

# Civic Brief

Information, Knowledge and Analysis for Democracy  
December-2018

## Road to Election-2018

Right to be governed DEMOCRATICALLY

**ELECTION**



**2018**





## First edition: December 2017

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**National Endowment  
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of Pakistanis to reclaim human dignity and  
fundamental rights through peaceful democratic struggle  
and the power of their vote*





## Civic Thought

This vote is an 'amanat' (trust) in your hand and I hope you will use this 'amanat' (trust) for the benefits of this country and nation, and not for something else. And if you don't do this, not only the nation will have to bear the consequences, you too will suffer.

**Mohtarma Fatima Jinnah**



The Constitution of Pakistan in its preamble clearly maintains, "The State shall exercise its powers and authority through the chosen representatives of the people."

Universal Declaration of Human Rights (Article 21)

- 🇵🇰 (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- 🇵🇰 (2) Everyone has the right of equal access to public service in his country.
- 🇵🇰 (3) The will of the people shall be the basis of the authority of government; this will, shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Pakistan signed International Covenant on Civil and Political Rights (ICCPR) on 17th April 2008 and ratified it on 23rd June 2010 with certain reservations. Many of these reservations had been withdrawn on 20th September 2011. The Election 2013 was the first after ratification of the ICCPR. The Covenant establishes following bench marks in its Article 25; that reads:

- (a) Every citizen shall have the right to take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) Every citizen shall have the right to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors
- (c) Every citizen shall have the right to have access, on general terms of equality, to public service in his country.



## Introduction

There will be three elections in Pakistan during 2018, and if it goes smoothly, it will be the second consecutive peaceful civilian to civilian transition in country's troubled political history. The incumbent government will complete its 5-year constitutional term on May 31, 2018 and then within 60-day the next general elections will be held.

That will be a historic moment for long term consolidation of democracy, citizen's trust in nations' democratic electoral processes and increased confidence of democratic institutions. Before the elections the country has undertaken first-ever parliament-led electoral reforms by unifying and consolidating electoral laws in the Election act-2017. The successful implementation of these reforms will impact the quality and transparency of the Election-2018.

In 2017 the long delayed population census also took place and it is going to be the new base for redistributing of nation's political wealth and fiscal resources. The mainstreaming of Federally Administered Tribal Areas (FATA) with rest of Pakistan is also on the cards. It is expected that the political integration of the war-torn FATA after its proposed merger with Khyber-Pakhtunkhwa will bring peace and better life for the residents there, through better governance in the region.

The revision of electoral rolls in 2017 revealed that more than 97 million voters will be determining the democratic future of the country in Election-2018. The electoral rolls also reveal that there is a huge gender-gap of 12 percent and many women voters are missing. These missing women voters call for affirmative actions to enroll them on urgent basis. However the positive aspect is that about 44 percent of the eligible voters are under 35, meaning thereby that young people will hold the decisive key to define and determine the future politics.

Since 1979 the region where Pakistan is situated is experiencing turmoil, conflicts and lingering regional instability. Since 2001 there is a warlike situation. However the democratic commitment of people of Pakistan could be gauged from the fact that during this time they defeated two military dictatorships, namely; General Zia in 1988 and General Musharraf in 2008 and have exhibited their unwavering commitment for their right to be governed democratically. Therefore it is important for the global democratic community to support Pakistan in its democratic pursuits.

Hafsa Zafar  
Executive Director



## Road to three elections during 2018

There shall be a Majlis-e-Shoora (Parliament) of Pakistan consisting of the President and two Houses to be known respectively as the National Assembly and the Senate.

### Article 50, Constitution-1973

The preamble of the Constitution of Pakistan acknowledges citizens' right to be governed democratically by stating, '...the state shall exercise its powers and authority through the chosen representatives of the people.' The command of the constitution calls for citizens' informed participation in nations' democratic political and electoral processes and affairs through their vote and voice.

