
National Voters Day 2019: Seminar on closing the gender gap in the electoral rolls

December 2019

Consolidating
Democracy
in Pakistan

تعمیر

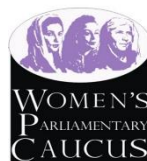


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Acronyms and Abbreviations

CNIC	Computerised national identification card
CSO	Civil society organisation
DVEC	District Voter Education Committee
ECP	Election Commission of Pakistan
GB	Gilgit-Baltistan
NADRA	National Database and Registration Authority
PIPS	Pakistan Institute for Parliamentary Studies
WPC	Women's Parliamentary Caucus

1. Background

DAI-Tabeer (Consolidating Democracy in Pakistan) works to increase the capacity, accountability, and responsiveness of Pakistan's political institutions. The team provides technical assistance to the Election Commission of Pakistan (ECP) to improve its oversight of elections and help members of parliament and political parties to better represent the needs of their constituents. In addition, the program works with civil society organisations (CSO) to increase the participation of Pakistani citizens in the policymaking process, with a particular focus on engaging women, youth, people with disabilities, and ethnic and religious minorities.¹

In 2017, the ECP officially declared 7 December as National Voters Day, to increase awareness of the importance of voting and to encourage citizens to be registered on the electoral rolls.² On 12 December 2019, DAI-Tabeer in collaboration with the Women's Parliamentary Caucus (WPC) and Pakistan Institute for Parliamentary Studies (PIPS), organised a one-day seminar titled "Closing the Gender Gap in the Electoral Rolls". It was attended by members of the National Assembly and the Senate, the Legislative Assembly of Gilgit-Baltistan, representatives of civil society, and students and faculty members from six universities. The Additional Director-General for Gender Affairs at the ECP also attended the event.

Participants in the seminar discussed Parliament's legislative oversight and role in ensuring that the gender gap in the electoral rolls is bridged; making the process of obtaining a computerised national identity card (CNIC) easier and more accessible; and protecting and promoting women's participation in electoral and political processes.

Political participation, especially in the electoral process, is the fundamental right of every citizen and the cornerstone of any democratic system. The right to vote has an even greater significance in a country like Pakistan where the democratic system is still evolving. However, women and members of other socially excluded groups such as transgender persons and persons with disabilities, are often unable to participate in elections for various social and institutional reasons. These include barriers to obtaining CNICs and a lack of awareness and voter education.³

The challenges women face in securing CNICs have direct impact on their entry into the electoral rolls and their ability to access basic state services such as justice, health, education and participation in social welfare programmes. It is, therefore, critical that the narrative around CNIC possession be centred on rights and focused on the government's obligation to ensure CNICs are issued to all eligible citizens aged 18 years and above.

There is also a need to initiate a national discussion on amending the relevant laws, including the National Database and Registration Authority (NADRA) Ordinance, 2000, and Elections Act, 2017.

¹ For more information, see: <https://www.dai.com/our-work/projects/pakistan-consolidating-democracy-in-pakistan-cdip>.

² *Express Tribune*. "Voters Day to be Celebrated on Dec 7". 18 October 2017. Available at: <https://tribune.com.pk/story/1534162/voters-day-celebrated-dec-7/>.

³ Concept Note - Voters Day Seminar on Gender Gap in the Electoral Rolls.

2. Objectives

The aim of the seminar was to hold an informed discussion on the current situation of the gender gap in the electoral rolls, and potential measures that could be taken to increase the number of registered women voters, including new legislation or amending existing legislation to support women's rights to obtaining CNICs and voting.

3. Seminar proceedings

The theme for National Voters Day 2019 was 'Closing the Gender Gap in the Electoral Rolls'. The panellists were:

- Additional Director-General for Gender Affairs, ECP, Nighat Siddique;
- Member National Assembly Uzma Riaz;
- Member National Assembly Nosheen Hamid;
- Member Legislative Assembly, Gilgit-Baltistan, Shireen Akhtar;
- Member National Assembly Farrukh Khan;
- Senator Seemi Aizdi;
- Senior Technical Advisor, DAI-Tabeer Mukhtar Ahmed Ali;
- Member National Assembly and WPC Secretary, Munaza Hassan.

3.1 Welcome remarks by Executive Director, PIPS, Muhammad Rashid Mafzool Zaka

Mr Zaka welcomed the panellists and the audience, which included faculty and students of Quaid-i-Azam University, Air University, Hamdard University, RIPAH University, National University of Science and Technology and Capital University of Science and Technology.

