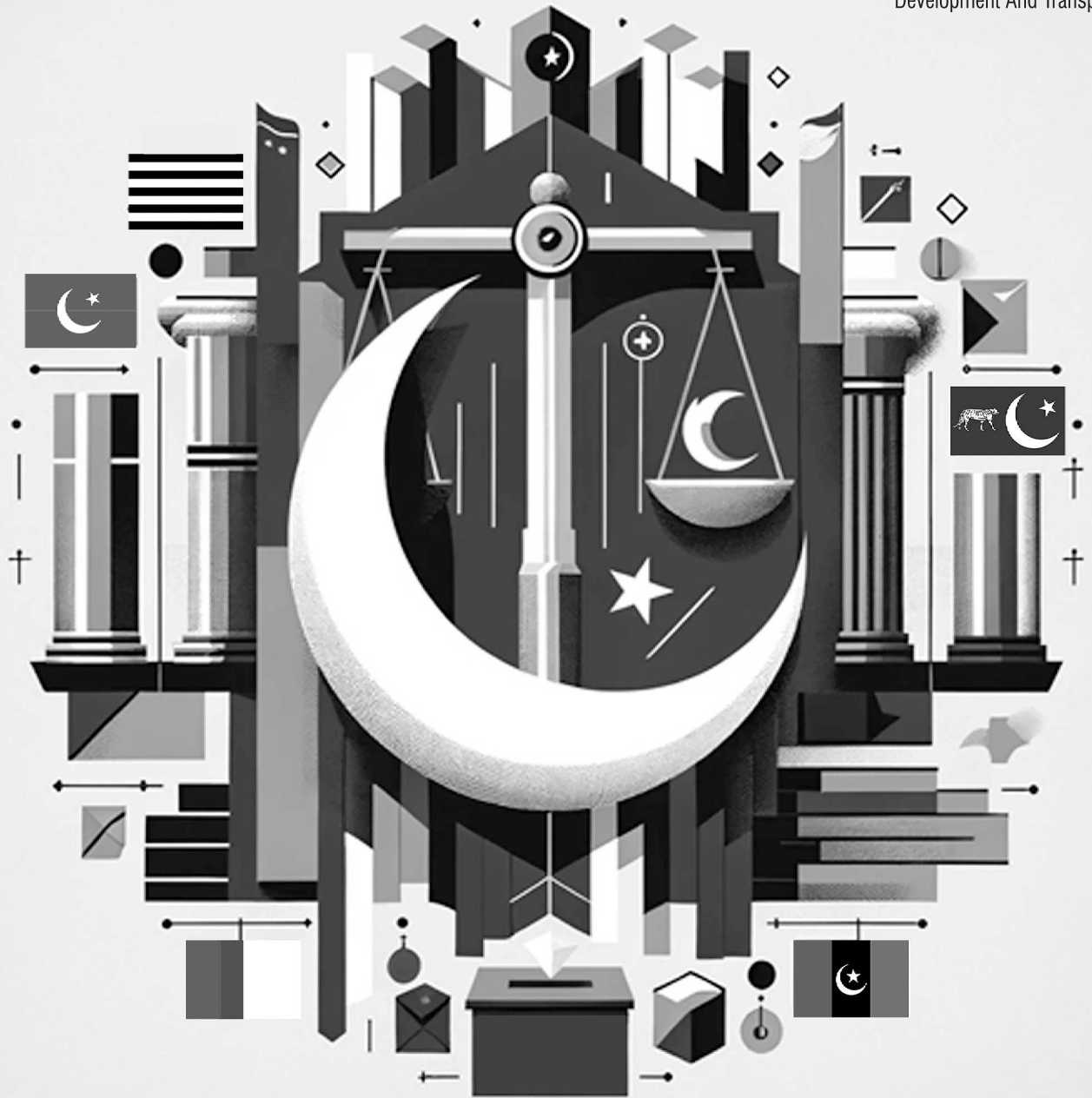




ASSESSMENT OF THE QUALITY OF GENERAL ELECTION 2024



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PILDAT is an independent, non-partisan and not-for-profit indigenous research and training institution with the mission to strengthen democracy and democratic institutions in Pakistan.

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PREFACE

Pakistan's 12th General Election was held on February 8, 2024, making it the largest mobilization of polling staff and material in the history of the country. Here, we must acknowledge the efforts of tens of thousands of polling staff as well as law enforcement personnel in ensuring a relatively peaceful and organized General Election in the fifth largest democracy in the world. Nonetheless, multiple political parties and individuals have questioned the fairness and management of this election. These allegations are a cause for concern because a free, fair and professionally conducted electoral process is integral to Pakistan's democracy.

As an independent, non-partisan political think tank, PILDAT has continued to systematically analyse the electoral process leading up to General Elections in 2002, 2008, 2013, 2018 and now, 2024. In addition, for each one of these General Elections, PILDAT has also carried out independent and dispassionate assessments of the quality of these General Elections post their conduct.

The **Assessment of the Quality of General Election 2024** is guided by the assessment scores assigned by eminent citizens, and members of PILDAT Dialogue Groups. The scores on quality of General Election 2024 are also compared with earlier scores assigned to the conduct and quality of previous General Elections of 2018, 2013, 2008 and 2002.

This assessment is published as part of PILDAT series of analyses and commentaries on fairness and quality of General Elections in Pakistan.

Disclaimer

Every effort has been made to ensure accuracy of the contents of this assessment. Any error or omission, therefore, is not deliberate.

