



40% of Pre-election Complaints Yet to be Resolved

Introduction

Free and Fair Election Network's (FAFEN's) District and Constituency Long-Term Observers (DLTOs and CLTOs) have been deployed across the country since February 2013. These long-term election observers collected data between April 23 and 29, 2013, about the number and status of pre-election complaints filed with the offices of Returning Officers (ROs), District Returning Officers (DROs) and District Election Commissioners (DECs).

FAFEN observers collected data from ROs in 164 National Assembly constituencies, including 98 in Punjab, 37 in Sindh, 20 in Khyber Pakhtunkhwa (KP), six in Federally Administered Tribal Areas (FATA) and three in Balochistan. DROs provided data about pre-election complaints in 59 districts across the country, including 26 in Punjab, 15 in KP, 13 in Sindh, four in FATA and one in Frontier Regions (FRs). DECs from 59 districts provided the same data from 27 districts in Punjab, 14 in KP, 13 in Sindh, four in FATA and one in FRs.

Summary

The number of pre-election complaints increased sharply in the last week of April 2013, with 1,476 complaints being registered with election officials between April 23 and 29, 2013, nearly twice the 747 complaints reportedly filed in the preceding week.

Out of these complaints, nearly two-thirds (1,049 or 59.8%) were resolved, according to election officials' records, while more than one-third (427, or 40.2%) remained unresolved.

According to data collected by FAFEN observers, ROs in 164 constituencies received a total of 485 complaints during the observation period, or about three complaints per constituency on average. Out of these, two-thirds (328, or 67.6%) were resolved, while one-third (157, or 32.4%) were pending when the data was collected. Almost one-half of pre-election complaints received by ROs in KP (45.6%) and one-third of those received in Punjab (31.5%) remained unresolved.

In addition to complaints received by the ROs, observers reported 853 complaints filed with DROs in 55 districts, or an average of 14.5 complaints per district. The DROs addressed three-quarters of complaints (629, or 73.7%), while the remaining quarter (224, or 26.3%) remained unresolved. Almost one-third of complaints in Sindh (30.6%) were still pending.

FAFEN observers reported that DECs in 59 districts received 138 complaints during the observation period, or an average of 2.3 complaints per district. The DECs resolved two-thirds of complaints (92, or 66.7%), while the remaining one-third (46, or 33.3%) were yet to be resolved at

the time the data was collected. In KP, most complaints (19 out of 21, or 90.5%) were still pending.

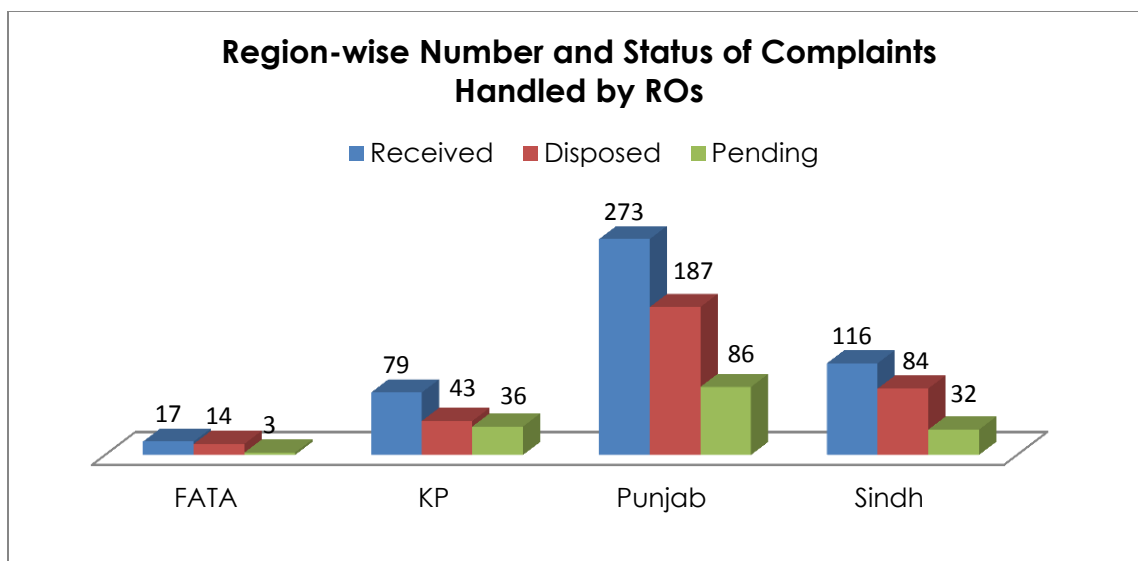
Election Complaints Filed with ROs

FAFEN observers reported a total of 485 complaints filed with ROs in 164 National Assembly constituencies, or an average of three complaints in each constituency.

