



The Commonwealth

**Interim Statement by
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Former Head of State, Federal Republic of Nigeria
Chairperson of the Commonwealth Observer Group
Pakistan General Election
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Ladies and gentlemen. Thank you for coming to this Commonwealth Observer Group Press Conference.

At the outset, we express sincere condolences to the families of the victims of the isolated terrorist attacks during the election period.

This is the Interim Statement of the Commonwealth Observer Group, and is issued with the electoral process yet to be formally completed. Our full assessment of the entire process will be contained in our final report, which will be publicly available.

The Group was constituted by the Commonwealth Secretary-General, the Rt. Hon. Patricia Scotland QC. We arrived on 18 July 2018 and received a warm welcome in Pakistan. We met with the Election Commission of Pakistan (ECP), the Minister of Foreign Affairs, political parties, civil society, media representatives, Commonwealth High Commissioners, citizen observers, as well as other international observers. I also met the Chief of Army Staff of Pakistan.

Our observer teams were deployed around the country on 23 July 2018, to observe the election environment and preparations for the poll. We deployed in Islamabad, Rawalpindi, Lahore, Multan, Faisalabad, Karachi and Hyderabad. We visited 107 polling stations in different constituencies and met voters, provincial electoral officials, political parties, the police, civil society and other stakeholders in their respective locations to gain a broader picture of the electoral process on the ground.

We commend the voters of Pakistan, the ECP, polling staff, political parties, candidates, their agents, the security forces and all others for their respective roles during this generally peaceful electoral process.

KEY FINDINGS

Pre-Electoral Environment

Campaign

- Candidates from political parties, including independent candidates, were largely able to campaign freely and peacefully. They were also able to organise public rallies as per Election Rules 2017.
- The overall security situation in the country was tense, especially in Khyber Pakhtunkhwa (KPK) and Balochistan Provinces, where terrorist attacks in the weeks preceding the election claimed more than 170 lives, including the lives of three candidates.
- Parties and candidates were free to place paid supplements and political party advertisements in newspapers and private TV channels. There was extensive use of e-campaigning through SMS, Twitter, Facebook and WhatsApp. In cities and rural areas, posters and banners, as well as portraits of candidates and their election symbols were posted on shop fronts, private vehicles and houses.
- There were allegations of negative campaigning. The ECP and Deputy Commissioners in the concerned districts often took timely action on breaches of campaign rules.
- Some stakeholders questioned the impartiality of the military and judiciary and cited the timing of court cases against certain political leaders and candidates as an example.

Media environment

- There was extensive coverage of the election on television, print, radio and online media. The state broadcaster followed the ECP Guidelines for equitable airtime for parties. However, political parties with greater financial resources were able to place more adverts on private print and electronic media, thereby putting others at a disadvantage.
- We received reports that some private media houses were subjected to pressure in the run up to the election. Media and civil society representatives mentioned that editors and reporters received threats and were prevented from fully covering certain issues, such as the rights of minorities, performance of judiciary and the role of state institutions. Some journalists and bloggers were reported to have been kidnapped, harassed or intimidated for their critical coverage. These incidents reportedly resulted in increased self-censorship.
- Social media emerged as a powerful tool for political debate and discussions about the election, particularly among young people. However, misleading news also found space in social media.

The Legal Framework

Pakistan's 2018 General Election was conducted under a substantially reformed and improved legal framework consisting of the Constitution of Pakistan, the Elections Act 2017 and the Election Rules, 2017. This is a significant achievement, reached through a consultative process.

Improvements in the new law noted by our Group include, but are not limited to, the following:

Greater independence and autonomy of the ECP including through:

- Power to make rules;
- Financial autonomy of the ECP within an approved budgetary allocation;
- Power to punish for contempt;
- Enhanced power to declare a poll void;
- Power to grant magisterial powers;
- Measures for the training of election officials;
- Powers to de-register or de-list an existing political party or candidate in defined conditions;
- Requirement for a comprehensive Action Plan not less than four months before a general election;
- ECP to have own storage for preservation of polling records;
- Officials deputed for election duties have now been brought under disciplinary control of the ECP.