Lahore
March 2024

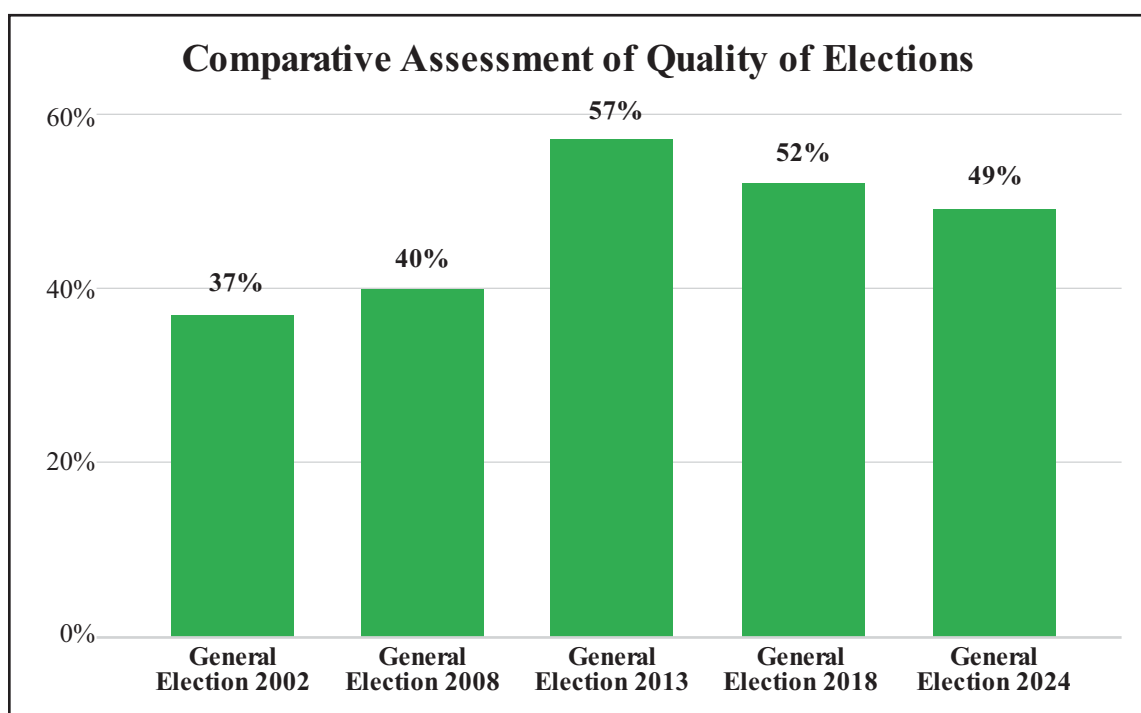
Abbreviations and Acronyms

| | |
|--------|--|
| COG | Commonwealth Observer Group |
| ECP | Election Commission of Pakistan |
| EMS | Election Management System |
| FAFEN | Free and Fair Election Network |
| GDA | Grand Democratic Alliance |
| IS | Islamic State |
| JI | Jamaat-e-Islami |
| JUI | Jamiat Ulama-e-Islam |
| KP | Khyber Pakhtunkhwa |
| PDM | Pakistan Democratic Movement |
| PILDAT | Pakistan Institute of Legislative Development and Transparency |
| PMLN | Pakistan Muslim League Nawaz |
| PO | Presiding Officer |
| PPP | Pakistan Peoples Party |
| PTI | Pakistan Tehreek-e-Insaf |
| RO | Returning Officer |
| RTS | Result Transmission System |
| SIC | Sunni Ittehad Council |

EXECUTIVE SUMMARY

Overall fairness of the 2024 General Election in Pakistan received a score of **49%** which is three percentage points lower than the score received for the 2018 General Election and eight percentage points lower than the score for 2013 General Election. Fairness assessment scores for the 2013 and 2018 elections had stood at 57% and 52% respectively. This means that, according to our assessment, 2024 General Election is less fair than the past two General Elections.

Figure 1: Comparative Assessment of the Overall Quality of General Elections in Pakistan



The PILDAT Assessment of the Quality of General Election 2024 is a continuation of our earlier General Election assessment reports that we have published every election cycle since 2002. The 2024 report is based on our independent analysis alongside a questionnaire that was scored by a cross-section of civil society, comprising politicians, lawyers, activists, academics, retired bureaucrats and retired military officials as well as politically aware youth.

In the first segment of the assessment dealing with the pre-poll phase, respondents were asked about the impartiality of key institutions such as the Judiciary, the ECP, the Caretaker Governments at the Federal and Provincial levels, the media, the security forces and the intelligence agencies. Additionally, they were asked about law and order, candidates' diversity, delimitation of constituencies, and electoral rolls. The overall assessment score given by respondents for the pre-poll phase in 2024 General Election stood at **50%**, matching that of 2018 but falling significantly short of the 2013 score of 62%. This shows that in the pre-poll phase, both the 2018 General Election and the 2024 General Election were equally fair or unfair.

The second segment of the assessment, the polling day phase, was divided into two parts.

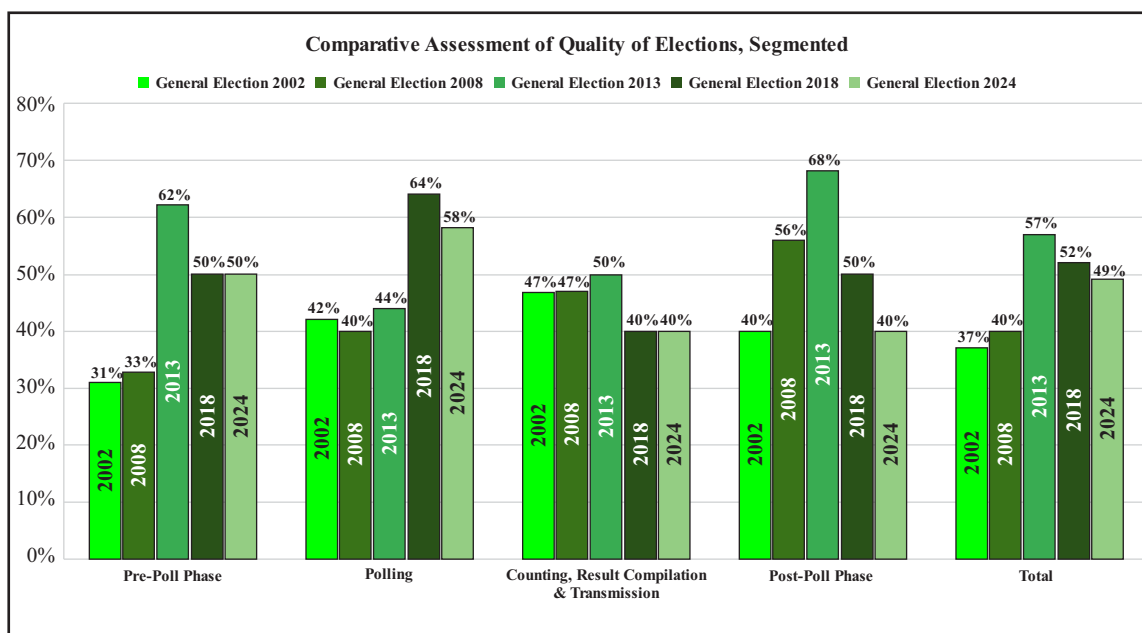
The part one assessed the voting process itself, including the performance of polling staff, the quality of polling stations, and safety during voting hours. The assessment score received for the 2024 General Election stood at **58%** for this part. The score assigned was lower than the score assessed for the 2018 General Election, which was 64%. This shows that in our assessment, the phase of polling day, including the voting process, performance of polling staff, quality of polling

stations, and safety during voting hours was assessed to be poorer than that of 2018 General Election. However, it scored higher than the score of General Election 2013 which stood at 44%. This is probably because there was greater terrorist activity during election time in 2013.

The part two of the polling day phase was about the counting of votes, compilation and transmission of results from Polling Stations to Returning Officers, consolidation of constituency results and announcement of provisional results. The assessment score assigned to this phase in 2024 General Election stood at **40%**, which was identical to that of the 2018 General Election. In 2013 General Election, the same phase received the score of 50% while in both 2002 and 2008 GEs, it was 47%. The fact that the score for this part of the electoral process has never crossed the 50% mark, indicates that this area requires focused attention and effort for improvement.

In the last segment of the assessment, the post-poll phase, respondents were asked about the response of political parties, election observers and the electorate to the election outcomes, compiling and publishing of final results and the process of formation of governments at the federal and provincial levels. The 2024 election scored **40%**, an all-time low score which mirrored that of the 2002 General Election which had seen unprecedented post-poll rigging in recent years. This low score indicates a low level of trust for the post-election phase.