He outlined the history of Parliament and described how, while Pakistan was created on 14 August 1947, the first session of Parliament, (Pakistan's first institution) was held on 10 August 1947. Muhammad Ali Jinnah, then the Speaker of the National Assembly, presided over the session and the Islamic Republic of Pakistan was officially created. Prior to being the founder of Pakistan, Mr Jinnah had been a member of numerous elected legislative assemblies for 38 years. This, Mr Zaka argued, was why it was surprising when, on 12 August 1947, a resolution was presented by then-Prime Minister Liaqat Ali Khan for Mr Jinnah to be officially titled "Quaid-e-Azam". This resolution was debated within Parliament by members of both the Congress Party and the Muslim League Party. A non-Muslim member suggested that when India stopped calling its founding fathers, Mohandas Gandhi "Mahatma", and Jawaharlal Nehru "Pandit", Pakistan would also stop using the term "Quaid-e-Azam".



Mr Zaka drew two important lessons from this incident in Parliament: First, a person who championed Pakistan and was a legislator for 38 years let the Parliament debate his title. The

essence of Parliament is that it gives everyone a chance to speak and they can agree to disagree. Second, when there is a conflict of interest around a matter in Parliament (i.e. it affects one personally) one is to stay silent and let the other members decide. Thus, Quaid-e-Azam simply considered himself a “servant of Parliament”.

This approach of the Quaid must be taken forward by encouraging citizens to vote and voice their opinions to their elected representatives, and it is incumbent upon the faculty and students of universities to spread awareness in their communities and increase voter registration.

Mr Zaka proposed that the focus of this seminar should be on three areas:

- How can voter registration be increased?
- How can men be involved to be supportive of female voter registration?
- How can it be ensured that registered female voters participate in elections and the political process?

3.2 Presentation by Senior Technical Advisor, DAI-Tabeer, Mukhtar Ahmed Ali

Mr Ali laid the ground for discussions by describing the context of the gender gap in the electoral rolls, and providing some recommendations.

The gender gap in the electoral rolls is approximately 12.5 million, and is constantly changing with deaths, births, and youth turning 18 years of age. Besides women, there is also a large number of unregistered men, which means the gender gap could potentially be larger than current figures suggest.



3.2.1 Reasons for the gender gap

A citizen cannot be registered by ECP as a voter if they do not possess a CNIC issued by NADRA. Without eligibility to vote, citizens are deprived of a fundamental right in a democratic country like Pakistan. There are several reasons why citizens, especially women, may not have CNICs.

Perceived utility: There was, formerly, no apparent benefit to getting a CNIC or registering to vote. In the past, a CNIC was not required to vote, open a bank account or buy a mobile phone or SIM card, but this has now changed. There are several social benefits that citizens cannot avail without a CNIC. More broadly, a lack of CNICs can also lead to law and order issues; for example, the police may be unable to trace criminals if they are not registered with NADRA.

Social constraints: Some still feel women do not need CNICs, nor do they need to vote, and they also forbid women from being photographed. Fortunately, these attitudes are slowly changing.

Mobility constraints: Women may have to travel long distances to reach a NADRA office, might have to be accompanied by a man, and make several trips to submit all the correct

documentation. This is especially challenging for daily wage labourers, who must sacrifice a day's wage to make a trip to NADRA.

Institutional constraints: NADRA has been in existence for 18 years. It is a top performing institution and has achieved several milestones during its existence, but lacks strong coordination with local governments who register births, deaths and marriages. These local governments also have constraints around capacity and resources needed to reach all citizens in their regions. NADRA also has limited resources to reach all citizens and is dependent on the citizen to visit its offices.

NADRA will not register a CNIC if all documents are not ready, there is currently a lot of documentation which could be irrelevant for a CNIC these days. The NADRA Ordinance, 2000, as it currently exists, holds citizens accountable for not having a CNIC but does not take into account the fact that NADRA fails to register citizens, despite several visits, due to issues in documentation. Nevertheless, NADRA is working beyond its mandate with mobile vans to reach citizens in remote region. ECP has also conducted door-to-door visits to reach and register voters.

3.2.2 Issues in the NADRA Ordinance, 2000

Ordinance text: *An Ordinance to provide for the establishment of the National Database and Registration authority so as to facilitate the registration of all persons and the establishment and maintenance of multipurpose databases, data warehouses, networking, interfacing of databases and related facilities.*

Issue: Currently, the responsibility of NADRA is “to facilitate”, not “to ensure” registration of all citizens.

