

Citizens Group on Electoral Process

BACKGROUND PAPER

March 2010

State of Electoral Rolls in Pakistan

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PREFACE

In a democracy, holding of free and fair election depends on the up-to-date and error-free Voters List. According to the Constitution of Pakistan, the Chief Election Commissioner is charged with the crucial responsibility of preparing and making available a correct and complete enrolment of all eligible voters.

In Pakistan, the Election Commission, for the first time in the history of the country, announced to prepare Computerised Electoral Rolls in April 2006 ahead of the General Elections. The process of preparing of fresh Electoral Rolls raised many questions about the manner in which the exercise was undertaken. After the display of draft Electoral Rolls in June 2007, it was estimated that around 28 Million or around 33 % of eligible voters remained unregistered. The Supreme Court of Pakistan, deciding on a petition moved by the PPP Chairperson regarding approximately 28 Million missing voters in the new list, ordered the ECP to include in the new list all those voters who were in the 2002 Voters List but have not been enrolled. The Electoral Rolls used in February 2008 General Elections, therefore, contained approximately 81 Million voters..

It remains the Constitutional responsibility of the Election Commission of Pakistan to update the Electoral Rolls annually. While the next General Election is due by 2013, the Local Government Election is expected to be held during 2010 and it is necessary that the Electoral Rolls in Pakistan are error-free ahead of any elections in Pakistan.

This paper traces the progress on Computerised Electoral Rolls in Pakistan after February 2008 General Election, note the progress in removing issues identified in Computerised Electoral Rolls, and the new round of collaboration between the ECP and the NADRA to produce accurate Electoral Rolls for future elections. The paper also identifies some key questions that need to be addressed in order to restore people's faith in the Electoral Rolls in particular and the electoral process in general.

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Disclaimer

The PILDAT and its team of researchers have made every effort to ensure accuracy of the content of this paper and any omission or error is not deliberate. The content of this paper does not necessarily reflect the views of the East-West Centre, Hawaii, the United Nations, the United Nations Democracy Fund or its Advisory Board.

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March 2010

Introduction and Background

Constitutional and Legal Context

Article 219 of the Constitution of Pakistan stipulates that the Chief Election Commissioner shall be charged with the duty of preparing Electoral Rolls for election to the National Assembly and the Provincial Assemblies and revising such rolls annually.

Under the Constitution¹ a person is entitled to vote if:

- a) he is a citizen of Pakistan
- b) he is not less than eighteen years of age
- c) his name appears on the electoral rolls for any area in the province; and
- d) he is not declared by a competent court to be of unsound mind

Almost similar qualification has been provided in the law meant for registration of voters with the addition that such person is or is deemed to be resident in the electoral area. The preparation and revision of Electoral Rolls is governed by the Electoral Rolls Act, 1974 (Act No. XXI of 1974) as amended by the Electoral Rolls (Amendment) Ordinance' (No. LI of 2000) dated September 27, 2000 and the Electoral Roll Rules, 1974. Provision of Section 18 of the Electoral Rolls Act, 1974 allows enrolment and correction at a time other than the annual revision. If the Chief Election Commissioner, on account of any gross error or irregularity in or in the preparation of an electoral roll for any electoral area or a part thereof, considers it necessary so to do, he may, by order, direct that the rolls for such area or part shall stand cancelled and that a fresh Electoral Rolls for that area or part be prepared in accordance with the provision of Section 19 of the Electoral Rolls Act, 1974. Correct and complete enrolment of all eligible voters throughout Pakistan is the sine qua non for the holding of free, fair and transparent elections.

History of Electoral Rolls in Pakistan

The system of adult franchise was introduced in Pakistan on the eve of Provincial Assembly election in Punjab in 1951 and adult suffrage with 21 years as the age for franchise for

both men and women was recommended.² This recommendation was accepted by the Central Government which ordered the preparation of Electoral Rolls for the provincial legislature on the basis of adult franchise pending legislation in the Constituent Assembly amending the provisions of the Government of India Act relating to the franchise in Punjab. The proposed Electoral Rolls contained serial number, name of elector, caste, occupation, name of husband or father. Each province conducted a general election to its Provincial Assembly by 1954.³