Figure 2: Comparative Assessment of the Quality of General Elections in Pakistan, Segmented



Overall, the Quality of General Election 2024 has scored 49% which is not only below 50% but it is also lower than the overall score of the past two elections – 52% for GE-2018 and 57% for GE-2013 – indicating greater concerns about the quality of the most recent General Election. These overall scores, particularly the steady decline in them since 2013, are emblematic of the weakening of the democratic processes in general and electoral system in particular in Pakistan and they underscore the urgent need to restore public confidence in the electoral system.

Within the 2024 General Election process, both the part two of the polling day operations i.e. counting, compiling, transmission, consolidation, announcement of provisional results and the post-election process received the lowest scores, 40%, indicating that these two areas were the weakest links in the electoral chain in the General Election 2024.

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In this report, we have highlighted the following key issues which have negatively impacted the quality of the 2024 General Election:

1. During the pre-poll phase, we observed considerable delays in scheduling of the election, political repression, lack of impartiality from State institutions and worsening law and order in Khyber Pakhtunkhwa and Balochistan.
2. The suspension of mobile phone and internet services on polling day not only compromised the Election Management System (EMS) but also created problems in public participation in the electoral process.
3. The delay in the announcement of the provisional results beyond the deadline fixed in Section 13 (3) of the Elections Act, 2017 has prompted serious questions about the credibility of election.
4. The widespread allegations of discrepancy between Form-45 and Form-47, suggesting that the provisional result was tempered with at the Returning Officers' offices, has also created concerns around the credibility of the election.
5. The failure to publish Forms 45, 46, 48 and 49 on the ECP website within 14 days of polling day, as mandated by Section 95 (10) of Elections Act, 2017, prompted questions regarding the integrity of the election results.
6. The ECP decision to allocate or not allocate the reserved seats to SIC was delayed and remained a major point of contention between the ECP and the SIC for 25 days since the polling day, while allocation of reserved seats was made to all other political parties.

While the ECP had been effectively communicating its decisions and points of view prior to the polling day, this communication appears to have considerably slowed down since then. The issues listed above have not been effectively addressed by the ECP in its communications. Given this context, it is imperative that there are efforts to increase transparency and accountability so that public confidence in the electoral process can be restored.

We recommend that the Election Commission of Pakistan (ECP) conduct a thorough and impartial investigation into the delays in the compilation and transmission of results. Specifically, there should be an explanation for the lack of contingency planning to meet result issuance deadlines in case of the EMS inoperability. An explanation is also necessary for the failure to publish signed copies of forms 45, 46, 48 and 49 within 14 days of polling day as required under Section 95 (8) and (10) of Elections Act, 2017.

In order to bring the controversies relating to General Election 2024 to a close, there are two possible avenues which need to be considered. The most straightforward one is to allow Election Tribunals to resolve disputes on a case-by-case basis. However, this will be a slow process as tribunals are allowed 180 days for resolution in the law and many petitions are decided even beyond the legal deadline. Moreover, issues of understaffing have been raised. Reportedly, the Lahore High Court has only constituted 2 tribunals against a request for 9 by the ECP.

The second option is, in addition to the tribunals, to constitute a Commission of Enquiry like the one formed to probe the General Election 2013. This is an avenue that the incoming National Assembly should deliberate over to decide whether it is required and if it will help attain some political stability.

Overall, the controversies and challenges that dominated the 2024 election cycle in Pakistan point once again to the need for greater transparency and accountability to overcome systemic shortcomings and safeguard the integrity of future electoral processes.

INTRODUCTION

During the 2024 election cycle, 17,816 candidates planned to contest 859 constituencies including 266 constituencies of Pakistan's National Assembly and 593 constituencies of the four Provincial Assemblies.¹ However, elections in one constituency of the National Assembly and three constituencies of the Provincial Assemblies were postponed due to death of candidates.² The remaining 855 constituencies held elections on February 8, 2024. Additionally, there were 60 seats reserved for women and 10 for minorities in the National Assembly, while there were 132 seats reserved for women and 24 for minorities in the Provincial Assemblies.³ These reserved seats are allotted to political parties based on the proportion of general seats that they win.

The PILDAT Assessment of the Quality of General Election 2024 provides a comprehensive analysis of Pakistan's recent electoral exercise, incorporating insights from a diverse array of stakeholders who participated in our online questionnaire scoring system. This report evaluates the pre-poll, polling day and post-poll phases, highlighting critical successes and failures encountered throughout the 2024 election cycle.

1. "ECP releases roster of candidates contesting in polls," *Express Tribune* online, January 18, 2024, accessed on February 20, 2024. <https://tribune.com.pk/story/2453627/ecp-releases-roster-of-candidates-contesting-in-polls>.
2. "Elections postponed in four constituencies after candidates' deaths," *The Nation* online, February 4, 2024, accessed on February 18, 2024. <https://www.nation.com.pk/04-Feb-2024/elections-postponed-in-four-constituencies-after-candidates-deaths>.
3. "Elections in Pakistan: 2024 General Elections," International Foundation for Electoral Systems, accessed on February 14, 2024: <https://www.ifes.org/tools-resources/election-snapshots/elections-pakistan-2024-general-elections>

METHODOLOGY

The PILDAT Assessment of the Quality of General Election 2024 is a continuation of our earlier General Election assessment reports that we have published every election cycle since 2002. The 2024 report is based on our independent expert analysis alongside a questionnaire that was scored by a cross-section of civil society, comprising of politicians, lawyers, activists, academics, retired bureaucrats and retired military officials as well as politically aware youth.

The questionnaire was structured into three segments: pre-poll, polling day operations and post-poll. The polling day operations phase was further bifurcated into two parts: polling process and counting of votes, compilation, transmission, consolidation and announcement of provisional results. We analyzed the scores separately for each segment and then aggregated them as well.

For the analysis of General Election 2024, we conducted the scoring online, where participants were able to anonymously score each question on a scale of 1 to 5, where 1 was a negative response and 5 was a positive response. For instance, in assessing the independence of the Election Commission of Pakistan (ECP), a score of 1 denoted complete lack of independence, while 5 signified full independence. All participant responses were given equal weight, and the average score for each question, rounded to the nearest whole number, is presented in this report. We should note here that the last question, question 39, was originally worded in a way where 1 was a positive response and 5 a negative response. Thus, we reverse coded the answers for this question before taking an average value.

Lastly, we have provided critical analysis, based on extensive research and firsthand observations, to contextualize the questionnaire results and present PILDAT's perspective on this election cycle.

