

# Gilgit- Baltistan Elections Competitive, but Marked by Significant Procedural Flaws



ISLAMABAD, November 12, 2009: Voters of Gilgit-Baltistan went to the polls on November 12, 2009, in an election characterized by weak electoral administration, procedural irregularities, erroneous voter lists and heavy government interference, but following a competitive election campaign that offered fairly equal opportunities to all political and independent contestants.

These preliminary findings are based on information received so far from 150 Election Day observers with the Free and Fair Election Network (FAFEN). FAFEN's initial findings are offered in order to provide useful information to electoral authorities, candidates, voters, the media, and other election stakeholders. A final FAFEN election observation report, to be issued in the coming days, will make recommendations for improvements in the electoral system based on all observer findings. Significant changes will be necessary for future Gilgit-Baltistan elections to meet national and international standards.

FAFEN deployed 22 trained constituency coordinators and 150 Election Day observers to monitor the Gilgit-Baltistan polls. Trained FAFEN observers visited more than 600 of 1,022 polling stations (59%) to observe the voting and counting processes on Election Day. Between November 8 and 11, 2009, FAFEN observers met election officials, candidates of all major political parties, political workers, and voters in order to gauge the efficiency and effectiveness of electoral administration, role of government institutions and functionaries, campaign strategies of political parties, and level of adherence to Code of Conduct for Political Parties and Candidates.

## Preliminary Findings:

Data and observations from all FAFEN Election Day observers is still being received and tabulated. The following are preliminary findings based on information received from observers so far, as well as pre-election observation and analysis.

### 1.0 Erroneous Voter Lists

Erroneous or missing entries on the Voter Lists remained one of the major issues at most polling stations across Gilgit-Baltistan. These issues arose due to clerical errors, missing names of voters, wrong parentage, etc. At some polling stations (such as Boys High School, Jagir Basin in GBLA-1) scuffles broke out between agents of opposing candidates and polling staff because of problems with the voter lists. At Jagir Basin, the Assistant Election Commissioner had to intervene and appeal to voters to stay calm.

The Voter Lists were prepared in haste in only 18 days in September 2009, followed by a week-long Display Period to allow public scrutiny, and were sub-standard. People of age

18 or above were not required to possess Computerized National Identity Cards (CNICs) for registration as voters, although they would be required to show their CNICs to vote. The ECGB was aware of the errors and mistakes in the voter lists and had therefore allowed the Typed as well Enumerator's Copy of the Rolls to be available at the polling stations for the Election Day. Nevertheless, there were significant problems on Election Day because of the flawed lists.

## 2.0 Procedural Irregularities

Rules for various steps of voting and counting remain vague and unclear to polling officials, which led to irregularities that had implications for the quality of the election. Some major irregularities included:

**2.1 Requiring Voters to Sign Ballot Receipts:** Many polling officials did not understand that voters should put their thumb mark on the ballot paper counterfoil (receipt). Instead, at many polling stations voters were being asked to sign their names on the ballot counterfoil, which interferes with voting secrecy.

**2.2. Too Few Booths for Voters:** At many polling stations, polling officials set up only one booth despite a high number of voters, slowing down voting. FAFEN observers in Ghanche reported that at many polling stations, all required staff did not turn up, causing chaos and delay as voters had to wait much longer than would have been the case if more booths had been set up.

**2.3. Voting Secrecy Compromised:** The right of voters to stamp their ballots in complete secrecy was breached, particularly at female polling stations, where FAFEN observers reported that women voters were stamping their ballots in front of polling officers.

**2.4. Photocopies of CNICs Accepted:** Polling officers were also not trained to distinguish between photocopy and original Computer National Identity Cards (CNICs). At many polling stations, FAFEN observers saw polling officials allowing voters to cast ballots if they only had color photocopies of CNICs, rather than the original, which is contrary to the election law. This flaw in the procedures might have allowed many fake voters to cast votes using photocopies of CNICs.

Before Election Day, FAFEN observers reported that polling officials had varied interpretations of clear instructions from the ECGB that CNICs were required for voting, notified by the CEC on November 5, 2009. Just one day before elections, FAFEN observers in Skardu reported that the DEC said the token for the CNIC is admissible proof of identity for voting.

**2.5. Indelible Ink not Applied:** FAFEN observers noted that indelible ink was not being applied on every voter's thumb, especially at female polling stations, as required by election procedures.

**2.6. Police in Polling Booths:** Police officers were standing inside the polling booths where ballot papers were being issued, according to FAFEN observer reports.