The newly installed Central Government appointed an Electoral Reforms Commission on October 19, 1955.⁴ The Electoral Reforms Commission consisted of the Chairman and two members namely Mr. Muhammad Ibrahim Khan, who joined as Chairman on October 22, 1955; Chaudhry Fazl Ilahi who joined as member on November 4, 1955 and Mr. Akkas Ali Khan who joined as member on November 23, 1955.⁵ The Commission was supposed to suggest the ways and the means to revise the electoral laws and rules so that 'free and fair' elections could be ensured. Fairly large number of opinion gathered was of the view that method employed 'for superintendence, direction and control of the preparation, publication and revision of Electoral Rolls and the conduct of the elections to the Legislature was extremely deficient. The Electoral Reforms Commission suggested constituting a Commission, known as the Election Commission.⁶

After the promulgation of 1956-Constitution, the then Chief Election Commissioner took up the task of preparing Electoral Rolls for the first time. Later, Voters' List was prepared afresh under 1962 constitution. Again the Electoral Rolls were prepared for General Elections to the National and Provincial Assemblies held in 1970. The existing Constitution of the Islamic Republic of Pakistan was adopted in 1973 and fresh Electoral Rolls were prepared in 1974 on the basis of Joint Electorate.⁷

The layout and contents of the Electoral Rolls in Pakistan have been changing from time to time. Initially the Electoral Rolls contained serial number, name of elector, name of husband / father and occupation of the voter. In 1964 the

1. Article 106 (2), Constitution of the Islamic Republic of Pakistan

2. Election Commission of Pakistan, 1952, *Report on the General Elections to the Punjab Legislative Assembly 1950-51*, Government of Pakistan

3. Hasan Muhammad, August 25, 2002, Research Paper on *Story of Elections (1947-77) National and Provincial Assemblies Elections in Pakistan and Growth of Franchise in India and Pakistan and Various Systems of Elections*

4. Tahir Kamran, *Electoral Politics in Pakistan (1955-1969)*, [Internet], p-83, available at <http://www.pu.edu.pk/psc/journal/PDF-FILES/Artical%20-%205.pdf> (as accessed on January 28, 2010)

5. *Ibid*

6. *Ibid*

7. Hasan Muhammad, Former Chief Election Commissioner Pakistan, August 25, 2002, Research Paper on *Story of Elections (1947-77) National and Provincial Assemblies Elections in Pakistan and Growth Of Franchise in India and Pakistan and Various Systems of Elections*

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column relating to occupation was omitted and two new columns, age and address, were added. The rolls were prepared in two sections i.e., male and female voters, in Urdu and Sindhi languages (Sindhi language for Sindh Province only). The Electoral Rolls rules were promulgated in 1974, which provided a new format, according to which it contained serial number, name, father/husband's name, profession, age and address. In 1978, in order to obviate possibility of fictitious entries, a new column regarding "grandfather's name" was added, which was later substituted with "Number of National Identity Card (NIC)." In 1986 the column relating to number of NIC was also deleted. Until recently, the Election Commission of Pakistan updated the Electoral Rolls through door to door enumeration process and maintained such rolls by revising them annually in accordance with the provisions of the Electoral Rolls Act, 1974.

The Electoral Rolls 2002

The National Database and Registration Authority (NADRA) had prepared the Electoral Rolls for the Election Commission of Pakistan (ECP) for the Local Government Election 2000-2001 and General Election 2002 on the basis of 1998 Census Forms. No door-to-door enumeration was undertaken for this purpose.⁸ The 2002 Rolls showed an addition of 5.5 million new voters due to the age of voting being reduced from 21 years to 18 years. The ECP, reportedly, was not satisfied with the quality of Electoral Rolls prepared by the NADRA. Names of voters in these lists were scattered throughout the electoral areas and did not reflect the sequence of households, Gali (Street), Mohallah (residential locality), etc., which, again reportedly, created a lot of problems for the Election Commission at the time of physical verification of the particulars of voters. Moreover, after physical verification a lot of additions/deletions had to be made because of which those lists had become "paddy and cumbersome" for the Election Commission for electoral-area-wise sorting and maintenance.⁹ The ECP also felt that a huge amount was charged by the NADRA for the service. The NADRA admitted to shortcomings in the Electoral Rolls prepared in 2000-2001 and in 2002 but added that the work was done in a very short time and some saving was also affected in the agreed amount which was returned to the ECP.¹⁰ For General Elections 2002, the Electoral Rolls containing more

than 71.86 million voters were 'computerised.' Though database of all registered voters became available to the Election Commission, the target of computerisation of Electoral Rolls, in real sense, could not be achieved. The rolls were computerised only in the sense that the data was entered and printed using the word processing software.

