



PRELIMINARY STATEMENT

A competitive and improved election process in Pakistan despite militant violence and procedural shortcomings

13 May 2013, Islamabad

Preliminary Conclusions

Strong commitment was shown to the democratic process by political parties, candidates and voters, who continued to participate in the electoral process despite high levels of militant attacks in parts of the country that escalated against certain parties in particular and ultimately affected the process. Violence by non-state actors unbalanced the playing field and distorted the election process considerably in affected areas. It did, however, not deter Pakistani citizens from casting their vote in unprecedented numbers and reconfirming their determined support for democratic rule, thereby defying extremist threats and actions. Significant improvements have been made to the framework and the implementation of elections, primarily through the passing of constitutional amendments and the development of a substantially improved electoral roll. However shortcomings have somewhat marred the process, particularly in regards to vague legal provisions for candidacy, inadequate mechanisms for dispute resolution, a lack of provisions for election administration transparency, inequitable media coverage and in certain parts of the country there was some mismanagement of election day procedures to varying degrees. Women and vulnerable groups were persistently under-represented in spite of an almost tripling of women candidatures on general seats and a higher number of women voters in comparison to 2008.

Pakistan's democratic progress may be seen in the increase in competitiveness since the 2008 elections, with more parties participating and more than twice as many candidacies for National Assembly (NA) seats. EU Election Observation Mission (EU EOM) long-term observers (LTOs) saw animated campaign activities proceeding in large parts of the country. In other areas the violence left certain parties in particular unable to undertake large-scale campaign activities.

Pakistan ratified the UN International Covenant on Civil and Political Rights (ICCPR) in 2010, making these the first national elections to be held under the obligations of the treaty. The legal framework has also been further improved through various amendments to the Constitution, which amongst other things provided for a parliamentary process for the appointment of the leadership of the Election Commission of Pakistan (ECP) and the Caretaker Prime Minister and Chief Ministers. These mechanisms were effectively implemented for these elections. However there are omissions relating to transparency and access to remedy in the primary legislation. Requirements for candidacy are not consistent with Pakistan's ICCPR commitments. Furthermore the vague and moral constitutional requirements leave implementation liable to uneven application, hence some candidates were accepted in one constituency and rejected in another. Moreover the equality of the vote remains compromised by the large variation in constituency sizes.

There is increased confidence in the ECP, which has undertaken some stakeholder consultation and is generally seen as operating with more independence. However the ECP has not used its broad powers to establish a complete regulatory framework, leaving critical aspects of the election open to discretion and the ECP vulnerable to inadequate decision-making. Furthermore the ECP did not undertake full responsibility for all aspects of the election administration. The ECP deferred some key matters to temporarily appointed Returning

Officers (ROs) without sufficient regulation or central oversight. This reduced consistent implementation of relevant provisions.

Lack of legal provisions on competencies and procedures for the resolution of complaints at administrative level, as well as a lack of relevant ECP regulations, undermined the opportunity of stakeholders to seek effective remedy. Tribunals judging appeals on candidate nominations disposed the vast majority of cases within a short deadline and in general allowed candidates to contest elections.

The National Database and Registration Authority (NADRA) has been instrumental in the formation of a markedly improved Electoral Roll (ER) since 2008, which provides a safeguard in the electoral process and allows for increased opportunity for enfranchisement. There continues to be a significant under-registration of women compared to men undermining the universality of the franchise.

With the exception of Balochistan, FATA and Karachi the media generally enjoyed freedom of speech. The media provided a range of viewpoints, as well as scrutiny of the election process. However, in the absence of a transparent and efficient enforcement mechanism for the otherwise sound Code of Conduct for the Media, state and privately owned broadcasters did not provide the main contestants with equitable coverage. Outlets telecast long lasting campaign events which benefited just a few parties and was contradictory to the code.

There was a more than two-fold increase in the number of female candidates. Also positively the ECP developed a system for gender-disaggregated voter turnout information. Women's political participation remains limited: only 3.4% of candidates on general seats were women and there were eleven million fewer women than men on the electoral roll.

Ahmadis continued to be discriminated against as they are required to be registered on a separate electoral roll. Voter education spots promulgating non-Muslim participation in the elections were not aired on state-owned broadcasters.