### First election:

Before March 11, 2018 there will be mid-term election for 52 seats of the Senate of Pakistan-the House of the Federation. From the federating units Balochistan and Khyber Pakhtunkhwa assemblies each will elect 11 senators including 7 on general seats, two on technocrats/ulema and two women seats. The Punjab and Sindh assemblies each will elect 12 senators including 7 on general seats, two on technocrats/ulema, two women seats and one on minority seat. The Members of National Assembly (MNAs) from Federally Administered Tribal Areas (FATA) will elect four senators on General Seats. The Members of National Assembly (MNAs) will elect 2 senators; one on a general seat and one on technocrats/ulema seat from Federal Capital-Islamabad.

The Election Act-2017 has retained the system of election for the Senate i.e. single transferable vote. On March 12, 2018 the Senate of Pakistan will have its new chairman and deputy chairman. According to the Article 59 (3) the 104-member Senate is not subject to dissolution and half of its members retire after every three years.

### Second election:

The second election will be for 342 national (272-direct, 60 reserved for women, 10 reserved for non-Muslims). The constituency for 10 seats reserved for non-Muslims is the entire country. The reserved seats for women and non-Muslims are elected through proportional representation system of political parties' list of candidates on the basis of total number of general seats won by each political party in the National Assembly.



Along with the election for the National Assembly there will also be election for 728 provincial assemblies seats in Punjab (total: 371 out of which 297-direct, 66 reserved for women and 8 reserved for religious minorities), Sindh (total: 168 out of which 130-direct, 29 reserved for women and 9 reserved for religious minorities), Khyber Pakhtunkhwa (total: 124 out of which 99-direct, 22 reserved for women and 3 reserved for religious minorities) and Balochistan (total: 65 out of which 51-direct, 11 reserved for women and 3 reserved for religious minorities).

The current National Assembly of Pakistan will be completing its five year constitutional term (Article 52 of the Constitution-1973) on May 30, 2018. Then according to Article 224 (1) the general election will be held within a period of sixty days immediately following the day on which the term of the Assembly is due to expire. If the Prime Minister advises to dissolve the assembly before the completion of constitutional term then the election will be held within 90-day. If adhered to the constitution, then the next general election will be held by or before July 31, 2018.

According to the Article 91 (2) the National Assembly shall meet on the twenty-first day following the day on which a general election to the assembly is held, unless sooner summoned by the President. Meaning thereby that maximum by August 21, 2018 the next National Assembly will start functioning.

### Third Election

The third election will be of 13th President of Pakistan in August-September of 2018 as the incumbent Syed Mamnoon Hussain will be completing his five years constitutional term on September 8, 2018.

#### Brief history of Elections in Pakistan on the basis of adult franchise

S.No	Elections based on adult franchise	National	Provincial	Joint or Separate Electorate	Turnout
1	1970	Dec. 7, 1970	Dec. 17, 1970	Joint	59.8 percent
2	1977	March 7, 1977	March 10, 1977	Joint	55 percent
3	1985 (Party-less)	Feb. 25, 1985	Feb. 28, 1985	Separate	59.8 percent
4	1988	Nov. 16, 1988	Nov. 19, 1988	Separate	43.07 percent
5	1990	Oct. 24, 1990	Oct. 27, 1990	Separate	45.46 percent
6	1993	Oct. 6, 1993	Oct. 9, 1993	Separate	40.28 percent
7	1997	Feb. 3, 1997	With national	Separate	35.17 percent
8	2002	Oct. 10, 2002	With national	Joint	41.8 percent
9	2008	Feb. 18, 2008	With national	Joint	44.8 percent
10	2013	May 11, 2013	With national	Joint	55 percent



## Census 2017 to change political demography

As a consequence of Census-2017 preliminary results, the parliamentary parties have decided to redistribute nation's political wealth while retaining the existing 342-member strength of the National Assembly of Pakistan. To realize this 24th Constitutional Amendment has been passed on December 19, 2017.

