
**THE OCTOBER 1990
ELECTIONS IN PAKISTAN**

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TABLE OF CONTENTS

ACKNOWLEDGMENTS	i
EXECUTIVE SUMMARY	iv
INTRODUCTION	1

CHAPTERS

1. NDI ACTIVITIES IN PAKISTAN	5
2. POLITICAL HISTORY	11
3. THE LEGAL AND ADMINISTRATIVE FRAMEWORK FOR THE ELECTIONS	26
4. THE POLITICAL CAMPAIGN ENVIRONMENT	35
5. ELECTION DAY OBSERVATIONS	56
6. POST-ELECTION DEVELOPMENTS	82
7. INVESTIGATION AND ANALYSIS	90
8. REFLECTIONS ON PAKISTAN'S ELECTIONS	102
9. RECOMMENDATIONS	110

APPENDICES

I. Members of NDI Pakistan Election Observation Delegation and Survey Missions 1987-89	120
II. Pre-Election Survey Mission to Pakistan, September 9 - 16, 1990	122
III. Collage of Press Clippings Covering September 1990 NDI Survey Mission	123
IV. Statement of NDI Executive Vice President Kenneth Wollack before Subcommittee on Asian and Pacific Affairs, October 2, 1990	124
V. Terms of Reference	142
VI. International Observer Delegation Briefings in Islamabad	148
VII. 1990 General Election Team Deployment; Pre-Election Delegation Team Meetings; and Functional Teams	149
VIII. Arrival Statement of Delegation, October 23, 1990	156
IX. Preliminary Statement of Delegation, October 26, 1990	159
X. Statement of NDI Executive Vice President Kenneth Wollack before Subcommittee on Asian and Pacific Affairs, November 2, 1990	163

XI.	Election Commission Allocation of Symbols to Political Parties	170
XII.	IJI Political Advertisement	174
XIII.	Section 574(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (The Mikulski Amendment)	175
XIV.	Letter Allegedly Written by Prime Minister Benazir Bhutto to Peter Galbraith	176
XV.	PDA Political Advertisement	177
XVI.	Sample Voter ID Card	178
XVII.	Sample Ballot	179
XVIII.	Sukkur and Gujranwalla Team Reports	180
XIX.	Report of "Election Cell" Activities	195
XX.	Results of 1990 National Assembly Elections by Party and Region	196
XXI.	Results of 1990 Provincial Assembly Elections by Party and Region	197
XXII.	Methodology for Statistical Analysis	198
XXIII.	Statistical Analysis	207
XXIV.	Collage of Press Clippings Covering NDI International Election Observation Delegation	230
XXV.	Letter from NDI President Brian Atwood to Secretary of State James Baker	231
XXVI.	Statements by Other Observer Groups: International Federation for Human Rights and SAARC	232

ACKNOWLEDGMENTS

The international delegation organized for the October 1990 Pakistan National Assembly elections required an enormous effort before, during and after the elections. The National Democratic Institute for International Affairs (NDI), which sponsored the delegation, thanks all those who contributed to this important endeavor.

NDI board member Kenneth Melley led a five-member, pre-election mission, which visited Pakistan from September 9-16. The work of the pre-election mission provided the basis for deciding to send an international delegation and for determining the delegation's terms of reference.

The members of the international delegation gave generously of their time, not only by participating in the election mission, but also by reviewing diligently the post-election analysis performed as part of the project. NDI owes a special debt of gratitude to the delegation leaders: former Turkish Foreign Minister Vahit Halefoglu and Senator Stanislaw Dembinski of Poland. Their leadership and their personal experiences and expertise were critical to the delegation's activities.

The contribution of delegation member Lee Feldman deserves special mention. Feldman dedicated considerable time to preparing a detailed statistical analysis of the results, which measurably enhanced the delegation's understanding of the overall process. Feldman's analysis and conclusions are reported in Chapter 7B.

NDI Executive Vice President Kenneth Wollack served as liaison with the delegation leaders as well as the Institute's principal

spokesperson. NDI Senior Consultant Patricia Keefer and NDI Research Director Mahnaz Ispahani managed the Pakistan project. Keefer has been responsible for NDI projects in Pakistan since 1987, while Ispahani is a scholar of South Asian politics. NDI program staff members Donna Huffman, Gina Giere and Joe Hennessey ensured that the program was successfully implemented in Pakistan. NDI Senior Consultant Larry Garber advised on the plan for the mission and NDI Legal Consultant Eric Bjornlund handled press relations.

NDI benefitted enormously from the contribution of Josh Steiner, who served as NDI's representative in Pakistan following the elections. His perseverance, ingenuity and sound judgment in investigating allegations of irregularities provided the delegation with a more complete basis upon which to analyze the election process.

This report was prepared under the auspices of NDI, which assumes full responsibility for its content and accuracy. There was, however, extensive consultation with members of the delegation during the drafting process. All members of the delegation reviewed the Executive Summary and, before its release, a consensus was reached on the conclusions contained therein.

Responsibility for preparing this report was shared by many individuals. Garber, Ispahani and Steiner served as principal authors and redactors, while Bjornlund and Keefer also drafted individual chapters. Delegation members Kathryn Baran, Lovida Coleman, Feldman, Edward Fox, Peter Hatch, Maria Leissner, Peter Manikas, Gigulu Nkwinti, James McAvoy, William Richter, Barnett Rubin and Sue Wood prepared team reports, condensed versions of which are included in Chapter 5. Some of the material contained in Chapter 2 draws upon Mahnaz Ispahani's Adelphi Paper, *Pakistan: Dimensions of Insecurity* (London: International Institute for Strategic Studies 1990).

The task of editing the report was shared by the authors, as well as by Wollack. NDI President J. Brian Atwood, who co-led the international delegation to the 1988 Pakistan elections, provided valuable insights during the drafting process. In addition, NDI Public Information Director Sue Grabowski demonstrated her usual indispensable expertise in reviewing the manuscript and in managing

the production of the report. Hennessey also assisted in editing the report, while Giere assembled and organized the appendices.

NDI wishes to acknowledge the assistance and cooperation it received from the U.S. Department of State, the U.S. Embassy in Pakistan and the Agency for International Development (AID), which provided most of the funding for the project. Recognizing NDI's professionalism and experience in the field of election observing, the State Department, the U.S. Embassy and AID fully respected the independence of the delegation.

Finally, NDI thanks the many Pakistanis who gave generously of their time in meeting with members of the delegation before, during and after the elections. Special mention should be made of the Central Election Commission (CEC), which provided access to all aspects of the election process. In addition to observing the balloting activities, delegation members were able to review the process of reporting the results at the CEC headquarters and were able to meet on a regular basis with CEC officials, who answered the delegation's many questions about the conduct of the elections.

March 1991

EXECUTIVE SUMMARY

A 40-member international delegation, organized by the National Democratic Institute for International Affairs (NDI), observed the October 24, 1990 National Assembly elections in Pakistan. Ten members of the delegation stayed in Pakistan through October 29, meeting with party representatives and observing the October 27 provincial assembly elections. An NDI representative remained in Pakistan until November 18 to review post-election developments.

As is NDI practice and as set forth in the terms of reference, the delegation evaluated the elections in three phases: the pre-election preparations and campaign environment; the balloting and counting processes; and post-election reviews of the formation of the new government and the complaints filed before the Election Commission. To realize this evaluation, the delegation relied on the findings of a pre-election mission that visited Pakistan in early September 1990, the observations of delegation members during the period surrounding the elections, the investigations of the NDI representative who remained in Pakistan after the elections and a multi-faceted statistical analysis of the National Assembly elections, which compared registration figures, voter turnout, and the results for the 1988 and 1990 elections on a constituency-by-constituency basis.

The October 1990 elections occurred less than two years after elections in 1988, which were viewed at the time as signifying an important step in Pakistan's transition to democracy. President Ghulam Ishaq Khan scheduled the most recent elections following his August 6, 1990 dismissal of the federal government and simultaneous dissolution of the National Assembly. The former government

challenged the constitutionality of the President's actions, but the Pakistan courts rejected these challenges. Nonetheless, the President's dismissal of the government raised questions in the minds of many Pakistanis as to whether the elections would take place as scheduled and whether former Prime Minister Benazir Bhutto and her close allies would be barred, even at the last minute, from participating.

The Islamic Democratic Alliance (known by its Urdu initials as the IJI) obtained 105 of the 216 seats in the new National Assembly. On November 6, the National Assembly elected Nawaz Sharif – a leader of the Muslim League, the largest party in the IJI, and the former chief minister of the Punjab – as prime minister.

The Pakistan Democratic Alliance (PDA), which is dominated by the Pakistan Peoples Party (PPP) and is led by Benazir Bhutto, won 45 seats, the second largest number, in the National Assembly. While contesting the fairness of the elections, the PDA legislators assumed their seats and Benazir Bhutto became leader of the opposition forces in the National Assembly.

This delegation's qualitative and quantitative analysis suggests that, notwithstanding serious irregularities in certain constituencies, the IJI would have obtained the largest number of seats in the National Assembly and thus would have been the coalition most likely to form a new government. Two types of evidence suggest a conclusion that the results in most constituencies reflect the will of the electorate: 1) the delegation's election day observations of a generally orderly and well-administered election at the polling site level, with agents representing at least two parties present at most polling sites; and 2) the statistical analysis indicating that the IJI success in these elections can be attributed, in large measure, to its ability to forge electoral coalitions with minor parties and to draw support away from independent candidates.

Safeguards in the election law proved inadequate to prevent the occurrence of serious problems in certain constituencies. Statistical anomalies, firsthand reports of irregularities, or a combination of both, raise questions regarding the election process in approximately 15 percent of the constituencies; most, but not all, of these constituencies

were won by the IJI. The delegation has no conclusive evidence, however, that the irregularities affected the outcomes in these constituencies, and shifts in voting patterns might explain statistical anomalies.

The election commission, whether constrained by law or by custom, was unable or unwilling to alleviate the problems that emerged. At times, the commission relied too heavily on other governmental bodies to implement its directives and to investigate complaints.

These breakdowns in the electoral system are a very serious matter. Unless corrective action is taken immediately – including expeditious adjudication of election petitions and the replacement of officials who, either through incompetence or willfulness, tolerated irregular behavior – confidence in the electoral system will be badly damaged, and the negative consequences will be felt for many years.

The following are the delegation's additional summary conclusions regarding Pakistan's election process:

- 1) The conditions under which the 1990 elections were held favored the IJI, whose leaders formed the caretaker government following the President's August 6 action, and placed the PDA at a significant disadvantage. The IJI benefitted from the caretaker government's extensive use of the perquisites of incumbency, including the selective use of accountability tribunals to investigate allegations of corruption made against members of the Bhutto government. The caretaker government's decidedly partisan behavior, however, did not prevent the contesting parties from disseminating to the electorate their messages through rallies, posters and other forms of campaign activity.

- 2) The news coverage on government-controlled television and radio was unbalanced in favor of the IJI, although radio, the more important medium, did a somewhat more credible job than television. The print media, meanwhile, remained relatively free and robust. However, several journalists reported that, as a consequence of their political coverage, they received threats from major political parties and the government. Also, some newspaper and magazine editors

complained that government advertising declined when their coverage of the caretaker government turned too critical.

3) During the pre-election period, incidents of violence were directed against those participating in the process, one of which resulted in the death of a candidate. The violence affected activists of all parties.

On election day, the delegation observed or was informed about incidents of violence and intimidation. These incidents – which took the form of kidnappings, drive-by shootings, disruptions at polling stations, and harassment of voters – may have resulted in disenfranchisement in the affected constituencies. In addition, pre-election day arrests of PDA supporters, particularly in certain constituencies in Sind but also in other regions of the country, served as a tactic of intimidation.

4) Reports indicate that some government officials encouraged the election day irregularities by assigning presiding officers based on political loyalties and by preventing party agents from fulfilling their responsibilities. The latter was accomplished through arrests, intimidation and failure to follow prescribed procedures requiring the presentation of tally sheets to all party agents.

5) As in previous elections, the administrative procedures applied in female polling stations increased opportunities for abuse and manipulation. The absence of photographs on women's identification cards, the introduction of men into the women's polling stations and the lack of training for women polling officials caused confusion at many of the sites visited.

6) In polling sites visited by delegation members, the counting process was conducted expeditiously and in the presence of party agents. Nonetheless, in violation of the law, government officials sought to establish "election cells" in some areas. These cells would have allowed the reporting of electoral results to unauthorized local officials, thereby creating an opportunity for partisan officials to attempt to manipulate the outcome in particular constituencies. The long delays in certain constituencies between the close of the polls and the time some polling stations reported results to the returning

officers, who were responsible for tabulating the results in each constituency, also raised suspicions.

7) No evidence has been presented by any of the parties that show discrepancies between the results obtained by party agents and those reported by the election commission. There is, however, credible evidence that in certain polling stations in several constituencies party agents, usually but not always affiliated with the PDA, were prevented from observing the count. Consequently, the results from those constituencies are less reliable.

8) The election commission's post-election complaint process, which dealt only with the most egregious problems, resulted in the withholding of official results in eight National Assembly constituencies. Nonetheless, after the election, the commission, and perhaps more critically the returning officers, could have exhibited greater initiative in investigating the alleged misconduct. The unwillingness of returning officers to open the sealed bags containing the ballots and other election materials illustrates this lack of initiative.

The election tribunals, which are responsible for reviewing and resolving election-related complaints, received 66 election petitions by the December 15 deadline. To help restore confidence in the election process and, if warranted, to order a repolling in particular constituencies, the tribunals should attempt to expedite consideration of all election petitions and the issuance of decisions in these cases. In this context, the delegation notes that 65 of 110 election petitions filed after the 1988 elections are still pending.

While the delegation has received no evidence of a systematic effort to commit fraud on a national scale, serious and widespread irregularities in certain constituencies highlight the urgent need for electoral reform. If safeguards in the system are not significantly strengthened, greater abuses in future elections are possible and the development of democratic institutions in Pakistan will be seriously threatened. The following are among the areas where review may be appropriate:

- the investigatory role of the election commission;

- the activities of incumbent governments during an election campaign;
- the appointment and assignment of presiding officers;
- the procedures used at women's polling sites and the overall status of women in the electoral process;
- the relationship between the government and the media;
- the voter education and training programs available for the general public, party agents and polling officials; and
- the process for verifying election results.

The prospects for democracy in Pakistan depend greatly upon the extent to which both government and opposition adopt the attitudes of tolerance and cooperation, as well as upon the relations between civilian and military authorities. The election commission and the political parties, each in their own way, should consider how they can strengthen themselves to monitor future elections so that in the future the abuses identified during the recent elections are more difficult to commit and easier to detect.

As is true with many emerging democracies, Pakistan faces enormous political and economic challenges. The international community should be prepared to contribute, where appropriate, to strengthen democratic processes and political pluralism in Pakistan.

INTRODUCTION

On October 24, 1990, the people of Pakistan went to the polls to elect members of a National Assembly for the second time in less than two years. The results dramatically reversed the electorate's 1988 decision. The Islamic Democratic Alliance, or in Urdu the Islami Jamhoori Ittehad (IJI) – an alliance of nine conservative Islamic political parties – received a mandate to form the new government by winning 110 of the 216 contested seats; the election in one constituency was canceled due to the murder of an IJI candidate. The Pakistan Democratic Alliance (PDA), whose largest member is the Pakistan Peoples Party (PPP), which had won a plurality of seats in the last election and had formed the previous coalition government, won 44 seats. According to results released by the Election Commission, 22 million people cast ballots on October 24, accounting for a turnout of 45.02 percent. This figure is slightly higher than the turnout figure for the 1988 elections.

The elections took place in a highly charged political atmosphere created, in part, by President Ghulam Ishaq Khan's August 6 order, which dissolved the National Assembly and dismissed the government of Prime Minister Benazir Bhutto – the second such dismissal of a government in less than three years. A caretaker government, comprising leaders of the IJI opposition, was established. The president scheduled new elections for October 24, within the three-month period set by the constitution. Controversy surrounding the constitutionality of the president's actions and his motivations permeated the election process.

The subsequent dissolutions of the four provincial assemblies (the chief ministers in Punjab and Baluchistan were allowed to resign voluntarily, while the governments in Sind and Northwest Frontier Province were dismissed) set the stage for the election of members to these bodies on October 27. The results of these elections closely paralleled those of the national elections, with the PPP experiencing substantial losses from its 1988 showing. The results enabled the IJI to take the lead in forming provincial governments in all the provinces except Baluchistan.

Following the announcement of the official election results on November 1, the IJI nominated, and the National Assembly elected, Nawaz Sharif as prime minister. Sharif, a businessman, is president of the Muslim League, the leading party in the IJI. He is also the immediate, former chief minister of Punjab.

The new government of Prime Minister Nawaz Sharif faces enormous challenges. During its 20 months in office, the Bhutto government, like its predecessors, was unable to effect progress towards the resolution of important national concerns, including antagonistic center-province relations, ethnic conflict and the question of enacting the Shariat bill, which would institute an Islamic order in Pakistan. Such pressing issues remain today, but the Persian Gulf War made it even more difficult for Pakistan's leaders to address them.

The economy, already in dire straits, is suffering the effect of a dramatic loss in foreign exchange revenues from the Gulf and the return of thousands of displaced workers from Kuwait. In Sind, ethnic hostilities, while muted, have hardly been resolved. The initiation of the current population census, which will provide information about sensitive inter-ethnic and rural-urban population balances, has raised concerns.

The Pakistan government's disputes continue, with India over Kashmir, and with the United States over Pakistan's nuclear program (which has led the U.S. to withhold aid to Pakistan). During the Gulf War, leaders of the army and leaders of the civilian government became increasingly estranged over Pakistan's participation in the

United States-led coalition, while PPP leaders led pro-Saddam, anti-U.S., and anti-government street demonstrations. Buffeted by domestic and foreign pressures, Pakistan's polity is becoming even further divided, dampening hopes for the resolution of vital national concerns.

In these turbulent times, following such controversial elections and in the wake of renewed questions about the persistent involvement of the army in politics, Pakistan's politicians will once more require extraordinary skills and a commitment to building confidence in a pluralist civilian order if democracy is to survive in the 1990s.

This report discusses the events and controversies surrounding the October 1990 elections, as seen from the perspective of the 40-member international delegation sponsored by the National Democratic Institute for International Affairs (NDI). It begins with a description of NDI's activities in Pakistan since 1987. There follows a historical overview that sets the context for recent political developments. The third chapter reviews the legal and administrative framework for elections in Pakistan. The next two chapters address the campaign period and the balloting on election day. Chapter six covers developments in Pakistan during the post-election period. It is followed by NDI's post-election examination, which includes a comparative statistical analysis of the results from the 1988 and 1990 elections. The delegation's reflections on the elections and the role that observers played in the process are discussed in the penultimate chapter. The report concludes with recommendations for strengthening Pakistan's democratic institutions, specifically the election process.

This report was written after consultations with all the major political parties in Pakistan. These consultations made it clear that of the principal political groups only the PDA had serious questions concerning the legitimacy of the election. Thus, in so far as this report discusses problems with the election process other than those witnessed by the delegation, it primarily details these PDA allegations. This examination is designed to discuss the extent to which the delegation was able to corroborate or refute charges made concerning

the elections. The report attempts to explain carefully the extent and location of the identified problems.