There were 62 reported election related security incidents on election day resulting in 64 deaths. Of the stations where the EU EOM was able to observe, polling was generally rated as satisfactory or good. Nine % of stations observed were however rated as poor or inadequate. The ECP's late decision to extend voting by one hour, to allow more opportunity to voters, caused confusion and was not officially announced on the ECP website. Counting was more negatively assessed by EU EOM observers.

The European Union Election Observation Mission (EU EOM) has been present in the Islamic Republic of Pakistan since 3 April 2013 following an invitation from the Ministry of Foreign Affairs. The Mission is led by Chief Observer, Michael Gahler, Member of the European Parliament. In total, the EU EOM deployed 144 observers from 24 EU Member States, as well as Canada, Norway and Switzerland to different parts of the country to assess the electoral process in accordance with international commitments for elections as well as the laws of Pakistan. Security conditions precluded observation in the Federally Administered Tribal Areas (FATA) and Balochistan, and limited some of the campaign activities that observers could attend. Fifty two EU EOM long-term observers covered 184 constituencies from 16 April. A delegation of Members of the European Parliament, headed by Richard Howitt, also joined the mission and fully endorses this Statement. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2005. The EU EOM will remain in country to observe post-election day developments and will publish a final report, containing detailed recommendations, within two months of the conclusion of the electoral process.

Preliminary Findings

POLITICAL ENVIRONMENT AND THE CAMPAIGN

While state authorities, political parties and civil society expressed strong commitment to the democratic process, militant organisations undertook attempts at sabotage. The Tehreek-e Taleban Pakistan (TTP) and other militant groups initially targeted certain political parties in three provinces in particular and then an increased number of parties across the country. This deliberate attempt to disrupt the democratic process as a whole affected parties and candidates, voters, the election administration, the media and civil society. This culminated in a TTP announcement two days before polling that there would be attacks against the electoral process in all four provinces on election day. TTP distributed leaflets in various districts of Khyber Pakhtunkhwa (KPK), Sindh and Punjab¹, declaring the democratic system “un-Islamic” and calling on voters and polling staff not to participate in the elections as TTP would target all the places where electoral activities take place.

Despite the high number of attacks and level of threat, the elections were highly competitive, with more parties and more than double the number of candidates running than in 2008. All those parties that boycotted the 2008 elections chose to participate in 2013, including Pakistan Tehrek-e Insaf (PTI), Jamaat-e-Islami (JI) and national Baloch parties. In total the ECP allotted symbols to 148 contesting parties. The All Pakistan Muslim League (APML) was the only party to declare a boycott before election day. There was a high number of candidates contesting, with a total of 16,692 candidacies accepted, of which 5,000 were for the 342 NA seats (272 general seats, 60 reserved for women and 10 for non-Muslims) and 11,692 for the 728 Provincial Assembly (PA) seats. Thus there was an average of 17.2 candidates per NA constituency, a doubling from 8.3 in 2008.

Attacks on the campaigns of political parties, candidates, party supporters, party premises and electoral locations increased significantly as the election date approached. There were a reported 130 attacks resulting in more than 150 people killed during the last four weeks. The majority of the targeted attacks took place in KPK and Balochistan, followed by Sindh (Karachi) and Punjab. Most of the attacks were directed against candidates and supporters of parties identified as secular, in particular the Awami National Party (ANP) in KPK and the Muttahida Quami Movement (MQM) in Sindh, two of the three political parties the TTP had threatened to attack, the third being the Pakistan Peoples Party (PPP).²

However, the last two weeks of the campaign saw an increasing number of attacks against other parties and independent candidates in all four provinces and the Federally Administered Tribal Areas (FATA). In most cases the perpetrators of the attacks on campaign rallies of other parties or independent candidates remain unknown. The security environment of the elections in Balochistan was seemingly aggravated by widespread threats issued by militant groups in particular in the Baloch parts of the province against the electoral process as a whole. EU EOM LTOs also reported isolated cases of violent clashes between party supporters, for example in Islamabad, Mirpur Khas and Sheikhpura.

The federal and provincial caretaker governments took, in varying degrees, security measures and protection arrangements for candidates that seemingly increased over the weeks of the campaign. Differing levels of satisfaction were expressed by EU EOM interlocutors about the adequacy and equity of security provision.