The ROs in 98 National Assembly constituencies of Punjab received 273 complaints, or an average of 2.8 complaints per constituency. A total of 116 complaints were filed with 37 ROs in Sindh, or about 3.1 complaints per constituency. In KP, a total of 79 complaints were received by 20 ROs, or four complaints on average per constituency, while six ROs recorded 17 complaints in FATA, for an average of 2.8 complaints per constituency.

Election Complaints Filed with ROs			
Provinces /Regions	Reporting NA constituencies	Number of complaints	Non-reporting constituencies
Punjab	98	273	NA-52, NA-55, NA-56, NA-66, NA-72, NA-76, NA-77, NA-81, NA-84, NA-87, NA-88, NA-89, NA-91, NA-119, NA-120, NA-123, NA-124, NA-125, NA-126, NA-128, NA-129, NA-132, NA-138, NA-142, NA-146, NA-147, NA-154, NA-155, NA-158, NA-160, NA-161, NA-164, NA-165, NA-166, NA-171, NA-181, NA-182, NA-183, NA-186, NA-187, NA-192, NA-193, NA-194, NA-195, NA-196
Sindh	37	116	NA-198, NA-199, NA-206, NA-207, NA-214, NA-215, NA-216, NA-217, NA-222, NA-227, NA-228, NA-231, NA-243, NA-244, NA-245, NA-246, NA-247, NA-248, NA-249, NA-250, NA-251, NA-252, NA-254, NA-255
KP	20	79	NA-2, NA-3, NA-8, NA-14, NA-15, NA-16, NA-19, NA-22, NA-23, NA-27, NA-30, NA-31, NA-32, NA-33, NA-34
FATA	6	17	NA-37, NA-39, NA-41, NA-43, NA46
Balochistan	3	0	NA-260, NA-262, NA-263, NA-264, NA-266, NA267, NA-268, NA-269, NA-270, NA-271, NA-272
Total	164	485	

Out of the 485 complaints, 328 (67.6%) were disposed of by the ROs, while the remaining 157 (32.4%) remained unresolved during the reporting period. FATA reported the highest ratio of resolved complaints (14 out of 17, or 82.3%), followed by three-quarters of complaints resolved in Sindh (84 out of 116, or 72.4%). Almost one-third of complaints received by ROs in Punjab remain unresolved, with 187 out of 273 (68.5%) handled at the time of data collection. In KP, almost half of complaints were still pending, with 43 out of 79 (54.4%) resolved so far.