Chapter 1

NDI ACTIVITIES IN PAKISTAN

NDI has worked in Pakistan since 1987. During this period, NDI sent eight missions to Pakistan, five of which dealt specifically with the election process. This chapter reviews NDI's program activities.

A. Before and After the 1988 Elections

In 1986, a year after the cessation of martial law and the legalization of political parties, government representatives and opposition party leaders in Pakistan urged NDI to develop a program that would support the restoration of a democratically elected government. NDI responded by initiating a project that would help strengthen such critical democratic institutions as political parties, the parliament and the press, as well as promote free and fair electoral processes.

The proposed program called for a series of seminars that would have permitted Pakistanis to consider the experiences of other countries in charting transitions to democracy. As part of developing this program, NDI sent a two-member team to Pakistan for the 1987 Local Bodies elections. (See Appendix I.) NDI then scheduled the first seminar for 1988, but canceled it when President Zia ul-Haq dissolved the National and Provincial assemblies in May 1988. Zia ul-Haq's death in an airplane crash on August 17, 1988 and the scheduling of elections refocused NDI's program initiatives.

With elections scheduled for November 1988, attention was instead directed to the electoral process. In October, NDI sponsored

a six-member, bi-partisan delegation that evaluated the legal and administrative procedures for the November elections. (See Appendix I.) Parallels with the 1990 situation make it useful to highlight the major concerns of Pakistanis as reported by that delegation. There was concern regarding:

- 1) the constitutionality of President Zia ul-Haq's dismissal of Prime Minister Mohammed Khan Junejo's government;
- 2) the partisanship of the appointed caretaker government;
- 3) the effect that violence in Sind and the floods in the Punjab might have on the willingness of the population to participate in the elections;
- 4) whether the elections would actually take place as announced; and,
- 5) the potential disenfranchisement of large numbers of voters, particularly in rural areas, as a result of requiring the presentation of identity cards at the polling sites.

Notwithstanding these concerns, the pre-election mission recommended that, assuming the government extended an invitation, NDI should organize an international observer delegation to the November elections.

Acting President Ghulam Ishaq Khan invited NDI to sponsor an international delegation, and the Institute organized an 18-member delegation that included nationals from five countries. (See Appendix I.) In its final report, the NDI delegation concluded that the electoral laws and procedures compared favorably with those used in other democratic countries and that the process was generally free and fair. The delegation complimented the acting president, the military and police forces, and the election officials for supporting the integrity of the election process. As a final statement, the delegation cautioned:

Pakistan's political leaders – those in the current PPP government and those representing parties in the opposition – must now work to consolidate democratic government. Institutions that contribute to the resilience of a free society – such as an accountable government, vibrant political parties, an independent judiciary,

democratic trade unions, and a nonpartisan military – must be nurtured and supported.

Unfortunately, as described in the next chapter, the subsequent 20 months did not allow for a significant consolidation of democratic government or a nurturing of democratic institutions.

Following the November 1988 elections and the formation of a government led by PPP leader Benazir Bhutto, NDI, working with the Turkish Democracy Foundation, sought to initiate an inter-parliamentary dialogue on legislative procedures and political party organization. Instability and political divisiveness in the Pakistan National Assembly, however, delayed implementation of the program.

In 1989, NDI conferred the W. Averell Harriman Democracy Award on Prime Minister Bhutto in recognition of her role in restoring democratically elected, civilian rule in Pakistan. The award was accepted in Washington by Senior Minister Begum Nusrat Bhutto.

B. September 1990 Survey Mission

Soon after the dismissal of the Bhutto government in August 1990, NDI organized a five-member survey mission, which visited Pakistan from September 9-16. (See Appendix II.) The mission obtained information regarding the political situation, the pre-election environment, the laws and procedures for the elections and the feasibility of organizing an international observer delegation. The mission received considerable coverage in the Pakistani press. (See Appendix III.)

The mission reported the existence of comprehensive electoral laws that mirrored those implemented in 1988. At the same time, the delegation noted serious complaints, many of which were similar to those expressed in 1988, and a highly polarized political environment. The mission reported:

- 1) substantial legal and political controversy over the dismissal of the government;
- 2) challenges to the fairness and constitutionality of the special tribunals initiated by the caretaker government to hear charges

brought against former Prime Minister Bhutto, her family and officials of her government;

3) concerns about the appointment of partisan political personalities to the caretaker governments;

4) allegations that the caretaker governments were abusing the perquisites of office; and,

5) allegations of physical harassment and arrests of political activists.

The findings of the survey mission were reported in testimony presented on October 2, 1990 to the U.S. House of Representatives Foreign Affairs Subcommittee on Asian and Pacific Affairs. (See Appendix IV.) The findings of the survey mission were also used to brief members of the observer delegation on the campaign period.

The mission found ambivalence regarding the presence of international observers. The posture of President Ishaq Khan is illustrative. When he dismissed the government and announced new elections, Ishaq Khan stated that he would welcome international observers. In meeting with the delegation, however, the president noted that observers often visit a country only for elections, while ignoring other serious impediments to democratization.

C. The International Observer Delegation

NDI proceeded to organize a 40-member delegation from 17 countries for the elections. The delegation was led by Vahit Halefoglu, the former Turkish minister of foreign affairs and Senator Stanislaw Dembinski of Poland. Nine of the delegates were nationals of countries with significant Muslim populations. The U.S. component of the delegation was bipartisan. The delegation comprised regional specialists, election experts, parliamentarians and political party leaders. The delegation also included four individuals nominated by the U.S.-based International Foundation for Electoral Systems (IFES).

The delegation arrived in Pakistan on October 21. After reviewing the terms of reference for the mission (see Appendix V), the delegation met in Islamabad, the federal capital, with government

and political party leaders, members of the Central Election Commission (CEC) and journalists. (See Appendix VI.) The delegation then separated into eight teams: the leadership team and one other team remained in Islamabad, and six teams dispersed to major cities in the four provinces. Before the elections, the teams met with local officials, candidates, representatives of human rights organizations and others in their respective regions to gather information about the election process. Members of the delegation also were assigned to functional teams to review the broadcast and print media's coverage of the campaign and the election; analyze the accountability tribunal process; and evaluate the CEC's handling of election-related complaints. (See Appendix VII.) On October 23, the delegation leaders discussed the delegation's role and plan at a press conference in Islamabad. (See Appendix VIII.)

On election day, members of the delegation observed balloting in more than 600 polling stations clustered in 30 constituencies throughout the country. Delegation members also monitored the counting at polling stations, as well as at district and provincial election offices.

The delegation reassembled in Karachi, and after a lengthy debriefing session, issued a preliminary assessment of the election process on October 26. (See Appendix IX.) The timing and content of this statement became the subject of discussion and some dispute in Pakistan; chapter 8 addresses the debate surrounding the statement. The following week, NDI representatives summarized the findings of the delegation in testimony before the U.S. House of Representatives Foreign Affairs Subcommittee on Asian and Pacific Affairs. (See Appendix X.) Several delegates also published articles in their own countries regarding their personal observations.

Fifteen members of the delegation remained in Pakistan to observe the October 27 Provincial Assembly elections and to meet with political party representatives to obtain their evaluations of the election process. In addition, an NDI representative stayed in Pakistan until November 19, investigating allegations of irregularities in the election process. Finally, delegation member Lee Feldman

executed a comprehensive statistical analysis, comparing the 1990 results with those from the 1988 elections.

Chapter 2

POLITICAL HISTORY

This chapter outlines Pakistan's political history. It also describes the country's recent electoral history, but leaves for later chapters the discussion of how historical developments affected the 1990 elections.

In 1947, Pakistan was carved out of contiguous Muslim majority areas of British India. A geographical aberration, East and West Pakistan were separated by more than 1,000 miles of hostile Indian territory. In 1971, after many years of acrimonious co-existence, East Pakistan seceded following a brutal and bloody war.

Today, Pakistan's society is a study in inequalities. It has a small, highly educated and wealthy elite, while large segments of the population are illiterate, impoverished and lack even drinkable water. The country is divided into four provinces – Sind, Baluchistan, Punjab and the North West Frontier Province (NWFP). Pakistan also governs the Federally Administered Tribal Areas (FATA) and the Northern Areas through which the massive Karakoram Highway snakes its way into China's Xinjiang Province. The legal status of the Northern Areas is linked by India to the dispute over ownership of Kashmir.

Pakistan's geographical location has affected its politics, culture and self-perception. In Africa or Latin America, this country of 110 million people and 310,527 square miles, stretching from the Karakoram Mountains to the Indian Ocean, would be a great state. As it sits, however, at the crossroads of Central, South and West Asia, Pakistan is surrounded by giant neighbors – India, China, and the

Soviet Union (which lies to the north of the Wakhan corridor, a sliver of Afghan territory). Consequently, it considers itself an insecure country in need of extra-regional friends and allies.

Aware of their country's vulnerabilities, Pakistan's leaders have always sought close relations with outside powers, including the United States and Muslim countries, such as Saudi Arabia, Turkey and Iran. Since 1963, however, China has been Pakistan's most steadfast regional ally.

Some of Pakistan's borders are challenged. Afghanistan disputes its southern border – the Durand Line – with Pakistan. In turn, Pakistan continues to quarrel with India over the status of Kashmir. Today, this region faces an armed, anti-Indian insurrection. If India and Pakistan go to war again because of Kashmir, the consequences for the region are likely to be grave: according to Western reports, both India and Pakistan now possess the capability to build nuclear weapons.

While China has been Pakistan's most consistent ally, since the outbreak of the Afghan conflict in 1980 the United States has been Pakistan's largest aid donor, annually providing it with more than \$550 million of economic and military assistance. American and Pakistani conceptions of their national interest are changing, however, and the relationship is at an impasse today. The two countries are quarrelling about issues ranging from Indo-Pakistani nuclear arms proliferation to Pakistan's flourishing narcotics trade. The United States has withheld aid to Pakistan pending resolution of the nuclear question.

Since independence in 1947, Pakistan has experienced a crisis of national identity which remains unresolved to this day. After years of political and military conflict, the debate about an appropriate political system for Pakistan is more acute than it was at independence. Successive Pakistani leaders have sought – and failed – to find legitimacy for their governing institutions.

At one level, Pakistan's political history has centered around the search for an appropriate form of government: Islamic or secular; civilian or military; parliamentary or presidential. On other levels, the relationship between the central government and the provinces has

never been sufficiently resolved; the politics of ethnicity and religion have remained prominent; and since the 1980s, Pakistan has suffered from the fallout of the Afghan war – a flourishing narcotics trade and approximately 3 million refugees.

Pakistan's political life has been characterized by failures to establish a *modus vivendi* among its ethnically varied citizens and among its civilian and military elites. It has experienced virtually all forms of conflict: tribal insurgencies, ethnic and sectarian struggles, civil war, secession, border disputes, irredentism and conventional war. Today, the ethnic and regional rivalries that divided Pakistan in 1971, and that flared up in Baluchistan in the mid-1970s, afflict the province of Sind. Not only do these tensions lead to intense intra-provincial rivalries, they also foster inter-provincial antagonisms as well. The allocation of scarce government resources among the provinces and the representation of the provinces within the national government and the military are constant sources of friction.

Electoral politics are conducted in a broadly feudal society that bears the imprint of extended periods of military rule and the continued assertion of the military's political power. Elections in Pakistan have rarely resulted in salutary outcomes. The 1970 elections led to a series of events which culminated in the disintegration of Pakistan. The 1977 elections precipitated the ouster of the civilian leader, Zulfikar Ali Bhutto, by a military coup. The civilian-led government that was formed after the 1988 elections – following 11½ years of military rule – was dismissed on August 6, 1990.

Pakistan's political parties lack both organization and institutionalization. They are usually coalitions formed around charismatic leaders and families, or they tend to be weak and easily fragmented. Parties also form around exclusive ethnic groups (e.g., the Muhajir Quami Movement (MQM)) or religious groups (e.g., the Jamaat-a-Islami (JI)). There are also parties that advocate extreme regional autonomy and even talk of secession (some Sindhi and Pakhtun nationalist parties.)

Historically, civilian politicians have quarreled stubbornly among themselves, sometimes creating the impression that they would prefer

to keep other civilians, not soldiers, out of power. There have been no accepted rules of succession. To date, no elected leader of Pakistan has willingly left office.

Ideological differences among parties are often overshadowed by the linkages among members of Pakistan's political elite. This elite is composed of tribal chieftains, heads of clans and brotherhoods, mystical religious figures, large landlords, and businessmen, as well as a few secular inhabitants of the cities, leftist politicians and nationalists. A new political phenomenon is also emerging: the growth of a middle class, which inhabits the smaller, expanding industrial cities and towns, especially in Punjab.

A tradition of stable, competitive democratic politics has not yet been established in Pakistan. Its civilian rulers have conformed to two basic patterns: authoritarian leaders or quarreling coalitions and fragmented political parties. The only civilian who was able to place his stamp on policy – albeit a personal and not an institutional one – was Zulfikar Ali Bhutto. Other civilian leaders have been unable to affect national policy.

Officially, Pakistan is an Islamic republic. Yet the extent to which Pakistan should become a truly Islamic state – and who should guide it in that direction – remains an unresolved issue in Pakistan's national politics. Pakistan's population is approximately 97 percent Muslim. The majority of the population is Sunni, although Shias comprise a substantial minority, estimated at between 15 and 20 percent. In 1987, the Shias transformed their existing religious organization into a political party, the Tehrik-e-Nifaz-e-Fiqh Jafaria (TNFJ). Disputes between Shias and Sunnis have long formed an integral part of the religious landscape. Now they are being translated into the political sphere.

The independence movement bequeathed to Pakistan two political legacies, one secular, the other religious. Since 1947, Pakistanis have deliberated over these competing legacies. The leaders of the independence movement were liberal lawyers who admired Western parliamentary traditions and sought a homeland in which Muslims would not be politically and economically dominated by Hindus. The movement they led, however, was grounded in Muslim nationalism.

Today, the religious parties, most of which opposed the creation of Pakistan in the 1940s, demand that it be made an Islamic state. They claim to be the true representatives of the Muslims led out of India by Mohammed Ali Jinnah, the founder of modern Pakistan. While all of Pakistan's constitutions have made reference to the Islamic nature of the Pakistani state, it was not until the last days of Prime Minister Zulfikar Ali Bhutto's government that a formal effort was made to institute Islamic rules and practices. At that time, the elder Bhutto announced that a controversial sect, the Ahmedis, were not Muslims, and he banned alcohol and gambling.

Despite Bhutto's professed support for an ideology of "Islamic Socialism," however, it was President Zia ul-Haq who promoted the Islamization of law, banking, taxation, and the penal code. During Zia ul-Haq's rule, the Shariat bill, advocating an Islamic political and legal system for Pakistan, was introduced in Parliament.

In recent elections, the religious parties have garnered limited electoral support, but they continue to be extremely well-organized and politically influential, both in coalition-building and in political agitation.

During Benazir Bhutto's tenure, the Senate – which was controlled by the opposition – approved the Shariat bill, but the National Assembly did not pass it. Under this bill, Islamic law would become the supreme law of Pakistan and authority would be vested in appointed religious judges. The rights of women and non-Muslims would be restricted.

In 1990, shortly after he dismissed Prime Minister Benazir Bhutto's government, President Ghulam Ishaq Khan, an advocate of Islamization, signed the Qisas and Diyat ordinance, which provides Islamic punishments for criminal acts. In January 1991, the passage of the Shariat bill was again under consideration by the newly elected executive and assemblies of Pakistan.

Pakistan has also been afflicted by numerous conflicts between ethnic communities and between the central government and the provinces. In 1971, the Pakistani province of East Pakistan seceded. In the late 1970s, a war erupted in Baluchistan. Today, the conflict

between ethnic groups is worst in Sind which is inhabited by Sindhis and *muhajirs* (Muslim immigrants from India to post-independence Pakistan), Punjabis, Pakhtuns, Baluch and others.

While the violence in Sind has included Pakhtuns and Punjabis, it is Sindhis and *muhajirs* who have developed special political, economic and cultural grievances against each other, and against the central government. Here, Sindhi nationalists issue calls ranging from secession to radical provincial autonomy for their supporters, who are among Pakistan's most impoverished and neglected people. Meanwhile, the *muhajirs*, too, have become politicized and militant. With a large cadre of educated youth, they have felt increasingly under-represented in government and lacking in educational and economic opportunities. In the mid-1980s they formed the MQM. The MQM is an exclusively *muhajir* party, which promotes *muhajir* rights.

Today, Sind is divided between ethnic communities and between rural and urban communities. The *muhajirs* control the largest city, Karachi, while Sindhis dominate the rural areas. Since 1986, the violence among the different communities has left more than a thousand people dead. Civilian and military governments have failed to resolve Sind's problems. Neither Zia ul Haq, nor the two Sindhi prime ministers, Mohammed Khan Junejo and Benazir Bhutto, have been able to mediate between the warring communities. Recent demographic changes and deteriorating economic conditions suggest that ethnic polarization is unlikely to diminish in the near future.

The rise and the endurance of the military in the civil sphere has been another prominent feature of Pakistan's politics. Between 1947 and 1990, except for about 17 years of turbulent civilian rule, Pakistan has been governed by its 500,000-strong army. Pakistan's people continue to perceive the army as the principal arbiter in politics, and civilian political supremacy is tenuous.

Pakistan's military hierarchy view the decay of democratic institutions and civil administration as the reason they are forced to enter civil politics and impose martial law. Conversely, civilian politicians respond that it is the army's repeated interventions that contribute to the disability of democratic institutions and processes.

While both statements contain a grain of truth, taken together these truths have created a vicious cycle of history. Thus far, Pakistanis have not found a way out.

Between 1947 and 1958, successive civilian leaders governed the country. Mohammed Ali Jinnah, who led Pakistan's independence movement, died a mere 13 months after Pakistan achieved independence, and his lieutenant, Liaquat Ali Khan, fell to an assassin's bullet a few years later. Their civilian successors embroiled themselves in political squabbles and were unable to write a constitution until 1956.

During the early period of fractious civilian rule, the army emerged as the only coherent institution in the state. Repeatedly, civilian politicians used the soldiers to quell religious and linguistic disturbances. Finally, in October 1958, during a period of great political uncertainty and violence, the first military intervention occurred under the leadership of General Ayub Khan. Shortly thereafter, political parties were banned, the constitution abrogated, and martial law announced. When President Iskander Mirza resigned, Ayub Khan assumed the presidency.

Ayub Khan proposed "Basic Democracy" as a framework for Pakistani politics. It was a concept Ayub believed "suited the genius" of Pakistan's people. The popular election of Basic Democrats at the local level occurred in January 1960. Of the 80,000 Basic Democrats elected, 75,000 voted for Ayub Khan in February 1960. The election gave him the mandate to draft a new constitution. The 1962 constitution provided for the election of the president and the National and provincial assemblies by the electoral college of Basic Democrats. In January 1965, Ayub Khan was re-elected to a five-year term as president.

In March 1969, after several months of political agitation against his government (marshalled, in part, by his ex-Foreign Minister Zulfikar Ali Bhutto), Ayub Khan relinquished office. The presidency was assumed by the Chief of Army Staff General Yahya Khan, who suspended the constitution and imposed martial law, but promised to hold national elections based on direct universal adult suffrage, and to convene a constituent assembly.

