

## JOINT STATEMENT BY PILDAT AND FAFEN ON **ELECTION OF PUNJAB CHIEF MINISTER**

PILDAT and FAFEN, Independent parliamentary observer groups, have expressed serious concerns at the non-enforcement of clearly laid-out security protocols as envisioned by the Rules of Procedure of the Provincial Assembly of the Punjab 1997 that led to disorder and violence on the floor of the Assembly during the proceedings for the election of the Chief Minister on April 16, 2022.

In a joint statement, Pakistan Institute of Legislative Development and Transparency (PILDAT) and Free and Fair Election Network (FAFEN) said the acts of violence perpetrated by members of the Assembly against the Deputy Speaker, who was presiding over the session as per the orders of the Lahore High Court (LHC), and other distinguished members, are highly condemnable and must be immediately taken cognizance of under the relevant penal provisions. The unfortunate happenings inside the Punjab Assembly televised live by the media to millions of viewers in Pakistan and abroad emanated largely from negligence by the staff of the Assembly Secretariat who were duty-bound to provide all assistance to the Deputy Speaker in the performance of his responsibilities and to ensure order as per Rule 210 (5) in the absence of the Speaker.

According to the observers, the security officials on the disposal of the Assembly Secretariat were not prepared to counter any untoward situation despite clear directions by the LHC for strict security measures. Despite the disorder with clear signs of escalation before the start of the proceeding, they did not make any visible effort to create an insulation between the protesting members and the Speaker's dais that allowed a physical attack on the Deputy Speaker. The observers also noted the Assembly staff opening the doors of the "Ayes Lobby" to let the strangers along with uniformed secretariat officials in the Assembly Chamber. These strangers were also seen resisting the law enforcement personnel who were trying to create a security cordon to protect Speaker's dais and engaging in scuffles with assembly members. Although Secretariat had announced that visitors would not be allowed on the day of the election, visitors supporting the either side continued to be present and chanting the slogans, many of them were seen by these observers being allowed to enter the floor of the House and stimulating disorder and violence.

The observers noted that a contingent comprising hundreds of police personnel entered the floor of the House only after a total breakdown of order due to several hours of inaction by the Assembly's security staff to vacate the Speaker's dais from protesting members. Since Rule 14 (3) of the Rules of Procedure of the Provincial Assembly of the Punjab 1997 vests all powers necessary for the purpose of preserving order and decorum in the Speaker, the Acting Speaker sought help from law enforcement agencies to restore order in the House and enable it to carry out its constitutional function of electing the leader of the House, as was also ordered by the LHC.

Notwithstanding the grave disorder, the House met the requirements for the election of the Chief Minister as per Rule 20 and Second Schedule of the Rules of Procedure. However, some parts of the proceedings were inaudible to observers due to protest by treasury members and makeshift sound system in the gallery. The Acting Speaker had to preside over the sitting from a gallery as his dais was ransacked. Assembly staff also allowed some treasury members to exit the Assembly chamber before the conclusion of voting process in violation of provisions of the Second Schedule.

The events in Punjab Assembly reflected a failure of multiple layers of regulatory protections and checks that have been instituted to ensure compliance of rules by the Secretariat as well as to deter such incidents by belligerent members. These checks instituted to insulate the functioning of Secretariat from political influences

and ensure complete compliance of rules of procedures need to be strengthened to avoid similar situations in future. The observer groups called for transparent investigations through a process decided by the Parliamentary Leaders into the detestable episode in the august House and members who are found to have been involved in an unruly conduct may be proceeded against under the rules of procedure. They also called for a strict action against the concerned officials of the Secretariat for negligence in performing their duties.

In addition, the recent developments in Islamabad and Lahore have also reinforced the need for adequate constitutional protections to ensure that its Articles 66 and 69 are not used to encourage steps that are otherwise ultra vires to clearly laid-out constitutional provisions. Without compromising the supremacy of the elected houses that need to be further strengthened, the observer groups urged the Parliament to also institute sufficient safeguards to protect the sanctity of the Constitution from which all organs of the state including the Parliament draw their legitimacy and powers.

The parliamentary observers thank the honourable Lahore High Court for its directions to the Provincial Assembly of Punjab to facilitate the observation of the election, and the Assembly for providing access.

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**Executive Council**

**Free and Fair Elections Network -  
FAFEN**

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