ASSESSMENT OF THE QUALITY OF GENERAL ELECTION 2024

RESULTS OF THE ASSESSMENT OF THE QUALITY OF GENERAL ELECTION 2024 AND ITS COMPARISON WITH GENERAL ELECTIONS OF 2002, 2008, 2013 AND 2018

Table 1: Assessment of the Pre-Poll Phase

| No. | Parameter | Score on a scale of 1 to 5 | | | | |
|----------------|---|----------------------------|------------|------------|------------|------------|
| | | GE 2024 | GE 2018 | GE 2013 | GE 2008 | GE 2002 |
| Pre-Poll Phase | | | | | | |
| 1 | How comprehensive and fair was the constitutional and legal framework for elections? | 3 | 4 | 4 | 2 | 1 |
| 2 | How accurate, complete and up-to-date were the electoral rolls? | 3 | 4 | 4 | 1 | 1 |
| 3 | How neutral were the federal and provincial caretaker governments? | 2 | 1 | 3 | 1 | 1 |
| 4 | How impartial were the security forces and the intelligence agencies? | 2 | 1 | 3 | 1 | 1 |
| 5 | How effective were the caretaker governments in supporting ECP? | 3 | 2 | 3 | 2 | 2 |
| 6 | How independent was the ECP? | 2 | 3 | 4 | 2 | 2 |
| 7 | What was the level of integrity and competence of the ECP as a whole? | 2 | 3 | 4 | 2 | 1 |
| 8 | How effective and fair was the scrutiny of candidates' nomination papers as per the constitutional provisions? | 2 | 3 | 2 | 1 | 1 |
| 9 | How effective was the ECP monitoring and check on overspending by candidates? | 2 | 2 | 2 | 1 | 1 |
| 10 | How effective was the framework to monitor and check spending by political parties on political advertisement in the media? | 2 | 2 | 1 | 1 | 1 |
| 11 | How far were the caretaker governments able to ensure law, order and peace during electioneering? | 3 | 2 | 1 | 1 | 1 |
| 12 | How far was the judiciary independent during the electioneering phase? | 2 | 1 | 4 | 2 | 2 |
| 13 | How far was the media independent of government influence during electioneering? | 3 | 2 | 5 | 2 | 2 |
| 14 | How far during electioneering was the media independent of other influences and undeclared vested interests? | 2 | 2 | 2 | 2 | 2 |

Table 1: Assessment of the Pre-Poll Phase

| No. | Parameter | Score on a scale of 1 to 5 | | | | |
|------------------|--|----------------------------|------------|------------|------------|------------|
| | | GE 2024 | GE 2018 | GE 2013 | GE 2008 | GE 2002 |
| Pre-Poll Phase | | | | | | |
| 15 | How far was the law and order conducive for electioneering for all contestants? | 3 | 2 | 3 | 3 | 4 |
| 16 | How competitive was the election as manifested in the number and diversity of contestants (both candidates and political parties)? | 3 | 4 | 4 | 2 | 1 |
| 17 | How satisfactory were the arrangements for voters to know the location of their polling stations? | 3 | 4 | 4 | 2 | 2 |
| 18 | How fair was the delimitation process across Pakistan? | 3 | 3 | | | |
| Subtotal | | 45 | 45 | 53 | 28 | 26 |
| Percentage Score | | 50% | 50% | 62% | 33% | 31% |

Table 2: Assessment of the Polling Day Phase – Part 1: Polling

| No. | Parameter | Score on a scale of 1 to 5 | | | | |
|-------------------------------------|---|----------------------------|------------|------------|------------|------------|
| | | GE 2024 | GE 2018 | GE 2013 | GE 2008 | GE 2002 |
| Polling Day Phase – Part 1: Polling | | | | | | |
| 19 | How satisfactory was the training of the Polling Staff and Returning Officers as evidenced in their performance on the polling day? | 3 | 3 | 2 | 2 | 2 |
| 20 | How impartial were the Polling Staff? | 3 | 3 | 3 | 2 | 2 |
| 21 | How good was the Management capacity of the ECP? | 3 | 3 | 2 | 2 | 2 |
| 22 | How far was it safe and secure for the Polling Staff to do justice to their duty especially in sensitive areas, for instance, certain areas of Balochistan? | 2 | 3 | 2 | 2 | 2 |
| 23 | How satisfactory were the arrangements made by the ECP for safe transportation of Polling Staff with Polling Material? | 3 | 3 | 1 | 1 | 1 |
| 24 | How suitable were the Polling Stations premises and their location? | 3 | 3 | 3 | 2 | 2 |
| 25 | How satisfactory was the law and Order conditions to facilitate participation of Voters? | 3 | 4 | 2 | 2 | 3 |

ASSESSMENT OF THE QUALITY OF GENERAL ELECTION 2024

Table 2: Assessment of the Polling Day Phase – Part 1: Polling

| No. | Parameter | Score on a scale of 1 to 5 | | | | |
|-------------------------------------|--|----------------------------|------------|------------|------------|------------|
| | | GE 2024 | GE 2018 | GE 2013 | GE 2008 | GE 2002 |
| Polling Day Phase – Part 1: Polling | | | | | | |
| 26 | How far the law enforcement agencies were successful in deterring armed groups from influencing the polling choices of voters? | 3 | 4 | 2 | 2 | 2 |
| 27 | How accessible and transparent were the Polling operations to neutral election observers? | 3 | 3 | 3 | 3 | 3 |
| Subtotal | | 26 | 29 | 20 | 18 | 19 |
| Percentage Score | | 58% | 64% | 44% | 40% | 42% |

Table 3: Assessment of the Polling Day Phase - Part 2: Counting, Compilation, Transmission, Consolidation & Announcement of Results

| No. | Parameter | Score on a scale of 1 to 5 | | | | |
|--|---|----------------------------|------------|------------|------------|------------|
| | | GE 2024 | GE 2018 | GE 2013 | GE 2008 | GE 2002 |
| Polling Day Phase – Part 2: Counting, Compilation, Transmission, Consolidation & Announcement of Results | | | | | | |
| 28 | How efficient and accurate was the transmission of election results from polling stations to the returning officers? | 2 | 2 | 2 | 2 | 2 |
| 29 | How efficient and accurate was the transmission of election results from the Returning Officers to the ECP? | 2 | 2 | 2 | 2 | 2 |
| 30 | How satisfactory was the arrangement to ensure availability of Polling Results to the Polling Agents and display at Polling Stations? | 2 | 2 | 3 | 3 | 3 |
| 31 | How transparent was the compilation of statement of Vote Count at Polling Station and its distribution among candidates or their agents and public display at polling stations? | 2 | 2 | 3 | 3 | 3 |
| 32 | How transparent was the consolidation of Polling results at RO level? | 2 | 2 | 2 | 2 | 2 |

Table 3: Assessment of the Polling Day Phase - Part 2: Counting, Compilation, Transmission, Consolidation & Announcement of Results

| No. | Parameter | Score on a scale of 1 to 5 | | | | |
|--|--|----------------------------|------------|------------|------------|------------|
| | | GE 2024 | GE 2018 | GE 2013 | GE 2008 | GE 2002 |
| Polling Day Phase – Part 2: Counting, Compilation, Transmission, Consolidation & Announcement of Results | | | | | | |
| 33 | How satisfactory was the arrangement to ensure that statements of vote count are not changed after these are prepared at the polling stations? | 2 | 2 | 3 | 2 | 2 |
| Subtotal | | 12 | 12 | 15 | 14 | 14 |
| Percentage Score | | 40% | 40% | 50% | 47% | 47% |

