

**FREE AND FAIR ELECTION NETWORK**

**Observation and Analysis of PK-93 By-Election**

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| **Relatively well-managed by-election in PK-93 held in presence of heavy security** |

**Islamabad, September 16, 2015:** A relatively better managed and largely peaceful by-election in PK-93 (Upper Dir) was held under heavy presence of security forces on Tuesday, says Free and Fair Election Network (FAFEN) in its preliminary report.

The seat fell vacant following the disqualification of JI’s MPA Malik Behram Khan over fake degree case. In the 2013 general elections, Malik Behram Khan had won securing 12,894 votes while PPPP’s Sahibzada Sanaullah remained the runner up, bagging 9,500 votes.

The Election Commission of Pakistan (ECP) set up 120 polling stations (14 male, 14 female and 92 combined) for a total of 148,076 registered voters – 90,368 male and 57,708 female. The 120 polling stations had 190 male and 119 female polling booths.

FAFEN deployed a total of 30 trained, non-partisan observers to observe the election process. The observers spent between 45 to 60 minutes at each polling station and documented 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 71 polling stations (six male, seven female and 58 combined).

The election staff was largely cooperative as there was no such incident of barring FAFEN’s observer from observation of the election process.

According to FAFEN’s initial observation, police officials were present inside 69 polling stations; army personnel were present inside 10 whereas Frontier Constabulary was seen to be present inside 21 polling stations. Under electoral rules, even at sensitive polling stations, police or other security personnel are only authorized to maintain order outside the polling stations to ensure smooth voting process. They can only enter polling stations or booths when requested by the presiding officer. Two incidences of violence were reported from two combined polling stations (PS-91 and 104).

FAFEN observers also reported from 34 polling stations that the workers of contesting candidates had established their camps in violation of election laws that bar the same within 400 yards of polling stations. The observers also reported the presence of armed civilians at four such party camps. Such display of arms inhibits voters from turning out to vote as well as compels them to vote under pressure.

Unauthorized persons wearing party badges were observed to be present inside seven polling stations. Similarly, there was one polling station where government officials apart from the election officials were present without prior authorization.

FAFEN observers also reported 30 instances where the election staff had filled the counterfoils in the ballot books with voter information in advance. At another nine polling stations, polling staff was seen issuing ballot without filling the counterfoil with the required voter information.

At eight polling stations, persons including candidates’ workers were seen persuading voters to vote for a particular candidate or party.

**Recommendations**

1. Security officials should not be deputed inside polling stations instead they should be instructed to allow local as well as international election observers to carry out their observations in a smooth manner so that transparency of voting process could be ensured.
2. The ECP should ensure that all unauthorized personnel, campaign materials and party camps are removed from inside and around the polling stations.