The high number of attacks affected campaigning and unbalanced the playing field, in particular in KPK, Balochistan and Karachi. In contrast, in vast parts of the country the pre-electoral environment was generally vibrant with a lively campaign period, notably in all Punjab and central and interior Sindh. While some parties

¹ EU EOM LTOs reported on such leaflets in Multan, Punjab, and Dara Adam Khel, KPK.

² Since 11 April, there were 41 attacks in KPK and another 41 in Balochistan, as well as 26 attacks in Sindh, 9 in Punjab and 6 in FATA. ANP was at the center with 34 attacks, followed by MQM with 17 attack. There were 14 on independent candidates, while PML-N was targeted 12 times, PPP 8 times, and JUI-F 6 times. Numerous other parties including NP, JI or PTI had five or fewer attacks.

were able to undertake large-scale rallies, overall the campaign was largely characterized by small-to medium size rallies, corner meetings and door-to-door activities to allow for personal contact with potential voters.

No grave violations of the ECP's Code of Conduct for Political Parties and Candidates were directly observed by EU EOM LTOs. Further analysis is hampered by a lack of systematic information on violations of the Code of Conduct from the ECP.

LEGAL FRAMEWORK

The 2013 general elections were the first to be held under the obligations of the ICCPR, which Pakistan ratified in June 2010. The constitutional amendments undertaken by the outgoing parliament brought significant electoral improvements. The reforms have provided for greater independence and enhanced mandate of the ECP by making the appointment of the Chief Election Commissioner (CEC) and the four Commissioners a parliamentary process that involves the opposition, thereby reducing the role and discretionary powers of the President. These mechanisms were effectively implemented for these elections. However several legal provisions - mainly related to candidate eligibility and appointment of specialized Tribunals for electoral disputes - are at odds with international commitments³. The legislative framework still contains gaps, including in regards to transparency (for example observer access and results information) and detailed mechanisms for electoral dispute resolution at an administrative level. The primary legislation for elections is fragmented, consisting of a plethora of laws.

ELECTION ADMINISTRATION

In addition to providing for an improved appointment mechanism for the CEC and ECP members, the constitutional amendments established collective decision-making, thereby increasing opportunity for more independent institutional actions. However there are still unwarranted requirements for presidential approval of rules and opportunity for involvement for "removal of difficulty".

The ECP is generally seen as operating with more independence than in 2008. In contrast to 2008, the ECP has undertaken some stakeholder consultation, which has contributed to the performance and increased confidence in the institution. EU EOM LTOs report that at a local level stakeholders generally had confidence in the election administration, seeing it as responsive to stakeholders' needs. The ECP has had to operate in an unstable security environment, with some election offices targeted in certain parts of the country, for example in Balochistan. Although the ECP demonstrates operational capacity, it lacks structural provision for key responsibilities, including voter education and training.

However the ECP still lacks transparency with information of public interest not always being made available. For example meetings of the Commission are closed and the decisions of meetings are not made public. The lack of complete and easily available information that is of clear public interest seems to be at odds with the spirit of the 18th Amendment to the Constitution, which refers to every citizen having the right of access to information of public importance.

The ECP has not used its broad powers to establish a complete regulatory framework, instead it has issued some notifications, five codes of conduct, and press releases. ECP notifications sometimes lack reasoning or reference to the legal grounds upon which they were passed, and there is not a user-friendly system of publication of notifications, thus it is difficult for stakeholders to know the full regulatory structure. The lack of clearly defined

³ Candidacy requirements include vague and moral grounds, while Tribunals are appointed by the ECP with the approval of the President. General Comment 25 ICCPR, paragraph 15 refers to objective criteria. General Comment 31 ICCPR, paragraph 15 requires States "to ensure that individuals have accessible and effective remedies... Administrative mechanisms are particularly required to give effect to the general obligation to investigate allegations of violations promptly, thoroughly and effectively through independent and impartial bodies."

policies and regulations on important aspects of election administration⁴ leaves the ECP vulnerable to inadequate decision-making that is not always consistent with the institution's five year strategic plan.