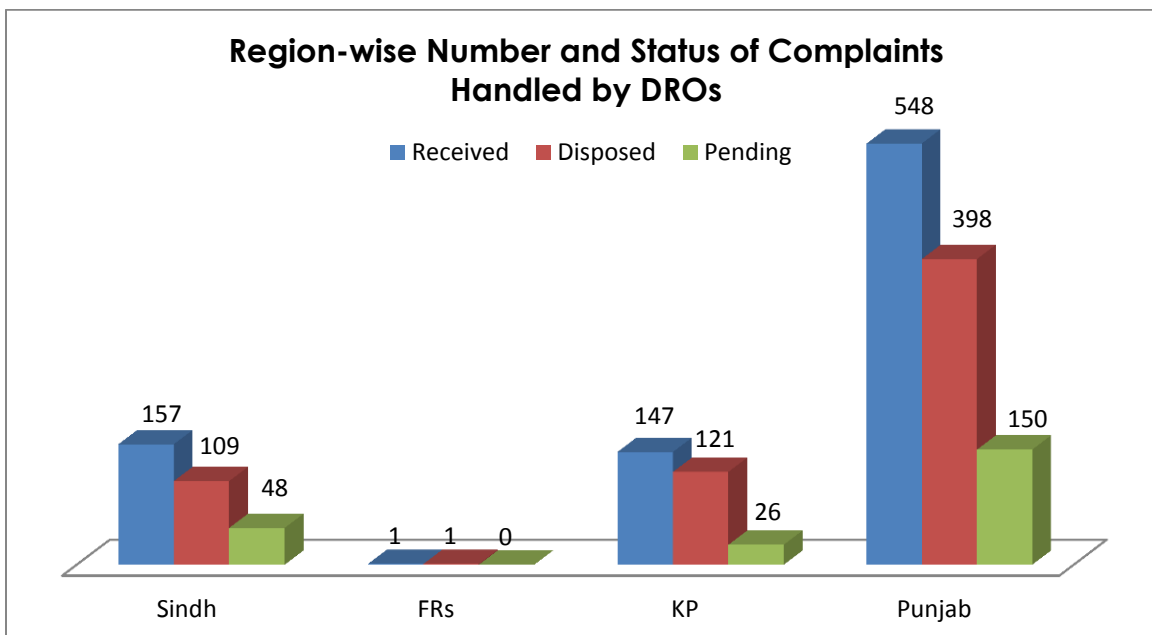
Election Complaints Filed with DROs

FAFEN observers reported 853 complaints being filed with DROs in 55 districts – 26 in Punjab, 15 in KP, 13 in Sindh and one in Frontier Regions. No complaints were received by the DROs in four reporting Agencies in FATA.

DROs in 26 districts of Punjab received 548 complaints, or an average of 21 per district. Fifteen KP DROs received 147 complaints, for an average of 10 per district. A total of 157 complaints, or about 12 per district, were received in 13 districts of Sindh, and one FR received one complaint. DROs in four FATA Agencies reported receiving no complaints.

Election Complaints Filed with DROs			
Province /Region	Reporting Districts	Number of Complaints	Names of Reporting Districts
Punjab	26	548	Bhakkar, Faisalabad, Dera Ghazi Khan, Multan, Attock, Layyah, Narowal, Gujrat, Rajanpur, Lodhran, Rawalpindi, Vehari, Sahiwal, Bahawalnagar, Pakpattan, Sheikhupura, Toba Tek Singh, Lahore, Khushab, Gujranwala, Nankana Sahib, Mandi Bahauddin, Chiniot, Khanewal, Jhang, Hafizabad
KP	15	147	Tor Ghar, Lakki Marwat, Peshawar, Swat, Bannu, Buner, Karak, Hangu, Dera Ismail Khan, Charsadda, Swabi, Abbottabad, Battagram, Mardan, Nowshera
Sindh	13	157	Jacobabad, Shaheed Benazirabad, Kamber Shahdadkot, Dadu, Malir, Matiari, Ghotki, Thatta, Mirpurkhas, Sanghar, Shikarpur, Naushero Feroz, Hyderabad
FATA	4	0	Khyber Agency, North Waziristan Agency, South Waziristan Agency, Orakzai Agency
FRs	1	1	Tank
Total	59	853	

DROs reportedly resolved three-quarters of complaints (629, or 73.7%), while the remaining one-quarter (224, or 26.3%) remained unresolved during the reporting period. Apart from FRs (with one complaint resolved), KP had the highest ratio of resolved complaints (121 out of 147, or 82.3%), followed by Punjab (398 out of 548, or 72.6%) and Sindh (109 out of 157, or 69.4%).