Computerised Electoral Rolls System - CERS 2005-2007

Contractual Arrangements

It was decided by the ECP in 2005 to put in place a Computerised Electoral Rolls System-CERS for regular updating of the Electoral Rolls electronically. For this purpose, the then Chief Election Commissioner constituted an Electoral Rolls Council comprising senior officers of the Election Commission's Secretariat with the mandate to initiate and supervise the whole process of computerisation of the Electoral Rolls from development of requisite software till entry of voters' data into the system. Technical assistance was provided by the US-based International Foundation for Electoral System-IFES under a contract with the United States Agency for International Development-USAID and through a tripartite arrangement which included the ECP also as a party to the arrangement. The project was, to a substantial extent, funded by the USAID. The preparation of Electoral Rolls was to cost around Rs. 1 Billion out of which a contract worth Rs. 560 Million (around US \$ 9.5 Million) was awarded to Kalsof, a Joint Venture of three Pakistani companies including TCS.

Exclusion of the NADRA from the Process

At the time of making fresh Electoral Rolls, the ECP had chosen not to ask the NADRA, which had prepared the Electoral Rolls for the Local Government Election 2000-2001 and General Election 2002, to join hands in the preparation of fresh rolls. A good starting point for the preparation of Electoral Rolls, both from a technical and an economical point of view, could have been the NADRA database which could then be expanded to include all eligible voters, further verified and cross-checked to conform to the specific needs of Electoral Rolls. Reportedly, the ECP later asked NADRA to share its database for the preparation of the new Electoral Rolls but NADRA refused to do so, on the basis of data security considerations.

8. Sheikh Jalil Ahmed, Deputy Secretary Election Commission of Pakistan, February 2, 2010, *Preparation of Electoral Rolls & their Computerization*, Presented to the Citizens Group on Electoral Process-CGEP Meeting held in Islamabad

9. *Ibid*

10. *Ibid*

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It is both a matter of concern and amazement that the ECP chose not to exercise its constitutional authority to secure the necessary data from the NADRA or take other appropriate steps to ensure the verification of CNICs numbers in the fresh Electoral Rolls. A close coordination between the NADRA and the ECP was required for accurate and reliable Electoral Rolls.

Door-to-Door Enumeration

The Chief Election Commissioner (CEC) initiated the process of preparing fresh Electoral Rolls on April 15, 2006 and decided to opt for door-to-door enumeration of voters instead of using the NADRA database as a baseline. The enumeration commenced on July 14, 2006 and was to conclude on September 11, 2006 but the last date of collection of Forms by enumerators was extended to September 30, 2006.

Initially, Computerised National Identification Card (CNIC) was declared to be a pre-requisite for registration as a voter but later the ECP announced that the old NICs (which were declared to be without legal value by the Government of Pakistan) would also be acceptable for the purpose of registration as a voter. The NADRA claimed that the issuance of CNICs had picked up pace (Around 900,000 CNICs per month) soon after the ECP declared CNICs to be a prerequisite for registration as a voter but the volume dropped down to around 500, 000 CNICs per month after the condition was withdrawn.

Data Entry

The Data Entry of the voters data from the collected forms had been undertaken in the Data Centre of the contractors located in Lahore. The data entry operations were not open to public or to Political Parties. If the system was open to public observation, it was likely to enhance public trust in the system. The then US Ambassador Ryan C. Crocker and some other US Embassy staff, however, were given a conducted tour of the Data Centre while voters' data was being processed.

Draft Electoral Rolls 2007 and Objections

The Election Commission of Pakistan displayed the draft computerised Electoral Rolls at reportedly 45,403 display centres across Pakistan starting from June 12, 2007. According to the ECP, the objective behind the publication of draft rolls at display centres had been "public information, inviting claims, objections and applications for corrections for a period of 21 days from June 12 to the July 3, 2007."

Significant Decline in Number of Voters since 2002

According to the ECP, there were 52,102,428 voters recorded in the Draft Electoral Rolls Database, 2007. Compared to this, there were 71,863,280 voters as per the Electoral Rolls used in 2002 General Election. Combined with the historical rate of growth of 2.7 % per annum, the number of registered voters in 2007 should have grown to around 82 Million. Consequently, a gap of around 30 Million or around 36 % voters was recorded in the new Voters List. Some other discrepancies including wrong district and Tehsil names, wrong electoral area names and placement of electoral areas in wrong Tehsils, etc. were also noticed.

