



Election Code of Conduct Violations

Pre-U24/04-April-2013

Campaign Materials Violate ECP Code of Conduct

Introduction

Free and Fair Election Network (FAFEN) has deployed Constituency Long Term Observers (CLTOs) in every National Assembly constituency across the country to observe the election campaign period. CLTOs report violations of the Election Commission of Pakistan (ECP) Code of Conduct for Political Parties and Candidates, among other topics. The following Pre-Election Update is based on reports gathered from CLTOs between March 24 and March 29, 2013, from a total of 66 constituencies – 51 constituencies in Punjab, 8 in Sindh, 5 in Khyber Pakhtunkhwa (KP), and one each in Federally Administered Tribal Areas (FATA) and Islamabad Capital Territory (ICT).

Executive Summary

Visual campaign materials exceeding allowable sizes (posters, banners/panaflexes, hoardings/billboards and leaflets/handbills) and banned wall chalking were the majority of the 272 violations recorded by FAFEN CLTOs. Observers recorded 244 visual campaign material violations (89.7%) during the six days of observation.

The violations were committed by 15 political parties and independent candidates. Pakistan Muslim League-N (PML-N) had the highest number of violations at 100 (41%), followed by Pakistan Tehreek-e-Insaf (51, or 20.9%), Pakistan Peoples Party Parliamentarians (23, or 9.4%), and Jamaat-e-Islami (20, or 8.2%). The highest number of violations were reported from Punjab (228), followed by Sindh (14) and KP (2).

Legal Framework

The Election Commission of Pakistan (ECP) issued a Code of Conduct for Political Parties and Candidates by Notification on January 28, 2013. It includes restrictions on the type and size of campaign materials.

ECP has banned wall chalking, loudspeakers, inducements to voters, aerial firing and fireworks as part of election campaigns. Banners/panaflexes exceeding 3x9 feet are not allowed. Also banned are hoardings bigger than 3x5 feet, posters exceeding 2x3 feet and leaflets/handbills bigger than 9x6 inches.

Nature of Violation	Number of Incidents
Illegal Campaign Material	244
Use of Loudspeakers	15
Illegal Inducements to Voters	5
Display of Weapons	4
Aerial Firing or Fireworks	4
Total	272

The remaining 28 violations include use of loudspeakers (15 instances), illegal inducements to voters (five instances), display of weapons (four instances), and aerial firing and fireworks (four instances).

Reporting National Assembly (NA) Constituencies March 24-29, 2013		
Provinces	Number of NA Constituencies	NA Constituencies
Punjab	51	NA-147, NA-109, NA-76, NA-79, NA-85, NA-144, NA-143, NA-138, NA-114, NA-146, NA-77, NA-107, NA-155, NA-104, NA-108, NA-105, NA-117, NA-115, NA-99, NA-141, NA-129, NA-80, NA-83, NA-81, NA-78, NA-110, NA-106, NA-160, NA-167, NA-168, NA-169, NA-124, NA-82, NA-131, NA-75, NA-172, NA-154, NA-84, NA-171, NA-122, NA-135, NA-103, NA-51, NA-71, NA-132, NA-116, NA-72, NA-168, NA-71
Sindh	8	NA-200, NA-225, NA-233, NA-224, NA-201, NA-202, NA-206, NA-221
KP	5	NA-15, NA-25, NA-21, NA-18, NA-17
FATA	1	NA-36
ICT	1	NA-48
Total	66	

1. Illegal Visual Campaign Material

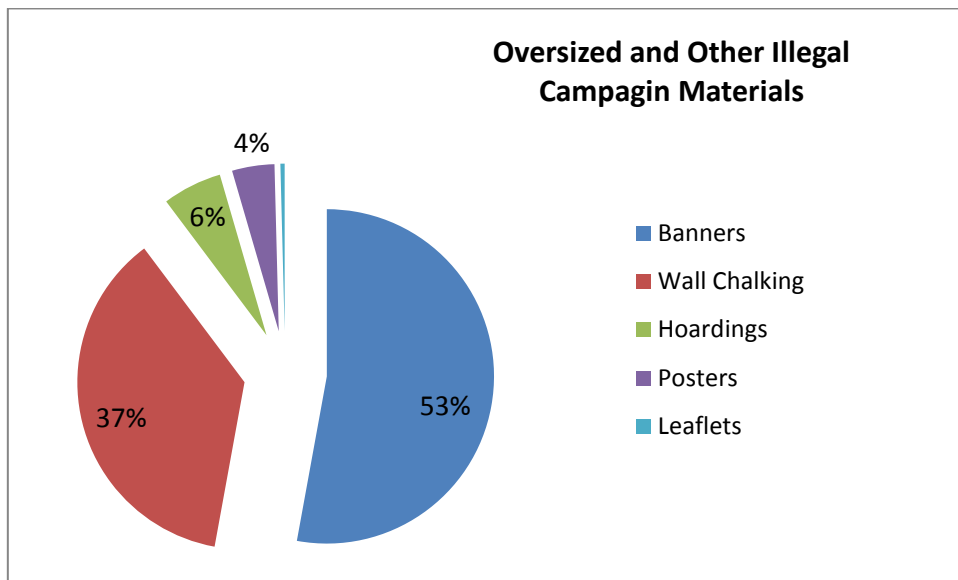
In all, 244 incidents of illegal visual campaign material were reported across the country between March 24 and March 29. These violations include posters, banners/panaflexes, hoardings/billboards, and leaflets/handbills exceeding ECP specified dimensions. Violations also include instances of wall chalking, which has been completely banned by ECP.