After the 24th Constitutional Amendment the distribution of seats is as following;

Province/Area	General (Before amendment)	General (After amendment)	Women (Before amendment)	Women (After amendment)	New total
Balochistan	14	16	3	4	20
Khyber Pakhtunkhwa	35	39	8	9	48
Punjab	148	141	35	33	174
Sindh	61	unchanged	14	Unchanged	75
Federally Administered Tribal Areas	12	unchanged	-	-	12
Federal Capital	2	3	-	-	3
Federal Capital	2	3	-	-	3
Total	272	272	60	60	332

Only the largest province Punjab has lost its seven general and two women reserved seats. Despite loss of nine seats the Punjab still retains 174 seats (141 general and 33 reserved for women) which is two more than the magic 172 i.e. simple majority to easily elect the Prime Minister of Pakistan. Among the gainers are; Balochistan that will get two general and one woman reserved seat, Khyber Pakhtunkhwa gained four general and one woman reserved seat and Federal Capital Islamabad also gained one general seat. The number of seats from Sindh and Federally Administered Tribal Areas remain unchanged. According to the 24th Constitutional Amendment this arrangement is only for General Election 2018 and bye-elections related thereto.

On August 25, 2017 the preliminary summary results of the 6th Population and Housing Census were presented in the meeting of the Council of Common Interests (CCI). The provisional results show that the total population of Pakistan is 207.77 million with an average annual growth rate of 2.4 percent during 1998-2017. This data does not include the figures from Gilgit-Baltistan and Azad Jammu and Kashmir.





With these results Pakistan has ostensibly surpassed Brazil to become the 5th populous country in the world. The overall increase in population is by 57 percent since the last census in 1998. Trend of decline in the population growth rate was noticed only in Punjab and Sindh that impacted the national average as well.

The Census results have busted three popular myths; first they have exposed the official claim of contained 1.8 percent average annual population growth rate, second they confirm that country still remains an over whelming rural society, and thirdly there are 'missing women' as the gender gap remain 2.47 percent against the popular claim of women being equal in numbers or in majority. Interestingly the gender gap is higher (4 percent) in urban and lower (2 percent) in rural Pakistan.

The results confirm that 63.62 percent of country's population is rural and 36.38 percent urban. Among provinces Sindh (52.02 percent) is the most urbanized, followed by the federal capital-Islamabad (50.58 percent) where urbanization is a declining trend. The Federally Administered Tribal Areas (FATA) remains the least urbanized (2.84 percent).

### National Voters Day

In 2016 the 7th December was designated as the National Voters Day in Pakistan. The choice of the date was symbolic as on 7th December 1970 Pakistanis got their right to adult franchise for the first time after 23 years of independence.

The day is celebrated in the country to motivate the citizens to obtain their CNICs and get them registered as voters. The major focus remains on the young, women and minority voters. On the occasion of the second National Voters Day the ECP and civil society organizations conducted civic and voter education campaigns. The major features of the first celebrations were the issuance of a commemorative postal stamp, a public event at the President House to highlight the significance of vote and a series of events through District Voters Education Committees activated by the ECP.

### First Parliament-led Electoral reforms:

Since June 2014 Pakistani parliamentarians had been working to finalize a comprehensive electoral reforms package. Thirty-three members multi-party Parliamentary Committee on Electoral Reforms (PCER) presented its first report in May 2016 to reform the Election Commission of Pakistan (ECP) and subsequently the 22nd Constitutional Amendment was passed in June 2016.

Resultantly in July 2016 the Election Commission of Pakistan (ECP) had its four new members through a bi-partisan parliamentary process in the light of the 22nd





Constitutional Amendment that had expanded the catchment area for its members beyond the retired judges. Only the member from the Sindh is a retired civil servant, and the rest are the retired judges. Nevertheless the member from Khyber-Pakhtunkhwa created history as Justice (R) Irshad Qaiser became the first female member of the ECP. It is an important step forward to engender the institutional sociology of the ECP.

### Major features of the 22nd Constitution Amendment:

☛ No person shall be appointed Commissioner unless he has been a judge of the Supreme Court or has been a senior civil servant (retired in BPS-22 or above) or is a technocrat (holder of a degree requiring conclusion of at least sixteen years of education and at least 20-year experience) and is not more than sixty-eight years of age.