Table 4: Assessment of the Post-Poll Phase

| No. | Parameter | Score on a scale of 1 to 5 | | | | |
|------------------|--|----------------------------|------------|------------|------------|------------|
| | | GE 2024 | GE 2018 | GE 2013 | GE 2008 | GE 2002 |
| Post-Poll Phase | | | | | | |
| 34 | How acceptable were the election result by the political parties? | 2 | 2 | 3 | 3 | 2 |
| 35 | How acceptable were the election result by the defeated candidates? | 2 | 2 | 3 | 3 | 2 |
| 36 | How acceptable were the election result by the electorate in general? | 2 | 3 | 3 | 3 | 2 |
| 37 | How far did the neutral election observers (both foreign and domestic) declare the election free and fair? | 2 | 3 | 4 | 3 | 2 |
| 38 | How far are the election results in line with the professional public opinion polls conducted shortly before the election? | 2 | 4 | 4 | 2 | 2 |
| 39 | How far was the process of government formation free from pressure or inducement? | 2 | 1 | | | |
| Subtotal | | 12 | 15 | 17 | 14 | 10 |
| Percentage Score | | 40% | 50% | 68% | 56% | 40% |

ASSESSMENT OF THE QUALITY OF GENERAL ELECTION 2024

Table 5: Assessment of the Overall Quality of the General Elections

| OVERALL | General Election 2024 | General Election 2018 | General Election 2013 | General Election 2008 | General Election 2002 |
|-------------------------|------------------------------|------------------------------|------------------------------|------------------------------|------------------------------|
| Total Score | 95 | 101 | 105 | 74 | 69 |
| Percentage Score | 49% | 52% | 57% | 40% | 37% |

ASSESSMENT OF THE QUALITY OF GENERAL ELECTION 2024

ANALYSIS

Pre-Poll Phase

Delay in Holding General Election

According to Article 224 of the Constitution of Pakistan, General Election must take place within 60 days of an assembly completing its term, or within 90 days if an assembly is dissolved prematurely.⁴ This constitutional requirement was neither met for the National Assembly nor the Provincial Assemblies.

After Mr. Imran Khan was ousted from power as Prime Minister through a vote of no confidence on April 10, 2022, the PDM coalition alongside Pakistan People's Party (PPP) came to power for the remaining term of the National Assembly.⁵ To build pressure for fresh elections, Mr. Imran Khan's PTI dissolved the Provincial Assemblies of Punjab and Khyber Pakhtunkhwa prematurely on January 14, 2023 and January 18, 2023 respectively.⁶ Thus, General Election should have been held for the Punjab Assembly by April 14, 2023 and by April 18, 2023 for the KP Assembly. However, after much back and forth between multiple stakeholders including the Presidency, the Parliament and the Supreme Court, the ECP declared that due to threats of militancy and financial constraints, they couldn't hold elections in either province until October 2023.⁷

Prime Minister Mr. Muhammad Shehbaz Sharif also dissolved the National Assembly prematurely on August 9, 2023, a few days before it was due to complete its term.⁸ This meant that General Election should have been held by November 7, 2023. However, right before the dissolution, the outgoing government approved the results of the 2023 Population Census, triggering a constitutional requirement of delimitation of constituencies that would certainly delay the election.⁹ Some experts contested that the Constitution even required delimitation of constituencies at that stage because the proportion of population and, therefore, the allocation of National Assembly seats among the provinces had not changed. The results of the preliminary delimitations were published on September 27, 2023 by the ECP, which attracted 1,324 objections – slightly more than the objections in the last exercise of delimitation in 2018.¹⁰ A week earlier, the ECP had announced that the General Election would be held in the last week of January 2024.¹¹ However, on November 3, 2023, the ECP announced that the General Election would take place on February 8, 2024 after the Supreme Court asked the presidency and the ECP to convene and announce a date.¹² The final list of constituencies was notified on November 30, 2023.¹³

Institutional Biases

In this election cycle, we saw State institutions and the media show significant bias against one or more political parties, closely mirroring the circumstances of the 2018 General Election.¹⁴ However, this time it was Mr. Imran Khan, not Mr. Nawaz Sharif, who faced the State's ire.

Since being ousted as Prime Minister, Mr. Imran Khan has found himself on the wrong side of Pakistan's powerful institutions. The situation escalated after May 9, 2023, when Khan's supporters allegedly attacked military installations

4. Article 224, The Constitution of Islamic Republic of Pakistan, 1973 (As amended upto the 31st May, 2018). <https://na.gov.pk/en/downloads.php>.
5. "A PM no more: How the historic move to eject Imran Khan through a no-trust vote unfolded." *Dawn* online, April 8, 2023, accessed February 14, 2024. <https://www.dawn.com/news/1744819>.
6. "Another Khan party-led provincial assembly dissolved in Pakistan," *Al Jazeera* online, January 18, 2023, accessed February 15, 2024. <https://www.aljazeera.com/news/2023/1/18/another-khan-party-led-provincial-assembly-dissolved-in-pakistan>.
7. "Why elections are taking place in 2024 instead of last year," *Dawn* online, January 26, 2024, accessed February 15, 2024. <https://www.dawn.com/news/1804989>.
8. "Pakistan parliament dissolved to hold election without ex-PM Imran Khan," *Al Jazeera* online, August 9, 2023, accessed February 14, 2024. <https://www.aljazeera.com/news/2023/8/9/pakistan-national-assembly-to-dissolve-for-polls-without-ex-pm-imran-khan>.
9. "The (political) science behind delimitation," *Dawn* online, January 17, 2024, accessed February 15, 2024. <https://www.dawn.com/news/1806332>.
10. "Annual Report 2018," Election Commission of Pakistan, accessed March 4, 2024. <https://ecp.gov.pk/storage/files/3/03-ECP%20Annual%20Report%202018.pdf>.
11. "ECP says elections to be held in last week of January," *Dawn* online, September 21, 2023, accessed February 15, 2024. <https://www.dawn.com/news/1777085>.
12. "ECP agrees to hold elections on Feb 8," *Dawn* online, November 3, 2023, accessed February 15, 2024. <https://www.dawn.com/news/1786006/ecp-agrees-to-hold-elections-on-feb-8>.
13. "Final delimitation brightens prospects of polls in February," *Dawn* online, December 1, 2023, accessed February 14, 2024. <https://www.dawn.com/news/1794104/final-delimitation-brightens-prospects-of-polls-in-february>.
14. "Assessment of the Quality of General Election 2018," PILDAT, accessed February 20 2024. <https://pildat.org/electoral-reforms/assessment-of-the-quality-of-general-election-2018>.

after the Rangers arrested Mr. Khan from the premises of the Islamabad High Court.¹⁵ A significant portion of Mr. Khan's party leadership was incarcerated, and many were only released when they vowed to quit the PTI altogether.¹⁶

There were also increasing media constraints after May 9, with PEMRA banning news channels from showing those involved in the riots on television.¹⁷ Since then, Mr. Imran Khan is not named on cable news and is instead referred to as “founder of the PTI”. Additionally, there were attempts to censor social media, with applications like X (formerly known as Twitter) often facing slowdowns at the same time as the PTI's online events.

In what seemed like the last nail in the coffin, the ECP deprived the PTI of its election symbol, 'bat', forcing its candidates to contest as independents. That the ECP decided to strip a party of their electoral symbol on account of intra-party elections was seen as unprecedented, although not illegal.¹⁸ This decision was subsequently also upheld by the Supreme Court.¹⁹

In the week leading up to the General Election, Mr. Imran Khan received three prison sentences. A civil court set up inside Adiala Jail, where Mr. Khan has been imprisoned since August 2023 following a corruption conviction, handed him a 10-year sentence for leaking State secrets as well as gave him and his wife, Bushra Bibi, a 7-year sentence for violating marriage laws.²⁰ Additionally, an accountability court sentenced Mr. Khan and his wife to 14 years in prison for the unlawful sale of state gifts.²¹ Mr. Imran Khan's convictions came close to polling day, following rushed and, in certain cases, late night court proceedings. These circumstances gave the impression that these developments were meant to influence the outcome of the General Election.