Many questions were raised about the authenticity and the credibility of the new draft Electoral Rolls by the political parties, the media and the citizens. Some of the key questions in this regard included the inexplicable huge drop in the number of voters; the lack of use of NADRA database for preparing computerised Electoral Rolls and the cumbersome and complicated process of registration of new voters or the correction/objection process to those already registered, etc. PILDAT examined some of these questions in detail in its Position Paper prepared in June 2007 and offered its analysis and possible remedies to address the crucial issue.

The number of overall voters had apparently taken a hit of around 30 million. Women, already a somewhat disenfranchised section of the society, had taken a larger hit in these draft computerised Electoral Rolls compared to men. The number of women voters had dropped by 39 % overall in the Voters List compared to male voters whose registered votes had witnessed a drop of around 18 %. This led to shrinking of the share of women voters in the total number of voters. The women voters, which constituted 40 % of the total voters in 2002, shrunk to 30 % of the total voters in 2007.

Comparing the registration figures released by the ECP to the 2002 Electoral Rolls figures, PILDAT expressed grave concern at the drastic reduction in female voters in the NWFP which had seen the number of registered female voters decreasing by 45 per cent from 3.92 million in 2002 to 2.17 million in 2007. In contrast to this significant reduction in women voters, the male voters in the province had registered a nominal reduction of less than 6 % despite an overall reduction of voters in the country by about 28 %. The number of women voters had registered a drastic decrease of 85 % in FATA, 41 % in Sindh, 37 % in Punjab, 36 % in Balochistan and 19 % in Islamabad Capital Territory.

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The women voters registered an overall decrease of a little over 39 % compared to just 17 % decrease in male voters ¹¹

The ECP's reported public position on these crucial issues had been to blame the drop in the number of voters to the lack of NICs by a large number of otherwise qualified voters who could not register in the new rolls because of the requirement of holding a NIC for registration as a voter. It maintained that the 2002 Electoral Rolls, although contained over 72 million voters, a large number of those registered voters did not have NICs.

Supreme Court Rules on the Draft Electoral Rolls 2007

Late Mohtarma Benazir Bhutto, the then Chairperson of the Pakistan Peoples Party, challenged the draft Electoral Rolls in the Supreme Court of Pakistan. PILDAT later requested to be made a party to the case and the Supreme Court acceded to that request. Mr. Shahid Hamid, Senior Advocate Supreme Court and former Governor of the Punjab, represented PILDAT in the case. Because possession of either a CNIC or NIC was a requisite for inclusion on this roll and reportedly many citizens of voting age were not included in the rolls for this reason, the Supreme Court of Pakistan ordered that the voters included in the 2002 Rolls, but absent from the 2007 Rolls, be identified by comparing the two lists and be included in the 2007 Rolls. The ECP, while implementing this order, created a supplemental list of voters for the next General Election. Consequently, the final Electoral Rolls and supplemental list contained approximately 54 million and 27 million voters respectively with the total of around 81 million voters. The General Elections in February 2008 were held on the basis of these Rolls.

The Electoral Rolls for use in February 2008 General Election

The Election Commission of Pakistan decided, in compliance of orders of the Supreme Court of Pakistan, to compare both the Electoral Rolls, i.e., the Electoral Rolls 2002 and the draft Computerised Electoral Rolls, 2006-07, and add the voter's names which existed in the Electoral Rolls 2002 but did not appear in the draft Electoral Rolls 2007. The concerned Provincial Election Commissioners were also directed that all the Registration Officers in the Provinces, including Federal Capital, Islamabad and FATA, to identify the names of all those persons (male/female),

who stood enrolled as voters in the Electoral Rolls 2002 and updated in 2004 but their names did not appear in the draft Computerised Electoral Rolls, 2006-07, so that the same could be merged with the final computerised Electoral Rolls to be used for the conduct of subsequent General Election in the country. The exercise for comparison of Electoral Rolls commenced on August 21, 2007 and completed on September 4, 2007.