Broader legal and electoral reforms

- New measures to enhance women's political participation, including power of the ECP to declare a poll void if the turnout of women is less than 10 per cent of the total votes polled in a constituency;
- Each party must nominate a minimum of 5 per cent of women for general seats in the National Assembly;
- Improved voters roll;
- Fresh delimitation of constituencies for the 2018 Election
- Extension of postal ballot facility to any person with physical disability who is unable to travel and anyone appointed to perform election duties;
- Introduction of guidelines for observers

Election Day

- In the majority of polling stations that we visited, voters turned out in large numbers to cast their ballots.
- We condemned the terrorist attack near a polling station in Quetta on polling day which caused 31 deaths and several injuries. Voting in other polling stations across the country continued peacefully without any major incidents.
- We observed that the ECP was generally well-prepared for the polls in most areas and that the process was, on the whole, well-administered.

- We noted that in some cases, voters were unclear of the location of their designated polling stations.
- We also noted that some voters were not aware of the procedures to apply to the ECP for transfer of vote from their former place of residence, and were therefore unable to cast their vote.
- We observed that the prescribed voting procedures were generally adhered to by ECP officials, many of whom worked diligently throughout polling day. Some procedures were, however, not consistently adhered to, such as calling out voters' names or numbers.
- The polls closed on time at most of the polling stations at which we were present.
- There is scope for improving the procedures for counting the ballot papers in order to uphold transparency of the process.
- Under the supervision of the ECP, there was visible security deployment by both police and army personnel. Although some stakeholders had expressed concern about the presence of army personnel inside the polling stations, we noted that many of the voters whom we encountered were comfortable with their presence. Overall, we did not form the impression that the security presence deterred the electoral process.
- Many Presiding Officers were unable to electronically transmit the results of the counts using the Results Transmission System (RTS), and therefore had to resort to manual transmission. The ECP later clarified that the RTS had experienced difficulties, leading to delays in announcing provisional results.
- In some instances, Presiding Officers did not follow the rules concerning distribution of signed copies of Form 45 to representatives of candidates.
- The Elections Act 2017 enabled many women voters to exercise their franchise for the first time. This was greatly assisted by the efforts of the ECP, National Database & Registration Authority (NADRA), political parties and civil society to encourage women to register to vote. We noted that women responded to these reforms positively and voted in greater numbers compared to earlier elections. Women also played a commendable role in the administration of elections.
- Assistance was extended to persons with disabilities. The ECP issued instructions to Presiding Officers to give them preference in queueing. We noted that most polling stations lacked access facilities for disabled persons. However, most were readily assisted by staff or family members.
- We noted the enthusiasm and participation of young people in the electoral process.
- We noted that the ECP, in accordance with the law, did not allow registration of certain proscribed entities and individuals to contest elections. However, their mechanism for filtering candidates linked to proscribed organisations was weak in the cases of three candidates who, we understand, managed to slip through the ECP's scrutiny, but were de-listed on the eve of the election after media and civil society objections.

Conclusion

The 2018 General Election was an important milestone in strengthening democracy in Pakistan. We commend the people of Pakistan, who have shown commitment to exercising their right to vote.

The ECP did a laudable job in terms of the short timeframe it had to implement its mandate for holding transparent elections on schedule.

We urge those who have grievances about the process to seek redress through the established channels of dispute resolution.

We will make recommendations about further enhancing the electoral process in our final report.

For more information, or to organise media interviews, please contact:

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Note to Editors

The Commonwealth is a voluntary association of 53 independent and equal sovereign states. It is home to 2.4 billion citizens, of whom 60 per cent are under the age of 30. The Commonwealth includes some of the world's largest, smallest, richest and poorest countries, spanning five regions. 31 of its members are small states, many of them island nations. Commonwealth countries are supported by an active network of more than 80 intergovernmental, civil society, cultural and professional organisations.

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