☛ No person shall be appointed member (four-one from each province) unless he has been a judge of the High Court or has been a senior civil servant (retired in BPS-22 or above) or is a technocrat (holder of a degree requiring conclusion of at least sixteen years of education and at least 20-year experience) and is not more than sixty-five years of age.

☛ In order to provide permanency and perpetuation to the Election Commission of Pakistan, out of the four provincial members two will retire after the expiration of first two and a half years and the other two will retire after the expiration of the next two and a half year. The Commission will draw a lot as to which two member will retire after the first two and a half years.

☛ Vacancy in the office of the Commissioner or a member shall be filled within forty five days.

☛ In absence of the Chief Election Commissioner the most senior member in age of the members of Commission will be the Acting Commissioner.

In August 2016 the Parliament also passed the Members of the Election Commission (Salary, Allowances, Perks and Privileges) Act, 2016 to entitle a member to such salary, allowances, perks and privileges as are admissible to a Judge of a High Court.

In December 2016 the PCER presented its second tranche of proposed reforms before the Parliament and citizen's suggestions were solicited on the draft Election bill. The Parliament gave 20 days to citizens to submit their suggestions and comments for further improvements. The Election Bill was finally introduced in the National Assembly in July 2017. The process concluded on October 2, 2017 and the bill became an Act of the Parliament. It is for the first time in country's political history that the parliament led the electoral reforms process and unified eight erstwhile electoral laws including; The Electoral Rolls Act, 1974 (Act No. XXI of 1974), The Delimitation of Constituencies Act, 1974 (Act No. XXXIV of 1974), The Senate (Election) Act, 1975 (Act No. LI of 1975), The Representation of the People Act, 1976 (Act No. LXXXV of 1976), The Election Commission order, 2002 (Chief Executive's Order No. 1 of 2002), The Conduct of General Elections Order, 2002 (Chief Executive's Order No. 7 of 2002), The Political Parties Order,



2002 (Chief Executive's Order No. 18 of 2002), and The Allocation of Symbols Order, 2002. Five out of these nine laws were the legacy of military regimes that deliberately engineered and distorted nations' electoral system.

The Election Act-2017 is comprised of 15 chapters consisting of 241 sections and four forms. The Preliminary chapter offers definitions and scope of the law the second chapter deals with the Election Commission of Pakistan (ECP), the third is about delimitation of constituencies, fourth deals with Electoral Rolls, fifth pertains to the Conduct of Elections to Assemblies, sixth is about Elections to Reserved Seats in the Assemblies, seventh is related to conduction of Elections to the Senate, eighth about Election Expenses and Wealth Statements, ninth deals with Election Disputes, the tenth specifies Offences, Penalties and Procedures, the eleventh is about Political Parties, twelfth on Allocation of Symbols, thirteenth on Conduct of elections to the Local Government, fourteenth on Caretaker Government and the fifteenth deals with Miscellaneous aspects.

The Election Commission of Pakistan after soliciting public views has notified the Rules on 9th November 2017 to operationalize the Election Act, 2017.

### Major reforms:

#### 1. Election Commission of Pakistan (ECP):

- (a) The ECP has been greatly strengthened and has been made fully independent and autonomous:

It has been empowered to issue specific directions for performance of its duties, which shall be enforced throughout Pakistan in the same manner as if these have been issued by a High Court

It will have full administrative powers to control transfer of election officials during elections and take disciplinary action against them for misconduct. The Commissioner will have full financial powers including power to create posts within its approved budgetary allocations. All expenditure of ECP will be charged upon the Federal Consolidated Fund within the meaning of Article 81 of Constitution, 1973.

ECP has been empowered to make Rules without prior approval of the President or Government. Rules will be subject to prior publication, seeking suggestions etc. within 15 days of such publication.

- (b) ECP shall prepare a comprehensive Action Plan six months before the elections specifying all legal and administrative measures that have been taken or are required to be taken.

- (c) ECP has been authorized to redress complaints/grievances during various stages



of the election process (other than challenge to the election itself under Article 225 of the Constitution, 1973). Its decisions will be appealable to the Supreme Court of Pakistan.

