

**FREE AND FAIR ELECTION NETWORK**

**Observation and Analysis of NA-122, NA-144 & PP-147 By-Election**

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| **Restrictions on Observation Mar Otherwise Better-Managed Punjab By-Elections** |

Islamabad, October 11, 2015**:** Followed by a colorful and competitive campaign dotted with flagrant violations of the election laws and code of conduct and notwithstanding widespread restrictions to the observation of voting and counting processes, improved security arrangements ensured relatively smooth conduct of hotly contested by-elections in two national and one provincial assembly constituencies in Punjab on Sunday, said Preliminary Observation Report by Free and Fair Election Network (FAFEN).

By-election were held in NA-122 (Lahore-V), NA-144 (Okara-II) and PP-147 (Lahore-XI). The deployment of Army and Rangers inside and outside the polling stations in these constituencies was critical to the smooth conduct of polling as they kept a check on enthusiastic and at times unruly workers of particularly Pakistan Muslim League (Nawaz) and [Pakistan Tehreek-e-Insaf](http://www.insaf.pk/), which ran intense campaign for the vacant seats. Army and Rangers managed security as well as regulated the entry of voters into the polling stations, just as they did during the by-election in NA-246 in Karachi a few months ago. Police was also deployed outside the polling stations and performed ward and watch operations. They were generally not allowed inside polling stations, which has been the practice, in violation of the law, in earlier elections.

Weaknesses in the administrative measures and procedural violations, however, were observed in the three elections, but significantly lesser than those observed during the General Elections 2013. These included restrictions over observers in conducting their responsibilities, campaigning and canvassing around polling stations, party materials inside the polling stations, complaints by some voters of last minute changes in voter lists, etc. Similarly, in some instances voters were found to be complaining that they were not being allowed to cast votes despite receipts from NADRA for the renewal of their Computerized National Identity Cards. However, reports of last minute changes in the polling schemes, widespread during the General Election 2013, were negligible.

The number of polling stations setup for by-election decreased in NA-122 from 290 in 2013 to 284 for the by-election. Similarly, the number of polling stations in PP-147 decreased from 123 in 2013 to 117 for the by-election. However, the number of polling stations remained the same in NA-144 i.e. 210.

Average voters per polling station increased by almost 8% in NA-122, where it increased from 1,135 in 2013 to 1,225 voters per polling station in 2015. In PP-147, this average increased from 1,117 for 2013 to 1,203 for the by-election – an increase of 7.6%. While the number of polling stations in NA-144 remained the same, the average voters allocated per polling stations increased from 1,397 in 2013 to 1,507 for the by-election, recording a 7.8% increase. The voter turn-out in the three constituencies during the General Election 2013 remained high – 56.5% in NA-122, 56.7% in PP-147 and 59.1% in NA-144.

FAFEN deployed a total of 60 (48 male and 12 female) trained, non-partisan observers in NA-122, 30 (23 male and seven female) in PP-147 and 29 in NA-144 (16 male and 13 female), to observe these by-elections. The DRO in NA-144 refused to accredit 61 FAFEN observes despite permission from the ECP Secretariat in Islamabad. The observers were required to spend an hour at each polling station and document their findings on a standardized checklist based on the provisions of the Representation of the People Act 1976, Conduct of Elections Rules 1977 and instructional handbooks provided to the election officials by the ECP. This report is based on the observation from 42% polling stations in NA-122 and 24% polling stations each in NA-144.

As many as 29 of a total 75 observers in NA-122 reported that they faced restrictions to their observation of the voting process, ranging from bar on entry to time restrictions on their presence in the polling stations. In most cases security personnel were enforcing restrictions citing they had no official information from election officials about the observation. In NA-144, all 29 observers who were accredited reported that they were not stopped at any polling station. FAFEN observers reported interference of security officials in their work and in most cases they were not allowed to freely observe the voting process. Reports also suggested similar restrictions over media.

However, 22 of 33 FAFEN observers in NA-122, who could be contacted after the polling was over, reported that they were not allowed to observe the counting process in violation of the accreditation rules of the ECP. Four of 12 observers who could be contacted in NA-144 reported that they were disallowed from observing the counting process.

Despite categorical legal injunctions against camping and canvassing within a radius of 400 yards of a polling station, FAFEN observers reported such activity outside 94 out of a total of 199 polling stations from where observation reports were received on the eve of the by-election. No such irregularity was, however, reported in NA-144. The irregularity was only reported from NA-122 and PP-147 in Lahore.

The Election Day generally remained peaceful. Although there were reports of heated moments at polling stations reported by media, FAFEN observers reported six incidents of violence, all in NA-122. In addition, FAFEN observers reported presence of armed persons inside party camps at six polling stations in NA-122. However, no such observation was recorded in NA-144.

Other instances of Election Day irregularities included presence of unauthorized persons inside polling stations. In a total of 15 instances – nine in NA-122, five in NA-144 and one in PP-147 – voters stayed inside the polling stations after casting their ballots. Similarly a couple of instances were reported of the presence of local influential person and a local political leader along with armed body guards inside the polling stations. Both incidences were reported in NA-122.

At least seven cases were reported – all from polling stations located in NA-144 – where the polling officials had filled the counterfoils with voter information in advance. At three polling stations in NA-122, two polling stations in NA-144 and one polling station in PP-147, polling officials issued ballots without filling the counterfoils. The only incident of unauthorized persons accompanying voters behind the secrecy screen was reported from a polling station in NA-144. At one polling station each in NA-122 and PP-147, candidates and/or their workers were seen persuading voters to vote for them. Observers also reported 10 cases where polling officials preferred certain voters over others in the queue. Eight such instances were reported from NA-122 and one each from PP-147 and NA-144.

The three seats fell vacant after election tribunals declared the general election held in these constituencies in 2013 null and void on the petitions of losing candidates who alleged rigging and irregularities. In NA-122 (Lahore-V), the result was overturned by the election tribunal on a petition filed by PTI Chairman Imran Khan against the win of PMLN’s Sardar Ayaz Sadiq, who decided not to challenge the decision in the Supreme Court. In NA-144 (Okara-II), the result was overturned by the election tribunal on petitions filed by PPP’s Shafeeqa Begum and independent candidate Fayyaz Ahmad Khan Ghauri against the win of PMLN’s Chaudhry Muhammad Arif Hussain, who also decided not to challenge the decision in the Supreme Court. In PP-147 (Lahore-XI), the result was overturned by the election tribunal on a petition filed by PTI’s Muhammad Shoaib Siddqui against the win of PMLN’s Mohsin Latif, who decided not to challenge the decision in the Supreme Court.

In 2013 general elections, the total registered voters in NA-122 were 329,276 (181,276 male and 148,000 female) whereas in Sunday’s by-election they increased to 347,762 (190,328 male and 157,434 female), a 5.6% increase. Similarly in PP-147 the registered voters increased by 2.4% from 137,412 (75,988 male and 61,424 female) in 2013 to 140,767 (77,729 and 63,038) in the by-elections. In NA-144, the total registered voters increased by 7.8% from 293,394 (161,752 male and 131,642 female) in 2013 to 316,370 (173,951 male and 142,419 female) for the by-election.