Ordinance text: *Every citizen in or out of Pakistan who has attained the age of eighteen years shall get himself and a parent or guardian of every citizen who has not attained that age shall, not later than one month after the birth of such citizen, get such citizen registered in accordance with the provisions of this Ordinance.*

Issue: The onus is entirely on citizens to get themselves registered on attaining the age of 18. Moreover, the Ordinance does not mention NADRA's role in strengthening the birth and death registration system in the country. This section, therefore, needs to be amended to mandate NADRA to proactively register all citizens. It does not make NADRA accountable to register citizens, and hence the authority has no incentive to conduct awareness campaigns on CNIC registration.

Ordinance text: *The Authority shall issue or renew, or cause to be issued or renewed, in such manner and on terms and conditions, subject to every citizen who has attained the age of eighteen years and got himself registered under section 9, a card to be called National Identity Card in such form, with such period of validity upon payment of such fee in such form and manner as may be prescribed.*

Issue: This needs to be amended to make it consistent with other proposed amendments, and to require NADRA to identify unregistered classes of citizens for special measures. Once the CNICs are used, the ECP shall issue electoral rolls for elections to the National Assembly, provincial assemblies and local government bodies.

3.2.3 Proposed ways forward

- NADRA should become a more proactive body to reach out to all citizens;
- NADRA should be empowered to improve coordination with local governments to streamline, birth, death and marriage registration;
- There should be Parliamentary oversight of NADRA. At present, NADRA sends an annual report to the Federal Government but not to Parliament;
- NADRA should continue to improve their outreach capacity. At present, the authority is going out of its mandate by using mobile vans. This should be added to its legal mandate;
- Citizens should have the right to obtain information from NADRA if needed;
- Local government capacity should be enhanced. NADRA's records shows countless deceased citizens as alive, which also translates to the electoral rolls.

3.3 Remarks by ECP Additional Director-General for Gender Affairs, Nighat Siddique

There are 272 constituencies in the National Assembly, of which 173 have gender gaps exceeding 10%, and 99 constituencies are below 10%. At the provincial level 570 constituencies have large gender gaps. Under the Elections Act, 2017, section 47,⁴ ECP is responsible for bridging this gender gap.

Keeping in mind the 12.5 million gender gap in the electoral rolls, ECP decided to create a separate gender wing which looks specifically into issues around registering women voters. This will eventually lead to increased political and election participation.



ECP has 300 employees while the voter bank is close to 110 million; this suggested a need for more stakeholders and grassroots communities to assist in registering voters. ECP started by establishing a gender and disability working group to engage civil society, engaged with CSOs working with women and minorities, and reached out to every district. The chair in every district is the district election commissioner.

Several awareness-raising campaigns were conducted across the country through universities and students. District Voter Education Committees (DVEC) were established and anyone can join campaigns through these platforms.

⁴ Election Act, 2017, section 47: *Special measures for enrolment of women voters.*—(1) *The Commission shall annually publish disaggregated data of registered men and women voters in each National Assembly and Provincial Assembly constituency highlighting the difference in number of registered men and women voters.* (2) *Where the variation in the disaggregated data under sub-section (1) is more than ten percent in a constituency, the Commission shall take special measures to reduce such variation.*

3.3.1 ECP voter registration campaign

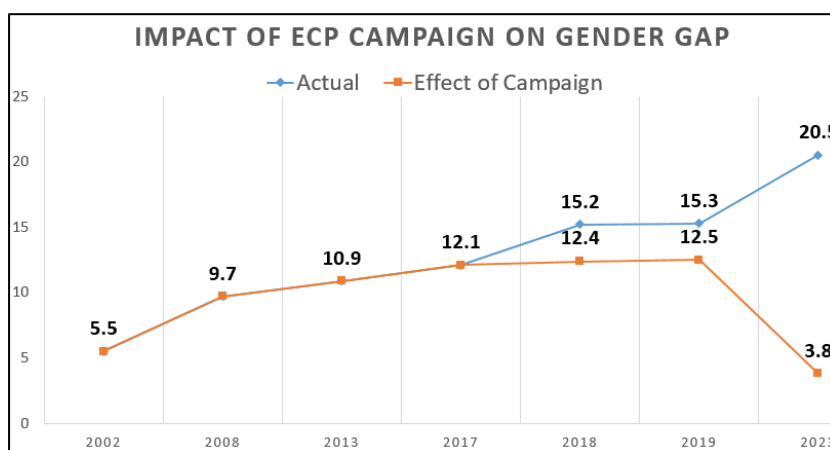
ECP started a CNIC voter registration campaign aimed at women in October 2017 and was assisted in 103 districts by CSOs. Lists of households with unregistered women were drawn up and CSO staff went door-to-door to mobilise women. NADRA was requested to send mobile vans to registration points where ECP collected a large number of women ready to be registered for their CNICs. Some women were provided transportation to and from registration points. A total of 4.3 million women registered with NADRA and ECP through this method. ECP is now extending this service to transgender and disabled citizens, and NADRA vans go to the houses of persons with disabilities to register them for CNICs.