Need for Inquiry and Report by the CEC

In view of the fact that:

- the process of preparing the fresh computerised Electoral Rolls was apparently faulty in its design and execution
- wide-spread lack of trust was expressed about the draft computerised Electoral Rolls
- eventually the Supreme Court had to intervene and suggest remedial measures as the General Election 2008 was imminent
- the then Chief Election Commissioner and other responsible officials apparently did not make any meaningful effort to use the NADRA database in the interest of accuracy, integrity and economy of Electoral Rolls preparation, and
- huge public funds and international financial assistance were apparently mis-spent

the Citizens Group on Electoral Process CGEP has recommended to the present Chief Election Commissioner of Pakistan to conduct an enquiry into the making of Computerised Electoral Rolls for the purpose of fixing responsibility and learning lessons for the future. The CGEP also believes that the CEC should print a report on the entire process of Computerised Electoral Rolls and details of the money spent on the preparation and finalisation of Electoral Rolls.¹²

The Electoral Rolls and the NADRA Database

Many experts believe that the NADRA could have done a much better job of preparing the CERS in much less amount of money and time. The NADRA and its capability to process and manage huge amount of data has won wide international acclaim and it is intriguing why its database collected and compiled over the past many years could not be used for preparing fresh Electoral Rolls. The Election

11. Election Commission of Pakistan, 2002, *General Elections 2002 Report Volume II*, Election Commission of Pakistan & Election Commission of Pakistan, June 5, 2007, *Press Release issued by Election Commission of Pakistan*, June 5, 2007 available at <http://www.ecp.gov.pk/content/press/june2007/5.htm> (as accessed on February 1, 2010)

12. PILDAT Letter to the Secretary Election Commission of Pakistan on behalf of CGEP, February 04, 2010

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Commission officials cite some electoral laws which do not permit the use of NADRA facility. If it is so, how this facility was used back in 2002 in supposed contravention of the law? And why could the law not be amended to facilitate a project of such vital public interest? Back in 2007 when the preparation of the CERS were in progress, the NADRA had issued around 54 million CNICs (compared to a little over 52 million voters on draft CERS), which showed that the NADRA database was apparently more comprehensive than the ECP-made Electoral Rolls. The NADRA was then issuing around 9 million CNICs per year.

In the interim, the NADRA has significantly increased its delivery of CNICs to eligible citizens with the number of CNIC holders approaching 75.5 million as of December 2009. This significant increase was made possible by two key developments: the CNIC was declared to be issued free of cost by Syed Yousuf Raza Gilani, the Prime Minister of Pakistan, on June 24, 2008 and the newly launched (September 15, 2009) safety-net programme of the Government of Pakistan: the Benazir Income Support Programme (BISP) under which 3.5 million households are to be provided Rs. 1000 per month through a woman member of the household provided she holds a valid CNIC. This latter requirement has encouraged poor women to get their CNICs. Generally women and especially women from poor household are least likely to go through the hassle of getting a CNIC.

It is estimated that as of December 2009, Pakistan had a total voting-age (18 years and above) population of approximately 88.32 million of which 42.85 million (48.5 %) are women and 45.47 million (51.5 %) are men. Out of the total CNIC holders of 75.5 million, 30.76 million (40%) are women and 45.22 million (60 %) are men.¹³ This means that 71.2 % of eligible women and 98 % of eligible men have already got their CNICs with the average 85.5 % eligible population has the CNICs. It is generally believed that the NADRA has considerable technical resources, which must be employed for the compilation of an error-free and complete voter-list for future elections. Many countries, including Norway, Denmark, Sweden, Albania, Bangladesh and Spain, used civil registries to compile voter-lists and election held in those countries on the basis of 80% registration.¹⁴ These countries have had considerable

success in making the election process transparent and their efforts have been lauded internationally.¹⁵

It is a pity that the exercise of preparing Fresh Electoral Rolls that started in 2006 did not make use of the NADRA database. Many countries in the world did not have the luxury of having a fairly reliable and up-to-date national database of adult population and they had to create the voters' computerised database from the scratch. Bangladesh and India are two notable examples in our neighbourhood which did not have a system of Computerised National Identity Cards. They issued voters cards based on the computerised Electoral Rolls which are also used as the identity cards in many respects. It was rather strange that Pakistan had such a facility but it failed to make use of it.