The highest number of violations were reported from Punjab (228), followed by Sindh (14) and KP (2). No reports were received from Balochistan. The violations were committed by 15 political parties and independent candidates.

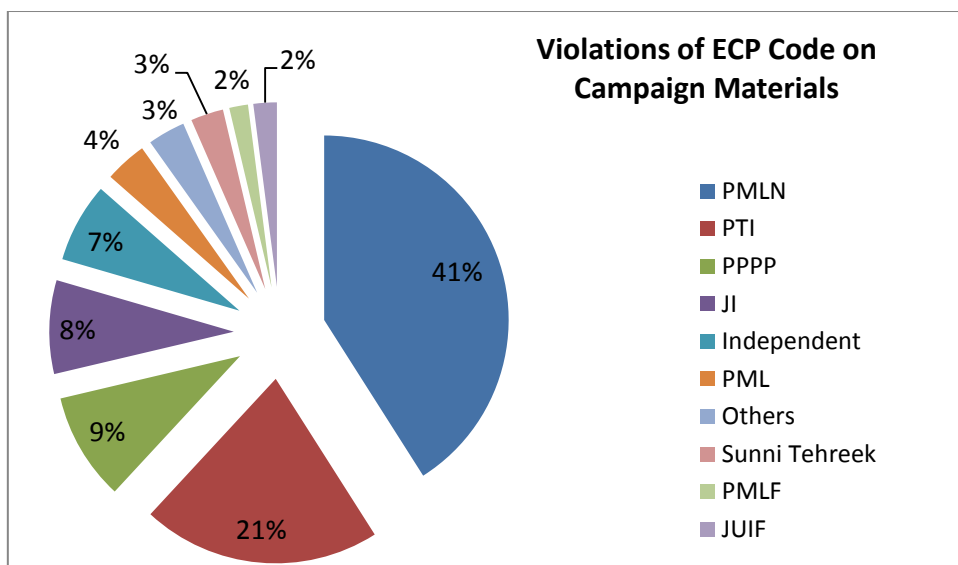
Violations of ECP Code of Conduct on Visual Campaign Materials, by Province and Type of Materials (GP=Government Property; PP=Private Property)												
Province	Banners/ Panaflex (larger than 3X9 feet)		Wall Chalking		Hoardings (larger than 3X5 feet)		Posters (larger than 2X3 feet)		Leaflets/ Handbills (larger than 9x6 inches)		Total	
Punjab	122		83		13		9		1		228	
	GP	PP	GP	PP	GP	PP	GP	PP	GP	PP	GP	PP
	118	4	16	67	3	10	4	5	0	1	141	87
Sindh	7		5		1		1		0		14	
	GP	PP	GP	PP	GP	PP	GP	PP			GP	PP
	3	4	4	1	1	0	0	1			8	6
KP	0		2		0		0		0		2	
			GP	PP							GP	PP
			0	2							0	2
Total	129		90		14		10		1		244	

According to the ECP Code of Conduct, banners/panaflexes exceeding 3x9 feet are not allowed. Similarly, hoardings bigger than 3x5 feet, posters exceeding 2x3 feet and leaflets/handbills bigger than 9x6 inches are also banned.

More than half of the illegal materials were oversized banners/panaflexes, which were seen at 129 places (53%), and more than one-third was parties and candidates' graffiti seen at 90 locations (37%), despite a blanket ban. FAFEN observers noted oversized hoardings at 14 locations (6%) and posters at 10 locations (4%). There was just one report of an oversized leaflet/handbill.