In December 1970, elections were held to the 313-member National Assembly and five provincial assemblies – four provinces in West Pakistan as well as East Pakistan. These elections are considered to have been the most free and fair in Pakistan's history. The polls, however, culminated in the secession of East Pakistan.

In West Pakistan, Bhutto's Pakistan Peoples Party (PPP) secured 87 seats in the new 300-seat National Assembly. Sheikh Mujibur Rahman's Awami League, which was committed to a program of radical regional autonomy for East Pakistan, won 167 seats, thereby obtaining a majority in the National Assembly. When the political leaders of West and East Pakistan failed to reach agreement on the leadership of the national government and on East Pakistan's political demands, civil war broke out. After a bloody conflict in which India intervened militarily on the side of the Bengalis, the forces of West Pakistan surrendered on December 16, 1971. Out of East Pakistan the state of Bangladesh was born.

After 12 years of military rule and a traumatic civil war in which more than a million people perished, Zulfikar Ali Bhutto became the leader of the truncated Pakistan. Bhutto was a study in contradictions. Head of a landowning clan by birth, his message – secular, socialist and populist – was not feudal. Bhutto was a charismatic leader who established an extraordinary rapport with the poor and underprivileged. Perhaps his greatest contribution to Pakistan was the creation of a political consciousness among the masses. Yet today, there are some Pakistanis who will argue that the institutional injustices of military governments were virtually matched by the arbitrary personal injustices of Bhutto.

Bhutto became president of Pakistan at a time when the possibilities for democracy seemed unlimited. The army had lost a war and 90,000 prisoners to India, and civilians rallied to the side of the PPP. Bhutto tried to assert civilian control over the army: he abolished the rank of "Commander in Chief" and sought to promote officers without known political loyalties. One such general, Zia ul-Haq, was promoted above his seniors to become the Chief of Army Staff.

In the early days of his government, Bhutto pursued populist, pro-labor policies. He nationalized important industries and services, including the banks. In 1973, he promulgated a new constitution and assumed the office of prime minister. Bhutto's tenure, however, was marred by the suspension of fundamental rights, restrictions on the press and labor unions, bans on his opponents' parties, and the imprisonment of opposition leaders. In the province of Baluchistan, Bhutto engaged in a war against tribal leaders. The PPP remained a party built around his personal charisma, rather than one based on a strong, democratic party organization.

Unexpectedly, in January 1977, Prime Minister Bhutto announced new elections, to be held in March. These elections spurred events that culminated in a military coup. Nine opposition parties, ranging from secular to religious, left-wing to right-wing, coalesced to form the Pakistan National Alliance (PNA), which sought to remove Bhutto from power. The PNA accused the Bhutto government of inefficiency, corruption, and immorality, and campaigned on a platform of installing the Nizam-e-Mustapha (Order of the Prophet). The election campaign was marred by violence, and opposition candidates lodged numerous charges of electoral discrimination. The results showed that the PPP swept the polls, winning 155 out of 200 seats. The PNA won only 36 seats, mainly in the NWFP and in the industrial city of Karachi in Sind.

Amid mounting allegations of fraud, the election results were denounced by the PNA, whose leaders demanded new polls. Political chaos, strikes and protests engulfed Karachi and other major cities. Bhutto asked the army to restore order. As Bhutto and his civilian opponents were failing to reach a political compromise, the army, led by General Zia ul-Haq, intervened once more. On July 5, 1977, Zia ul-Haq removed Bhutto, suspended the constitution, and declared martial law. As Chief Martial Law Administrator, Zia ul-Haq announced that elections would be held within 90 days. They were not.

In September 1977, Bhutto was arrested and charged with complicity in the murder of a political opponent. He was found guilty by Pakistan's courts, and on March 18, 1978, he was sentenced to

death. On April 4, 1979, after the Supreme Court upheld the verdict and the death sentence, the former prime minister of Pakistan was hanged.

Zia ul-Haq's tenure was marked by efforts to fight the war against Soviet troops in Afghanistan, and promote Islamization at home while virtually silencing political debate. A soldier from Punjab's middle class, Zia ul-Haq tried to set Pakistan's society on a conservative political and social course. Although he spoke of an "Islamic democracy," the president promoted state-sponsored Islamization in which political sovereignty would rest not with the legislature, but with God and with selected clergy. He also liked to argue that political parties were antithetical to Islam.

In supporting the war in Afghanistan, Zia ul-Haq transformed Pakistan into a major conduit for weapons. This effort, and the fact that Pakistan became home to more than 3 million Afghan refugees, cost his country dearly; it brought a flood of arms and heroin into Pakistan which exacerbated existing ethnic disputes as well as corruption.

Zia ul-Haq used a heavy hand to quiet both ethnic and political unrest. He placed large numbers of political leaders under arrest – including, among others, members of Bhutto's family, and established strict censorship over the press.

After he assumed the presidency in September 1978, Zia ul-Haq scheduled elections for November 1979. They were postponed, however, and on October 16, 1979, Zia ul-Haq banned political parties. Local elections were held on a non-party basis.

In 1980, 11 parties, including the PPP, founded the Movement for the Restoration of Democracy (MRD). The MRD called for Zia ul-Haq's resignation, an end to martial law, new elections, and the restoration of the 1973 constitution.

In August 1983, Zia ul-Haq announced his decision to lift martial law and hold national elections by March 1985. He scheduled local elections on a non-party basis in August-September 1983. The MRD denounced the non-party elections and initiated a campaign of civil disobedience. Hundreds of people were killed. The MRD was

unable, however, to bring the masses into the streets in Punjab, Pakistan's key province, and the civil disobedience campaign eventually collapsed.

In 1984, Zia ul-Haq held a referendum in which a vote for Islamization was also a vote for him to continue in power for five more years. His opponents called for a boycott. The government claimed that there was a 65 percent turnout and 89 percent approval for Zia ul-Haq and Islamization. These claims have been disputed by many Pakistanis.

Still, Zia ul-Haq continued to search for political legitimacy. The period between March 1985 and the summer of 1988 was marked by his efforts to "civilianize" the government. The national elections Zia ul-Haq had promised were held in February 1985. Although the MRD called for a boycott once more, many politicians ran as independents. Partisans of the Muslim League and the Jamaat-e-Islami also ran. The turnout was reported as 53 percent and the elections appeared to have been generally free of fraud.

The new National Assembly met in March 1985. Zia ul-Haq selected Mohammed Khan Junejo, a veteran Sindhi member of the Muslim League, to be prime minister. Junejo lifted martial law as well as Bhutto's declaration of emergency powers on December 30, 1985. Civil liberties were restored and restrictions on the press were reduced.

Political parties were legalized pending their formal registration. They were allowed to hold rallies. The PPP, led by Benazir Bhutto and Nusrat Bhutto, refused to register with the Election Commission, arguing that it could lead to the harassment of party workers. The PPP also protested the requirement in the law that prohibited political parties from "propagating any opinion or acting in any manner prejudicial to the Islamic ideology, or the sovereignty, integrity, or security of Pakistan."

In October 1985, the National Assembly passed the controversial Constitutional (Eighth Amendment) bill that validated Zia ul-Haq's earlier constitutional amendments. Among other issues, it indemnified all actions taken by the military government and

prohibited constitutional appeals to the Supreme Court against that government. The president's discretionary powers were increased.

On November 30, 1987, Local Bodies elections were held throughout the country. These elections, which again were held on a non-party basis, were the first since martial law was lifted in 1985. Approximately 100,000 seats were contested by nearly three times as many candidates. The voter turnout was reported to be between 50 and 60 percent.

On May 29, 1988, Prime Minister Junejo's government was dismissed by Zia ul-Haq, who charged it with corruption, inefficiency and reluctance to support Islamization. The assemblies were dissolved and new elections were scheduled. Analysts of Pakistani politics have generally attributed Junejo's ouster to his growing differences with Zia ul-Haq over the conduct of the war and peacemaking in Afghanistan, Junejo's investigation of the military's role in a deadly explosion at a major ammunition dump near Rawalpindi, and his attacks on the perquisites of the generals.

On August 17, 1988, Zia ul-Haq died in an airplane crash that also killed much of the Pakistan army's high command, as well as U.S. Ambassador Arnold Raphel. After assuming their respective new offices under the constitutional provision for succession, Acting President Ghulam Ishaq Khan, who had been president of the Senate, and Chief of Army Staff General Aslam Beg made commitments to proceed with the party-based elections scheduled for November 16 and 19, 1988.

The Supreme Court supported the democratic process by handing down a series of important decisions. In one of the most significant decisions, it declared unconstitutional the requirement for political parties to register.

The 1988 election campaign was conducted in a relatively peaceful manner: all political parties were afforded an opportunity to communicate their respective messages to the voters; there were few observed irregularities in the balloting and counting processes; and the political parties played a critical role in monitoring each phase of the process. PPP leaders, however, alleged fraud. They argued that their

party would have obtained a larger plurality, perhaps even a majority, had it not been for the identification card requirement, which required voters to present their identification cards to the election officials at the polling station before voting on election day. The NDI observer delegation concluded, however, that there was no evidence that the identification card requirement affected any one party disproportionately.

The PPP won 93 seats; the IJI won 55; the MQM won 13; and other parties won 54. The PPP received 39 percent of actual votes cast, while the IJI won 32 percent. Prominent losers included former Prime Minister Junejo and Acting Prime Minister Ghulam Mustapha Jatoi. Benazir Bhutto and Nusrat Bhutto won their contests, as did Nawaz Sharif, the IJI leader. Three weeks after the election, PPP leader Benazir Bhutto was invited to form a government.

Benazir Bhutto's victory marked a historic moment in the modern history of Pakistan and of the Muslim world. She became the first Muslim woman to hold the office of prime minister. In the South Asian context, Bhutto's success resembled the careers of other prominent women political leaders: Indira Gandhi in India, Sirimavo Bandaranaike in Sri Lanka, and Khaleda Zia and Sheikh Hasina in Bangladesh. All these women, including Bhutto, inherited the political mantles of their fathers or husbands, men who had previously held high political office.

Like all the countries of South Asia, Pakistan contains a small group of educated professional women. The situation of the vast majority of women in Pakistan, however, bears no resemblance to the careers of its woman leaders. Although Benazir Bhutto initiated a few development and financial programs for Pakistan's women, they remain among the world's most socially oppressed, economically dependent, malnourished and uneducated citizens.

During its tenure, Benazir Bhutto's government expanded civil liberties, freed political prisoners and removed much of the previous censorship on the print media. A second television channel was also established, although Pakistan television and radio remained under government control. Still, the PPP was ineffective in office. Except for the annual budget, it did not pass any legislation. (The PPP

leadership argues that since the Senate was controlled by their opponents, the prospects for passing legislation were slim.) Increasingly, the Pakistani press labelled Bhutto's ministers and relatives corrupt.

Indeed, corruption pervades Pakistan's politics. According to local and international press reports, for example, the vote of no-confidence that was attempted against Benazir Bhutto's government in 1989 became a showcase of national corruption, with delegates on both sides of the political aisle reportedly being sequestered and liberally bribed. Party loyalties were reportedly up for sale.

As Benazir Bhutto's term in office progressed, political rifts between the PPP government and all other groups widened, resulting in the paralysis of policy making. The PPP's isolation grew. The MQM, which had allied itself with Bhutto, accused the PPP of violating their coalition agreement and severed its links to the Bhutto government. Some leaders of the Awami National Party (ANP), an important PPP ally in the NWFP, also abandoned Bhutto. Numerous and increasingly bitter disputes developed between the prime minister and the president, the military, and the civilian opposition.

Relations between the central government and the provinces disintegrated. An attempt was made to dissolve the Baluchistan provincial assembly. In addition, and more importantly, a political impasse was reached between the central government and the IJI government of the powerful province of Punjab, led by Chief Minister Nawaz Sharif. In Sind, the PPP government was unable to ameliorate the ethnic and political violence, and repeatedly called upon the army to aid civil power.

On August 6, 1990, President Ishaq Khan, relying on his authority under Article 58(2)(b) of the Pakistani Constitution, dismissed the government and dissolved the National Assembly as well as the provincial assemblies of the North West Frontier Province and Sind. Shortly thereafter, the non-PPP chief ministers of the Punjab and Baluchistan provinces submitted their resignations. A caretaker government was appointed, in which Ghulam Mustapha Jatoi, leader of the Combined Opposition Parties in the National Assembly, was named acting prime minister. As required by the constitution, new

national and provincial elections were scheduled for October 24 and October 27, 1990, respectively.

Chapter 3

THE LEGAL AND ADMINISTRATIVE FRAMEWORK FOR THE ELECTIONS

The election code and procedures for the 1990 elections were virtually unchanged from those used in 1988. As in 1988, it appeared that the election code and procedures would provide a good framework for voter registration, balloting, the tabulation of election results and the enforcement of the law. Positive aspects of the process included satisfactory voter registration rolls, picture identification cards, and the practice of marking each voter's thumb with indelible ink to deter multiple voting. These safeguards, when combined with an aggressive watchguard role for party agents and judicial supervision of the process, suggested that it would be difficult to perpetuate large-scale fraud without detection.

This chapter outlines the legal and administrative framework used for the 1990 elections. It provides an overview of the CEC, the election laws, and the delimitation of constituencies and voter registration processes. It primarily describes the procedures as they are prescribed by law. Later chapters discuss the procedures as they were observed in practice.

A. 1990 Elections

Two hundred and seventeen of the seats in the National Assembly, the lower house of the national government, were to be filled by the elections on October 24. Muslim citizens were eligible to contest in 207 of these single-member constituencies. Ten seats

were reserved for election on a nationwide, at-large basis by members of specified non-Muslim, minority communities. The CEC canceled the election in one National Assembly constituency due to the murder of a candidate on election eve. A constitutional provision setting aside an additional 20 seats for women, to be elected by the National Assembly, expired. On October 27, Pakistan's electorate voted for members of the four provincial assemblies, using an election system similar to that used in the National Assembly elections.

B. Overview of Election Laws

Pakistan's election system is based on the British system of one-person, one-vote, single-member districts and "first past the post" contests. Several laws combine to establish the electoral system. The Representation of the People's Act of 1976, as amended, is the principal law governing the conduct of elections. This law outlines general electoral procedures. The Electoral Rolls Act of 1974 describes the rules for determining eligible voters; under this law, all individuals who appear on the electoral rolls are eligible to vote and are deemed "registered." The Delimitation of Constituencies Act of 1974 sets forth the manner in which the Election Commission should draw boundary lines for various constituencies. Finally, the Political Parties Act of 1962, the starting point of modern political law in Pakistan, governs the formation and activities of political parties.

Between 1988 and 1990, four changes were made in election procedures. First, the manner in which candidacies could be challenged was changed. In 1988, only registered candidates could challenge the candidacy of a prospective opponent; the 1990 law permitted any qualified elector in the district to challenge any candidacy. Second, the period in which such challenges could be made was expanded from two to four days. Third, the number of High Court judges who sit on tribunals that hear appeals to the decisions of returning officers concerning the nomination of candidates was expanded from one to three.

Fourth, and most significant, the 1990 law required the president to ask the designee of the party that won the most seats in the relevant assembly to form a new government at the national and

provincial levels. This differed from the 1988 provision that authorized the president to select a prime minister who would be "most likely to command the confidence of the majority of the Assembly." In virtually all other respects, the electoral system for the 1990 elections was the same as that in place in 1988.

C. The Election Commission

Pursuant to Pakistan's 1973 Constitution, the president appoints a three-member Central Election Commission (CEC) to administer national and provincial elections. Each commissioner must be or have been a judge of the Supreme Court of Pakistan or a High Court in one of the provinces. The constitution charges the Commission with responsibility to "organize and conduct the elections and to make such arrangements as are necessary to ensure that elections are conducted honestly, justly, fairly and in accordance with the law and that corrupt practices are guarded against." The Commission is also authorized to appoint a separate commission for each province. Specifically, the constitution authorizes the Commission: 1) to prepare and annually revise the electoral rolls for the National Assembly and provincial assembly elections; 2) to organize and conduct elections to the Senate and to fill vacancies in the National Assembly or a provincial assembly; and, 3) to appoint Election Tribunals. The Chief Election Commissioner for the 1990 elections was Justice Naimuddin Ahmed of the Supreme Court.

On election day, the Election Commission employs and supervises more than 350,000 employees. This enormous undertaking requires nearly continuous preparation during the non-election years as well as massive mobilization in the immediate pre-election period. Between elections the CEC is responsible for adjustments in constituency boundaries and voter registration. During her tenure in office, Prime Minister Bhutto failed to fill two vacancies on the CEC, which may have affected the Commission's administrative preparedness when the elections were called ahead of schedule. The fact that the Commission was not sufficiently funded or properly constituted in advance may have affected its ability to redraw constituency boundaries and update the registration rolls in 1990.

The vacancies on the Commission were filled on August 15, 1990, nine days after the dismissal of the government. In the weeks preceding the elections, the CEC successfully hired the requisite employees to administer the polls, prepared the materials for balloting, heard complaints and issued rulings regarding the campaign period.

In 1990, all election workers down to the local polling station level were placed under the supervision of the CEC. The system required that the CEC recruit and train some 250,000 employees in a remarkably short period. While the procedural knowledge of most polling officials seemed fairly high, confusion at some polling places suggests that the Election Commission's training program may not have adequately reached the lower levels of the election staff.

D. Election Administration at the Provincial and Local Levels

In addition to the Central Election Commission, election commissions in each of Pakistan's four provinces assisted in administering the elections at the provincial levels. These provincial election commissions appointed election officials in their respective jurisdictions and processed election results before relaying them to the CEC.

The Representation of the People Act calls on the CEC to appoint "district returning officers," "returning officers," and "assistant returning officers" from among the officers of the Federal Government, Provincial Governments, corporations controlled by any such Government and local authorities." District returning officers, who have jurisdiction over several National Assembly constituencies, are appointed generally from the ranks of district and sessions judges. The CEC handbook for the 1990 elections also calls for returning officers, who have responsibility for all elections within one National Assembly constituency, to be drawn from the judiciary. In some cases, where judges were not available, officers of the executive branch and judicial magistrates were appointed. Assistant returning officers, who work for the returning officers and have jurisdiction for one provincial assembly constituency, generally came from the ranks of the civil service.

The returning officers receive and scrutinize nomination papers from candidates, select suitable public buildings for polling stations, enlist and train polling personnel, deliver materials for use at the polling station, collect and consolidate results of the count from the polling stations, and submit the consolidated count to the provincial and federal election commissions. The returning officers are also responsible for attempting to resolve election disputes.

The returning officer selects a presiding officer, normally a local teacher or local government official, to supervise each polling station. Presiding officers control all election-related activities at the polling station level. They set up the polling station, receive election material and ballot boxes, supervise the polling process, maintain order, allow admission to candidates or their polling agents, ensure the secrecy of the ballot, conduct summary inquiries to establish the identity of challenged voters, count the votes after the polls close, issue certified copies of the count statement to the polling agents, communicate the vote totals to the returning officer, and return the polling bags containing election material and ballots to the returning officer.

Each polling station includes no more than four voting booths, which are administered by an assistant presiding officer and two polling officers. Generally these officials are also teachers. Every competing candidate is allowed to designate a party agent for each voting booth to observe the process.