CNICs should be a requirement for Voter Registration

It is estimated that on the average 4 million minors attain the age of 18 every year necessitating the issuance of this number of CNICs per year to keep pace with the growth of adult population. The accelerated availability of CNICs to the population especially women during the past few years has strengthened the case for making CNIC a requirement for registration as voter. This, in a way, is essential as the CNIC number offers the unique identifier which can be critical in sorting out and deleting duplicate and multiple entries of a single voter at various places. It is, therefore, necessary that the ECP seeks legal opinion whether it needs to seek a revision of the Supreme Court order on Constitutional Petition No. 45 of 2007 in order to make CNIC a pre-requisite for voter registration. Some legal experts hold the view that the Supreme Court order was specifically meant only for the General Election 2008 and now that the election is over the ECP can make CNIC as a pre-condition of registration as a voter. In either case, now when 85 % of the eligible population has received their CNICs and in all probability this percentage is going to go up, the ECP should proceed, either directly or after seeking a revision of the previous order of the Supreme Court, to make CNIC a pre-condition of getting registered as a voter. A better solution, however, will be to integrate the processes of issuing a CNIC and of registration as a voter in the form of a one-window operation.

13. Tariq Malik, Deputy Chairman NADRA, January 24, 2010, *A commendable effort by NADRA*, Business Recorder, [Internet], available at [http://www.brecorder.com/index.php?id=1011937&currPageNo=1&query=&search=&term=&supDate=\(as accessed on February 03, 2010\)](http://www.brecorder.com/index.php?id=1011937&currPageNo=1&query=&search=&term=&supDate=(as%20accessed%20on%20February%2003,%202010))

14. *Ibid*

15. *Ibid*

The Electoral Rolls in Bangladesh: A Case Study¹⁶

Bangladesh achieved democracy in 2008 on the successful conclusion of most peaceful, most organised and fairest elections for its 345-seat national Parliament (Jatiya Sangsad) in its history with a record 87 % voter turnout.

The Bangladesh Election Commission (BEC) was able to prepare a Voters List of over 80 million voters which was digitised, carried each voter's picture, included almost 95 % of all eligible voters and above all enjoyed the confidence of political parties, citizens' organizations and international community that observed the electoral process. During the week preceding the parliamentary election on December 29, 2008 and immediately after that, the major political leaders, citizens' groups, government officials and election observers from a number of international outfits such as the European Union (EU), the Commonwealth, the International Republican Institute (IRI-USA), the National Democratic Institute (NDI-USA) and the Asian Network for Free Elections (ANFREL) passed a universal admiration for the new Voters List in Bangladesh. The International Foundation for Electoral Systems IFES, a US-based organisation was commissioned by the United Nations Development Programme (UNDP) in Bangladesh to undertake a survey to check the accuracy and completeness of the list and the IFES reported a 'high degree of accuracy' for the list. The IFES reports that more than 99 per cent of respondents had confidence in the accuracy of the Voters' List and gave positive evaluations of the voter registration process. The list took 11 months to complete. The previous Voters List was not digitised and was rejected by almost all political parties as inaccurate and containing around 13 million ineligible or bogus votes and multiple entries. The new Voters' List was compiled by the Bangladesh Election Commission with the active assistance of the army. A consortium of international donors including those from Denmark, EU, Republic of Korea, Netherlands, Norway, Sweden, Switzerland, UK and the UNDP funded the digitised Electoral Rolls project. The UNDP also provided technical and logistical support for the List. A significant by-product of the Voters' List is a National Identification Card for 95 per cent of the adult (18 years and above) population of Bangladesh. Picture of all adults including women was mandatory both for the Voters' List and the Identification Card. By integrating each voter's (including those of purdah-observing women) picture into the Voters' list, the Bangladesh Election Commission satisfactorily solved the problem of voter identification at the time of voting once and for all. Voter Identification is a major bottleneck, a perpetual controversy and a potential source of bogus vote casting especially at the women's polling stations in Pakistan, Bangladesh and, to some extent, India. Voter's picture in the Electoral Rolls has precluded the need of carrying any identification document by the voters.

The Bangladesh Government has performed the feat of providing Identification Cards to its over 95 % adult population in less than a year. The process of voter registration and issuance of National Identification Card is an integrated process in Bangladesh eliminating time-consuming duplication of effort on the part of the citizens and the state institutions.