The ECP has established a decentralized structure with low levels of central regulation and oversight. Core election activities are undertaken by 425 ROs and 126 District Returning Officers (DROs) who are sitting judges appointed for the duration of elections who have concurrent judicial responsibilities. ROs and DROs were positioned virtually outside of the ECP's management, with the ECP leadership explicit that they are from the judiciary and that the ECP has no authority over them.⁵

The ECP devolved responsibility for resolution of alleged violations and breaches of the Code of Conduct for Political Parties and Candidates to ROs, with no oversight conducted. Such attribution of responsibility reduced transparency and resulted in varying implementation. The ECP's monitoring teams focused on fact finding and therefore were not an effective mechanism for enforcing adherence to the Code.

VOTER REGISTRATION AND DELIMITATION OF CONSTITUENCIES

NADRA has been instrumental in the formation of a markedly improved electoral roll (ER) since the last election, which provided a safeguard in the electoral process and allowed for increased opportunity for enfranchisement. As biometric data is recorded, NADRA maintain that there is no possibility for duplicate entries. Furthermore photographs are now included on the ER, a strong check against impersonation. NADRA has increased the issuance of Computerized National Identification Cards (CNICs), required for registration and voting, through the use of various measures including the removal of a fee, using mobile registration teams, and working with civil society organisations. With the closing of the ER upon the announcement of the election on 16 March, there are some 86.19 million registered voters.

The ECP undertook a door to door exercise in order for registrants to be allocated to their preferred voting location, followed by a display period, and introduction of an SMS-based verification system. However the completeness of this exercise was subject to criticism that some voters continued to be registered at incorrect addresses. Furthermore for reasons of law and order the Supreme Court ordered a "re-verification" in Karachi which resulted in an additional 180,000 registered voters.

Equality of the vote, as required under ICCPR Article 25 is undermined by the large discrepancies in the size of constituencies. This is indicated by the variation in the number of registered voters. For example in Sindh in NA 203 there is a reported population of only 228,663 while in NA 253 it is more than double, 519,854. Delimitation of constituencies last took place in 2002 based upon the official results of the last census, which was undertaken in 1998. However a December 2011 Supreme Court decision ordered a review of the electoral boundaries of some parts of Karachi to tackle polarization in view of the law and order situation. On 22 March the ECP issued a notification stating the new boundaries of 11 constituencies, simultaneously announcing the schedule of the election (the process and timing of this was challenged by MQM before the Sindh High Court).

REGISTRATION OF CANDIDATES

The provision that required candidates to hold a university degree (which excluded the vast majority of the population) was struck down by the Supreme Court in 2008, thereby allowing more citizens to contest these elections. Some remaining requirements are vague and moral, for example, candidates must be "of good character and not commonly known as persons who violate Islamic injunctions", and must have "adequate knowledge of Islamic teachings and practice obligatory duties prescribed by Islam" or non-Muslim candidates

⁴ Gaps include no regulation or notification covering the establishment and functioning of the ECP monitoring teams, full instructions to ROs, and accreditation arrangements for observers.

⁵ ECP press release, 4 April 2013: "Returning Officers are members of Pakistan's Judiciary. They are carrying out their duties as Returning Officers independently. The ECP does not instruct or direct the Returning Officers how to decide the fate of nomination forms."

must have a “good moral reputation”. Such vague requirements are not consistent with Pakistan’s ICCPR commitments, with the authoritative interpretation of the treaty referring to “objective” criteria. Potential candidates are also disqualified if they, their spouses or dependents, have outstanding unpaid loans or outstanding unpaid utility bills. These provisions that make candidacy contingent to other people’s financial status or behaviour are not consistent with Article 25 of the ICCPR which refers to the individual right to stand.

The scrutiny mechanism established by the ECP resulted in an uneven application of the law, assumption of guilt and lack of due process. There were widely reported examples of the same person being rejected by one RO while having candidacy accepted in another constituency.

The practice criticized by the 2008 EU EOM of candidates being able to contest elections in multiple constituencies, continues. This will likely result in a number of by-elections being held.

THE MEDIA

A diverse and vibrant media scene provided the Pakistani electorate with a range of viewpoints and scrutiny of the election process. Country-wide, there are more than 200 privately owned daily newspapers, 89 TV channels and 166 FM radio stations, but the state-owned Pakistan Television Corporation (PTV) and Pakistan Broadcasting Corporation (PBC) have a near-monopolistic position in the provision of terrestrial services and FM/AM frequencies.