The delegation heard allegations that the CEC appointed returning officers, assistant returning officers and presiding officers on the basis of political loyalties and that it failed to appoint judges to the position of assistant returning officer. While some assistant returning officers were not judges, information on whether judges were in fact available for these positions or what effect the lack of judicial qualification had on the ability of these officials to perform their duties was difficult to obtain. In addition, the PDA cited a 1986 law that allowed the Punjab chief minister to appoint judges who had not undergone the standard application procedures as evidence that the potential for abuse existed.

These allegations concerning the appointment of election officials were hard to assess. The use of judges as senior election officials, however, constitutes an important safeguard in the electoral system. A pattern of non-judicial appointments, therefore, could undermine the independence of the election process.

Approximately 1,500 voters were assigned to each polling station of which there were more than 33,500 throughout the country. Most stations were segregated by gender with polling officials also assigned, in most cases, according to gender. Constituencies contained, on average, 160 polling stations. Non-Muslims voted on the same day using different ballots and generally in separate polling places.

Most voting stations were located in schools or other government buildings. This controlled space allowed the election officials to limit access to polling stations to one entrance and to place the voting booths in separate but contiguous rooms. (See Chapter 5 for details on the procedures as observed on election day.)

E. Delimitation

Under the Delimitation of Constituencies Act, the Election Commission constructs constituencies for Muslim seats according to the "distribution of population, including non-Muslims, in geographically compact areas" taking into account "existing boundaries of administrative units, facilities of communication, . . . public convenience and other cognate factors to ensure homogeneity in the creation of constituencies."

Between 1988 and 1990, the CEC redrew the boundaries for four National Assembly constituencies. According to the Commission, redistricting was limited, given the truncated preparation period and the vacancies on the Commission. The new constituencies were designed to ensure that a single constituency did not cross a district boundary, as set forth in the law. The major controversy regarding this process involved the redrawing of National Assembly (NA) constituencies 157, 158, 160 and 161. The PDA claimed that these constituencies were redrawn in a manner that benefitted caretaker Prime Minister Jatoi, who had been badly defeated in NA 158 in 1988.

F. Voter Registration

The 1973 Constitution empowers the Chief Election Commissioner to prepare electoral rolls and to revise them annually. The constitution provides that a person is eligible to be enrolled in an electoral area if he/she is: 1) a citizen of Pakistan; 2) not less than 21 years of age on the first day of January of the year in which enrollment takes place; 3) not declared by a competent court to be of unsound mind; and, 4) deemed . . . to be a resident of the electoral area.

According to the CEC, the existing rolls were prepared in 1986-87. They were revised in 1988, but not in 1989 because, according to the CEC, the necessary funds to conduct this revision were not provided by the government. A new revision was scheduled to begin on August 12, 1990, but it was postponed once elections were called for October. Under the Electoral Rolls Act, the registration rolls close on the date that an election is announced. This practice is intended to deter political parties from padding the rolls for a particular election.

The number of voters included on the rolls for the 1990 elections was 48,648,960, an increase of 587,920 over the total eligible for the 1988 elections. While this amounts to an average increase of approximately 2,707 per National Assembly constituency, the PDA alleged prior to the elections that NA 158 alone increased more than 20,000. One not entirely convincing explanation for this increase stated that it was due to the new boundaries for NA 158.

G. Allocation of Party Symbols

Due to low literacy rates, symbols as well as names are used on ballots. Political parties are allocated symbols by the CEC, which they then use throughout the country. The symbols play an important role in campaign materials with many signs, posters and banners displaying the symbol more prominently than the parties or candidates' names. (See Appendix XI.)

In 1988, the allocation of the symbols became mired in controversy when the CEC decided not to award any party the symbol

that it had used in past elections. The PPP objected to this decision and requested that the president reverse the CEC's ruling. The president rejected the PPP's request and the PPP was assigned an arrow, in place of its traditional symbol, the sword.

In 1990, the CEC's allocation of symbols did not provoke objections. The CEC assigned the PDA an arrow and the IJI a bicycle.

H. The Complaints and Petitions Process

The election laws provide four mechanisms for parties or candidates seeking redress for alleged improprieties, depending on the point during the process at which such complaints are made: 1) pre-election complaints are filed with the CEC; 2) election day challenges are presented to the presiding or returning officers; 3) post-election complaints are also filed with the CEC; and, 4) formal election petitions are filed with the CEC and then referred to an Election Tribunal.

Before election day, parties or individuals may file complaints with the CEC. The law does not require these complaints to be recorded on a specific form or to follow a specific format. During the pre-election period, the CEC has unlimited power to investigate these complaints and to impose punishments of contempt on any person who violates a CEC order. The Commission, however, does not investigate complaints independently; it relies upon information provided by other government departments, returning officers, provincial election commissioners, and the civil servants in the CEC.

On election day, a political party agent may challenge an individual voter if the agent believes that the individual is misrepresenting his/her identity or should not be on the election register. If the challenged individual can provide additional evidence that satisfies the accusing party agent, he/she may vote normally. If he/she cannot satisfy the challenger, the individual may vote, but the serial identification number of his/her ballot is marked, the ballot is placed in a separate envelope and the challenge is reviewed by the returning officer.

Following the election and for 60 days after the "gazetting" (publication) of the official results, candidates can file complaints with the CEC. The Commission hears these complaints – which generally request recounting or repolling – but will only act on them if the complainant establishes a *prima facie* case. If the complainant cannot meet this threshold, he/she may file an election petition. If the complaint is received prior to the gazetting of the official results, the CEC may withhold the results for that particular constituency until the complaint is decided. The Commission has the authority to order repolling or recounting in a given constituency.

After the gazetting of the official results and for 45 days thereafter, parties or individuals may file petitions with the CEC. These petitions are formal pleadings, similar in form to a pleading in a civil suit. They must state allegations, list witnesses and supply documents of proof. If the evidence provided in any given petition is deemed sufficient for review, the Commission refers the petition to an election tribunal. The tribunal may dismiss the petition with only a hearing. It may also invalidate the results in a given constituency, declare a new winner, or order repolling or recounting.

Chapter 4

THE POLITICAL CAMPAIGN ENVIRONMENT

This chapter reviews the political environment in which the October 1990 elections were held. It introduces the major contestants, and describes their respective campaigns and the overall pre-election political setting. Several controversial issues that emerged during the pre-election period are discussed: the dismissal of the government, the role of the president, the perquisites of incumbency, the use of accountability tribunals, the behavior of the media, the effects of violence and intimidation, and the conduct of the CEC and its review of pre-election complaints. In evaluating these matters, the delegation relied on the findings of the pre-election mission, the analysis of the functional teams and post-election investigations.

A. Background

The 1990 elections took place amid considerable political unrest. The pre-election environment tarnished the electoral process by generating extraordinary uncertainties and polarization. A highly charged debate continued throughout the campaign period regarding the president's dismissal of Benazir Bhutto's government.

The PPP challenged the legality of the dismissal, and the atmosphere was tense with many citizens, particularly supporters of the PPP, convinced that elections would be postponed indefinitely. Party leaders also expressed fears that the accountability tribunals would disqualify Benazir Bhutto from running in the elections, and questioned whether the results of the elections would be respected by

the contesting parties and by the politically influential generals of Pakistan's army. Some people wondered why, if Bhutto won the election, the recently ousted prime minister would be permitted to return so soon to power. IJI supporters, however, maintained confidence that the polls would be held and that they would be able to defeat Bhutto.

The political situation in Sind was tense with all contesting parties expressing concerns about the potential for election-related violence. In Punjab, where the majority of seats were contested, IJI supporters appeared confident that Nawaz Sharif's long tenure as the province's chief minister, the expansion of a newly emerging middle class constituency in cities such as Faisalabad, and a reportedly popular perception that the PPP was becoming a Sindhi-oriented party would serve IJI candidates well in the forthcoming electoral contest.

In September 1990, at the time of the pre-election mission, there was a widespread perception among politicians, journalists, academics and others in Pakistan that the army leadership would play a role in determining the composition of any future civilian government. In this respect, it was suggested that the pre-election situation in 1990 differed from that of 1988, when the army lost many of its leaders in the airplane crash that killed Zia ul-Haq, and the remaining generals thereafter ensured the transition to civilian rule through an electoral process. Many Pakistanis felt that the army had found little to recommend in a Bhutto-led civilian government during the previous 20 months and speculated about the military's role in the country's political future. The PDA campaign, however, avoided criticism of the army and focused its attacks on the president instead, accusing him of partisanship.

In the end, Benazir Bhutto and the PDA were allowed to contest the elections, the elections were held as scheduled, and the PDA participated in the democratic process, albeit with serious reservations. What effect the perception among some people that Bhutto might not be permitted to return to power had on their voting behavior could not be ascertained by the delegation.

B. The Contestants

Two major political alliances contested the 1990 elections, the Islamic Democratic Alliance (known by its Urdu initials, IJI) and the Peoples Democratic Alliance. The former was created on the eve of the 1988 elections, while the latter was patched together quickly in 1990 for the purpose of reducing the perceived isolation of its principal member, the PPP.

The largest component party of the IJI is the Pakistan Muslim League. It also includes small but important religious parties such as the Jamaat-e-Islami, and Acting Prime Minister Jatoi's small National Peoples Party (NPP). Before the elections, the IJI had many leaders, including Jatoi, former Prime Minister Junejo, former Punjab Chief Minister Nawaz Sharif and Ejaz ul-Haq, the son of the late President Zia ul-Haq.

In the pre-election period, the IJI surmounted ideological barriers and internecine quarrels, which were unresolved in 1988, to forge critical electoral coalitions with important regional parties. In the North West Frontier Province, the IJI joined with the Awami National Party (ANP), a left-of-center Pakhtun nationalist party. In Sind, the IJI negotiated an electoral arrangement with the MQM as well as with some Sindhi nationalist groups that opposed the PPP in the rural areas.

The PPP lost many of its political allies between 1988 and 1990. As mentioned above, significant provincial parties such as the MQM and the ANP, abandoned Bhutto, after bitter political disputes. Thus, by August 1990, the PPP stood alone. In an attempt to reverse this isolation, the PPP formed the Peoples Democratic Alliance (PDA), consisting of itself and a few minor parties, which won no seats in the 1988 elections. The Shias' political party, the Tehrik-e-Nifaz-e-Fiqh Jafaria (TNFJ) and Air Marshal (ret.) Asghar Khan's Tehrik-e-Istiqlal (he was formerly a foe of the Bhuttos) joined the PDA. The alliance had one undisputed leader, Benazir Bhutto. The PDA agreed to be represented by the arrow, the 1988 electoral symbol of the PPP.

Initially, 2,442 nominations were filed by candidates for National Assembly races. Under Pakistan's law, candidates can be nominated

for as many as five seats, and many party leaders took advantage of this provision to contest elections in several constituencies. After appeals had been heard against some candidates and other candidates withdrew, a total of 1,347 National Assembly candidates remained to contest 217 Muslim and non-Muslim seats. Nationwide, the IJI designated 152 candidates, while the PDA designated 182. There were 636 independent candidates, with the remaining 377 designated by third parties.

C. Campaign Issues

Few substantive political, economic or social issues were debated during the campaign. Even the issuance of manifestos by the competing parties was a *pro forma* affair. The campaign was quickly reduced to a single issue: whether the people supported or opposed the Bhutto family.

The IJI attacked Benazir Bhutto's record in office and emphasized the corruption of her ministers and of her husband, Asif Zardari. Members of the IJI criticized not only Bhutto's abilities, but also her right, as a woman, to rule a Muslim state. The PDA appeared disorganized and portrayed itself as a victim of the "establishment." It felt harassed by the charges lodged against PDA leaders in the accountability tribunals.

The most contentious element of the election campaign, and perhaps the most successful from an IJI perspective, was the IJI's strategy of tying Benazir and Nusrat Bhutto to the United States and to the so-called "Indo-Zionist lobby" in the U.S. The lobby was portrayed as having close ties to India and Israel, and opposing Pakistan's development of a nuclear capability. In particular, the Bhuttos were accused of "selling-out" Pakistan's nuclear program. (See Appendix XII.)

U.S.-Pakistan relations reached their lowest point during the 1990 campaign period. Since the 1980 Soviet invasion of Afghanistan, the United States has been Pakistan's principal ally and largest donor of economic and military aid. When the Soviets withdrew from Afghanistan, however, the United States' immediate geopolitical concerns were reduced.

In October 1990, when Western experts concluded that Pakistan had developed the capability to build nuclear weapons, President Bush was no longer able to certify that Pakistan "does not possess a nuclear explosive device," nor that U.S. aid "will reduce significantly the risk" that Pakistan will possess one. Consequently, Pakistan lost its American military aid. Further irritating U.S. relations with the caretaker government, composed primarily of IJI leaders, the U.S. Congress in October 1990 passed an amendment linking future U.S. aid to the conduct of "free and fair" elections. (See Appendix XIII.)

The IJI ran a nationalistic campaign, and repeatedly accused Bhutto of being unpatriotic. The former prime minister was called the conduit for American influence into Pakistan, and her efforts to influence Congress on her own behalf were criticized. Articles were also published in the government-controlled papers alleging her links to India and other reportedly anti-Pakistani groups. One of these articles was based on what was evidently a forged letter from Bhutto to a staff member of the U.S. Senate Committee on Foreign Relations. (See Appendix XIV.)

Meanwhile, the PDA attacked the IJI over its support for the president's decision to dismiss the government. The PDA also ran advertisements that blamed the IJI for higher fuel and food prices: prices that the government may have been forced to raise due to the situation in the Gulf and the allegedly unrealistic pricing policies of Bhutto's government. In advertisements, the PDA also asserted its federal, populist and nationalist credentials, while accusing other groups of being unpatriotic. (See Appendix XV.)

Despite all the fears engendered by the polarized environment, both alliances were able to stage large campaign rallies and processions, freely addressing their respective supporters at such gatherings. Both alliances also extensively used music and song to communicate their messages to the voters.

Posters were a prominent feature of the campaign. On election eve, the city of Lahore, for example, was ablaze with vivid posters. Among the more remarkable were a gigantic image of Nawaz Sharif in battle gear and another of Benazir Bhutto's young son, Bilawal.

Delegation members attended rallies in Rawalpindi and Lahore during the last nights of the campaign. The PDA rallies appeared larger than the IJI's, while the latter's rallies appeared better organized. Supporters of the constituent parties freely displayed their individual emblems as well as the alliance colors. The PDA rally had a festive atmosphere with songs blaring and crowds of people milling about. Women were more noticeable at the PDA rally, although a small group of women, set off to one side, also attended the IJI rally.

Throughout the pre-election period, the PDA accused the caretaker governments of abusing the perquisites of incumbency and the president of abusing the powers of his office. These abuses, the PDA argued, were so serious that they undermined the credibility of the elections. The two most notable accusations concerned the selective use of the accountability tribunals and the manipulation of state-owned television and radio. (See sections E and F below.)

D. Role of Caretaker Governments

The PDA charges concerning the caretaker government had two premises: that the dismissals of the PPP governments were illegal, and that partisan politicians had been appointed to act as caretakers. These new leaders allegedly abused power in order to achieve partisan goals. The following sub-sections review the government's actions with particular respect to how they affected the electoral process.

1. Dismissal of the governments

President Ghulam Ishaq Khan, in his August 6 address dismissing the government, stated that he was exercising "the powers conferred on me by clause (2)(b) of Article 58 of the Constitution." He stated that he had based his decision on a variety of factors including, in his words, "political horse-trading, . . . violations of the Constitution in respect of Center-Province relations, encroachment on provincial autonomy, [the] role and status of the Senate, respect for the higher judiciary, use of official machinery and resources . . . large-scale plunder of national wealth, the scandalous incidence of corruption, and the sad law and order situation in Sind." These factors led the

president to conclude that "the Government of the Federation was not being and cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate has become necessary."

Before the election, the PDA argued that the ouster was unconstitutional, and challenged the president's action in the courts. PDA leaders asserted that the president was not constitutionally empowered to dismiss a government for perceived inefficiency, incompetence or other political reasons. In their opinion, only "a complete paralysis of the government" would have created the conditions where the president could exercise his constitutional authority to dismiss the government.

PDA officials cited the 1988 ruling by the Pakistan Supreme Court, which found that President Zia ul-Haq had improperly removed the government of Prime Minister Mohammed Khan Junejo. In that case, the Court did not order the restoration of the Junejo government since the elections scheduled to be held shortly were deemed in the national interest. PDA leaders also asserted that one of Ghulam Ishaq Khan's professed reasons for ousting Benazir Bhutto, i.e., the corruption of her government, had not been proved.

Members of the caretaker government responded that the president had the constitutional power to dismiss a government. Their position was upheld, in separate decisions, by the Punjab and Sind High Courts. In an October 18 decision, the Sind High Court held that the PPP petition was not properly filed and that, given that arrangements for the election had already been made, restoring the dissolved assemblies was not possible. The Lahore High Court went further, specifically finding that the reasons offered by the president were constitutionally valid.

In response to another PPP petition, the NWFP High Court overturned the dissolution of the NWFP Provincial Assembly, citing a failure to present sufficient evidence to justify this action. The Pakistan Supreme Court, however, stayed the decision of the NWFP court and the elections were held as scheduled.

2. *Role of the president*

On October 23, the night before the election, President Ghulam Ishaq Khan delivered a speech on national television. The president justified his dismissal of the government once more and emphasized the support of Pakistan's High Courts for his decision. He also criticized unspecified elements for spreading rumors that the elections would not occur, creating an atmosphere of political uncertainty, and for raising the specter of martial law. He urged Pakistanis to vote for politicians with strong Islamic and patriotic credentials, for a government "that depends on...divine help rather than looking all the time with outstretched hands to foreign assistance."

The president's decision to deliver a speech on election eve, a night when all campaign-related activity was to have ceased, was not unusual; such speeches, urging the electorate to vote and to accept the election results, are common features in many countries. In this context, however, the President's partisan tone concerning the dismissal of the government was troubling.

3. *The use of the perquisites of incumbency*

In the pre-election period, serious concerns were raised by PDA leaders about the partisanship of Prime Minister Jatoi and the provincial caretaker governments. PDA representatives suggested that members of the higher judiciary or the speaker of the Assembly, rather than political opponents of the PDA, should have been invited to lead the caretaker government. Because the caretaker governments were unelected, the PDA leadership argued, it was inappropriate for them to assume the advantages of incumbency.

Officials of the caretaker governments questioned whether anyone could be perceived as neutral in Pakistan. Judge us, they said, by our actions. PDA leaders, however, were highly critical of some of these actions.

The PDA alleged that the caretaker governments used development funds to promote IJI candidates and transferred judges and civil servants for political purposes. For example, the PDA charged that the Punjab provincial government illegally provided development funds to IJI candidates. A senior PDA leader in Punjab maintained

that government resources were being used by the caretakers to influence voters, and that all projects launched by the previous PPP government had been halted.

The PDA also charged that the government appropriated funds without fulfilling the necessary authorization procedures. These funds, the PDA argued, supported IJI candidates' campaigns through funding irrigation, electrification and road building projects in critical constituencies. Documentation in support of these allegations included canceled checks drawn on a "Member National Assembly (MNA)/Member Provincial Assembly (MPA)" account, newspaper articles describing massive spending programs by the provisional government, and posters and newspaper advertisements that announced the bidding procedures for these new projects.