3.3.2 Impact of the ECP voter registration campaign

As a result of this campaign, the gender gap in the electoral rolls was prevented from increasing to 15.3 million by 2019, and was controlled at 12.5 million. If the campaign continues the gender gap is projected to decline to 3.8 million by 2023, when the next General Election is scheduled to take place. Without the campaign, however, the gender gap is projected to grow to 20.5 million by 2023.

Under the Election Act, 2017, section 48⁵ ECP has also taken special measures to register minorities, transgender and persons with disabilities.

However, ECP data also shows that women didn't vote despite being registered with both NADRA and ECP. To overcome this challenge ECP will focus on increasing awareness of the importance of voting. With the help of the students present in the audience in educating their communities, ECP could reach 3.8 million potential voters.



Under Election, Act 2017, section 206,⁶ all political parties must allocate 5% of seats to female candidates. Surprisingly, in 2008, 180 women contested General Election 2008, winning 26 seats (14.4% winning seats), but in General Election 2018, 463 women contested but won only 16 seats (3.4%). ECP is still unsure of the factors contributing to this drop, and it would be a useful subject of research for interested students.

⁵ Election Act, 2017, section 48: *Enrolment of non-Muslims etc.—(1) The Commission shall take special measures for registration of non-Muslims, persons with disabilities and transgender citizens in the electoral rolls as voters.*

⁶ Election Act, 2017, section 206: *Selection for elective offices.— A political party shall make the selection of candidates for elective offices, including membership of the Majlis-e-Shoora (Parliament) and Provincial Assemblies, through a transparent and democratic procedure and while making the selection of candidates on general seats shall ensure at least five per cent representation of women candidates.*

Following General Election 2017, ECP spoke to both winning and losing candidates (both male and female) to get an idea of the challenges they faced in the election process and to document their recommendations. National and international election observers were also consulted. ECP then conducted a post-election review which was submitted to Parliament. ECP also updated its strategic plan on the basis of its review. The organisation makes a conscious effort to recruit female staff where possible. All ECP staff training is gender sensitive; staff can also avail of day care centres, and steps have been taken to tackle workplace harassment within the ECP. ECP is also looking into creating disability-friendly ramps in all polling stations. We all have to ask ourselves what are the individual contributions we could make to increase inclusiveness within Pakistan.

3.4 Panel discussion

3.4.1 Senator Seemi Aizdi

Registering voters is the responsibility of both the government and political parties. During Ms Aizdi's time as a DVEC member, it was the local government's responsibility to lead on voter registration. Voter registration camps were opened in union councils where they provided CNICs, voter registration and changes in voter registration if needed. These camps saved citizens additional trips by performing all the services required in one day.



Ms Aizdi argued that, along with registration there should be emphasis on creating awareness of the importance of voting. Many women feel their single vote won't make a difference and as a result 60,000 registered female voters did not vote. Yet a polling station's results are considered void if it doesn't have at least 10% female voters.

Ms Azidi described how she had made sure that all polling stations in her constituency had ramps so that persons with disabilities or mobility concerns would not turn back without voting. Ramps are not expensive, she pointed out: a ramp costs approximately PKR 30,000 to install.

3.4.2 Member National Assembly, Farrukh Khan

Based on her years of experience, Ms Khan described the gaps in the election process. For instance only women workers have access into households to mobilise women voters. Many men prevent their women from having CNICs or even being photographed, but this may be countered by pointing out that pictures are also compulsory for the *umra* and *hajj* pilgrimages.