Although the Constitution provides for freedom of expression, it is subjected to any “reasonable restriction” rather than “necessary restriction”, and there is no further legislation supporting freedoms of expression and speech. State authorities did not take sufficient measures⁶ to protect journalists and editors who were targeted by militant or other groups in Karachi, some other parts of Sindh, Balochistan and FATA. Moreover, further pressure was put on outlets following a ruling on 16 April from the Balochistan High Court, in which the Pakistan Electronic Media Authority (PEMRA) fined four TV stations for broadcasting election messages from banned organizations, despite media houses claiming that these messages were aired under direct threat from the authoring organizations, the TTP in particular.

In late April, after discussions with state institutions and various media associations, the ECP issued the Code of Conduct for the Media that in line with good practice, stipulated equal and equitable coverage of candidates and parties. However, provision for a level playing field in the media was compromised by the ECP not establishing an efficient and transparent enforcement mechanism. PEMRA and the Press Council of Pakistan only responded to complaints, rather than monitoring if and how media houses abided by the code.

TV channels’ telecasting of long-lasting live rallies benefited a few parties, who had the opportunity to convey their campaign messages without being subjected to critical analyses. The six TV channels monitored by the EU EOM (PTV News, ATV, ARY News, Dawn News, Express News, GEO TV) broadcasted numerous PML-N publicity events granting the party a total of nearly 16 hours of live coverage. MQM, PTI and PPP also benefited from this kind of programming by gaining a total of nine, five and four hours respectively. This left little space for others, in particular the ANP or independent candidates who were also unable to undertake physical campaign activities, which clearly contradicts the Code of Conduct for the Media.

State-owned PTV News and PBC 101 FM failed to comply with the Code of Conduct for the Media as only one quarter of the parties, who obtained their respective symbols from the ECP, were mentioned during the broadcasters’ primetime programming. PTV and PBC covered the candidates of 35 and 22 parties respectively, out of a total of 148 parties. During PTV’s primetime programming the time was quite equitably allotted to PML-N (23%), PTI (17%) and PPP (16%). PBC focused on MQM (21%), ANP (18%) and JI (17%). The news

⁶ Such as genuine police investigation of intimidation cases, physical security of media houses in particular areas and fair political support from regulatory authorities.

programmes were similarly composed with PML-N and PTI being obviously favoured with half of the time granted for their direct speech on PTV News. However on PBC's news the vast majority of direct speech was given to JI.

PTV's only competitor in the terrestrial services – the semi-private⁷ ATV – and other commercial broadcasters monitored by the EU EOM, showed a similar editorial pattern to PTV. In the news programmes, PML-N had the most direct speech on the majority of channels (68% on ATV, 47% on Express News, 27% on Geo TV and ARY TV). Privately owned newspapers monitored by the EU EOM (Jang, Nawa-i-Waqt, Dawn and Express Tribune) granted the main contestants with a fairly balanced coverage and provided the electorate with a great variety of opinions through coverage of 86 parties.

ELECTORAL DISPUTE RESOLUTION

Lack of legal provisions on competencies and procedures for the resolution of complaints at the administrative level, as well as a lack of relevant ECP regulations, undermined opportunity for stakeholders to seek effective remedy. Plaintiffs lodged complaints simultaneously at various administrative and judicial levels. No deadlines or procedures for their resolution were put in place. This lack of clearly defined competences and procedures created confusion among stakeholders and undermined opportunity for effective legal redress. In general, the ECP did not receive any information nor did it compile any statistics on complaints filed at provincial and district level; leaving the process lacking in oversight⁸. Lack of information on complaints lodged prohibits analysis of problems and identification of possible mitigating measures.

The legal framework provides for judicial review of decisions on candidate nomination and election results through Tribunals that are established by the ECP, subject to presidential approval. Generally tribunals for candidate nomination resolved the majority of appeals, and as a rule upheld ROs' decisions⁹. Although Tribunals' decisions on candidate nomination are final; any individual may address High Courts in relation to enforcement of fundamental rights by means of a petition, commonly called constitutional or writ petition. High Courts have prioritized such petitions and in general have allowed candidates to run¹⁰. In cases of petitions challenging acceptance of nominations, High Courts have refrained from judging cases on the merits, instead referring petitioners to seek disqualification after the election, on the grounds that any action by the Court would affect the elections schedule. Such reasoning raises questions of compatibility with the High Courts' jurisdiction on constitutional petitions as established in the Constitution.