(d) ECP shall establish a transparent Results Management system for expeditious counting, compilation and dissemination of the election results.

(e) ECP has been empowered to delegate its functions to its members and officers.

(f) ECP shall conduct training programs for election officials and take measures to promote public awareness regarding laws and best practices.

(g) ECP shall upload on its website list of constituencies, election results and decisions on complaints etc.

## 2. Delimitation:

(a) ECP shall delimit constituencies after every census.

(b) Variation of population amongst constituencies in the same Assembly from the same province or territory has been restricted to 10 percent.

## 3. Electoral Rolls:

(a) National Database Registration Authority (NADRA) shall transmit relevant data of every Computerized National Identity Card (CNIC) issued by it to the ECP so that every citizen who obtains a CNIC from NADRA can automatically be enrolled as voter at his permanent or temporary address on the basis of his option in the application for issuance of CNIC.

(b) Registration of voter at an address other than the permanent or temporary address mentioned in his CNIC shall remain valid till he applies for transfer of vote or modification or renewal of CNIC.

(c) Hard and soft (in USB-PDF format) copies of Electoral Rolls (with photographs of voters) will be provided to all candidates on payment of costs; and it will be ensured that these are the same copies as available with the Returning Officer and Presiding Officers.

(d) ECP shall take special measures for registration of women, non-Muslims, persons with disabilities and transgender citizens as voters.

## 4. Conduct of Elections:

(a) Election Officials:

ECP shall appoint District Returning Officers, Returning Officers and



Assistant Returning Officers at least sixty days prior to the issuance of the Election Programme of the general elections.

All election officials shall make an oath before commencement of their duties that they shall act strictly in accordance with the Act, Rules and directions of the ECP.

(b) Polling Stations:

As far as practicable, the distance between a polling station and the voters assigned to it shall not exceed one kilometer.

List of polling stations/polling scheme shall be published at least thirty days before the polling day.

ECP will be empowered to install surveillance cameras in highly sensitive polling stations for remote monitoring of activities in such polling stations.

(c) Nomination Papers:

Nomination form has been simplified and the same Form has been prescribed for candidates for all seats.

Nominations/candidature fees for the National Assembly, Provincial Assemblies and Senate shall be Rs. 30,000/-, Rs. 20,000/-, and Rs. 20,000/-, respectively.

While scrutinizing a nomination paper, the Returning Officer shall not ask any question which has no nexus to the information, supplied or received or objections raised by any person, or tangible material on record.

In case of any default on payment of taxes, loans, utility expenses or other Government duties, a candidate may clear the default at the time of scrutiny of the nomination papers, except in the case of willful concealment.

(d) Ballot Papers:

ECP will itself determine constituency-wise requirements of ballot papers based on the formula that number of ballot papers per polling station shall be equal to the number of voters at the polling station, rounded off to the next hundred.

Persons with any physical disability holding CNIC with a logo for physical disability will be able to cast their votes through postal ballot.

(e) Counting and Compilation:

Tendered votes will be counted by the Returning Officer. The material relating to tendered votes will be sent to NADRA for forensic inquiry to identify the impersonator so that consequential criminal proceedings can be initiated against him by the ECP.

To make the counting process and tabulation/compilation of results more



transparent

- I. The Presiding Officer, senior-most Assistant Presiding Officer and representatives of the candidates shall sign the Result of the Count and Ballot Paper Account. In case anyone fails to sign, the Presiding Officer shall record a note to that effect.
- II. The Presiding Officer will provide a copy of the Result of the Count and Ballot Paper Account to the candidates, their representatives, and will send copies of these documents to the Returning Officer and to the authorized officer of ECP.

The Returning Officer shall immediately prepare a provisional result of the constituency and will finally consolidate the result within three days from the polling day or within five days in case of recounting of votes.

If the victory margin between the returned candidate and runner-up candidate is less than 5 percent of the total votes polled or 10,000 votes, whichever is less, the Returning Officer shall recount all the votes on the request of a contesting candidate before commencement of the consolidation of the results. [This will be in addition to the ECP's power to order the Returning Officer to recount all the votes before the conclusion of consolidation proceedings, for reasons to be recorded.] If a candidate fails to avail recount option at this stage, he will be debarred from claiming this relief from the Tribunal.