Pakistan Muslim League-N (PML-N) had the highest number of violations at 100 (41%), followed by Pakistan Tehreek-e-Insaf (51, or 20.9%), Pakistan Peoples Party Parliamentarians (23, or 9.4%), Jamaat-e-Islami (20, or 8.2%), Pakistan Muslim League (nine, or 3.7%), Sunni Tehreek (seven, or 2.9%), Jamiat-Ulema-e-Islam-Fazlur Rehman (five, or 2.1%), Pakistan Muslim League-Functional (four, or 1.6%), Ahle Sunnat Waljamat (two, or 0.8%) and one each by Jamiat-Ulema-e-Islam-Samiul Haq, National Party, Pakistan Peoples Party-Shaheed Bhutto, Awami Workers Party, Muttahida Qaumi Movement (MQM) and Jeay Sindh Qaumi Mahaz (JSQM). Seventeen violations (7%) by independent candidates were also recorded.



1.1 Banners/Panaflexes

Oversized banners/panaflexes (larger than 3x9 feet) were observed at 129 places in various constituencies across the country. Out of these locations, 122 were in Punjab and seven in Sindh.

Candidates belonging to PML-N had the highest number of violations at 59, followed by PTI (18), PPPP (17), JI (nine), ST (7), PML (6), independent candidates (5), PML-F (4), Ahle Sunnat Waljamat (2), JUI-F (1), and Awami Workers Party (1). Most materials were seen on private property (122), and a few on government property (7).

Oversized Banners/Panaflexes, by Political Party and Location				
Political Parties	Banners/Panaflex larger than 3X9	Percentage	Government Property	Private Property
PML-N	59	46%	3	56
PTI	18	14%	0	18
PPPP	17	13%	2	15
JI	9	7%	0	9
Sunni Tehreek	7	5%	0	7
PML	6	5%	0	6
Independent candidates	5	4%	0	5
PML-F	4	3%	2	2
Ahle Sunnat Waljamat	2	2%	0	2
JUI-F	1	1%	0	1
Awami Workers Party	1	1%	0	1
Total	129	100%	7	122

1.2 Wall Chalking

ECP has banned wall chalking in all forms as part of election campaigning. Despite this ban, wall chalking was observed at 90 places: 83 in Punjab, five in Sindh and two in KP. Candidates belonging to PML-N again had the most violations (31), followed by PTI (28), JI (11), independent candidates (7), JUI-F (3), and PML, JUI-S, NP, PPP-SB, JSQM and MQM (1 each). Most examples (70) were on private property, and 20 on government property.

Illegal Wall Chalking, by Party and Location				
Political Parties	Wall Chalking	Percentage	Government Property	Private Property
PMLN	31	34%	6	25
PTI	28	31%	8	20
JI	11	12%	2	9
Independent Candidate	7	8%	1	6
PPPP	4	4%	1	3
JUI-F	3	3%	1	2
PML	1	1%	0	1
JUI-S	1	1%	0	1
NP	1	1%	0	1

PPP-SB	1	1%	0	1
JSQM	1	1%	1	0
MQM	1	1%	0	1
Total	90	99%	20	70

1.3 Hoardings/Billboards

FAFEN observers noted 14 hoardings above the ECP's allowed 3x5 feet size: 13 in Punjab and one in Sindh. Candidates belonging to PML-N had the highest number of violations at seven, followed by PTI (3), PPPP (2), and PML and JUI-F (1 each). Ten examples were on private property, and four were on government property.

Oversized Hoardings/Billboards, by Party and Location			
Political Parties	Hoardings larger than 3X5 feet	Government Property	Private Property
PML-N	7	2	5
PTI	3	1	2
PPPP	2	1	1
PML	1	0	1
JUIF	1	0	1
Total	14	4	10

1.4 Posters

The ECP allows posters sized no more than 2x3 feet as part of its Code of Conduct for political parties and candidates. FAFEN observers found 10 instances in which campaign posters violated this condition: nine in Punjab and one in Sindh. The most violations in this category were by independent candidates (five), followed by PML-N and PTI (two each), and PML (one). Six instances were on private property, and four were on government property.

Oversized Posters, by Party and Location			
Political Parties	Posters larger than 2X3 feet	Government Property	Private Property
Independent Candidate	5	3	2
PML-N	2	0	2
PTI	2	0	2
PML	1	1	0
Total	10	4	6

1.5 Leaflets/Handbills

The maximum size for leaflets/handbills allowed by the ECP in its Code of Conduct is 9x6 inches. FAFEN observers reported one violation in this category, by PML-N in Punjab, during the observation period.

2. Other Campaign Violations

2.1 Use of Loudspeakers

According to ECP's Code of Conduct, the use of loudspeaker is not allowed for election campaigns except at election meetings. FAFEN observers noted 15 instances in which candidates and/or their supporters were found using loudspeakers for campaigning. Six of these incidents were recorded in Punjab, five in KP and four in Sindh.

