be allocated for women, and one for Islamabad Capital Territory (ICT) women in the National Assembly.</p> <p>Legislate to put in place a mechanism to directly elect women on reserved seats.</p> <p>Legislate to make it obligatory for the candidate to receive a certain minimum number of women's vote to win.</p>

2.3 National Database and Registration Authority

	Objective	Recommendation
1	To increase the number of registered voters, especially women and members of other socially excluded groups.	<p>NADRA should extend CNIC registration service coverage/outreach with more female staff.</p> <p>NADRA should increase the number of mobile registration vans (MRVs) and efficiently utilise them to reach out to unregistered populations and ensure issuance of CNICs to all eligible citizens. Moreover, NADRA should ensure that MRVs are accessible for persons with disabilities.</p> <p>NADRA should streamline documentation requirements for women and relax the requirement of having male ‘guardians’ and/or blood relatives to accompany applicants.</p> <p>NADRA should introduce attestation and verification by neighbours as witnesses of applicants’ proof of address in cases related to footloose labourers.</p> <p>NADRA should proactively issue CNICs to citizens once they turn 18. Prior to this, NADRA should coordinate with the union council offices to ensure maintenance and exchange of updated birth and death records.</p> <p>NADRA should develop a focused media strategy to spread awareness on the importance and procedure of CNIC registration.</p>

2.4 Civil society organisations

Objective		Recommendation
1	To increase the number of registered voters, especially women and members of other socially excluded groups.	CSOs should undertake mass advocacy and information campaigns at the grassroots level on the benefits of a legal identity for women and requirements for obtaining CNIC. Voter education campaigns should specifically focus on disadvantaged sections of society including rural women, transgender persons and illiterate persons.
		CSOs should coordinate with NADRA about MRVs deployment plans and then mobilise relevant communities to benefit from the facility and get registered.
2	To increase voter turnout on election day, especially of women and members of other socially excluded groups	Analyse gender disaggregated turnout data for relevant project locations to identify areas with large gender gaps in turnout and then use it to inform policymaking institutions as well as for improving relevant community mobilisation campaigns.
		CSOs should collaborate with the ECP and District Voter Education Centres (DVECs) to strengthen civic engagement activities on electoral participation at the grassroots level. These activities should also include engagement with college and university students and faculty members, especially women, on issues related to electoral participation.
3	To increase voter turnout on election day, especially of women and members of other socially excluded groups	CSOs should work on addressing structural causes of social exclusion of women, persons with disabilities, minorities and transgender people to break the repetitive cycles of dependency.

2.5 Political parties

Objective		Recommendation
1	To ensure greater representation of women and other socially excluded groups in the country's legislature	Political parties should develop systems to facilitate women candidates contesting general seats through, for example, trainings about election campaigning and constituency relations and creation of a financial support pool.
		Political parties must comply with Section 206 to ensure that the final candidates' lists of political parties include at least five percent women candidates on general seats for national and provincial assemblies.
2	To ensure a greater inclusion in political parties	Political parties should ensure representation of at least 33% of women in all organisational structures at the federal, provincial and local levels, whichever is applicable, within the overall purview of Section 201 (b).
3	To increase the number of registered voters, especially women and members of other socially excluded groups.	Political parties should coordinate with NADRA and support it in the process of issuance of CNICs to all eligible citizens, especially women and members of other socially excluded groups.