PARTICIPATION OF WOMEN

NADRA has made considerable efforts to provide CNICs to women, and the total number of women on the ER has significantly increased but still the final ER has some 11 million less registered female than male voters, raising questions about the universality of the franchise. Compared to 2008, the number of women NA candidates more than doubled, from 64 to 158, and almost tripled for the PA seats from 116 to 298.¹¹ For the first time in general elections, there was a woman candidate from FATA. However in total only 3.4% of NA candidates were women, far short of the 30% Beijing Declaration and Platform for Action target. The special

⁷ Terrestrial television network that is owned by the government, yet rented to the privately owned Shalimar Television Network Channel.

⁸ Hundreds of complaints have been lodged with the election administration relating to polling station locations, polling station staff, alleged violations of the Code of Conduct and interference of public officials, including police and ROs in the electoral process. Only on 6 May, the ECP created an online portal on its website where few complaints on polling stations were uploaded.

⁹ ROPA Article 14(6) states that appeals not disposed within the prescribed deadline will be deemed to have been rejected. For candidate nomination ten Tribunals were established for appeals on candidate nomination to resolve 1,714 appeals.

¹⁰ In one such case, the Lahore High Court overturned the RO rejection of nomination of former Prime Minister Raja Pervez Ashraf. On 30 April, the Peshawar High Court in the course of a petition related to rejection of Pervez Musharraf nomination, banned the former Prime Minister from contesting elections for life.

¹¹ Statistical information from UNDP - UN Women, 9 May.

measure of reserved seats for women is criticized for being insufficient and for reducing the link with the electorate and therefore the standing of the MP.

For these elections the ECP developed a system for recording gender-disaggregated data from polling stations on voter turnout. Positively, the KPK government issued a directive on exercise of the right of vote by women, requesting the Regional Election Commissioners to “adopt all possible measures to ensure that female voters are not refrained from casting their votes”. This is significant given that in the 2008 elections there were 564 female polling stations with zero turnout, 85% of which were in KPK. However initial information indicates that in some constituencies of KPK and FATA women were barred from exercising their right to vote. Some parties also took positive measures, publicly encouraging women to exercise their right to vote.¹² Other stakeholders also gave positive public commentary, such as the Pakistan Ulema Council. However obvious female underrepresentation¹³ in political communication in the media did not encourage women’s engagement in politics. NADRA report that approximately 2.7 million women do not have photographs on their CNICs (and the ER) which leaves their votes vulnerable to attempts at fraud and impersonation in women’s polling.

MINORITY AND VULNERABLE GROUPS

Pakistan has a history of violence regularly targeted at Shias and Christians amongst others. The leader of the Hazara Democratic Party (HDP) was attacked on 23 April in Quetta but was unharmed.¹⁴ The number of registered non-Muslim voters was some 2.7 million composed of approximately 1.4 million registered Hindu and 1.2 million Christian voters. Some 30 non-Muslim candidates ran on general NA and PA seats (approximately 20 on party tickets). Even though the Code of Conduct for the Media tasks broadcasters to air programmes targeting “groups traditionally excluded from the political process”, the voter education spots promoting non-Muslim participation in the elections were all marked as paid content and not aired on state-owned broadcasters PTV and PBC.

The Ahmadi community continues to be discriminated against as unlike other minority groups, they are registered on a separate ER. While the Constitution foresees Pakistani citizenship and an age of 18 as the only requirements for the right to vote, and the Conduct of General Elections Order 2002 establishes a unique ER, subsequent amendments, notably section 7b and c, discriminates against Ahmadis. NADRA has actively extracted 115,095 Ahmadis from the list of issued CNIC cardholders and registered them on the supplementary list. Ahmadi representatives therefore announced that they would not participate in these elections.