The state of Electoral Rolls since February 2008 Election

New Voters since February 2008

As per the Electoral Rolls Rules 1974, the Rolls are to be updated every year. Based on this exercise the total number of voters on the Electoral Rolls as of December 2009 are 81.11 million out of which 35.68 million (44 %) are women and 45.43 million (56 %) are men.

A Fresh Look at the CERS

According to the information shared by the ECP, it is understood that the ECP has lately revived the preparation

of the CERS and is looking at all the proposals afresh which were not considered or not adopted in 2007 to make the CERS a state-of-the-art, accurate, up-to-date and credible document. The ECP is also reportedly examining various suggestions to simplify the process of registration of new voters.

Collaboration with the NADRA

It is in this context that the ECP has established fresh contacts with the NADRA and a joint Technical Working Group was constituted comprising the ECP and the NADRA officials in April 2009 with the objective of revision of Electoral Rolls by exploring the feasibility to validate,

16. Ahmed Bilal Mehboob, February 2, 2009, *Lessons From the Bangladesh Polls*, The News International, available at <http://www.thenews.com.pk/print1.asp?id=160376> (as accessed on January 28, 2010)

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authenticate, mark duplicate and bogus voters data of the ECP Electoral Rolls Database in conjunction with the NADRA CNIC Database. The NADRA and the ECP have mutually agreed to start pilot project after provision of datasets for two Tehsils i.e., one urban Tehsil of Rawalpindi district and one rural Tehsil from Chakwal district. After successful implementation of pilot project rest of the project would be executed on agreed work plan.¹⁷ The ECP is in negotiations with Kalsoft, the contractor for preparation of the 2006 Electoral Rolls, to hand-over meta data to the ECP which it can forward to the NADRA.¹⁸

Key Issues

Picture Electoral Rolls

The current Electoral Rolls do not contain pictures of voters although it would have increased the utility of the rolls and would have provided an additional and sometime the only ready means of identification of voters. Bangladesh has successfully completed the preparation of its Computerised Electoral Rolls with pictures including those of all female voters and used these rolls for conducting its history's one of the most orderly, efficient and peaceful election in December 2008. India too is keen to update its Electoral Rolls to include pictures and various other countries already have Electoral Rolls with Voters pictures. The NADRA thinks that it can provide the service by linking the Electoral Rolls to its database. The NADRA has a high-tech facial recognition and thumb print system in place for catching attempts for duplicate CNICs. Now that the ECP and the NADRA are cooperating on the preparation of a credible CERS, the question of incorporating the voter's picture in the Electoral Rolls be seriously examined by the ECP.

Elimination of Multiple Entries

Traditionally, a major problem with the Electoral Rolls in Pakistan has been that of multiple entries. A voter may be registered in more than one locations and a slight change in name makes it difficult to detect. It is therefore important to incorporate a unique identifier such as the CNIC number to enable the database to identify the multiple entries and retain only one at the voter's preferred constituency.

Complicated Process of Registration

The process to file an objection or claim to enter a new voter's name is rather complicated and unless it is

simplified, a significant numbers of voters may not be able to register themselves. It makes a lot of sense that anyone with a CNIC should be able to register as a voter on the spot.

Voter Registration: A One-Window Operation

In keeping with the advantages that information technology offers and the valuable work that has been carried out through the system of the NADRA databases in the country, it seems superfluous and bureaucratic that the voter registration should be a separate process from that of registration for a CNIC. According to the NADRA records approximately 9 million CNICs are issued per year and 4 million minors attain the age of 18 and become eligible for CNIC. The Government should declare that a citizen's vote will be registered at the same time when his/her CNIC is made by NADRA. If some additional information is required from the citizen for this purpose, the CNIC Application Form may be revised and systems at the NADRA and the ECP be integrated to the extent that the particulars of any new successful CNIC applicant are conveyed to the ECP in real time. The state of technology is such that both the ECP and the NADRA can easily agree on a one-window mechanism which will be great relief to the citizens. The routine process of the Election Commission to annually update the Electoral Rolls may continue in parallel. This may necessitate a new legislation and/or amendment in rules which should be initiated by the ECP / Government.

Electoral Rolls Online

After the Supreme Court order of Constitutional Petition No. 45 & 57 of 2007, the Election Commission of Pakistan placed the Computerised Electoral Rolls on the ECP website in late October 2007 for public information. For General Election 2008, Electoral Rolls were put online just two months before election and after General Election 2008 these stayed there for almost 2 years without any update. These Electoral Rolls of 2007 were recently removed from the ECP website in January 2010.