IJI supporters stated that their development activities were no different than former Prime Minister Bhutto's People's Works Program, which was reportedly highly politicized. Still, a distinction could be drawn between the activities of a regularly elected government and those of a caretaker government during a campaign period. In the latter context, the use of development funds can have a significant impact on an election – especially if the funds were allocated directly through candidates for office instead of through the normal funding mechanisms. An effort could be made to distinguish between projects needing immediate attention and those that could be postponed until after the elections.

It is difficult to ascertain what effect these practices had on the outcome in any given constituency. However, in some constituencies – for example in NA 94 in Lahore – the outcome was so close and the reported level of development spending so high that it conceivably tilted the balance in favor of the IJI candidate.

In Sind, the problems were said to revolve around the allocation of government jobs to potential IJI supporters. A *Herald* magazine reporter, for example, claimed that he witnessed an IJI representative distributing hundreds of pre-approved job applications to potential IJI supporters.

E. The Accountability Tribunal Process

On August 23, two weeks after the dismissal of the Bhutto government, President Ishaq Khan established special courts – termed accountability tribunals – to investigate charges of corruption, and, where appropriate, to initiate prosecutions against the former prime minister and other members of her government. The caretaker government and the government-controlled media disseminated the view that corruption had become pervasive during the Bhutto government. Bhutto denied all charges against her family and government and, in turn, accused members of the caretaker government of indulging in corrupt acts. Consequently, the issue of official corruption, and the process of “accountability,” attracted considerable attention in the pre-election period.

1. The accountability process in historical perspective

Allegations of official corruption have been an integral part of Pakistan’s political landscape, corruption does not appear to have been confined to any one party, and accusations of official misconduct have often preceded changes in regimes. In 1958, for instance, General Ayub Khan cited corruption as a reason for imposing martial law. In 1988, President Zia ul-Haq cited corruption as the basis for dismissing the government of Prime Minister Junejo. And, as noted earlier, on August 6, 1990, when President Ishaq Khan dissolved the National and provincial assemblies, he once again cited corruption as an important justification for dismissing the government.

Special tribunals to hear cases of official corruption are also not a recent development in Pakistan. They reflect a legalistic approach to dealing with a serious and persistent problem in Pakistani politics.

In January 1949, the Constituent Assembly authorized the use of special courts under the Public and Representative Officers (Disqualification) Act (PRODA). The law permitted the governor general to refer cases of official misconduct to tribunals consisting of judges selected from existing courts.

If the courts reached a guilty verdict, the governor general could disqualify a person found guilty from seeking or holding elective office for 10 years. Several officials were found guilty and disqualified under

PRODA. The law lapsed before the enactment of Pakistan's Constitution in 1956.

In August 1959, the martial law regime of Ayub Khan promulgated the Elective Bodies (Disqualification) Order (EBDO). Under PRODA, the courts interpreted the term "misconduct" to mean bribery, willful maladministration and nepotism. EBDO expanded "misconduct" to include individuals who had a persistent reputation for being corrupt and for contributing to political instability.

EBDO rules provided for three-member tribunals, headed by someone with judicial experience. The other two members were selected from the civilian and military bureaucracies. The government frequently used EBDO in the years following its passage, although several politicians returned to public life after their disqualification period ended.

In 1977, the government of Prime Minister Zulfikar Ali Bhutto resurrected the accountability process by enacting two laws: the Holders of Representative Office (Prevention of Misconduct) Act and the Parliament and Provincial Assemblies (Disqualification for Membership) Act. The Misconduct Act imposed a penalty of seven years imprisonment for persons found guilty of misconduct, while the Disqualification Act required that guilty officials retire from public life until the next general election.

Under both laws, cases could be referred to special courts only by the prime minister (or in cases involving provincial officials, by the provincial chief minister). The prime minister could not be prosecuted under either law. No appeal from the decision of the special courts was permitted.

Bhutto's government was overthrown before the new laws were used. In November 1977, General Zia ul-Haq's martial law regime promulgated two separate orders relating to the accountability process. The first order authorized a criminal penalty of seven years imprisonment (as well as a fine and disqualification from office) for those found guilty. Tribunals established under this order apply the rules of evidence used in Pakistan's criminal courts. The second order

authorized the establishment of special courts that could hear charges against the president, prime minister and other high-ranking officials; it provided for disqualification from public office for seven years. The rules of the civil courts apply in tribunals established under this order.

Under both orders, only the president may refer cases against the prime minister and other federal officials to the tribunals. Tribunals consist of one judge, who is also a member of a High Court. Members of the tribunals are appointed by the president, who is also the appointing authority for judges of the High Courts. Both orders provide for appeals to the Supreme Court.

2. The 1990 Accountability Tribunals

President Ishaq Khan told NDI representatives that he wanted to make accountability a permanent, institutionalized process in Pakistan. He assigned an official with the rank of minister to oversee the accountability proceedings and ordered the establishment of five special courts under the order dealing with misconduct and six special courts under the order covering disqualifications. While the president did not refer any cases to the misconduct tribunals, as of the election date the disqualification tribunals had received 16 references filed against 10 people, all of whom were PPP members. Seven references were filed against former Prime Minister Benazir Bhutto and one each against nine others, including Bhutto's father-in-law and four former federal ministers. The cases all involved misconduct occurring since 1988, when Bhutto assumed office. The charges against Bhutto were based on a 1977 order adopted by Zia ul-Haq.

The order under which the references were filed defines "misconduct" broadly to include:

{b}ribery, corruption, jobbery, favoritism, nepotism, willful maladministration or diversion of public monies . . . and other abuse of whatever kind of power or position, any attempt at, or abetment of, such misconduct.

The references did not allege that Bhutto and her colleagues personally benefitted from wrongful acts. Rather, the charges involved the alleged misuse of government power to benefit friends,

relatives and PPP supporters. Often, they alleged only maladministration.

The references filed against Bhutto, for example, include the charge that she authorized the sale of real estate on which a luxury hotel and golf course were to be built at far less than the land's market value. The purported plan involved a later sale to a London-based company in which a Bhutto relative was said to have a financial interest. Other references alleged that the former prime minister authorized the sale of cotton below the established export price and that she awarded a contract to a consultant who did not submit the lowest bid.

Although it was anticipated that the tribunals would issue judgments before the October elections, they did not do so. By mid-November 1990, no cases had been concluded.

3. Effect of the tribunals on the campaign

The caretaker government argued that the accountability process is a legal proceeding, not a political one. Its representatives stated that the careful, deliberative procedures of the tribunals included numerous safeguards, and that rapid disqualification of candidates was unlikely. President Ishaq Khan defended the tribunals, maintaining that an accountability process was needed to ensure the integrity of public officials. Special courts were required for this task, government officials argued, because ordinary courts were over-burdened and too slow in their deliberations. Moreover, ordinary courts did not have the authority to disqualify candidates from seeking office.

The PDA insisted that the formation and selective use of these tribunals were inherently unfair, and that it was particularly inequitable for the investigations and trials to proceed during an election campaign. Bhutto stated that she did not recognize the tribunals' jurisdiction, describing them as "kangaroo courts" and the entire process as a "witch hunt." She did, however, agree to appear before them — although under protest.

PPP leaders viewed the tribunals as part of a strategy to prevent them from contesting the October elections or, if they won, from forming a government since the accountability process was intended

Islamabad, but PTV affiliates in Karachi, Lahore and Quetta also provide programming for their respective local audiences. Editorial policy is determined in the federal capital. Benazir Bhutto's government initiated a second channel called the Peoples Television Network (PTN), which is broadcast from Islamabad and carries, among other programming, the U.S.-based Cable News Network.

Traditionally, the state-owned PTV network provides extensive and uncritical coverage of the government. During the 1990 campaign, as during the tenure of the previous government and prior to the 1988 elections, PTV provided little access to opposition politicians. Television and radio consistently featured stories about the caretaker government's activities and the campaign events of the IJI.

During the campaign period, the government-controlled mediums gave heavy coverage to official government activities. The extensive coverage of IJI campaign events also contrasted sharply with the extremely limited coverage state-owned radio and television gave to PDA events. Yet three days before the election, the Lahore High Court rejected a complaint filed by the PDA regarding biased PTV election coverage.

PTV made several innovations for this election that may have improved the electoral process, although they did not compensate for the imbalanced news coverage. PTV aired public service announcements urging people to vote, and broadcast panel interviews with the leading candidates for national office. This second innovation became mired in controversy, however, when Bhutto declined her invitation to appear on the program. PTV officials rejected her demand that the interview be telecast live and that she have a role in choosing the interviewers. Bhutto emissaries claimed that a live interview was necessary to insure that PTV did not edit the broadcast or appoint a hostile interview panel. PTV explained that it could not accept conditions for one candidate that it had not granted to other candidates.

Some PDA supporters charged that PTV abandoned its practice of announcing elections results as they became available and instead waited until the results for an entire constituency were available before releasing any information about the constituency. These

individuals also charged that for the first time PTV did not announce the votes received by the third-place finishers. Both of these actions, the PDA argued, were part of an effort by the caretaker government to manipulate the results after the polls had closed. PTV had changed its policies concerning third place finishers, but its reporting of final total results by constituency was consistent with its 1988 programming.

A limited review of transcripts from Pakistan radio indicates that it generally provided more balanced coverage of the election campaign than PTV. On election day, Pakistan radio carried more than 130 live news reports, and on election night it provided accurate coverage of the results.

2. *Print media*

Numerous English and Urdu newspapers compete for a limited pool of readers. The largest Urdu papers, *Nawa-i-Waqt* and *Jang*, have circulations of more than 500,000. These figures dwarf those for the largest and most influential English newspapers – *Dawn*, *Muslim*, *Nation*, *Frontier Post*, and *Pakistan Times* – none of which have a circulation of more than 60,000 – and magazines – *Newsline*, and *Herald* – which have circulations of less than 10,000. The print media covers almost the entire spectrum of mainstream political debate – a state of affairs absent during President Zia ul-Haq's years.

In fact, one of the Bhutto government's principal contributions to democratization in Pakistan was its loosening of official restrictions on the print media. During the PPP government's 20-month tenure, print journalists exhibited remarkable freedom in expressing opinions and publishing news. Indeed, it is ironic that the press played a significant role in undermining the Bhutto government's reputation by publishing frequent and detailed stories about the alleged corruption of her ministers and husband.

The newspapers gave extensive coverage to the campaign activities of both major parties. Several factors, however, limited the effectiveness of the print media as a source of objective news. Newspapers are extremely vulnerable to government pressure due to their reliance on government advertising (for many papers the

government supplies nearly 70 percent of all advertising while it also controls the newsprint monopoly.)

Financial constraints also prevent newspapers from adopting many of the standards associated with professional journalism. In general, journalists are poorly paid and often publish unsubstantiated articles. Given Pakistan's politically polarized atmosphere, many journalists find it difficult to write independently. Newspapers rely heavily on press releases issued by the government and political parties. These releases are often printed verbatim. They also depend upon the state-owned Pakistan Associated Press for much of their information.

Even more worrisome is the fact that during the past two years, political parties have tried to intimidate the press in order to receive more positive coverage. Almost all the major daily newspapers have been subjected to threats, intimidation, disruption of distribution, and attacks. The police have often failed to protect the newspapers from these attacks and leading political figures have rarely condemned the abusive actions of their more radical supporters.

In 1990, most of these attacks occurred in Karachi and Lahore. They generally followed negative stories about particular political leaders or parties, or what the political parties considered to be insufficient coverage of their activities. Supporters of MQM, Muslim League and PPP each attacked the *Jang* offices in Lahore and Karachi. The editors of the *Jang* acknowledged that these attacks led them to alter their editorial policies and coverage.

In Karachi, *Newstline* and *Herald* came under frequent attack by the MQM. The MQM occupied the *Herald* offices, disrupted the distribution of both magazines and, in October 1990, threatened the safety of the editors of both publications. Although both magazines continue to publish, they are deeply concerned about the consequences of the MQM's actions.

G. Pre-Election Violence and Intimidation

The 1990 campaign period in Pakistan was marred by incidents of violence and harassment. The most serious incidents involved

random acts of violence, partisan clashes and the kidnapping of supporters from opposing political camps.

The situation in Sind was especially tense, raising concerns about heightened, inter-party, election-related violence. In 1990, Sind witnessed an escalation of murders, kidnappings and robberies (in which associates of all major political parties were reportedly implicated). The kidnapping of political figures and their families was so prevalent in some regions that many schools were forced to close for lack of security. More than 60 people – including schoolchildren, bankers, businessmen, politicians, and professionals – were kidnapped between August and mid-October. IJI, MQM and PDA leaders accused one another of complicity in these crimes.

PDA leaders alleged the harassment, arrest and torture of their workers and associates of the Bhutto-Zardari family. They claimed, too, that PDA workers were being tortured in order to obtain false statements about corruption. It was alleged that the homes of PDA workers were raided and people were being taken to unknown places without access to counsel.

The MQM was singled out by some of its critics as being responsible for numerous acts of political violence in the major urban centers of Sind. The MQM charged, in turn, that the PDA was responsible for the mass murder of 25 people in Hyderabad and other acts of violence and harassment.

Despite the polarization in Sind, the political parties contesting seats in the province agreed to a 17-point code of conduct one week before the elections. The code asked all parties to direct their supporters not to obstruct or disrupt the campaign activities of their opponents and to limit criticism only to matters relating to public activities.

The fact that some candidates – who were fearful of their personal safety – went into hiding at the height of the campaign, reflects the seriousness of the problems. Precautions taken by candidates did not always prevent fatalities. On October 23, the IJI candidate in NA 91, Mohammed Idrees Taj, was killed following an

ambush of his motorcade. His death forced the cancellation of the election in this constituency.

H. Role of the Election Commission in Reviewing Complaints

The 1976 Representation of People Act grants the CEC authority to "issue such instructions and exercise such powers, and make such consequential orders, as may in its opinion, be necessary for ensuring that an election is conducted honestly, justly and fairly, and in accordance with the provisions of this Act and the rules." The CEC used this authority and other specifically granted powers when it considered complaints filed by parties, candidates and individuals both before and after the elections.

The principal contesting parties filed numerous protests with the CEC during the campaign period, highlighting various problem areas and urging that action be taken in response to the complaints. The PDA, however, filed the majority of these complaints. In addition, the PDA criticized the CEC for failing to address adequately their complaints.

The PDA filed specific complaints concerning PTV's coverage of the election campaign, the movement of polling stations from their 1988 locations, the arrests of party workers, the appointment of government officials instead of judges as election officials, the improper use of development funds and the failure of civil authorities to issue identification cards. Many of these complaints were presented to the CEC in the two weeks prior to the elections.

In its finding, the PDA cited specific telecasts that offered substantial news coverage of LIJ campaign events and very little coverage of PDA rallies, named certain election officials who came from the ranks of the civil administration instead of the judiciary, and brought to the CEC's attention individual PDA workers who the civil authorities had jailed. There were also other, more general, complaints.

The CEC investigated some of the specific allegations, but did not respond to many of the general complaints about the process and claimed not to have jurisdiction with respect to some complaints. In addition, the Commission relied on other branches of government to

investigate certain election complaints. Given the structure of the civil service and its theoretically non-political nature, this reliance was not surprising. In practice, though, this procedure meant that the Commission often asked the very branch of government against which a complaint had been filed to investigate the circumstances surrounding it.

The Commission's handling of the PDA complaint against PTV is illustrative of the problem. Upon receipt of the complaint, the CEC requested the minister of information, who is responsible for supervising PTV, to provide data on PTV's policies. In the end, the Commission decided not to issue directives ordering PTV to change its policies. And, as noted above, the Lahore High Court rejected the PDA's challenge of the Commission's failure to act.

The PDA also charged that lower-level election officials, including some returning officers, failed to prevent, or actually participated in, election-related irregularities. These officials, the PDA argued, allowed the misuse of development funds, permitted the false arrest or detention of PDA supporters, and failed to fulfill their election day responsibilities of preventing or at least reporting violence.

The PDA argued that the CEC had constitutional power to take action in many cases where the Commission claimed not to have jurisdiction. The wording of the provisions concerning the Commission's authority is certainly open to interpretation. It is clear, however, that the PDA could have provided greater detail concerning many of its allegations and that the Commission could have exercised greater initiative in investigating some of the complaints.

The PDA's perception that the CEC was either uninterested or incapable of adequately responding to complaints contributed to PDA distrust of the overall election process. To its credit, the PDA continued to file complaints with the CEC and did not boycott the elections.

Chapter 5

ELECTION DAY OBSERVATIONS

The first two sections of this chapter describe the balloting and counting processes in general terms. The third section describes the delegation's election-day observations in different regions of the country.

On election day, the delegation separated into teams that deployed to 12 cities across Pakistan's four provinces, and the federal capital. The teams selected the constituencies and polling stations they would visit after meeting with local political representatives of different parties and government officials. In some instances, political party representatives joined the teams. In many cases, government protocol officers accompanied the delegates to provide logistical support. At no time did these government officials choose the sites that the delegates visited or attempt to limit their movement, except in a very few situations where security was a principal concern.

A. Balloting Procedures

The polls, which were scheduled to open at 8 a.m., often opened between 15 and 45 minutes late. In many cases, the delay was due to the late arrival of election officials or party agents. In some cases, though, the delay reflected the election officials' serious approach to pre-election preparations, which took more time than anticipated.

Before the voting began, the presiding officer showed the party agents the sealed bags of blank ballots and the empty ballot boxes. The presiding officer then secured the ballot boxes with a wax seal. Most sites provided a table for party agents, each supplied with their

own copy of the voter registration roll; a table for election officials; and curtained areas for balloting.

Prior to election day, the CEC assigned voters to specific voting booths within a polling station, with men and women assigned to separate stations. Outside the polling station, the political parties set up "locator" tents where party representatives helped voters find their assigned booths. Party representatives at the tent checked the voter's name on the registration list, found his/her registration number and wrote it on a slip of paper that also included the party's symbol. This slip allowed election officials to direct the voter to the correct polling booth.

To enter a polling station, a voter had to display his/her identification card. (See Appendix XVI.) The voter usually presented the slip obtained at the locator tent to party agents who crossed off the voter's name from the registration lists. The voter then presented his/her identification card to the election officials who, after checking the card, placed a mark in the electoral roll next to the voter's name and number.

Delegation members observed that some election officials did not allow certain voters access to the polls until they had provided several forms of identification. Some voters also found that their names had been marked as if they had already voted. Both of these practices may have constituted a form of harassment that may have led to disenfranchisement.

In some cases, a voter's name was marked with a "P," indicating that he/she had cast a postal ballot, which would be counted by the returning officer after the polls closed. This postal ballot procedure, however, had only a limited effect on the process, and according to the CEC only 63,635 postal ballots were cast.

Once a voter's identity was established, a polling officer punched a hole on the voter's identification card and placed an indelible ink mark on the voter's thumb to safeguard against multiple voting. The delegation heard allegations that some presiding officers used water soluble ink. There were also charges that voters had blatantly used

false identification cards. The observers could not, however, corroborate these allegations.

After punching the identification card and marking the voter's thumb, the assistant presiding officer recorded the voter's registration number on the counterfoil (stub) of the ballot; the procedure was used to ensure that all ballots were accounted for and properly used. The voter placed a thumbprint on the back of the counterfoil, the election official then signed and stamped the back of the ballot. No ballot was valid without the stamp and signature.

