



FAFEN BY-ELECTION WATCH—I

Election Administration and Pre-Election Environment

Islamabad—June 20, 2008

The Free and Fair Election Network (FAFEN) has deployed coordinators in 36 constituencies (7 National Assembly and 29 Provincial Assembly) across the country to observe all aspects of the process in advance of by-elections scheduled for June 26, 2008. FAFEN observers send weekly reports to the FAFEN Secretariat based in Islamabad, which uses the information generated to raise issues with various stakeholders with a view to improving the quality of electoral processes.

This report emphasizes issues pertaining to election administration and the pre-election environment prevailing in these constituencies. The report covers the period from June 1–June 14, 2008, and is based on information received from the following constituencies.

S. No	Province	Total Number of Constituencies		District	Constituency Number
		NA	PA		
1.	Punjab	2	2	Lahore	NA-119, NA-123, PP-141, PP-154
		2	1	Rawalpindi	NA-55, NA-52, PP-10
		--	2	Faisalabad	PP-59, PP-70
		--	1	DG Khan	PP-243
		--	1	Rahim Yar Khan	PP-295
		--	1	Muzaffargarh	PP-258
		1	--	Sheikhupura	NA-131
		--	1	Nankana Sahib	PP-171
		1	--	Okara	NA-147
		--	1	Sialkot	PP-124
		--	1	Khanewal	PP-219
		--	1	Pakpattan	PP-229
		--	1	Bahawalnagar	PP-277
		--	1	Hafizabad	PP-107
		--	1	Mandi Bahauddin	PP-118
		2.	NWFP	1	--
--	1			Swat	PF-81
--	1			Charsadda	PF-20
--	1			Abbottabad	PF-45
--	1			Battagram	PF-59
--	1			Lakki Marwat	PF-75
--	2			Dir	PF-91, PF-92

1. Election Administration

A. Electoral Rolls

The Final Electoral Roll (FER) along with the supplemental list of registered voters drawn from the 2002 Electoral Roll are present in all NA and PA constituencies from which FAFEN observers have reported.

B. Security Arrangements

District Returning Officers (DRO) have finalized security plans for all phases of elections for all NA constituencies and for at least four PA constituencies (PP-118, PP-243, PP-258 and PP-141). DROs have prepared supplementary plans involving various security agencies to meet any emergency during the election period in four NA constituencies (NA-11, NA-52, NA-55, and NA-131) and five PA constituencies (PF-59, PP-59, PP-118, PP-243 and PP-258).

C. Sensitive Polling Stations

Except for PP-59, there are no other NA or PA constituencies where ROs have declared any polling station as “sensitive.”

D. Issuance of Observer Accreditation Cards at District Level

In violation of clear instructions from the Election Commission of Pakistan (ECP) that DROs should issue accreditation cards to domestic observers, DROs supervising elections in three NA constituencies (NA-119, NA-123, and NA 131) and 14 PA constituencies (PF-45, PF-75, PP-107, PP-118, PP-124, PP-219, PP-229, PP-243, PP-258, PP-99, PP-70, PP-141, PP-171 and PP-154) are refusing to adhere to ECP directions. As a result, FAFEN observers may have to seek accreditation from either the provincial ECP or the ECP in Islamabad. DRO obstruction of the election observation process also was a very significant issue during the 2008 general elections.

E. Polling Station Lists by ROs

FAFEN reports suggest that ROs in four NA constituencies (NA-11, NA-52, NA-119, and NA-123) and 14 PA constituencies (PF-59, PF-81, PF-92, PP-10, PP-59, PP-118, PP-124, PP-219, PP-229, PP-243, PP-258, PP-295, PP-99 and PP-141) have selected suitable public buildings for the establishment of polling stations and sent the lists for final approval to the DROs. Such lists have also been finalized by the ROs in five other constituencies (NA-131, PF-75, PP-59, PP-124 and PP-229), but have yet to be sent to the DROs. FAFEN observers were unable to gather any information about polling station lists in NA-55 and NA-147. Candidates in PF-59 and PF-75 are reported to have objected to the location of one or more polling stations.

F. Finalization of Polling Schemes by DROs

In violation of legal provisions, Polling Scheme in at least three NA constituencies (NA-131, NA-55 and NA-11) and five PA constituencies (PF-45, PF-75, PP-107, PP-124 and PP-154) have yet to be finalized. Polling Schemes have not been shared with political parties or FAFEN coordinators in two additional NA constituencies (NA-123 and NA-119) and four additional PA constituencies (PF-35, PP-229, PP-141, and PP-171).

G. Lists and Qualifications of Polling Staff

Returning Officers (RO) have not yet prepared (or made available) the lists of polling staff for duties on By-Election Day in two NA constituencies (NA-123 and NA-131) and 8 PA constituencies (PF-20, PP-107, PP-243, PP-258, PP-99, PP-70, PP-171 and PP-154). All nominated polling officials are government employees. In most constituencies where polling officials have been nominated,, Presiding Officers (PrOs) are of Grade 17 or above, but some PrOs in four constituencies (NA-131, PF-45, PP-59 and PP-171) do not meet this legal criterion.