CITIZEN OBSERVATION

The Free and Fair Election Network (FAFEN) reports employing a very large citizen observation initiative involving long-term observation and approximately 41,500 observers active on the election day. FAFEN methodology emphasized informing state authorities of shortcomings observed to enable opportunity for correction. FAFEN reported an often positive response. FAFEN as well as observation conducted by other citizen observer groups such as the Aurat Foundation, Human Rights Commission of Pakistan and the Pakistan Bar Council significantly enhanced the transparency of the electoral process.

¹² For example unlike in past elections. JUI-F leader stated in several occasions that his wife and daughter will be first to vote.

¹³ PTV devoted 4% of its election related prime-time programming to female actors, ATV – 5%, PBC – 6%, Power Radio 99 FM – 2%, ARY TV – 5%, Dawn News – 6%, Express News – 8% and Geo TV – 3%.

¹⁴ The militant group Lashkar-e-Jhangvi (LeJ) claimed responsibility. Apart from HDP -nominated and independent candidates, PML-Q, MQM, MWM, PkMAP and PPP nominated Hazara candidates for PA and NA races.

VOTING, COUNTING AND RESULTS COMPILATION

There were two major explosions on election day, amongst 62 reported election related security incidents covering all four provinces. These resulted in 64 deaths and 225 injured. There was a large-scale security effort involving multiple agencies. Only in one constituency, in FATA, were elections cancelled for security reasons. Despite the threats of and actual violence, there appears to have been an overall increased voter turnout, showing commendable commitment to the democratic process.

Over 140 EU EOM observers scrutinized polling, counting and the compilation of results covering in total 679 polling stations in 140 constituencies. However security conditions restricted the locations in which the EU EOM could observe. Furthermore in a few cases security personnel and election administration personnel limited EU EOM observer access. The sample of polling stations visited is not overall representative, but rather a sample of various types of typical stations within the areas of the country where observation was deemed possible.

The ECP arranged polling in 69,729 stations across Pakistan, a considerable logistical challenge. Almost half of the polling stations observed by the EU EOM opened up to an hour late, but procedures were largely followed. Those stations visited by the EU EOM were mostly rated by observer teams as satisfactory or good. Observers reported that voting procedures were mostly followed and in the vast majority of stations all essential material was present. However 9% of stations visited were rated as poor or inadequate. Negative ratings were higher in Sindh, 21%. They were also higher in women's polling booths and stations, 15%. Negative factors included a lack of transparency and interference by party and candidate agents. There were secrecy of the vote problems in 20% of observed polling booths, often for reasons of over-crowding. Citizen observers were present in 24% of stations visited. There were two or more candidate or party agents present in 85% of observed polling stations. However in 10% of stations, observers and agent were not able to follow the proceedings unhindered. There was a reliance on party and candidate representatives for ER information.

The ECP's very late decision, some minutes before the close of polling, to extend voting by one hour to allow more opportunity to voters, caused confusion and was not announced on the ECP website. EU EOM observers saw inconsistent application with some stations staying open, while others closed, some of which then re-opened.

In Karachi EU EOM observers undertook limited observation, during which they saw some serious problems in polling and were also restricted in their activities. The ECP did not have information centrally on the extent of the problems in Karachi but nevertheless extended polling by three hours in seven constituencies in Karachi and has declared fresh polling to be held in 43 stations. At this stage it is not possible to assess the extent of the sufficiency of this response.

Counting was more negatively assessed, with 9 out of 59 stations rated as poor or inadequate. In 16 cases party agents did not receive a copy of the results form. In half of the stations, the results form was not displayed for public scrutiny. Observers report a neglect of reconciliation procedures and a lack of transparency. Compilation of results is on-going. Of the 27 reports to date, in 10 cases observers and agents were not able to follow the entire process unhindered. The Results Management System seems to have been used inconsistently.

An electronic version of this Preliminary Statement is available on the Mission website www.eueom.eu/pakistan2013. This preliminary statement is available in English and Urdu but only the English version is official. For results of the EU EOM media monitoring analysis, please visit the mission website link <http://www.eueom.eu/pakistan2013/media>. For further information and interview requests please contact: Peter-Bastian Halberg, EU EOM Press Officer, mobile: +92 (0)303 777 6412, Email: peter-bastian.halberg@eueompakistan.eu or Evan Eberle, EU EOM Press Officer, mobile + 92 (0) 303 777 6411, Email: evan.eberle@eueompakistan.eu

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