The voter then took the ballot (see Appendix XVII) and an inked stamp behind a screened booth. The voter stamped the space on the ballot containing the name and symbol of the candidate that he/she supported. Before leaving the booth, the voter folded the ballot and, once outside the booth, placed the ballot in the ballot box. In many polling stations visited, the booth constituted a corner of a room with a curtain suspended from the ceiling or a table behind a temporary partition.

Party agents could challenge the eligibility of individual voters. If the presiding officer accepted the challenge, he/she required the voter to cast a "challenged" ballot. These ballots were kept separately for special treatment during the count. There was also a procedure whereby a voter who claimed that someone had voted in his/her stead could cast a "tendered" ballot, which was also counted separately from the regular ballots.

The delegation witnessed the use of some challenged ballots and saw the employment of almost no tendered ballots. Delegation members heard allegations that presiding officers refused to accept the challenges made by some party agents. This was not a frequent occurrence, however, and it seems unlikely that it could have affected the fairness of the overall process.

The bitter campaign atmosphere held out the possibility of extensive violence on election day. As a result, the government announced extraordinary provisions to maintain law and order. The army was deployed in areas where the authorities had reason to fear disruptions and local police were deployed to most polling stations.

For the most part, these forces kept a relatively low profile. Seeking to balance the need for law and order with voter apprehension about seeing police in polling stations, the CEC announced that police officers would not be allowed into the polling stations. The CEC also hired temporary guards to supplement the regular police.

B. The Counting Process

Most polls closed at 5 p.m. Immediately thereafter, the ballots were counted by the election officials in front of the party agents who were present at the time. After completing the count, the presiding officer prepared tally forms, containing the signatures of the election officials and the party agents. Under the law, copies of these forms were provided to the party agents. The original form was placed in a sealed bag that contained the ballots.

The delegation heard allegations that, in some regions, the police and election officials denied party agents access to the counting process and refused to provide them copies of signed tally sheets. In addition, the delegation members heard credible reports about arrests and detentions of party workers, which would have prevented them from being present during the count. (See Section C.)

Once the requisite forms had been completed, the presiding officer transported the ballot bags and the unused election materials to the returning officer, who consolidated the results from all of the polling stations in the constituency and from the postal ballots received prior to election day. The party agents, meanwhile, were supposed to transmit certified copies of the results to their respective party headquarters.

The returning officers presented the results to the district returning officer only after all polling stations in a constituency had reported their totals. In many constituencies, the returning officers did not receive the results from individual polling stations until several hours after the polls had closed – the amount of time it took the presiding officers to count the ballots, prepare the ballot bags and transport the bags to the returning officers.

The district returning officers relayed the results to the provincial election commission which, in turn, communicated the results to the

CEC in Islamabad. The process of reporting the results through district returning officers and provincial election commissions slowed the process. The CEC did not announce most results until early on the morning of October 25.

Those parties that later alleged fraud, especially members of the PDA, cited delays in the announcement of the election results as evidence of post-election manipulation. However, given past reporting practices and the logistical obstacles involved, the delays did not appear excessive, and were not lengthier than those observed in the 1988 elections or those that occur in other developing countries.

C. Delegation Observations

At most polling stations, delegation members observed an orderly, well-administered election process. Polling stations were organized to provide voters an opportunity to cast a secret ballot; safeguards designed to prevent multiple voting were utilized; and party agents were present. Presiding officers and other election officials appeared to understand the procedures, and vote processing continued at a steady pace.

Election day was a national holiday, and while turnout figures suggest that the majority of people did not use the holiday to vote, the cities and villages appeared festive. Vendors sold food outside polling stations, cars drove through the streets displaying political banners, loudspeakers blared pleas for political support and people congregated to discuss the elections. In many areas, election day appeared to afford the population an opportunity to celebrate the democratic process.

While these positive observations apply to the majority of sites visited, the delegation observed isolated problems in several of the constituencies visited. These problems included violence and intimidation directed against candidates and voters, arrests and detention of party agents, procedural irregularities, mass confusion at polling stations for women and disregard shown by senior election officials when presented with complaints.

Some of these problems appeared to have been representative of incidents that occurred throughout the country. According to

official figures, nine people were killed and nearly a hundred wounded in election-day violence. The government's statistic is probably conservative since many injuries went unreported. The violence was not confined to a single province or directed at one particular party.

Intimidation at some polling stations, such as that reported in NA 158 in Sind, was particularly intense. Polling agents in that constituency were allegedly attacked repeatedly by IJI supporters and expelled from polling locations.

The marked absence of authority in some areas, despite the decision to deploy security forces on a large scale, allowed confrontations at polling sites to escalate into roving gunfights, and created an environment where drive-by shootings and indiscriminate sniper fire went unchallenged. In one of the premeditated attacks, roof-top gunmen allegedly ambushed the entourage of Ghulam Murtaza Jatoi, son of the caretaker prime minister, as it approached the Kora Khan Rind polling station in Nawabshah. These gunmen allegedly wounded a police officer and a private security guard.

Women voters in Pakistan proved vulnerable to intimidation. "Enforcers" of gender segregation sometimes crowded the approach to polling locations, creating a gauntlet of club wielding partisans through which female voters were forced to pass.

While many of these problems appeared localized, some could have reflected a concerted effort to affect certain National Assembly contests. (See Chapter 7 for further discussion of this issue.) The following are summarized versions of reports prepared by the delegation teams that visited the different regions of the country on election day. These reports reflect the diverse experiences of the individual teams. Each team set its own schedule. As a result each witnessed different aspects of the process. Appendix XVIII includes examples of the routine used by observers under two decidedly different conditions. These two reports provide additional details on the election process and the methodologies employed by the observer teams.

D. Team Reports

1. *The Federal Capital and Punjab*

The Punjab is Pakistan's largest, most populous, prosperous and influential province. Approximately 65 percent of Pakistanis speak Punjabi. The province contains nearly half of Pakistan's population and is also home to more than half of the army. Punjab contains 116 of the 207 directly elected National Assembly seats. Its capital, Lahore, has a population of about 3.5 million while the second largest city, Faisalabad, has a population of 2 million.

During Prime Minister Bhutto's tenure in power, Nawaz Sharif served as the province's chief minister. The friction between the PPP central government and Punjab's IJI leadership contributed to political deadlock and economic stalemate during 1989 and 1990.

Observer teams were based in Islamabad, Lahore, Multan and Faisalabad. The Islamabad and Lahore teams subdivided on election day.

Islamabad/Rawalpindi - The team assigned to the federal capital area visited 72 polling stations in National Assembly constituencies 35, 37, 38, 39, 42, 43 and 44. The team covered the cities and towns of Islamabad, Rawalpindi, Mandra, Chakwal, Talagang, Pindi Gheb, Dhagal, Adiala, Saidan, Tenchbhata and Bhabra Bazaar.

The team was struck with the professionalism and orderliness that characterized the election process. The atmosphere at polling sites was straightforward, serious and often festive. Many presiding officers and others working at the polling sites expressed gratitude for the presence of international observers.

The team found party agents acting as pollwatchers to be ubiquitous and attentive. Nearly every voting table maintained representatives from the two major parties, sometimes from as many as four parties. The team inquired of the presiding officers and the party agents as to whether there had been any difficulties; the universal response was "no problems." Police were present at polling sites, but not in an overbearing or intimidating fashion.

Most of the presiding officers stated that they had not acted as election officials in the past. Those that had served previously as election officials were posted in different locations. No one was posted at the polling station in his/her home.

The team considered the practice of posting officials away from their home neighborhoods as both good and bad. On the one hand, these officials might have been less subject to bribery and intimidation. On the other hand, in unfamiliar territory they would not have first-hand knowledge regarding the identity of local voters. Ironically, many of these presiding officers reported that they were unable to vote in their own districts because of their election-day obligations and because they failed to vote by postal ballot.

Among the problems identified by the team were the following:

1) Many of the presiding officers were vague or confused about how votes were cast by mail. In some stations, the voter lists contained a few red lines through names marked by a "P" as required by the guidelines, but this seemed to be an infrequent occurrence. Similarly, one team member noticed no deletions of the names of deceased voters, as polling officials had indicated would be the case.

2) The team thought that voter turn-out seemed low. In rural areas, the obligations of field workers made it virtually impossible for them to leave their animals and walk perhaps three or four kilometers to vote between the hours of 8 a.m. and 5 p.m.

3) Several members of the team encountered a man who stated that he was a Sansi candidate for a minority seat and had been issued a symbol, but when he reported to vote his name was not on the list of eligible candidates and he had been disenfranchised.

4) The team was made aware of an incident involving an attempt by one party to move a polling station place over the objection of another party. The police brought officials from both parties to police headquarters where an agreement was reached regarding the location of the site.

5) The team investigated a PDA complaint that, at a given polling station, women were being prevented from voting for the PDA and that at another location the registration list was being

falsified. Two members of the team visited these locations where women, PDA party agents and others, all reported no problems.

6) The counting process sometimes seemed chaotic, but party agents appeared attentive, making difficult any possible sleight of hand. The ballots were separated rapidly, tallied, and in some cases retallied two and three times. No effort was made, however, to establish the total number of votes cast in each box before they were divided and counted.

Challenged ballots generally resulted from disputes about smeared thumbprints, double stamps, and blots from the folded paper ballot. The visual likeness between the arrow symbol of the PDA and the pencil symbol of another party may have created confusion for a small number of voters. The team saw ballots that had been stamped lightly on one symbol and then restamped on the other. These ballots were always rejected by the presiding officers. A consensus among the officials and party agents was generally reached before ballots were categorized as challenged.

At the end of the count, the presiding officers brought the results and the other balloting materials to the returning officer. The team was troubled that presiding officers were not escorted to the returning officer by party agents.

Late in the evening of election day, team members visited a somber PDA headquarters. The PDA members complained of fraud and rigging, but offered no facts for investigation. The team went to the JJI's offices, which they found vacant. The team then visited the Election Commission where, reflecting a sense of accomplishment, the atmosphere was almost jubilant.

Lahore - The Lahore team visited approximately 13 rural polling stations and 42 urban polling stations. It selected the constituencies to be visited on the basis of discussions with the major political parties, journalists, election officers and others. The actual polling stations visited were randomly selected. The team made the following summary observations about election day:

1) The fundamental mechanisms of the electoral system were sound and consistent with electoral systems used in established

democracies. The administration of the system was well-organized, especially given the short notice to the CEC.

2) The personnel involved in administering the electoral process at the provisional level, including the presiding officers and their assistants, were generally well versed in the system and appeared to be reasonably impartial. The effectiveness of the polling station appeared enhanced by the quality of the personnel appointed – often lecturers at the high school or college level – and their experience as presiding officers in prior elections.

3) While outbursts of violence occurred in some of the constituencies covered by the team, a peaceful and non-coercive atmosphere prevailed at most of the sites visited. The police were numerous, and sometimes officious and inappropriately intrusive. The army was much less visible than in 1988.

4) The team did not witness substantial opportunities for, or evidence of, systematic or wholesale fraud. This conclusion is based on the team's personal observations, questioning of party agents and others at polling stations, canvassing of candidates and party officials, and interviews with election officials. The team recognized, however, that any system can be open to abuse in the face of an attempt to create fraud, particularly if voters and parties fail to exercise diligence.

5) A critical factor in evaluating the overall process was the significant opportunities afforded by the system for candidates and parties to check for and challenge abuses. Party agents at polling stations appeared conversant with the challenge process, alert and diligent. Other party officials appeared ready to assert their rights with election authorities.

6) The most serious allegations heard or witnessed by the team concerned illegal ballot marking by presiding officers, stolen ballots, illegal additions to the registration lists and the use of false identification cards.

7) Another impairment to a smooth voting process observed by the team concerned disorganization in some, but not most, of the polling stations for women. This disorder rendered the process vulnerable to tampering. The identification card requirement also

may have unnecessarily disqualified a small number of women voters who did not possess identification cards. Finally, the team observed a lack of privacy in some women's polling stations, and were told that some women requested "instructions" from polling officials – both practices that jeopardized ballot integrity.

8) The team noted impediments to reaching definitive conclusions based on limited observations; several team members were concerned, for example, that party agents at polling stations were too quick to provide glib responses that everything was fine. In one instance, two agents from competing parties who initially stated that all was well, later reported that the presiding officer may have tampered with ballots. (See also Chapter 8B.)

(A supplementary report prepared by the three-member group that visited Gujranwalla is included in Appendix XVIII.)

Multan - Multan is a city with a population of approximately 1.5 million. Seven National Assembly seats were contested in Multan District. In 1988, the PPP won six of these seven seats. In 1990, the outcome was reversed; IJI candidates won six of the seven seats. Despite the IJI's victory, team members noted that, with the exception of NA 121, they heard very few voters express support for IJI candidates.

Before the elections, team members heard reports of problems with voter registration lists and bogus ballots, and predictions of ballot fraud. One local observer claimed that voter registration rolls containing 1,600 names from one village – Naurang Shah in Kabirwala Tehsil, Khanewal District – had been destroyed by a flood. He also claimed to know of a situation where 40 voters were registered at one two-room house. It also was alleged that many local government officials were changed in August and September, after the dismissal of the national and provincial governments – the implication being that these new officials would be more sympathetic to the IJI.

The local election commissioner showed the team examples of pre-election charges that he had received in the form of telegrams from candidates or parties. The two telegrams that the team

reviewed made only vague, generalized complaints. One, from NA 138, alleged that the local administration was fully involved in supporting the candidates of Nawaz Sharif, and requested police protection and special arrangements. The other alleged a "threat of terror" against PDA candidates and requested military protection.

The team heard specific allegations that government development money was suddenly directed toward projects in certain areas so as to benefit IJI candidates. One example involved the caretaker government's distribution of land in key constituencies. IJI candidates for the National and provincial assemblies seemed to concede the truth of these allegations. IJI officials countered these complaints, however, by noting the amount of money that Asif Ali Zadari, the husband of Benazir Bhutto, had allegedly transferred from Pakistan to European banks.

The team also heard allegations of bias by the civil administration in favor of IJI candidates. Several people emphasized that local election officials and government administrators could not fail to recognize that their interests would best be protected by the incumbent regime, and thus their objectivity was compromised.

On election day, the team visited 10 polling sites in four National Assembly constituencies – NA 114, 115, 121 and 123 – in Multan and Khanewal districts. These included polling sites and constituencies in urban, suburban and rural areas. The team chose the constituencies based on information provided by local political leaders who outlined the contests and the occurrence of past problems. The polling stations within these constituencies were chosen at random. Most of the sites were located just off the road, but one was several kilometers away from a paved road, barely reachable by automobile.

At these polling sites, team members did not observe any significant irregularities. Polling officials were open and cooperative, and appeared to be complying reasonably well with prescribed procedures. The team, however, did note the following problems:

- 1) Police, and in at least one case army personnel, were present inside several polling stations without any obvious reason and in apparent violation of the rules proscribing such activities. These uni-

formed officials seemed to have a high profile, and their presence might have been considered intimidating by some voters, not to mention polling officials and polling agents.

2) At one polling station (NA 122, combined polling stations 70 and 71), several people claimed that they witnessed polling officials forcing voters to stamp their ballots in front of the officials. At the same polling station, one polling official wore an IJI badge.

Faisalabad - The city of Faisalabad together with the greater Faisalabad District has a population of approximately 2.5 million. The district elected nine members to the National Assembly. The rapidly changing area represents both rural and urban districts, with vast farmlands and numerous textile mills. In the 1988 elections, six of the then-seven seats were won by the PPP.

The 1990 elections included as candidates former Prime Minister Mohammed Khan Junejo, caretaker Minister of the Interior Zahid Sarfaraz, and Chaudhrey Ilyas. A number of murder, perjury and bribery cases are pending against Ilyas, who was released from jail by Prime Minister Bhutto shortly before her dismissal.

Prior to the elections, the Additional Deputy Commissioner (ADC), a government official, and his staff provided to the team a list of polling places identified as areas of concern based upon history or current reports of possible trouble. The team relied on this list and suggestions made by political parties when selecting constituencies and polling stations to visit on election day. All told, the team observed the balloting in more than a dozen men's and women's polling stations in five constituencies throughout the Faisalabad District.

The team concluded that the elections, as observed in Faisalabad, were administered with little or no problem. Given the high level of illiteracy and lack of voting experience, the people on the local level demonstrated an impressive commitment to make the process work. Regardless of position or opinion, all organizations involved – including IJI, PDA, police and electoral officials – acted in a neutral and straightforward manner.

At the same time, the team heard allegations of serious irregularities involving kidnapping, massive ID card fraud, armed

harassment, and bribery. Representatives of both major coalitions presented these allegations to the team, with the majority of the complaints originating with the PDA. The team did not receive evidence to substantiate these allegations and therefore had difficulty establishing their veracity.

Investigations into reports of identification card fraud, for example, failed to uncover a single incident or piece of evidence to support the charges. A report of an alleged kidnapping was countered by charges that the supposed victim was a "deranged" man who picked a fight in the middle of opposition territory and was rudely dragged away. The most common charges of "abuse" concerned the interim government's practice of distributing "pork barrel" projects prior to the elections. This practice, if it occurred, could have favored IJI candidates.

The team observed some problems and possible abuses with respect to the polling stations for women. With no pictures on women's identification cards, these problems could be expected. An illiteracy rate of about 75 percent may have contributed to confusion at the polling stations and to manipulation by party workers or election officials.

The role of the police and the army in Pakistan's elections is a longstanding concern. According to the ADC, additional army units were brought into the district to prevent trouble. However, the team did not observe a single soldier at a polling place on election day. The police, rather than presenting a problem, were cooperative in maintaining order at the polling stations.

An area of greater concern involved the use of the so-called "civilian police." In order to cover all of the polling stations, the police hired additional, temporary civilian assistants. These individuals lacked training and professionalism and were the subject of numerous complaints. These included use of excess force, rudeness and other problems that did not appear to be politically motivated.

2. Sind

Sind is Pakistan's most polarized and violent province, where the politics of ethnicity dominate. It is home to Sindhis and *muhajirs* who have strong economic and political grievances against each other, and against the central government. Since 1986, violence in Sind has left more than a thousand dead, and the ethnic polarization shows few signs of amelioration in the near future.

The provincial capital, Karachi, is Pakistan's largest city. Its population, estimated at around 10 million, is ethnically mixed, containing about 54 percent *muhajirs*, 13 percent Punjabis, 11 percent Sindhis or Baluch, 11 percent Gujrati speakers (mainly merchant communities), and 10 percent Pakhtuns.

The Bhutto family is from Sind, as are some prominent IJI political figures, including caretaker Prime Minister Ghulam Mustapha Jatoi. In 1988, the PPP fared exceptionally well in the province, winning 31 of the 46 National Assembly seats, and 67 of the 100 provincial assembly seats. To cover Sind on election day, the delegation based teams in Karachi, Nawabshah and Sukkur.

Karachi - During its stay in Karachi, the team assigned to Sind met with the secretary of the provincial election commission; the chief minister and a minister in the provincial government; representatives of the PDA, IJI and MQM; television, radio and print journalists; and representatives of human rights organizations. These meetings occurred before, during and after election day.

On election day, the Karachi team separated into three groups for visits to different polling sites within the city and in rural areas outside of the city. While none of the groups observed any major irregularities, the teams heard allegations of polling site irregularities from all three major parties contesting in the area.