In case of equality of votes between two candidates, both will be declared returned candidates and each shall become Member for half of the term of the Assembly. The candidate who will be Member for the first half of the term will be determined by draw of lots. In case of equality of votes between three or more candidates, there shall be re-election in the constituency.

The ECP shall notify the returned candidate within fourteen days of the polling day.

(f) EVMs, BVI and Overseas Voting:

ECP may conduct pilot projects for utilization of electronic voting machines (EVMs) and biometric voters' identification system in bye-elections in addition to the existing manual procedures for voter verification, casting and counting of votes to assess their technical efficacy, secrecy, security and financial feasibility.

The ECP may also undertake pilot projects for voting by Overseas Pakistanis.

(g) Election Documents:

All election-related documents including Statements of Count and Ballot Paper Accounts, except the ballot papers, shall be public documents and



may be inspected or copies thereof obtained.  
ECP shall retain election-related documents in tamper-evident sealed bags in storage space under its control at appropriate places.

### 5. Election Expenses and Wealth Statement:

(a) Maximum limits of election expenses shall be Rupees four million for National Assembly, Rupees two million for Provincial Assembly, and Rupees one and half million for Senate elections.

(b) Election expenses shall be monitored by District Monitoring Teams of the ECP. ECP may impose fines in case of violation of the Act or the Rules.

(c) Return of election expenses shall be scrutinized by the ECP. In case of failure to file the return, the ECP may direct prosecution of the defaulting candidate for the offence of illegal practice.

(d) Every Member of an Assembly or Senate will be required to submit annual Wealth Statement in the same form as is submitted under the Income Tax Ordinance, 2001. In case of failure to file Wealth Statement, the ECP may suspend membership of the defaulting Member and if the default continues beyond 60 days, shall issue show cause notice for termination of his membership.

(e) The Commission shall scrutinize the Wealth Statement and in case it is found to be false, the Commission may direct prosecution of the Member for the offence of corrupt practice.

### 6. Election Disputes:

(a) The election dispute resolution system has been made more expeditious and result-oriented by including provision for:

- I. Case management;
- II. Day-to-day trail;
- III. Mandatory costs for adjournments;
- IV. Suspension of the Member for deliberate delay; and
- V. Decision within four months.

(b) A candidate may file an election petition directly with the Election Tribunal.

(c) The discretion of a Tribunal to declare a candidate other than the returned candidate as elected has been confined to his obtaining more votes or where voters have deliberately "thrown away" their votes in favour of the returned candidate fully knowing that he was not qualified or was disqualified from being elected.





- (d) The Tribunal may order fresh polls in one or more polling stations.

#### 7. Offences, Penalties and Procedures:

- (a) The Commission may direct summary trial of an electoral offence in accordance with the provisions of Chapter XX of the Cr. PC.
- (b) The Head of the District Police shall intimate progress of any investigation of an election offence to the ECP.

#### 8. Political Parties:

- (a) To check mushroom growth of political parties, conditions for enlistment of a new political party with the ECP will include, in addition to existing requirements, minimum two thousand members and Rs. 200,000 enlistment fee.
- (b) A political party shall submit to the ECP annual financial statement and list of donors who have donated Rs. 100,000/- and above to the political party.

#### 9. Allocation of Symbols:

- (a) Symbols allocated to the political parties and candidates should be visibly different from each other.
- (b) If an enlisted political party fails to comply with the provisions of the Act, it will be disentitled for allocation of symbol for the election.

#### 10. Local Governments:

- (a) Constituency of a local government shall be delimited by the Delimitation Committee setup by the ECP for each district.
- (b) Provisions of the Act relating to delimitation, appointment of election officials, preparation of list of polling stations, conduct of elections, election disputes, offences, penalties and procedures and allocation of symbols shall, as nearly as possible, apply to the conduct of local government elections.