**2.7. Closing Polling Early:** At many polling stations, particularly in Skardu and Ghizer, polling officers counted the ballots before the close of the official voting time period, which is contrary to election procedures and disenfranchises potential voters who might still have arrived before the stipulated polling station closing time.

**2.8. Obstructing Election Observers:** Polling officials were also not clear about the kind of cooperation they were required to offer to independent election observers. At many polling stations, FAFEN observers were stopped from entering either by security or polling officials on the pretext that the Election Commission of Gilgit-Baltistan (ECGB) Accreditation Card was not sufficient and that observers required a letter from the Deputy Commissioner.

**2.9. Unauthorized People in Booths:** Polling officers also did not keep control on the movement of unauthorized persons inside polling stations, according to many FAFEN observers. The presence of persons other than voters, polling staff and accredited political party agents inside polling places is contrary to election law and has the potential to intimidate voters and prevent people from voting freely. In some polling stations, unauthorized persons and agents were also seen watching voters stamping their ballots.

## 3.0 Election Administration

Elections to Gilgit-Baltistan Legislative Assembly were held under Gilgit-Baltistan Legislative Assembly (Elections) Order 1975 (Amended up to 2009). The primary responsibility for the conduct of elections lies with the Election Commission of Gilgit-Baltistan (ECGB) headed by the Chief Election Commissioner (CEC), who was appointed less than a month before the elections. The following are some of the issues that must be addressed before the next elections in Gilgit-Baltistan.

**3.1. Vague Electoral Procedures:** Electoral rules pertaining to preparation of Voter Lists, election complaints, role of government, voting and counting, and consolidation of votes need to be clarified in order to enhance enforcement and ensure equitable implementation of all election rules.

**3.2. Understaffed ECGB:** The ECGB is understaffed and lacks financial and technical resources to carry out the electoral exercise in 23 constituencies on short notice. With 13 staff, including support staff, and un-defined management structure, the ECGB had to rely on the assistance of government officials to conduct the elections. The Deputy Election Commissioner, who had been supervising the election administration, was posted out as Deputy Commissioner of Hunza, leaving the important position vacant at a critical stage two days before elections. Deputy Commissioners have been co-opted to act as District Election Commissioners (DECs) without being under the direct supervision of the CEC, compromising uniform implementation of the election law.

**3.3. Shifting Polling Stations:** Despite publication of the list of polling stations by the ECGB, election authorities at district level shifted the venues of polling stations a night before elections. Reports from Sihgar area of Skardu, Diamer and Gilgit suggested such last minute changes in the venues of some polling stations. The last minute changes are against the election law, cause problems for voters and candidates, and raise questions about the motives of such changes.

**3.4. Absence of Polling Schemes:** The ECGB did not release the polling schemes, which also include the names of polling staff to be deputed at various polling stations. As a result, candidates from almost all constituencies reported to FAFEN that polling officials were being changed until a day before elections. While such changes are occasionally necessary, they are contrary to election procedures and compromise the integrity of the process.

**3.5. Mismanaged Postal Ballots:** Despite assurances to FAFEN by the ECGB, the number of postal ballots issued and received before elections were not made public before the Election Day. There were also confusions about the procedures and deadline for casting postal ballots, leading to arguments at the offices of many Returning Officers. Postal ballots can change the results of elections and must be handled according to official procedures in order to count every vote and protect the process.

## 4.0 Government Interference

Despite legal restrictions on the use of state and government resources in favor of a party or a candidate in any election, functionaries of the federal government, including the Prime Minister and more than 10 other Ministers, not only campaigned for the Pakistan People's Party (PPP), but also used state resources and authority to make policy- decisions that had election implications.

Promises of development funds and schemes, incentives to government employees, and announcement of administrative up-gradation of remote areas supported the election campaign of candidates fielded by the PPP in 23 constituencies of seven districts, creating un-level playing field for other political contestants. The Prime Minister's public speech in Skardu two days before elections was a clear case of political influence over the vote in favor of his party's candidates.

Similarly, Baitul Maal and Benazir Income Support Program Funds were used by candidates of a party to woo voters. Hundreds of thousands of forms for these programs, in original and photocopies, were found circulating in Gilgit-Baltistan during the election campaign.

Senior leaders from Punjab and NWFP governments also used official resources to travel and campaign for the candidates of their respective parties. The Governor also sided with the candidates of his party at a time when he had the official responsibility to protect the neutrality of the elections.