The PDA sent some 20 faxes to the team on election day. In one constituency, the PDA claimed that a PDA candidate had withdrawn due to the level of irregularities, but this could not be corroborated. The PDA also alleged that the police were harassing PDA voters in NA 181. In another constituency, the PDA charged that all PDA polling agents had been arrested. Meanwhile, the

MQM claimed that PDA supporters were preventing voters from entering polling stations in NA 184. Finally, the IJI caretaker chief minister alleged that his son, an IJI candidate, was shot at by PDA supporters.

The following are the team's principal observations and conclusions:

1) During the election campaign, all parties were able to communicate their messages. The meetings with television and radio officials, nonetheless, raised questions about government interference in the mass media coverage. In this respect, the caretaker government appeared to have favored the IJI.

2) The provincial election officials did not seem willing to address complaints of arrests presented by PDA representatives prior to the elections. On election day, the PDA sent copies of its complaints to the CEC, but it appeared to have received no response.

3) The polling went smoothly, although many polling stations opened later than scheduled. Polling agents from at least two parties were present at all booths except for a few polling stations in the countryside where only PDA agents were present. The ballot boxes were properly sealed. In a few cases, challenged and tendered votes were cast. There were some complaints at one polling station that the names on the identification cards did not match the voting list.

4) The turnout was lower for women at virtually all polling stations.

5) In one rural area, there were armed men, allegedly from the PDA, near a polling station. In the rural areas, there was also a heavy army presence at the polling stations, and a very low turnout.

6) Tension was evident among the different parties, and it seemed that most parties had acted abusively at different times. Further, the team was concerned that losses of life were treated almost as a normal part of an election process.

7) The PDA headquarters in Karachi sought to obtain direct information regarding the results from polling agents around the country. However, the results arrived sporadically on election night

and was not categorized in a coherent manner, even 24 hours after the elections.

Nawabshah - A two-member team traveled on election day to Nawabshah-I, NA 160. The team met with representatives from the PDA and IJI, and visited five polling sites located in the city of Nawabshah. The delegates found a highly charged political environment due to the contest between prominent figures from both major parties: the son of caretaker Prime Minister Ghulam Mustapha Jatoi (IJI) faced Asif Ali Zardari (PDA), former Prime Minister Bhutto's husband. Although Bhutto's party had prevailed in Nawabshah in the 1988 elections, a close race was expected, in part because constituency boundaries had changed.

Immediately upon arrival in Nawabshah, the delegates heard a series of allegations from both parties about election irregularities. A PDA official made four allegations: 1) that before the election – including on election eve – the police had unjustly arrested and harassed PDA supporters and candidates; 2) that the government had printed and distributed to IJI supporters 20,000 false identification cards for women; 3) that the local police had confiscated identification cards from PDA voters; and 4) that after balloting had begun, several polling stations closed, and others had been temporarily closed.

An IJI representative complained about the relocation of 46 polling stations the night before the elections and the replacement of large numbers of presiding officers. The IJI representative also alleged that PDA supporters were engaging in various forms of misconduct, such as misdirecting women voters to the wrong polling stations.

The delegation's observations at the polling stations confirmed some of these allegations and failed to sustain others. At several places visited, the delegation was told that the stations had opened up to one and a half hours late. At the polling stations that allegedly had been closed, however, polling officials and party agents stated that the stations had been open for voting all day. At most polling stations, the delegation observed polling agents from the principal parties present who reported no major problems in the balloting.

In stark contrast to the relatively orderly process at men's polling stations, chaotic conditions prevailed at many of the women's polling stations. Officials made little attempt to maintain order. Both inside the polling stations and in the immediate vicinity outside the stations, disorder reigned. At one polling station, for example, dozens of women and young children filled the small room where voting was taking place. Several of the women angrily protested the decision by polling officials not to permit them to vote. The women contended that others using false identification cards had voted in their names earlier in the day.

Election day observations did not provide physical evidence to corroborate many kinds of allegations about the election process, including the arrests and harassment of PDA supporters and the confiscation of identification cards. The allegations of vote fraud through the distribution of false identification cards, however, gained credibility from the dozens of women who contended that others had voted in their names. Whether the women who were denied the right to vote were IJI or PDA supporters, however, could not be determined.

The kinds of problems that occurred seemed to have caught the parties by surprise; if this was the case, it was not extraordinary that they could not provide documentation to support their allegations. At the same time, groundless accusations can themselves undermine the election process and it is incumbent upon the political parties to make their allegations credible.

The combination of the serious allegations made by both major political alliances and the conditions observed on election day made the team extremely uneasy about the election process. Consequently, NA 160 was one of the constituencies visited following the elections. The findings of the post-election investigation are described in Chapter 7.

Sukkur - A two-member team observed the elections in Sukkur District, which is a part of Sukkur Division (the division also includes Nawabshah District), on election day. Sukkur District includes three National Assembly constituencies: NA 151 (which includes Sukkur

town), NA 152 and NA 153. Sukkur borders on the Bhuttos' home district of Larkana and is generally considered to be part of the Bhutto-PPP stronghold in rural Sind.

There were a number of hotly contested seats in the areas visited. In NA 151, Islamuddin Shaikh, the popular IJI mayor of Sukkur, ran against Khurshid Shah of the PDA. The MQM had withdrawn its candidate in favor of Islamuddin Shaikh. In NA 152, Sardar Ghulam Mohammed Meher, an independent who was sympathetic to the IJI and one of the largest landlords in Sind, ran against Jam Saifullah, a young, relatively weak PDA candidate. In NA 153 the son of Pir Pagara (a local religious leader), Sadruddin Shah, ran against the PDA's candidate, Sardar Nur Mohammed Khan Lund.

Based on their observations, the team had a strong sense that violence, intimidation and partisan behavior on the part of the political parties and the civil authorities had overwhelmed the election process. Political party leaders, government officials and voters all recounted how the election system had broken down. The delegation heard credible reports concerning the kidnapping of polling officials and party agents, ballot stuffing and the removal of legitimately cast ballots, and the disenfranchisement of voters through violence and false procedural restrictions.

The team did not witness any violent incidents on election day, but it did hear a significant number of reports from a variety of sources it considered credible regarding violence and irregularities. For example, the PDA district chairman and the district commissioner each independently recounted how armed men had taken over polling stations and kidnapped election officers and party agents. They also reported how these acts had, in some cases, been accompanied by ballot stuffing. While the PDA chairman did not hesitate to place blame on the IJI, the district commissioner and the district returning officer were more circumspect. Neither of these men could state definitively who had caused the violence, and the district commissioner pointed out that some of the violence had occurred in a traditional IJI stronghold.

In visiting some of the polling stations where the violence allegedly occurred, the team found that local officials tried to minimize the impact of these incidents. Even when these officials acknowledged that kidnappings or other problems had occurred, they claimed that the events had not been serious and that the polling stations were once again functioning normally.

At other polling stations, however, election officials joined the chorus of criticism directed at the process. The officials described how they had been kidnapped and how the government had provided insufficient security to insure the integrity of the ballot. The team found that the situation was so tense at some polling stations that voters, election officials and party agents were unwilling to discuss the process. Voters complained that other people used false ID cards to vote in their place. These charges originated from supporters of both the major coalitions.

By election night, the situation appeared to have quieted significantly, and by the time the team visited the commissioner of Sukkur Division, the authorities reported very few problems. These authorities also reported that the PDA had won all seats in the district. It thus came as a surprise when the following morning the team learned that Murtaza Jatui had defeated Asif Ali Zardari in Nawabshah.

The team left with a very strong sense that either by design or circumstance the civil authorities had been unable to control violence and intimidation during the election period. The freedom to cast one's vote in a safe, open environment was clearly lacking in these areas. (A detailed description of the team's findings in this area is found in Appendix XVIII.)

3. North West Frontier Province

The North West Frontier Province (NWFP) is home to the Pakhtun tribes, many of whom also live across the border in Afghanistan. It has borne the brunt of the Afghan war and continues to harbor most of the Afghan refugees. The NWFP holds 27 seats in the National Assembly.

Based on its election day observations and meetings with local officials and party representatives, the team concluded that despite the backdrop of a violent culture, a particularly strong police presence and a generally volatile society, the overall process was a fair one, and the results reflected the will of the electorate in the region.

Before the elections, PDA leaders expressed concern that there would be planned disruption and violence at polling stations on election day. In addition, the PDA presented the following complaints:

- lack of access to the media;
- polling station locations and staff changed since 1988;
- preparation of false identification cards by the caretaker government;
- collection of female voter ID cards prior to the election on the understanding that they would be returned at the polling place;
- instructions given to men to come to polling places with firearms so as to delay the balloting process through the threat of violence;
- distribution of development funds by IJI candidates in order to influence voters;
- transfer of funds from one administrative budget to another without authority; and
- planned release of results to the chief minister before they were publicly announced by the CEC.

The ANP leader, Wali Khan, stated that the financing of the campaign was the source of electoral corruption as opposed to the irregularities in voting procedure. He said "money for votes" was related to drugs: drug smugglers were investing in politics.

On election day, the team sub-divided into three groups and visited polling sites in different parts of the province: NA 1 in central Peshawar, where Benazir Bhutto was contesting; NA 2 also in Peshawar, where the former PPP chief minister for the territory was a candidate; NA 5 in Charasadda, where Wali Khan, leader of the ANP was running; and NA 6, in Mardan, which is approximately 80

kilometers north of Peshawar, where the caretaker chief minister was the IJI candidate.

At most of the 60 polling places visited, the presiding officers had been moved from their 1988 polling locations, many from rural to urban stations. Despite this change of personnel, however, the conduct of the poll in the men's polling places was efficient and orderly. There appeared to be a large measure of inter-party cooperation and party representatives reported "no problems."

By contrast, the problems at women's polling places highlighted the inherent problem for women when using Western voting procedures in a Muslim culture. It seemed as though the identification card requirement thwarted, rather than encouraged, women's participation in the voting process. In some cases, names on the identification card did not match the names on the register because the registration rolls were in the husbands' names. With no picture on many female identification cards, verification in some polling places caused confusion and heated disputes.

The procedures used in female voting stations varied. In some polling places, large numbers of voters were admitted at the same time, a practice that increased the general level of confusion. In one case, the PDA and the ANP asked the presiding officers to close the polling place for cultural and social reasons; in others, by prior agreement, the female polling place never opened. In yet another case, the team witnessed an attempt by a voter to vote more than once.

The challenge process appeared to be fraught with problems in the female polling places in rural areas. This did not appear to be the case in the urban stations. In all cases, however, party agents appeared well briefed.

The team witnessed the count at polling stations in Peshawar and Mardan. While procedures for the count varied from highly efficient to highly disorganized, the party agents duly accepted the counts and the results.

The team also visited the provincial election commission's office on election night at a time when the commission was relaying polling

reports to the CEC in Islamabad. The provincial commission appeared to handle complaints in the same way it handled the count – as a conduit: it played no significant role in the complaints process, acting simply as a vehicle for receiving the complaint and passing it on to the CEC.

The team visited both IJI and PDA headquarters on election night. A senior PDA representative told the team: "It was a fair election and we lost." The successful IJI candidate, in turn, agreed that the election was fair. He did, however, register a protest regarding the killing of three IJI supporters in Peshawar, accusing the PDA of responsibility for the attacks.

Notwithstanding an overall positive assessment of the process, the team summarized its concerns as follows:

- 1) A clear separation between political and administrative functions in the polling place did not exist.
- 2) Systemic and discriminatory differences prevailed between male and female voting brought about by religious and cultural constraints.
- 3) The legal/bureaucratic framework was inadequate to deal with complaints.

4. Baluchistan

Baluchistan is Pakistan's geographically largest and economically most backward province. Despite its enormous size and significant mineral deposits it contains only about 5 percent of Pakistan's total population and is entitled to 11 seats in the National Assembly. Baluchistan is sparsely populated, predominantly by Baluch and Pakhtun tribes. The land is a rugged mixture of mountains and desert, bordering on Iran, Afghanistan, and the Arabian Sea, as well as Pakistan's other three provinces.

During the 1970s, Bhutto and Baluch tribal leaders waged a bloody war over control of the resources, development and politics of the province. At the height of the war, 80,000 Pakistan army troops were stationed in Baluchistan, and thousands of people were killed.

During Benazir Bhutto's tenure, a non-PPP alliance governed the province. An effort, ultimately unsuccessful, was made to dissolve Baluchistan's Provincial Assembly.

Unlike other parts of Pakistan in the 1990 elections, Baluchistan was not polarized politically between the two major coalitions. The greater fragmentation of political forces and the continuing influence of powerful tribal leaders perhaps made for a less tense and confrontational atmosphere in most of the province than in the rest of Pakistan. The two major national alliances – the IJI and PDA – had only a limited presence in Baluchistan, equalled or surpassed by regional or religious parties: the Jamhoori Watan Party (JWP, an IJI-affiliate, led by former Chief Minister Nawab Akbar Bugti, leader of the Bugti Baluch tribe); and the Jamiat-ul-Ulema-i-Islam-Fazlur Rahman Group (JUI-F, based in the Pakhtun areas of NWFP and northern Baluchistan). Other regional contenders included the Awami National Party (ANP) and Pakhtoonkhwa Milli Awami Party (PMAP), both also based in the Pakhtun areas. Quetta, the provincial capital, is home to additional tribes, most notably the Hazaras, and non-tribal settlers from Punjab and elsewhere.

A two-member team observed the elections in and around Quetta. On the basis of pre-election discussions with party and community leaders, the team selected three constituencies for observation: Quetta (NA 197), Pishin (NA 196), and Mastung (NA 204). By selecting these constituencies, it was possible to observe Pakhtun, Baluch, and settled areas, as well as to observe one area that electoral and provincial officials had designated as a "sensitive" law-and-order situation.

On election day, the team members visited eight polling stations and were able to witness the full-range of voting activities including the opening of the polls, routine voting, poll closing, and the vote count. Polling places were generally orderly and well run. Polling agents in each station reported no difficulties, although in at least one constituency some major parties had no agents present when the observations were made.

During the course of conversations on election day, the team learned of a practice that was in apparent violation of explicit CEC rules against the progressive reporting of election results to anyone other than the returning officers and the CEC. The team obtained a written directive from the chief minister's secretary announcing the establishment of an "election cell" in the chief minister's secretariat and requesting unofficial polling results be reported to the secretariat following the close of voting. (See Appendix XIX.) The team had no way of determining whether this arrangement was used to manipulate vote totals in some polling areas after reports of totals in others had been received, but its existence certainly would have increased the possibility of malpractice.

The counting and tallying of the votes in the stations where those processes were observed appeared to be honest and fair, although the officials did not seem to have a very firm understanding of the procedures. Also, the lackadaisical manner with which the ballots were handled during the counting process provided some opportunities for abuse, although the team had no reason to believe that any occurred.

D. Post-Election Delegation Review

In reviewing the team reports at lengthy delegation debriefing sessions in Karachi, the delegation realized that only in a few cases - predominantly in Sind - had delegation members encountered major irregularities. Nonetheless, by the time the delegation met - one day after the election - the PDA had denounced the election process, citing violence and irregularities throughout the country.

The delegation, therefore, sought to obtain specific information from PDA leaders, including former Prime Minister Benazir Bhutto, regarding the PDA's allegations. The delegation was particularly concerned about allegations related to the alleged manipulation of vote totals. The PDA could not provide evidence to support its charges, however, claiming that it simply lacked the organizational capability to process information. Following the National Assembly elections and on the day of the provincial assembly elections, delegation members conducted interviews with candidates of the

major parties and, an NDI representative remained in Pakistan until November 19, in order to investigate more thoroughly allegations concerning the election. (See Chapter 6.)

Chapter 6

POST-ELECTION DEVELOPMENTS

In the immediate post-election period, the CEC consolidated and announced the official results and began processing the complaints and petitions filed by the parties. Three days after the National Assembly elections, the people of Pakistan went to the polls again, this time to elect members of the four provincial assemblies. Several days later, a new government was formed. This chapter reviews these developments.

A. National Assembly Results

The unofficial results released on October 25 showed an overwhelming IJI victory in the National Assembly elections. (See Appendix XX.) These results more than reversed the 1988 outcome. The results came as a surprise to some analysts who had predicted a close race based partially on pre-election polling and on the relative enthusiasm the parties seemed to generate during the campaign period.

The IJI won 105 of the 216 available National Assembly seats compared to 54 it obtained in 1988, while the PDA managed to win only 44 seats compared to the plurality of 93 that the PPP had won

in 1988.* The most dramatic turnaround for the IJI occurred in Punjab. The IJI more than doubled the number of seats that it won in Pakistan's most populous province, moving from 45 to 94 seats. The PDA meanwhile saw its support plummet by more than 75 percent in Punjab: in 1988, it won 53 seats and in 1990 it won only 14 seats.

The results from other provinces were similar but less dramatic. In Sind, the IJI won three seats in a province where it had been unable to win even one in 1988, and the PDA lost nearly a quarter of its support. Minor parties also gained strength. In Sind, the MQM won 14 seats as opposed to 13 in 1988, and in the North West Frontier Province the ANP's total rose from two to six seats.

The massive reversal in National Assembly seats, however, was not reflected in the overall vote totals. Nationwide, the IJI obtained six-tenths (0.6) of a percentage point more votes than the PDA. As compared to 1988, the PDA lost nearly 2 percentage points of support, moving from 38.70 percent to 36.65 percent. The IJI, meanwhile, showed a significant improvement. In 1988 it received 30.60 percent of the vote, while in 1990 its vote total was 37.27 percent. Under Pakistan's first-past-the-post system, the PDA's small loss of support when coupled with the IJI's relatively large improvement resulted in a dramatic victory for the IJI in terms of the number of seats won. In 1990 the PDA also fielded more candidates than did the IJI; thus the votes that the PDA won were spread among a greater number of contestants. (Chapter 7 provides further analysis of the results.)

Nationwide turnout in the 1990 elections, according to the CEC, was 45.75 percent, representing a slight increase from 43.07 percent 1988. The accuracy of the 1990 turnout figure was questioned by some, as it appeared inconsistent with the low turnout observed in

* In 1988 the PPP ran as an independent party rather than as a member of an alliance. In 1990 it was the largest party in the PDA. For purposes of simplification the term PDA is used in discussing both the 1988 and 1990 election results.

many polling stations. Nonetheless, no concrete evidence was presented that established manipulation of the turnout figure.

B. Provincial Assembly Elections

The provincial assembly results were even more dramatic than those of the National Assembly. (See Appendix XXI.) The IJI emerged with sufficient strength to form governments in all of the provinces except Baluchistan. Once again the size of the IJI's victory in the Punjab was a surprise to some observers: it won more than 216 seats compared to 10 for the PDA. Other observers, however, did not find the results surprising. They pointed out that Nawaz Sharif had gained considerable influence and respect during his tenure as chief minister. They suggested that this fact, when combined with the IJI's victory in the National Assembly elections, provided a highly plausible explanation for the IJI's success.

In Sind, the PDA suffered its worst defeat. In 1988, the PDA won 62 out of 100 provincial seats. The PDA won only 46 seats in 1990 – not enough to form a government in the province long considered its political base. The MQM, which won 28 seats in the Sind Provincial Assembly, confirmed its position as a provincial power and joined with the IJI to form an IJI-led government.