Local bodies, especially local councillors, she said, are very effective in mobilising communities. They know how many children have had the polio vaccination, how many are aged 18, and how many women remain unregistered in a household. These councillors must be engaged in the election process.

Ms Khan stated that NADRA mobile vans are effective and should continue their work. She also argued that the minimum female voting rate at polling stations should be increased from 10% to 25%.

3.4.3 Member National Assembly, Uzma Riaz

Ms Riaz expressed her pleasure at seeing students taking an interest in this seminar as a sign of their increased political awareness. She shared her experience from her constituency in Abbottabad, where a conscious political effort was made to increase political awareness in empowering people to choose the best representative. Ms Riaz conducted grassroot trainings with guidance from Munaza Hassan (then the president of the Pakistan Tehreek-e-Insaf, PTI women's wing), Nafeesa Khattak (general secretary, PTI women's wing) and Noreen Ibrahim (KP president, PTI women's wing).



She stated that women's political participation is not possible without backing from the men in their lives. Ms Riaz highlighted the immense support provided by her brothers, husband and in-laws in her political career. She argued that there should be more awareness of the 10% female voter requirement in polling stations to compel men to allow women to vote.

3.4.4 Member National Assembly, Nosheen Hamid

Ms Hamid pointed out that women parliamentarians, both in provincial and national assemblies, contribute 60% of the work in Parliament. They are the only ones to table issues related to women; very rarely are such issues highlighted by male parliamentarians. Interestingly, she said, a discussion on women's issues divides Parliament into male versus female parliamentarians, instead of the usual government versus opposition divide. That is why, she argued, it is important to increase the number of women voters and, eventually, women candidates.



3.4.5 Member, Gilgit-Baltistan Legislative Assembly, Shireen Akhtar

Besides being a member of the Gilgit-Baltistan (GB) Legislative Assembly, Ms Akhtar is also General Secretary of the WPC in the GB Legislative Assembly.

She described the context of GB, which is divided into three regions: Gilgit, Baltistan and Diamer. The first two have a high voter turnout compared to Diamer, where the literacy rate is very low and this directly impacts on women voting. The GB government is making efforts to address this, but needs to be supported by the federal government.

Ms Akhtar recommended that GB parliamentarians should be invited to seminars held on this matter.



3.5 Keynote speech by Member National Assembly, Munaza Hassan

In addition to being a member of the National Assembly, Ms Hassan is Secretary, WPC, and the chief guest on this occasion.

Ms Hassan began by thanking DAI-Tabeer for working with WPC on areas of mutual interest related to women's empowerment.

The list of social injustices against women is long, she said. Many women in urban, rural and far-flung areas are not given their due rights. Women need greater representation in Parliament to protect the interests of 50% of the population. They need to be part of important decision-making to continue to table issues related to them. It is, she pointed out, impossible to achieve Pakistan's development goals without the involvement of women. All successful countries have involved women in their decision-making processes. This can only be done if individual women use their right to vote.



The Election Act, 2017, has played a role in encouraging women to vote by declaring polling stations or entire constituencies void if 10% of women voters did not vote. It is presumed in these cases that women voters have been constrained from voting. The Act also requires the annual publication of gender-disaggregated voter data and empowers ECP and NADRA to make targeted efforts in constituencies where the gender gap exceeds 10%. Preventing women from contesting elections or casting a vote is considered a corrupt practice and is punishable by three years prison and a fine of PKR 100,000. The Act binds political parties to ensure 5% of their candidates for general seats are women. Yet, these efforts under the Election Act, 2017, the gender gap in the electoral rolls continues to grow.

She announced that WPC has decided to review and propose relevant amendments in both the NADRA Ordinance, 2000, and Election Act, 2017, in the National Assembly. Both amendments will ensure that an enabling environment exists to increase CNIC registration and female involvement in political activities. Along with passing laws, she stated that we must, as a society, ensure the implementation of these laws.

3.6 Vote of thanks by Parliament Portfolio Advisor, DAI-Tabeer, Quraysh Khan Khattak

Mr Khattak thanked Ms Hassan and PIPS for their part in organising a seminar on National Voters Day for the third consecutive year. He also thanked the parliamentarians and other participants for attending the event.

Mr Khattak stated that the issue of missing women voters is larger and deeper than is generally acknowledged, and puts a question mark on the credibility of the political and electoral system. He pointed out that if 12.5 million voters are missing from the electoral roll and another 50 million registered voters (the majority of them again women) do not vote, this means that out of the 120 million voting age population, half are excluded from the election process.