Election Complaints Filed with DECs

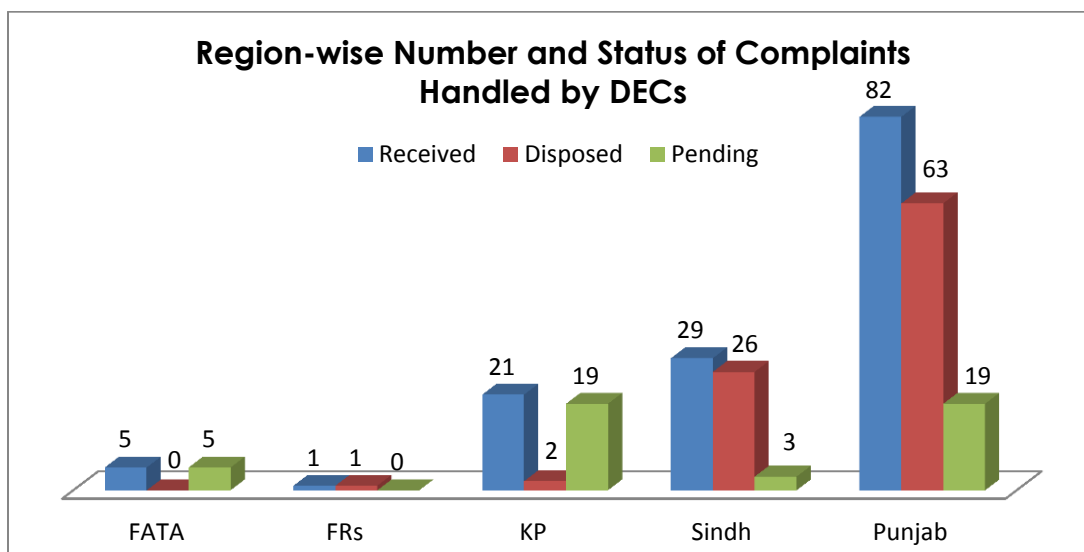
FAFEN observers reported that DECs in 59 districts received 138 complaints during the observation period.

A total of 82 complaints were filed with 27 DECs in Punjab, or three complaints per district on average, while 29 complaints were filed with 13 DECs in Sindh, for an average of 2.2 per district. Fourteen DECs in KP received 21 complaints, or 1.5 complaints per district, while five complaints were reported to four DECs in FATA (1.25 per Agency). DECs in FRs received only one complaint.

Election Complaints Filed with DECs			
Province /Region	Reporting Districts	Number of Complaints	Names of Reporting Districts
Punjab	27	82	Faisalabad, Multan, Gujranwala, Dera Ghazi Khan, Attock, Layyah, Toba Tek Singh, Narowal, Bahawalpur, Nankana Sahib, Gujrat, Rahimyar Khan, Rajanpur, Khushab, Lodhran, Sheikhpura, Chiniot, Mandi Bahauddin, Khanewal, Pakpattan, Jhang, Lahore, Hafizabad, Gujranwala, Bahawalnagar, Vehari, Sahiwal
KP	14	21	Nowshehra, Peshawar, Tor Ghar, Lakki Marwat, Hangu, Karak, Dera Ismail Khan, Abbottabad, Bannu, Battagram, Malakand, Charsadda, Buner, Mardan

Sindh	13	29	Ghotki, Jacobabad, Shaheed Benazirabad, Sanghar, Kamber Shahdadkot, Dadu, Matiari, Tando Allahyar, Mirpurkhas, Shikarpur, Malir, Naushero Feroz, Hyderabad
FATA	4	5	North Waziristan Agency, Khyber Agency, South Waziristan Agency, Orakzai Agency
FRs	1	1	Tank
Total	59	138	

DECs resolved two-thirds of complaints (92, or 66.7%), while the remaining one-third (46 or 33.3%) were unresolved during the reporting period. Apart from FRs (with one resolved complaint), Sindh had the highest ratio of complaints being resolved (26 out of 29, or 89.7%), followed by Punjab (63 out of 82, or 76.8%). In KP, only 2 out of 21 complaints (9.5%) were handled. DEC in FATA did not resolve any of the five complaints filed with them.



Recommendations:

FAFEN offers the following recommendations about election complaint handling:

1. ROs, DROS and DECs should strive to address all pre-election complaints before Election Day, especially those that may have significant implications for the elections.
2. ECP mechanisms for receiving and addressing both pre-election complaints and post-election disputes should be made more clear, accessible and transparent.
3. All DECs, DROs and ROs should share information with election observers and other stakeholders about the process and status of complaint resolution.

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 almost 400 District and Constituency Long-Term Observers (DLTOs and CLTOs) across the country to monitor all phases of elections. In addition, FAFEN will deploy more than 43,000 trained, non-partisan citizens to monitor polling stations across the country on Election Day. 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 international legal obligations, such as those of the International Covenant on Civil and Political Rights (ICCPR), ratified by Pakistan in 2010. 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 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.

FAFEN LTOs monitor and report on the activities of District Election Commissioners (DECs) and other ECP officials related to preparations for elections, including appointment and training of election officials, and the process of candidate nominations. LTOs also observe compliance with the ECP's Code of Conduct for political parties and candidates, and 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. In addition, LTOs monitor political and electoral intimidation and violence, the actions of the police and other security forces, and the pre-election political environment.