

Press Statement

The Independent Panel for Monitoring Indian Elections (IPMIE)

30 August 2024

The IPMIE, consisting of a group of experts from various disciplines and multinational backgrounds, has released its final recommendations on protecting election integrity in India, and calls on the Indian authorities to implement these with immediate effect.

In response to growing concerns about the integrity of India's 2024 General Election (GE), the IPMIE set out to monitor all aspects of the election process, with the goal of ensuring transparency and fairness. During the GE period, we published eleven weekly bulletins and three in-depth reports documenting violations of electoral integrity.

We note that during the election, we observed and highlighted several violations of electoral integrity with the Election Commission of India (ECI). In our final briefing paper, we reflect on those violations, namely;

- 1. Electoral procedure and alleged infractions in vote counting.** The absence of adequate cross-verification between EVMs and VVPATs - the insistence on non-counting of VVPATs by design - may have facilitated large-scale, spurious injections of votes during each of the seven phases of voting. After analysing discrepancies between provisional and final vote tallies released by the ECI, experts alleged that elections may have been 'stolen' in as many as 79 parliamentary constituencies. Several reported instances from across the country of bogus voting and other voting day infractions, as well as widespread complaints of manipulation and other malpractices by ECI officials lent credence to these concerns.
- 2. Voting registration and allegations of voter exclusion and suppression:** State-led voter suppression measures were reported from Gujarat (where hundreds of Muslim fishermen were reportedly struck off from voter rolls), Uttar Pradesh (where dozens of voters in Muslim-concentration villages were reportedly physically assaulted and restrained from voting by policemen), Jammu & Kashmir (where policemen detained party workers and activists unlawfully) and Assam, where around 100,000 residents had in the past been designated as 'doubtful voters' by the ECI.
- 3. Party financing and abuse of state agencies to deny level playing field:** Data relating to electoral bonds appeared to confirm the BJP's near-monopoly over political financing. There was also evidence to suggest that the BJP may have been involved in quid pro quo relationships with corporate donors, many of whom had secured lucrative government contracts, subsidies, and other forms of government support. Ahead of and during the GE period, central government agencies were systematically mobilised to target key parties and leaders of the INDIA bloc of opposition parties.
- 4. Sectarian rhetoric and media coverage:** Throughout the election period, the BJP, led by Prime Minister Narendra Modi, engaged in sectarian rhetoric on a hitherto unprecedented scale. At least 287 instances of hate speeches (including 61 by Modi) have been documented. The BJP's core narrative demonised Muslims (who were referred to as 'infiltrators' and 'jihadis', among other dehumanising terms). Television broadcast networks continued to be highly partisan in favour of the BJP, and 'shadow advertisers' pushing a coordinated disinformation campaign on social media networks, seemingly on behalf of the BJP.
- 5. Electoral authority:** The ECI appeared largely to act like an arm of the government, refusing to take decisive action against violations of the Model Code of Conduct (MCC) and of electoral laws by ruling party members. The ECI's conduct throughout the election process reflected a systematic abdication of its constitutional obligation to conduct free and fair elections. Efforts by opposition parties, election watch bodies and citizens groups, as well as by us as independent experts, to address the many concerns to ECI, went largely unheeded.

- 6. Lack of electoral redress:** The performance of India's higher judiciary, particularly the Supreme Court (SC), during the 2024 GE was mixed. While it outlawed electoral bonds in February 2024 and ensured the release of related data, its response to petitions seeking remedies related to various electoral integrity weaknesses – including the new appointments procedure to the ECI, weaknesses in the EVM-VVPAT system, communal campaigning by BJP leaders, and the ECI's delay in publishing voter turnout data – was inadequate.

With these concerns in mind, we urge the Indian authorities to implement the following recommendations:

- 1. Amend electoral laws,** including sections of the Constitution, the Representation of the People Act and the Model Code of Conduct to strengthen the independence of the Election Commission of India and empower it, prevent gerrymandering in future delimitation processes, allow judicial review of election-related decisions, ensure the public disclosure of all financial contributions received by political parties, and root out corruption.
- 2. Strengthen Electoral processes** to ensure the voting process is verifiable and transparent, that civil society has a role in revising and updating draft electoral rolls, and that data pertaining to EVMs and the election overall is made available in real-time.
- 3. Ensure the Election Commission of India** is brought under the direct oversight of Parliament, that its appointment procedures are revised to guarantee cross-party inclusion, and that it is granted enhanced powers to proactively regulate political parties and to impose stricter election-time penalties for violations of the MCC.