H. Training Materials to Election Officials

DROs supervising elections in one NA constituency (NA-119) and six PA constituencies (PF-45, PP-243, PP-99, PP-141, PP-171 and PP-154) report that they have not yet received ECP handbooks providing detailed instructions about their responsibilities. ROs in two NA constituencies (NA-119 and NA-123) and three PA constituencies (PP-99, PP-141 and PP-154) have also not received the ECP instructional materials for the by-elections.

Constituencies where Presiding Officers, Assistant Presiding Officers (APOs) and Polling Officers (POs) have not received any ECP handbooks explaining their duties for the by-elections include three NA constituencies (NA-119, NA-123 and NA-131) and 11 PA constituencies (PF-75, PF-91, PP-10, PP-59, PP-107, PP-124, PP-243, PP-258, PP-141, PP-171 and PP-154).

I. Perception of Neutrality of Election Officials

Election officials were generally perceived as neutral in most NA and PA constituencies. However, DROs supervising elections in NA-147, PF-59 and PP-107 were not perceived as neutral by political parties and candidates. Similarly, the RO in PP-107 was considered partisan by some political parties and the candidates. Election Day officials NA-131 and PP-99 have also been declared as not neutral by some candidates. In total, one or more election officials are perceived as partisan or favoring one contesting candidate in two NA constituencies and three PA constituencies.

J. Responsiveness of Election Officials

DROs and ROs were found to be responding to the queries raised by candidates and observers in all NA and PA constituencies except for ROs in NA-52 and NA-55, who were not responsive to election stakeholders.

K. Posting and Transfers of Election Officials after May 7, 2008

Contrary to election law, new Assistant Election Commissioners (AECs) have been appointed in Abbottabad (NWFP) and Rawalpindi and Rahim Yar Khan (Punjab) after the announcement of the by-election schedule on May 7, 2008. New DROs have been appointed in Abbottabad and Lakki Marwat (NWFP) after May 7, 2008, while PF-45 and PP-10 also had new ROs after that date.

L. Election Expense Tracking System

Election Commission officials do not have any tracking mechanism to monitor the election campaign expenses incurred by contesting candidates in three NA constituencies (NA-119, NA-123 and NA-147) and 15 PA constituencies (PF-45, PF-75, PF-81, PF-91, PP-59, PP-124, PP-219, PP-229, PP-243, PP-295, PP-99, PP-70, PP-141, PP-171 and PP-154). In the constituencies where election officials claim that there is such a system, they could not elaborate its mechanics.

M. Complaint Handling Mechanism

Election officials have not been able to provide FAFEN observers with information about any system to address the complaints pertaining to the violations of Code of Conduct for Political Parties and the Contesting Candidates in four NA constituencies (NA-11, NA-119, NA-123, and NA-131) and 13 PA constituencies (PF-45, PF-75, PF-81, PF-91, PP-124, PP-229, PP-243, PP-295, PP-99, PP-70, PP-141, PP-171 and PP-154). While election officials are taking action against such violations in most NA constituencies, complaints are reportedly not being addressed in NA-119.

2. Pre-Election Environment

A. Election Campaign

Election campaigning in seven NA constituencies has yet to pick up. FAFEN observers in only two NA constituencies (NA-11 and NA-131) reported that contesting candidates are holding public rallies. However, candidates in NA-147 are holding corner meetings, since voters are not attending public rallies due to security fears.

Similarly, the election campaign has yet to gain momentum in 22 PA constituencies from which FAFEN has received observation reports. Observers in only 10 PA constituencies (PF-81, PF-91, PF-92, PP-59, PP-118, PP-258, PP-295, PP-99, PP-70 and PP-171) have witnessed public rallies by one or more contesting candidates. However, candidates in 18 PA constituencies are holding smaller corner meeting to attract voters. Voters in PF-91, PF-92, PP-70 and PP-154 report being fearful of attending big rallies, though there have been some public rallies in PF-91 and PF-92.

B. Public Satisfaction with Security Arrangements

Other than the contesting candidates in NA-55, candidates in other NA constituencies have expressed satisfaction with security situation and arrangements made by the government. However, candidates in NA-11 and NA-131 are making supplemental private arrangements for their security.

Candidates in 18 observed PA constituencies are satisfied with the security measures taken by the government. However, candidates in six PA constituencies (PF-91, PP-118, PP-258, PP-295, PP-70 and PP-154) are taking extra security measures due their perception of insecurity in their areas.

C. Election Boycott Campaign

Unlike the general elections in February 2008, FAFEN observers from all NA and PA constituencies have reported that none of the political parties are either calling for election boycott or running a campaign to persuade voters not to vote.

D. Unopposed Election

In one NA constituency (NA-207) and two PA constituencies (PP-48 and PS-62) winners have been declared uncontested. At least one candidate from an NA constituency has approached FAFEN, complaining he was forced to withdraw from the contest. He also claimed that the local police compelled him to sign the withdrawal papers.

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About FAFEN:

The Free and Fair Election Network (FAFEN) is a coalition of 40 leading Pakistani civil society organizations. It was established in 2006 to observe election processes, educate voters, and advocate for electoral and democratic reform.