If looked at through the prism of Article 2A of the Constitution (on the use of sovereign authority by the chosen representatives of the people) the situation appears grim. He recommended three steps:

- Both NADRA and ECP should be given resources by the government;
- NADRA Ordinance, 2000, and Election Act, 2017, should be reviewed and amended without further delay;
- Parliament should take ownership of the CNIC and voter registration processes and form a special committee to oversee the work of NADRA and ECP.

3.7 Question-and-answer session

Student, CUST: *You have encouraged us to vote, but our successful candidates do not fulfil their promises which demotivates voters from voting again. Candidates should also have seminars on how to fulfil promises.*

Ms Hassan: It is important that candidates fulfil their promises, but your vote is your power. If the promises are not fulfilled then do not vote [for them] again. If a candidate continues to win in every election despite poor performance please make a deeper assessment of the reasons for their winning.

Ms Akhtar: You are lucky to have tools like social media to communicate with your elected members and hold them accountable. You can put pressure on your elected members through this medium.

Student, Quaid-e-Azam University: *In my village, CNICs are issued and voters are registered at an accelerated rate by the efforts of political candidates when it's election season. NADRA and ECP do not play any role in my village.*

Ms Hassan: Parliament will now take it upon itself to amend the NADRA Ordinance, 2000, which holds them accountable for CNIC issuance and voter registration. It is our responsibility to look into gaps in current laws.

Ms Akhtar: We have to make sure the people in our villages and communities are united in their message to political candidates that they will only vote for them if candidates are able to ensure certain developments in the region.

Student, RIPA University: *ECP should play a role in preventing poor performing candidates from continuously switching political parties to ensure they are with the winning party and are guaranteed a seat in Parliament despite their past poor performance.*

Ms Hassan: It is a candidate's right to change their political parties if another party matches their ideology.

Ms Hamid: It all starts from the top. If the top leadership of a political party is performing well its lower tier political candidates will work better as well. There will be instances where a candidate performed poorly with one party but does better with another party.

Ms Khattak: Every political candidate is at a specific level. A member of the National Assembly is responsible for federal legislation while a member of a provincial assembly is responsible for provincial legislation. They work at policy level and do not look explicitly at specific neighbourhoods. Once policies are made, time is needed to allocate budget and ensure implementation. We have to be patient with the process.

Follow-up question: *Candidates usually have endless amounts of funds which they spend on their campaign and to buy votes. They can use these funds to make specific improvements in their communities.*

Ms Khattak: These funds are the candidate's personal funds. You as a voter should not be bought by money, if a candidate attempts to buy your vote that should be enough of a sign to declare him an unsuitable candidate.

Nargis Nasir, Chairperson, Metropolitan Corporation Islamabad: This is an excellent awareness session, all these laws will work when local bodies are connected with their communities and ensure implementation of these laws.

4. Conclusion and way forward

To close the gender gap in the electoral rolls, WPC will, with support from DAI-Tabeer, review and suggest amendments in the NADRA Ordinance, 2000, and Election Act, 2017. According to the suggested amendments, NADRA and ECP will be supervised and held accountable by Parliament to ensure issuance of CNICs, registration of voters and greater collaboration with local bodies.

4.1 Recommendations

- NADRA and ECP should be allocated resources by government to perform their roles effectively. These resources are beyond what donors like DAI-Tabeer can provide;
- Parliament should ensure ownership and supervision of both NADRA and ECP. NADRA should send a copy of its annual report to Parliament;
- NADRA Ordinance, 2000, should be reviewed and amended to ensure registration of voters and empower the authority for effective coordination with local governments;
- NADRA should proactively reveal information regarding the gender gap. Awareness should be raised on the challenges in reducing this gap;
- Literacy rate should be improved in constituencies where the gender gap is wider;
- Government, with the assistance of ECP, NADRA, local bodies and CSOs, should play a role in directing local efforts to reduce the gender gap and ensure turnout by women voters;
- If women voters' turnout is less than 25% in any constituency, its results should be nullified;
- More efforts should be made to include persons with disabilities in electoral processes. One initiative may be to construct ramps in every polling station;
- NADRA mobile vans are effective, and should expand their outreach;
- ECP should continue raising awareness through various programmes and door-to-door campaigns, not only in the run-up to elections but throughout the period between elections;
- There should be focused awareness campaigns for men in urban and rural areas to understand the importance and right of women to vote.