Meanwhile, Mr. Nawaz Sharif returned to Pakistan after four years in self-exile on October 21, 2023.²² He was widely viewed as the top contender, supported by the military establishment, for winning the upcoming election – a perception reinforced by the courts' decisions to overturn his convictions ahead of the election. When the Supreme Court also overturned the lifetime election ban on individuals with criminal convictions, the path became clear for him to contest the 2024 General Election.²⁴

There was a wide concern amongst prominent civil society members leading up to the election that a level playing field had not been provided to all contesting parties and candidates. Politically motivated arrests, crackdown on peaceful protesters and enforced disappearances were among the issues highlighted by human rights activists.²⁵ They asked for an end to “political engineering and reverse engineering” ahead of the General Election 2024.²⁶

Law and Order

Although Pakistan's security situation has improved significantly over the last decade, 2023 saw an uptick in violent extremism. In 2023, nearly 1,000 civilians and security forces personnel were killed in terrorist attacks.²⁷ On the eve of

15. “Pakistan army vows to punish 'planners' of violent protests, *Al Jazeera* online, June 7, 2023, accessed February 20, 2024. <https://www.aljazeera.com/news/2023/6/7/pakistan-military-says-will-punish-planners-of-may-9-violence>.
16. “Why have dozens of leaders quit Imran Khan's party in Pakistan,” *Al Jazeera* online, May 24, 2023, accessed February 20, 2024. <https://www.aljazeera.com/news/2023/5/24/why-have-dozens-of-leaders-quit-imran-khans-party-in-pakistan>.
17. “Don't cover Imran Khan's PTI: Pakistan's media told to censor popular ex-PM,” *Al Jazeera* online, January 25, 2024, accessed February 19, 2024. <https://www.aljazeera.com/features/2024/1/25/dont-cover-imran-khans-pti-pakistans-media-told-to-censor-popular-ex-pm>.
18. Ahmed Bilal Mehboob, “Scrutinising intra-party polls,” *Dawn* online, November 26, 2023, accessed February 16, 2024. <https://www.dawn.com/news/1792662/scrutinising-intra-party-polls>.
19. “Pakistan's Imran Khan's party loses cricket bat electoral symbol,” *Reuters*, January 14, 2024, accessed February 19, 2024. <https://www.reuters.com/world/asia-pacific/pakistan-imran-khan-party-loses-cricket-bat-electoral-symbol-2024-01-14/>.
20. “Pakistan's Imran Khan, wife now get 7 years jail for marriage law violation,” *Al Jazeera* online, February 3, 2024, accessed February 20, 2024. <https://www.aljazeera.com/news/2024/2/3/pakistan-imran-khan-wife-now-get-7-years-jail-for-marriage-law-violation>.
21. *Ibid*.
22. “Pakistan's ex-PM Nawaz Sharif back from self-exile ahead of elections,” *Al Jazeera* online, October 21, 2023, accessed February 20, 2024. <https://www.aljazeera.com/news/2023/10/21/pakistan-ex-pm-nawaz-sharif-back-from-exile-ahead-of-elections>.
23. “Nawaz gets clean slate after final acquittal,” *Dawn* online, December 13, 2023, accessed February 20, 2024. <https://www.dawn.com/news/1797454>.
24. “Pakistan court ruling allows ex-PM Sharif to run for fourth time,” *Reuters*, January 8, 2024, accessed February 20, 2024. <https://www.reuters.com/world/asia-pacific/pakistan-court-scraps-lifetime-election-bans-convicts-2024-01-08/>.
25. “Pakistan's upcoming election under scrutiny amid pre-poll rigging charges,” *Voice of America* online, January 1, 2024, accessed February 20, 2024. <https://www.voanews.com/a/pakistan-s-upcoming-election-under-scrutiny-amid-pre-poll-rigging-charges-7421036.html>.
26. “Farhatullah Babar calls for ending 'reverse engineering' ahead of polls,” *Geo News* online, October 12, 2023, accessed February 19, 2024. <https://www.geo.tv/latest/514131-farhatullah-babar-calls-for-ending-reverse-engineering-ahead-of-polls>.
27. “Violence-linked fatalities hit six-year high,” *Dawn* online, January 1, 2024, accessed February 15, 2024. <https://www.dawn.com/news/1802262>.

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the 2024 General Election, two bomb attacks killed at least 28 people in Balochistan.²⁸ Both attacks were near the offices of electoral candidates and the Islamic State (IS) group took responsibility.²⁹ In KP alone, due to security threats, 91,000 policemen and 18,000 military and paramilitary personnel were assigned for election duty.³⁰

Polling Day Operations (Part 1: Polling Processes)

The delay in the polls provided the Election Commission of Pakistan with more than ample time to prepare for the 2024 General Election. The ECP reported that it had conducted more than 27,000 training sessions since November 2023.³¹ Those trained by the ECP included district returning officers, returning officers, presiding officers and other polling staff who were to perform their duties at more than 90,000 polling stations across Pakistan.³²

Overall, election day went smoothly in terms of the polling process itself, with no widespread complaints from voters across the country. Out of more than 128 million registered voters, representing roughly half of Pakistan's population, 47.6% came out to vote.³³ This was lower than the 52.1% of voters that participated in the General Election 2018.³⁴

There were reports of certain polling stations in Karachi where voting did not commence until 3 pm.³⁵ Also in Karachi, a candidate was booked for ransacking a polling station and the other for attacking security personnel on polling day.³⁶ Additionally, there were concerning reports from Waziristan where women faced obstacles in exercising their right to vote.³⁷

By far the most concerning and most consequential development on polling day was the unannounced shutdown of mobile phone services, reportedly due to security concerns.³⁸ Voters were unable to use the 8300 SMS service to find their polling stations and they were also unable to call the ECP's complaints helpline. Moreover, the disruption created significant problems for media teams, election observers, candidates and polling staff.

Polling Day Operations (Part 2: Counting of Votes, Compilation and Transmission of Results, Consolidation and Announcement of Provisional Results)

After a relatively smooth polling process, significant challenges arose during the compilation and transmission of results. Although unofficial results from polling stations started trickling in on private news channels soon after polling closed, the reporting slowed down considerably around midnight.

The Presiding Officer (PO) of every polling station is supposed to supervise the counting of votes and populate the Form-45, which details the vote count from each polling station. When the Returning Officer (RO) for a constituency receives the Form-45s, he or she tabulates them into the Form-47 to get the consolidated result for that constituency. This year, this process was to be carried out partly digitally through what the ECP termed as the Election Management System (EMS). Using this indigenously developed system, the PO would take a picture of the completed and signed Form 45 using a smart phone and send it to the RO via the EMS mobile application. The RO would then also use the EMS to consolidate the result for that constituency and announce the provisional constituency result sending a copy to the ECP.