Both PTI and PML-N had three violations each. All PTI violations were in Punjab, while the PML-N had two violations in KP and one in Punjab. There were two instances in which PPPP candidates and/or their supporters were found using loudspeakers - one each in Sindh and KP. MQM, too, had two violations (one each in Sindh and KP).

FAFEN observers noted two instances (both in Punjab) of independent candidates and/or their supporters violating the ban on loudspeakers for political campaigning. JI and JUI-F had one violation each (JI in Sindh and JUI-F in KP).

Illegal Use of Loudspeakers, by Party and Province				
Party	KP	Punjab	Sindh	Total
PTI	0	3	0	3
PML-N	2	1	0	3
PPPP	1	0	2	3
Independent candidate	0	2	0	2
MQM	1	0	1	2
JI	0	0	1	1
JUI-F	1	0	0	1
PML	0	0	0	0
Total	5	6	4	15

2.2 Illegal Inducements to Voters

As per ECP's Code of Conduct, the political parties, contesting candidates and their supporters shall not indulge in offering gifts or gratifications or inducements to any person to stand or not to stand as a candidate, or to withdraw or not to withdraw his candidature.

FAFEN CLTOs reported five incidents – all from Punjab – in which election candidates tried to attract voters by giving them food or other items or making promises.

In Mianwali (NA-71), a PML candidate gave sewing machines to voters. Another independent candidate in the same constituency distributed food items among potential voters.

In Okara (NA-146), the PPPP candidate promised jobs while speaking at a rally. In Gujrat (NA-104), a PML candidate also made unspecified promises at a rally, while the PPPP candidate for Sheikhpura (NA-132) promised more jobs during a rally.

2.3 Display of Weapons

According to ECP's Code of Conduct, the display of weapons and firearms in public meetings and processions is banned. FAFEN observers recorded four incidents – three in Punjab and one in Sindh – involving the display of weapons between March 24 and 29. PPP workers were seen carrying guns in a gathering in Kambar Shahdaskot (NA-206). PML-N workers in Mianwali (NA-72) were also seen carrying guns. In Narowal, PTI workers were seen with weapons. Lastly in Vehari, supporters of an independent candidate carried guns.

2.4 Aerial Firing and Fireworks

Aerial firing and use of firecrackers and other explosives at public meetings by political parties and candidates are not allowed under the ECP Code of Conduct. PML-N workers were seen setting off firecrackers in a meeting at the home of their party's candidate in Vehari (NA-168). In Mianwali (NA-71), PML-N workers also were seen setting off firecrackers.

Two instances of aerial firing, both by PML-N supporters/workers were recorded by FAFEN CLTOs. The first instance was in Hyderabad (NA-221) and the second in Mianwali (NA-72).

About FAFEN

The Free and Fair Election Network (FAFEN), established in 2006, is a coalition of 42 leading civil society organizations working to strengthen all forms of democratic accountabilities in Pakistan. Governed by the Trust for Democratic Education and Accountability (TDEA), FAFEN also implements robust programs in-between elections related to monitoring parliamentary affairs, connecting constituents to their elected representatives, monitoring the performance of public and elected institutions and advocating electoral and democratic reforms.

FAFEN Election Program

FAFEN is implementing a long-term election observation program nationwide, including both pre- and post-electoral processes. FAFEN has deployed 272 Constituency Long-Term Observers (CLTOs) across the country to monitor all phases of elections. FAFEN's CLTOs observe the political campaigns in all National Assembly constituencies. In addition, FAFEN will deploy more than 43,000 trained, non-partisan citizens to monitor polling stations across the country on Election Day. All FAFEN observers adhere to the Election Commission of Pakistan's (ECP) Code of Conduct for National Observers as well as the Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations (April 2012). FAFEN's 10-month observation process, which began on February 1, 2013, helps keep all election stakeholders informed on issues relevant to fairness and transparency at every stage of the election process.

FAFEN Election Observation Methodology

FAFEN's election observation activities are based on the Constitution and laws of Pakistan, global best practice standards for elections, as well as the legal obligations of the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan in 2010.

FAFEN District LTOs (DLTOs) and CLTOs monitor and report on the activities of District Election Commissioner (DEC) offices, preparations of elections such as appointment and training of election officials, the process of candidate nominations, and compliance with the ECP's Code of Conduct for political parties and candidates. In addition, LTOs observe and report on compliance of the executive branch with legal responsibilities and ECP regulations, including restrictions on transfers of civil service personnel and initiation of new development schemes. LTOs also monitor political and electoral intimidation and violence, the actions of the police and other security forces, and the overall political environment during the pre-election period. FAFEN LTOs use standardized checklists to report electronically to the FAFEN Election Observation Secretariat in Islamabad regularly. FAFEN compiles data and information from around the country to issue regular thematic updates for the consideration of voters and election stakeholders.