Provision of Electoral Rolls CDs / DVDs to Public and Political Parties

As per the ECP officials, the ECP prepared CDs/DVDs of Electoral Rolls just for the interested Political Parties and contesting candidates. The ECP handed over the DVDs of Electoral Rolls (comprising 272 DVDs) of all the National and Provincial Assemblies Constituencies, free of cost, to

17. Tariq Malik, Deputy Chairman NADRA, February 2, 2010, Presentation to PILDAT, NADRA, Presented to the Citizens Group on Electoral Process-CGEP Meeting held in Islamabad

18. Sheikh Jalil Ahmed, Deputy Secretary Election Commission of Pakistan, February 2, 2010, *Preparation of Electoral Rolls & their Computerization*, Presented to the Citizens Group on Electoral Process-CGEP Meeting held in Islamabad

BACKGROUND PAPER

State of Electoral Rolls in Pakistan

March 2010

the representatives of major Political Parties i.e., Pakistan Peoples Party Parliamentarians, Pakistan Muslim League-Nawaz and Pakistan Muslim League. CDs/DVDs of the C E R S , 2 0 0 7 , o f t h e r e s p e c t i v e Provinces/Districts/Constituencies were dispatched to the Provincial Election Commissioners and all the Assistant Election Commissioners in the districts for supply to the contesting candidates on payment of Rs.200/- per DVD.

For the purpose of transparency, Electoral Rolls should not only be updated annually but the updated Electoral Rolls should stay on the ECP website for public information. The Electoral Rolls should be available in such a format that the entire database should be searchable on the basis of multiple parameters such as name, CNIC number etc.

The CDs and DVDs of all the constituencies should be available not only to political parties and candidates but to any citizen who wishes to buy these at cost. The ECP's role should be to encourage public scrutiny of the Electoral Rolls and not to obstruct it.

Conclusion

It is impossible to imagine free, fair and credible election without an accurate, complete, up-to-date and credible Voters List or Electoral Rolls. In our 60 plus years of electoral history we have seldom had Electoral Rolls which inspired confidence among the voters and political parties. Fictitious and multiple entries almost always existed in fairly large numbers and in the absence of voter's picture on the Electoral Rolls, the question of identification of voter on the day of an election frequently led to disputes and at times violence.

After the General Election of 2002, the ECP had almost an ideal opportunity to prepare accurate, complete, up-to-date and credible Electoral Rolls. There was ample time before the next general election or even the local government election; a large and fairly accurate database of adult population was available with the NADRA to build the Electoral Rolls on; financial resources both from the domestic and international sources were available because of a relative better economic climate at home and increased focus on development of democracy by many foreign countries and international agencies and state of technology was such that preparing good Electoral Rolls was relatively easier. The ECP took a delayed action by initiating the fresh Electoral Rolls in 2005 and by 2007 it became clear that the effort, unfortunately, ended in a

failure. The NADRA database was not used; the architecture of the Electoral Rolls did not provide for voter's picture and despite having employed computer-technology the end-product contained multiple entries. The resulting Electoral Rolls became equally, if not more, controversial as any in the past.

We now have a new Chief Election Commissioner and Secretary of the Election Commission of Pakistan who appear willing and committed to break clean with the past and create reliable Electoral Rolls. At this stage, it is important that political parties, media, civil society organizations and citizens play an active and effective role to persuade the ECP and work with it to prepare accurate, complete and credible Electoral Rolls with voters' pictures. Media can play a very important role in spreading awareness about the significance of a good voters' list and create an atmosphere in which the Government, the ECP and the Parliament move fast for the preparation of a good Voters' List.

It is equally important that the Election Commission, in conjunction with the NADRA, moves in a determined manner to introduce one-window operation for the issuance of new CNICs and registration of voters. The emerging cooperation between the ECP and the NADRA in producing a credible Voters List is very encouraging and it is hoped that they will join hands to produce a highly accurate, complete and credible Voters List this time. A full programme with timeline for producing the Electoral Rolls should be announced by the ECP as well as adhered to, while the citizens, citizens' bodies and the media observe the process and extend suggestions and cooperation. The ECP, the Government and the Parliament should move quickly to amend the rules and laws, where needed, to create a modern and credible voter registry.



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