28. "Twin bombings kill at least 28 as Pakistan prepares for elections," *Al Jazeera* online, February 7, 2024, accessed February 20, 2024. <https://www.aljazeera.com/news/2024/2/7/blast-kills-at-least-six-people-in-pakistan-ahead-of-elections>.

29. Ibid.

30. "Pakistan election 2024: A perilous journey to vote," Reuters, February 8, 2024, accessed February 20, 2024. <https://www.reuters.com/world/asia-pacific/many-pakistanis-make-perilous-journey-vote-2024-02-08/>.

31. "ECP completes training of 1.5m election staff," *Dawn* online, February 4, 2024, accessed February 12, 2024. <https://www.dawn.com/news/1811008>.

32. "ECP announces 90,675 polling stations nationwide for 128 million voters," *The Nation* online, January 28, 2024, accessed February 14, 2024. <https://www.nation.com.pk/28-Jan-2024/ecp-announces-90-675-polling-stations-nationwide-for-128-million-voters>.

33. "FAFEN Analysis of Voter Turnout," FAFEN, February 14, 2024, accessed March 4, 2024. https://fafen.org/wp-content/uploads/2024/02/FAFEN_GE-2024_Turnout_Analysis_Final.pdf

34. Ibid.

35. "Pakistan voting ends; results expected soon amid charges of manipulation," *Al Jazeera* online, February 8, 2024, accessed February 20, 2024: <https://www.aljazeera.com/news/2024/2/8/pakistan-voting-ends-results-expected-soon-amid-charges-of-manipulation>

36. "MPA-elect among many PPP men booked over election violence in Karachi," February 11, 2024, accessed February 20, 2024. <https://www.dawn.com/news/1813141>.

37. "Taliban have taken over my constituency," Mohsin Dawar," *The Current* online, February 8, 2024, accessed February 20, 2024: <https://thecurrent.pk/taliban-have-taken-over-my-constituency-says-mohsin-dawar/>

38. "Inherently undemocratic: Pakistan suspends mobile services on voting day," *Al Jazeera* online, February 8, 2024, accessed February 20, 2024. <https://www.aljazeera.com/news/2024/2/8/inherently-undemocratic-pakistan-suspends-mobile-services-on-voting-day>.

Section 13(3) of the Elections Act, 2017 mandates the returning officer to communicate the provisional results to the ECP by 2 am on the day following the election. If delayed, the RO has to provide reasons and issue the complete results by 10 am on the same day. As per our review of Al Jazeera's live election feed, the ECP had only announced results for 8 National assembly constituencies by 1:15 am.³⁹ This increased to 14 constituencies by 4 am.⁴⁰ More than half of the National Assembly constituencies had been announced by 10:45 am.⁴¹

In a press release issued on February 12, 2024, the ECP explained the reasons for delay in compilation and transmission of results.⁴² The official statement said that the delay in transmission of results from POs to ROs was due to the shutdown of mobile phone services, bad weather and long travel distances. The ECP said that the purpose of the EMS was to prepare and compile results received from POs and then generate Form-47. They said that while the EMS worked successfully in the RO offices for compiling Form-47 by entering the data received in the form of Form-45, the EMS app could not work in POs' phones because of the lack of cellular connectivity. POs had to take Form-45s manually to the ROs and they had to be accompanied by law enforcement which caused delays.

It should be highlighted that since the shutdown of mobile services was being discussed since many weeks prior to the election, the logistics of presiding officers manually transmitting results to returning officers could have been planned ahead.⁴³ It must also be noted that prior to the election, the ECP assured the public that the EMS would work seamlessly online and offline, and the chain of transmission of results would not experience any delays.⁴⁴ In a press release before the election, the ECP emphasized the successful mock test of the EMS.⁴⁵ Lastly, since bad weather or long distances were not a concern in cities like Lahore and Karachi, results were inexplicably delayed in these cities as well.

For the electorate, this slowdown in the announcement of results created an eerily similar situation to 2018, when the ECP's Result Transmission System (RTS) suddenly stopped functioning, halting results.⁴⁶ The RTS failure was never investigated and, if at all investigated, the findings were never made public.

Post-Poll Phase

The result of the 2024 General Election produced no clear winner in the National Assembly but the PTI-backed independents won the most seats, 93, while the PML-N won 75 seats, followed by the PPP with 54 seats.

Although public opinion polls⁴⁷ predicted a strikingly similar picture to the results that transpired, multiple political parties, including the GDA, the JUI, the JJ, several regional parties of Balochistan and the PTI, have alleged wrongdoing in the election and said that their mandate has been 'stolen'.⁴⁸ Even the PPP complained of wrongdoing in some constituencies. PML-N leader Nawaz Sharif also complained about the alleged wrongdoing in the National Assembly constituency NA-15 Mansehra, where he lost to an independent candidate supported by the PTI.⁴⁹ Reportedly, more than 500 complaints have been filed by candidates or forwarded by the High Courts to the ECP after the declaration of provisional results.

39. "Pakistan election results 2024 updates: National Assembly results come in," *Al Jazeera* online, February 8, 2024, accessed February 26, 2024. <https://www.aljazeera.com/news/liveblog/2024/2/8/pakistan-election-results-2024-live-counting-of-votes-under-way>.

40. Ibid.

41. "Pakistan election results 2024 updates: Counting on but no clear winner yet," *Al Jazeera* online, February 9, 2024, accessed February 26, 2024. <https://www.aljazeera.com/news/liveblog/2024/2/9/pakistan-election-results-2024-live-tight-race-as-vote-results-trickle-in>.

42. "Press Release," Election Commission of Pakistan, February 12, 2024, accessed February 26, 2024. <https://ecp.gov.pk/storage/uploads/1Kbhl90Ajqn3vOkInxjr3wKOSlfpu18i8ZqBmoX.pdf>.

43. Ahmed Bilal Mehboob, "Delay in election results," *Dawn* online, February 17, 2024, accessed February 26, 2024: <https://www.dawn.com/news/1814885/delay-in-election-results>.

44. "Election Management System (EMS) – General Election 2024," Election Commission of Pakistan on YouTube, accessed February 3, 2024. https://youtu.be/iYcong_V9v8.

45. "Press Release," Election Commission of Pakistan, February 3, 2024, accessed February 26, 2024. <https://ecp.gov.pk/press-releases/press-release-regarding-ems-mock-poll-exercise>.

46. "RTS controversy likely to haunt ECP, Nadra for a long time," *Dawn* online, August 2, 2018, accessed February 26, 2024. <https://www.dawn.com/news/1424394>.

47. "Gallup Pakistan Political Weather Report: 1 month before the General Election 2024," Gallup Pakistan, accessed February 19, 2024: <https://gallup.com.pk/post/35889>.

48. "PTI, JJ and GDA vow to put up struggle against 'rigged' polls," *Dawn* online, February 22, 2024, accessed on February 26, 2024: <https://www.dawn.com/news/1816064/pti-ji-and-gda-vow-to-put-up-struggle-against-rigged-polls>.

49. "ECP rejects Nawaz's plea against Mansehra defeat," *Dawn* online, February 16, 2024. <https://www.dawn.com/news/1814555>.