#### 11. Caretaker Governments:

- (a) Performance of functions by the Caretaker Government have been confined day-to-day, routine, non-controversial matters that are necessary to run the affairs of government.
- (b) A Caretaker Government shall not take major policy decisions except on urgent matters.





(c) Members of a Caretaker Government shall also submit their Wealth Statement to ECP as required for Members of Parliament.

## 12. Code of Conduct:

ECP may, in consultation with the political parties, issue a Code of Conduct for political parties, candidates and election/ polling agents. It may also issue Codes of Conduct for media, security personnel and election observers.

## 13. Election Observers:

ECP may grant accreditation to domestic and international election observers, who will be required to submit reports of their observations/ suggestions to the ECP relating to the conduct of elections.

## 14. Campaign Finance

Pakistan is signatory to UN Convention Against Corruption. According to Article 7 (section 2) Each State Party shall also consider adopting appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law to prescribe criteria concerning candidature for and election to public office. (section 3) Each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties. (section 4) Each State Party shall, in accordance with the fundamental principles of its domestic law endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.

## Reforms in Election Act, 2017

Nominations/candidature fees for the National Assembly, Provincial Assemblies and Senate shall be Rs. 30,000/-, Rs. 20,000/-, and Rs. 20,000/-, respectively.

## Election Expenses and Wealth Statement:

(a) Maximum limits of election expenses shall be Rupees four million for National Assembly, Rupees two million for Provincial Assembly, and Rupees one and half million for Senate elections.

(b) Election expenses shall be monitored by District Monitoring Teams of the ECP. ECP may impose fines in case of violation of the Act or the Rules.

(c) Return of election expenses shall be scrutinized by the ECP. In case of failure to file the return, the ECP may direct prosecution of the defaulting candidate for the offence of



illegal practice.

(d) Every Member of an Assembly or Senate will be required to submit annual Wealth Statement in the same form as is submitted under the Income Tax Ordinance, 2001. In case of failure to file Wealth Statement, the ECP may suspend membership of the defaulting Member and if the default continues beyond 60 days, shall issue show cause notice for termination of his membership.

(e) The Commission shall scrutinize the Wealth Statement and in case it is found to be false, the Commission may direct prosecution of the Member for the offence of corrupt practice.

A political party shall submit to the ECP annual financial statement and list of donors who have donated Rs. 100,000/- and above to the political party

### 15. Affirmative actions for women

Pakistan is signatory to Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

#### Article 7

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

The Election Act, 2017 commands special measures to encourage participation of women in the electoral process, including registration of women voters and actual voting on polling day, include:

- (a) ECP shall conduct awareness/media campaigns for registration of women voters, and their participation in elections.
- (b) If the variation in the number of men and women voters in a constituency is more than 10 percent, special measures will be taken by ECP to reduce



- such variation.
- (c) The Presiding Officer will submit gender-segregated figures of voters in each polling station.
  - (d) If the turnout of women voters is less than 10 percent of the total votes polled in the constituency, ECP may presume that women have been restrained through an agreement from casting their votes and may declare polling at one or more polling stations, or election in the whole constituency, void.
  - (e) Political Parties shall encourage women membership and award at least 5 percent Party tickets to women candidates on general seats.

Fundamental Rights Diversity Federalism Peace  
Pluralism Civic Society Rule of Law Constitutionalism  
Civic Education Civic Activism Good Governance  
Right to Information Tolerance, Democracy

### Cultivating Civic Culture

The mission of the Centre for Civic Education Pakistan is to cultivate civic culture by promoting values of responsible citizenship and principles of democracy.

Centre for Civic Education Pakistan is an independent educational institution that works to cultivate civic culture. The Centre is not for profit and non-partisan initiative.

The Centre undertakes policy research, offers training courses and facilitates debate and dialogue. Its programs focus on fundamental rights and spirit of the Constitution, Democratic Development, tradition and institutions in Pakistan. These efforts are aimed at encouraging critical and creative ways of thinking and stimulating civic activism to promote pluralism, rule of law and good governance.

Centre for Civic Education Pakistan has been recognized as a Research and Development Organizations in the field of social sciences by Higher Education Commission and is member of Civitas International and World Movement for Democracy.