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The PTI-backed independents, in particular, have been inundating social media with what they claim are authentic Form-45s, arguing that the Form-45s that their polling agents were given paint a different picture of the constituency-wide result than the Form-47s that were issued by the ECP. The fact that the ECP failed to publish Forms 45, 46, 48 and 49 on its website within 14 days of polling day, as required under Section 95 (10) of Elections Act, 2017, further gave credence to these allegations. The deadline expired on February 22, 2024 and not meeting it was a serious setback to the credibility of the electoral process and the Election Commission of Pakistan.

While the PTI-backed independents contended that a simple majority had been stolen from them, they also refused to negotiate with the other two major parties, the PMLN and the PPP, to form a coalition government. These two legacy parties agreed to form federal government on their own.⁵⁰ To qualify for reserved seats, the PTI decided that its elected members would formally join a political party, for which they chose the Sunni Ittehad Council (SIC). The ECP decision to allocate or not allocate the reserved seats to SIC was delayed and remained a major point of contention between the ECP and the SIC for 25 days since the polling day, while allocation of reserved seats was made to all other political parties.

Initial reports from election observers were cautiously optimistic. The Commonwealth Observer Group (COG) commended the ECP for conducting the election, highlighting the legal reforms that were done leading up to the election.⁵¹ The COG recognized the challenges in the EMS but saved further elaboration on it for later. The Free and Fair Election Network (FAFEN), a consortium of Pakistani civil society organizations, acknowledged the ECP for holding a largely peaceful and organized election, in their preliminary observation report.⁵² However, they also raised concerns about the delay in the preparation of results and the Caretaker Government's decision to suspend mobile services.

Internationally, there has been a mixed reaction to the polls. The United States, the European Union and the United Kingdom have all issued cautious statements about Pakistan's 2024 General Election.⁵³ While congratulating the Pakistani people on a peaceful election day, they expressed concern about the delay in results and the allegations of rigging emerging. On the other hand, China congratulated Pakistan on a peaceful election and expressed hope that the political parties would work together for the country's stability.⁵⁴

50. "Pakistan election: PMLN and PPP reach agreement on coalition government," BBC, February 20, 2024, accessed on February 26, 2024: <https://www.bbc.com/news/world-asia-68354256>
51. "COG lauds ECP, other institutions for holding polls," *Express Tribune* online, February 11, 2024, accessed February 26, 2024. <https://tribune.com.pk/story/2456096/cog-lauds-ecp-other-institutions-for-holding-polls>
52. "FAFEN Preliminary Election Observation Report of GE-2024," FAFEN, February 10, 2024, accessed February 26, 2024: <https://fafen.org/wp-content/uploads/2024/02/FAFEN-Preliminary-Report-on-Observation-of-GE-2024-1.pdf>
53. "Serious concerns: World reacts to Pakistan polls as vote count continues," *Al Jazeera* online, February 9, 2024, accessed February 26, 2024. <https://www.aljazeera.com/news/2024/2/9/serious-concerns-world-reacts-to-pakistan-polls-as-vote-count-continues>
54. "China hopes parties to uphold social stability in Pakistan," *Express Tribune* online, February 19, 2024, accessed February 26, 2024. <https://tribune.com.pk/story/2456948/china-hopes-parties-to-uphold-social-stability-in-pakistan>

CONCLUSION

Key Issues of General Election 2024

Based on the findings of this report, it is evident that Pakistan's democratic and electoral systems face many of the same critical challenges that were faced by the country during the 2018 General Election cycle.

To summarize, the key issues which have negatively impacted the quality of the 2024 General Election are:

1. During the pre-poll phase, we observed considerable delays in scheduling of the election, political repression, lack of impartiality from State institutions and worsening law and order in Khyber Pakhtunkhwa and Balochistan.
2. The suspension of mobile phone and internet services not only compromised the Election Management System (EMS) but also created problems in electioneering and public participation in the electoral process.
3. The delay in the announcement of the provisional results beyond the deadline fixed in Section 13 (3) of the Elections Act, 2017 has prompted serious questions about the credibility of election.
4. The widespread allegations of discrepancy between Form-45 and Form-47, suggesting that the provisional result was tempered with at the Returning Officers' offices, has also created concerns around the credibility of the election.
5. The failure to publish Forms 45, 46, 48 and 49 on the ECP website within 14 days of polling day, as mandated by Section 95 (10) of Elections Act, 2017, prompted questions regarding the integrity of the election results.
6. The ECP decision to allocate or not allocate the reserved seats to SIC was delayed and remained a major point of contention between the ECP and the SIC for 25 days since the polling day, while allocation of reserved seats was made to all other political parties.

The ECP had been effectively communicating its decisions and points of view prior to the polling day but this communication appears to have considerably slowed down since the election day. The issues listed above have not been effectively addressed by the ECP in its communications. Given this context, it is imperative that there are efforts to increase transparency and accountability so that public confidence in the electoral process can be restored.

Our Recommendations to the ECP

We recommend that the Election Commission of Pakistan (ECP) conduct a thorough and impartial investigation into the delays in the compilation and transmission of results. Specifically, there should be an explanation for the apparent lack of contingency planning to meet result issuance deadlines in case of the EMS inoperability. An explanation is also necessary for the failure to publish signed copies of forms 45, 46, 48 and 49 within 14 days of polling day as required under Section 95 (8) and (10) of Elections Act, 2017.

In its February 12, 2024 press release, the ECP stated that results were announced faster in 2024 as compared to 2018. They reported that in 2018, the first result was received at 4 am, whereas in 2024, it was received at 2 am. Additionally, in 2018, result compilation took 3 days, whereas in 2024, it took 1.5 days. This admission illustrates that the ECP has been unable to meet legal deadlines in the last two election cycles. It begs the question that if the ECP believes that the existing legal deadlines are impractical, then it should recommend a change in the law to Parliament. Subsequently, we recommend that the incoming National Assembly should work on further refining electoral laws and procedures, and building stronger accountability tools for election management.

The Way Forward

In order to bring the controversies relating to the General Election 2024 to a close, there are only two possible avenues to consider. The first one is to allow Election Tribunals to resolve disputes on a case-by-case basis. Although Election

55. "Press Release," Election Commission of Pakistan, February 12, 2024, accessed February 26, 2024.
<https://ecp.gov.pk/storage/uploads/1Kbhl90Ajqn3vOkInxjr3wKOSlfpu18i8ZqBmoX.pdf>.

Tribunals are given a legal deadline of 180 days to decide election petitions, many petitions take much longer to decide. It is concerning that only two Election Tribunals have been constituted in Punjab compared to the eight constituted after 2018 General Election and the nine reportedly requested by the ECP this time. This indicates that a much longer delay in deciding election petitions is expected this time. The number of Election Tribunals should be adequately increased to decide all election petitions within the legal deadline of 180 days without fail.

The second one, in addition to the election tribunals, is to constitute a Commission of Enquiry like the one formed to probe the General Election 2013. The incoming National Assembly and the Senate should deliberate and decide whether a Commission of Enquiry should be constituted to ensure accountability, transparency and political stability.

Overall, the controversies and challenges that dominated the 2024 election cycle in Pakistan point once again to the need for transparency and accountability to overcome systemic shortcomings and safeguard the integrity of future electoral processes.



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