Many factors could explain the IJI's sweeping victories in the provincial elections. All of the reasons that voters had decided to support the IJI three days earlier certainly could have contributed to the results. Voters may also have wanted to support the party that appeared likely to form the new national government.

It is possible, too, that the results demonstrated PDA weaknesses as well as IJI strengths. The electoral losses that the PDA endured on October 24 almost certainly demoralized party workers and diminished their effectiveness on October 27. To the extent that undetected irregularities occurred during the National Assembly balloting, they may also have encouraged more serious abuses during the provincial assembly voting.

This may have also been true with regard to election-related violence. The level of violence increased considerably during the provincial elections: more than 34 persons lost their lives and at least

100 others were injured in random and spontaneous violence throughout the country.

C. Formation of the New Governments

Having gained a majority of the National Assembly seats, the IJI moved quickly to elect a new prime minister. The exercise became largely academic when the Pakistan Muslim League, the largest member of the IJI, chose Nawaz Sharif as its candidate for the post on October 31. His nomination largely laid to rest any speculation that the National Assembly might elect other IJI leaders such as caretaker Prime Minister Ghulam Mustapha Jatoi or former Prime Minister Junejo to the post.

With the encouragement of the IJI leadership, President Ishaq Khan called for the National Assembly members to take their oath of office on November 3 and for the first session to begin immediately thereafter. The National Assembly first elected a new speaker, Gohar Ayub Khan, and then the prime minister. Nawaz Sharif took the oath of office on November 7, 1990.

The speed with which the IJI formed a new government surprised some observers. The PDA argued that the president steamrolled the process through the National Assembly without allowing sufficient time for the CEC to investigate the conduct of the elections. The PDA also charged that the Commission released the official election results far more quickly than in the past due to pressure from the caretaker government. In fact, the CEC released the results only one day earlier than it did in 1988.

Several reasons were suggested as to why the president and the IJI leadership moved quickly to elect a new prime minister. Observers pointed out that the IJI was eager to demonstrate the resolve and cohesiveness of its coalition and that the president wanted to resolve the leadership question before he left the country for the coronation of the new emperor of Japan.

The PDA slowed the process by boycotting the first oath-taking ceremony. The boycott was based on the absence of Asif Ali Zardari. Zardari, who had been elected from a constituency in Karachi and who was in jail at the start of the session, had not been brought to

Islamabad in time for the event by prison authorities. The PDA also staged a walkout to protest the alleged fraud in the elections. Ultimately, though, the PDA decided to assume its seats in the National Assembly, and former Prime Minister Bhutto became leader of the opposition.

The efforts to form governments in the provincial assemblies consumed more time. In the Punjab, the provincial assembly chose Ghulam Haider Wyne of the IJI, which held a majority in the provincial assembly, as chief minister. He took the oath of office on November 10.

The situation in Sind, due to the absence of a majority party, was more controversial than that in the Punjab. The major political parties exchanged accusations of horse trading and intimidation. The provincial assembly eventually chose acting Chief Minister Jam Sadiq Ali as the new chief minister. He took the oath of office on November 5. The PDA alleged that Jam Sadiq had illegally detained PDA provincial assembly members in order to gain their support. They also claimed that the circumstances surrounding the death of a PDA provincial legislator suggested misconduct by the authorities.

The situation in the Baluchistan Provincial Assembly also took longer to sort out. Its leadership finally chose Mir Taj Mohammed Jamali as the chief minister, and he took office on November 17. In NWFP, the provincial assembly chose Mir Afzal Khan, one of Pakistan's wealthiest industrialists and the former acting chief minister, as its new leader.

During the immediate post-election period, the rhetoric of the two major parties differed considerably. The IJI called for reconciliation and an end to partisan bitterness. Former caretaker Prime Minister Jatoi, for example, said: "The country has given its verdict. The elections are behind us. Let us march forward together." Prime Minister Sharif echoed this sentiment and called for the country to unite in an effort to improve its economic health.

The PDA was far more contentious in describing its relationship with the IJI. Bhutto denounced the "repression and prosecution" of her party by the caretaker government, and she described the IJI as

"worshippers of dictatorship" and "so-called democrats." As the weeks passed, however, the PDA's language became less antagonistic.

D. The Complaints Process

The CEC announced the official results for 198 of the 206 National Assembly seats on November 1. It withheld the results of eight seats on the basis of complaints filed prior to November 1 that met the standards of evidence necessary for immediate action. Most of these cases involved constituencies where the results were fairly close and the alleged violence or miscounting of votes could have altered the outcome. In seven of the cases, after hearings, the Commission declared as winners the individuals who had the highest vote totals reported on election day. The remaining case involved NA 156, where the PDA candidate had been announced the winner on election night by a margin of just under 2,000 votes over former caretaker Minister Ilahi Buksh Soomro, the IJI candidate. In response to an IJI complaint, the Commission ordered a recount, which showed the IJI candidate with the largest number of votes; he was ultimately declared the winner. As discussed in the following chapter, NA 156 is one of the constituencies where the statistical anomalies were most unusual.

All major parties filed complaints with the CEC, although the PDA filed the greatest number. The complaints requested repolling and recounting, citing such pre-election, election day and post-election irregularities as tampering with ballot boxes, improper registrations, violence at the polling stations, and the failure of polling officers to provide tally sheets to party agents. Citing a lack of evidence, the CEC dismissed the majority of these complaints.

Overall, the CEC held hearings on 103 complaints. The Commission accepted the validity of 13 of these complaints and dismissed the rest. In nine provincial assembly constituencies, the Commission ordered repolling; four of these cases involved repolling throughout the entire constituency, and five cases required partial repolling. Most of these cases involved election-day violence that prevented polling as prescribed by law. The Commission primarily

relied on election officials or civil authorities to confirm the allegations of violence.

The Commission ordered recounting in two National Assembly constituencies, NA 29 and NA 156, and two provincial assembly constituencies. As described above, the recounting in NA 156 resulted in a new outcome. In NA 29, a constituency in the Federally Administered Tribal Areas, the Commission had declared an independent candidate the winner with a one-vote margin. After a recount, however, the original second-place finisher – who was also an independent – was declared the new winner, and was allowed to assume his seat in the National Assembly. With fewer than 2,000 votes cast in the entire constituency and with such a small margin of victory, it is not particularly surprising that a recount resulted in a new winner.

The CEC's dismissal of most complaints reflects the high standard of evidence that the law requires and the inability of the allegedly aggrieved parties to collect such conclusive evidence. The CEC's interpretation of the law requires the plaintiff to present *prima facie* evidence, which effectively denies many aggrieved parties access to the most expeditious form of redress. Moreover, if the PDA's allegations concerning partisan civil and election officials were accurate, official accounts may not have fully described election day violence.

Election complaints are not the only option available to aggrieved parties. Parties or individuals may also file election petitions before the CEC. These petitions, however, require extensive preparation and are expensive to pursue. Where the CEC can resolve complaints and order immediate action, election petitions are heard before election tribunals and involve considerable legal preparation.

The CEC received 66 petitions relating to National Assembly constituencies before the December 15 deadline. This compares to 52 that it received in 1988 and 76 in 1985. The Commission received 73 petitions concerning provincial assembly constituencies. This compares to 64 in 1988 and 143 in 1985. As was the case with the complaints, the PDA filed the majority of the petitions. Most of the

petitions made the same kind of allegations presented in the complaints.

E. National Assembly By-Elections

The election laws stipulate that the CEC should hold by-elections in those constituencies that did not elect a candidate on the regular election day or those where the winning candidate resigned his/her position having won more than one seat in the National Assembly. Following the October 24 National Assembly elections 10 seats in the Assembly remained to be filled. The CEC therefore scheduled by-elections for January 10, 1991. The IJI's pattern of victories was reconfirmed in these elections. The IJI won eight of the races, while a PDA candidate and an independent candidate each won one. In one of these constituencies, an IJI candidate ran unopposed.

These elections, however, were once again mired in controversy. The PDA alleged that IJI supporters and the civil authorities arrested, harassed and intimidated PDA candidates and supporters. The PDA also accused the civil authorities of forcing PDA candidates to withdraw from races. In NA 90, for example, Ghaus Ali Shah, a former chief minister of Sind, ran unopposed after the PDA candidate withdrew. PDA candidates in two other constituencies also withdrew, but were replaced by other PDA supporters.

Other parties also made allegations concerning the process. Nawabzada Nasrullah Khan, president of the People's Democratic Party (PDP), who lost in NA 137 despite the help of former caretaker Prime Minister Jatoi, claimed that his party agents had been beaten and ejected from the polling places.

The by-elections increased the IJI's majority in the National Assembly. They also, however, increased concern about the electoral process. Turnout for the by-elections was extremely low and, in Sind particularly, credible reports suggest that politically related violence continued to be a very serious problem.

Chapter 7

INVESTIGATION AND ANALYSIS

The delegation used the post-election period to investigate allegations of irregularities and to ascertain the extent and impact of the alleged misconduct. The delegation pursued this effort along two tracks. The first involved on-site investigations in several constituencies, particularly those where the more serious allegations of fraud had been raised. The second involved preparation of a statistical analysis that compared data from the 1988 and 1990 elections.

A. On-Site Investigation

An NDI representative remained in Pakistan until November 19 to investigate three major topics: 1) the complaint and petition processes; 2) allegations concerning election-related irregularities; and, 3) the post-election political environment. The investigation relied on information provided by election officials, journalists, government officials, human rights activists, and, most important, representatives of the various political parties.

Some of the party leaders presented allegations of irregularities that the delegation had heard on election day, but had been unable to verify. In those cases, the NDI representative made a concerted effort to meet with individuals who had first-hand knowledge of the incidents.

1. Background

At an early stage in the investigation, the NDI representative contacted representatives of the JI, MQM, IJI, and PDA to solicit their views on the election process. The opinions expressed by these officials differed from party to party. One of the parties and two of the coalitions – the MQM, IJI and PDA – believed, in varying degrees, that irregularities had marred the electoral process and affected the vote totals in certain constituencies. JI representatives, by contrast, indicated that lapses in the electoral process had only a minimal impact on the outcome of the elections.

Despite the fact that the MQM won the vast majority of National Assembly seats for which it contested – usually by large majorities, MQM representatives stated that fraud had hurt their party's overall performance. They did not plan to seek redress for these alleged irregularities with the CEC, however, principally because their candidates had won.

The IJI representatives seemed uninterested in discussing election-related problems. Generally, they believed that in a limited number of constituencies the electoral system failed to prevent fraud, but that the overall results of the election very clearly reflected the will of the people. Several IJI candidates, however, filed complaints with the CEC; these complaints usually centered around isolated incidents of irregularities that were perpetrated by one of the parties or candidates – not by the civil authorities. NA 156, where the CEC ordered a recount of the ballots after hearing allegations concerning a missing ballot box and burnt ballots, is one such case.

The PDA made the most sweeping accusations about the electoral process, incorporating criticism of its opponents, the civil government and the military. As noted earlier, in the pre-election and post-election periods the PDA filed numerous general and specific complaints with the CEC. Because the most serious complaints were presented by the PDA, the NDI post-election investigation focused on those constituencies where the PDA believed that serious abuses had occurred.

2. PDA allegations

The PDA allegations can be divided into two categories: irregularities and fraud that affected a limited number of voters, commonly referred to as "retail fraud;" and manipulation of the results, commonly labeled "wholesale fraud." The PDA cited misuse of government funds to influence voters, disenfranchisement of voters and multiple voting as examples of "retail fraud." For some of these incidents, the PDA presented documentation. For many others, it did not. On the basis of the evidence presented, the observer delegation was unable to reach a verdict on the impact of these practices on individual constituency results. In order to determine whether the "retail fraud" was significant enough to have affected the outcome in particular constituencies, a more complete accounting must be done by the political parties.

Other allegations about pre-election irregularities proved equally difficult to assess. The PDA documented cases of multiple registration of voters. They could not, however, provide evidence that these individuals had in fact voted more than once. Further, while the voting registers may not have been up-to-date, part of the problem was that the CEC did not have funds or the necessary personnel to order a review of the lists between 1988 and 1990.

In NA 95, for example, the PDA candidate obtained registration lists that showed hundreds of voters as having the same address, as well as hundreds of voters registered in more than one polling station. The candidate could not prove that these people actually voted more than once or, if they had, that it would have changed the outcome in a race where the winning IJI candidate won by more than 20,000 votes. Nonetheless, the existence of registration lists with such significant problems raises the possibility that multiple voting in some constituencies, or other forms of "retail fraud," could have affected the electoral process.

Eyewitness accounts and reports from returning officers recounted pre-election and election day incidents of drive-by shootings, kidnappings, and murders. The highest concentration of problems occurred in Sind, although the other three provinces also reported serious incidents. A letter from the assistant returning

officer for provincial assembly constituency 85, in Punjab, for example, reported:

unprecedented rigging was done, voters harassed at gun points [*sic*], polling staff threatened and forced to sign ballot papers. At about half of the polling stations indiscriminate [*sic*] firing was done. Polling interrupted and stopped several times. There was no secrecy of the ballot. Security measures were very loose. It appears that every thing [*sic*] was pre-planned and with the active and positive connivance of administration, police and other agencies.

This assistant returning officer did not request repolling and the CEC did not order it. These incidents clearly represented a breakdown in civil authority and almost certainly kept some people away from the polls.

3. Manipulation of polling site results

With respect to wholesale fraud, the PDA claimed that results had been manipulated in approximately 50 constituencies. This was accomplished, according to the PDA, principally by arresting and detaining party agents assigned to specific polling sites, and then stuffing the ballot boxes or switching the tally sheets. Both of these actions, the PDA claimed, produced a larger than average turnout and a large margin for the IJI.

Most accounts of large-scale arrests came from Sind – particularly from the constituencies around Nawabshah, Sanghar, Naushero Feroze and Jacobabad. In NA 158, 160, 180 and 181, all of which the PDA lost in 1990, hundreds of polling agents recounted how the police had improperly arrested or detained them prior to the election or on election day (the PPP had won three of these seats in 1988). Many of these individuals had First Information Reports (FIR's) issued by the police upon arrest, or bail statements to substantiate their allegations. (See the team reports from Nawabshah and Sukkur in Chapter 5.) These arrests and detentions would have prevented the polling agents from fulfilling their election day responsibilities. In the Punjab, the arrests and detentions were more selective, but may

also have had a damaging effect on the ability of the PDA to organize their supporters and observe the election process.

In a number of constituencies in Punjab and Sind, the PDA presented evidence of improperly completed tally sheets. Some of these tally sheets had been completed on unofficial forms, thus invalidating their value in the event of a complaint hearing or petition trial. Other tally sheets recorded only the results for one candidate. The PDA obtained a few examples of blank tally sheets that already included the presiding officer's signature. All of these incidents would have prevented the tally sheets from serving their intended role of deterring post-balloting fraud.

Polling site results in several constituencies could be consistent with the PDA scenario of wholesale fraud in these areas. For example, in NA 157 the IJI won all 20 polling stations where turnout was greater than 90 percent. More significant, in all but one of these 20 polling stations the IJI received more than 91 percent of the vote. There were 34 polling stations in NA 157 with greater than 60 percent turnout and the IJI won 31 out of 34. In NA 158, turnout at seven polling stations exceeded 90 percent. The IJI won each of these polling stations with more than 90 percent of the vote.

In NA 157 and 158, the PDA was able to substantiate many of their allegations regarding arrests and detentions. Even in these constituencies, however, the PDA did not present evidence establishing a direct correlation between the results in a given polling site and the absence of a polling agent. The CEC's unwillingness to direct returning officers to open ballot bags and analyze ballots, tally sheets, and counterfoils compounded the difficulty in evaluating the credibility of the results from polling stations in these constituencies. While it could be expected that certain polling sites would be dominated by one coalition or the other, the overall tenor of the figures from some of the polling stations – incredibly high turnout coupled with huge IJI margins – suggests that "vote addition," either through ballot stuffing or misreporting of the results, may have occurred.

The burden is on the PDA to determine whether patterns similar to those identified above exist in other constituencies. Specifi-

cally, the results from those polling sites where PDA polling agents were not present during the count should be reviewed. In this regard, it should be noted that the PDA did not generate a credible parallel vote tabulation. Such independent vote counting systems are customarily organized in countries where certain parties or non-partisan groups are skeptical about the electoral process (i.e., Nicaragua, Panama, Chile, Bulgaria and the Philippines).

It also appears that, based on interviews with party agents, the agents did not have a full understanding of their responsibilities. Thus, party agents did not take full advantage of the vote challenge procedures; they did not provide candidates with the tally sheets for some polling stations even where no problems were reported; and they did not understand the importance of promptly reporting violence, arrests or intimidation to their party headquarters.

4. Evaluation of specific constituencies

In some of the constituencies where an on-site post-election investigation was conducted, serious incidents of misconduct were corroborated, raising questions regarding the election process in these constituencies. The PDA believed that the problems in these constituencies were indicative of the irregularities that occurred throughout the country. However, allegations of fraud, and the documentation to support such allegations, in constituencies other than the ones discussed in this sub-section were qualitatively less well developed. This does not preclude the possibility that serious problems occurred in other constituencies; rather it suggests that if problems did occur, they were either more isolated or the PDA was simply not able to document them properly.

NA 181 in Sanghar provides an example of the way in which violence and arrests of party workers adversely affected the election process. Dozens of party workers were arrested or detained prior to and during election day. These arrests clearly undermined the PDA's organizational efforts and prevented the party agents from fulfilling their election day responsibilities. In addition, the police issued a warrant for the arrest of Shah Nawaz Khan Junejo, the PDA candidate, several days before the election. This forced Junejo into

hiding at a critical stage in the campaign; he later surrendered to the police and was incarcerated in Sanghar jail. While it is not possible to assess the legal basis for Junejo's arrest, the timing of the arrest, the nature of the charges made against him, and the fact that both his sons were arrested on separate charges suggest that his arrest may have been politically motivated.

This pattern of arrests was also evident in three other constituencies that the delegation examined: NA 158, 160 and 180. As described above, the level of arrests and detentions in these constituencies prevented the PDA from conducting a full and thorough campaign and from observing the election process and documenting election-day irregularities.

Irregularities in Punjab reflect a different kind of problem in the election process. In NA 81, for example, the PDA candidate did not report widespread arrests or detentions. He did present, however, evidence of an election process that had broken down. He had in his possession duly stamped and signed ballots that had been found abandoned outside the polling station; he presented a letter to women's presiding officers that could have been construed as applying pressure on the officers to support the IJI; he had in his possession improperly completed tally sheets; and, he had an FIR documenting the arrest of his chief election agent. The charges against this election agent were dismissed the day after the election. All of these factors raise questions about the election process in a constituency where the winning candidate won by less than 4 percent of the vote.

The PDA candidate for NA 94, Salman Taseer, alleged similar problems. He presented copies of blank tally sheets that already had the signature of the presiding officer; he also had newspaper advertisements of tender notices for development projects in his constituency that had been ordered less than 10 days prior to the election. Eyewitness accounts in this constituency reported confusion at women's polling stations after busloads of IJI supporters arrived to vote. These eyewitness accounts do not confirm the existence of irregularities, but when combined with other problems – including the fact that the PDA candidate was barred from the returning officer's office during the count – they once again raise questions about the

election process in a constituency where the victor won by a very small margin. The limited recount of ballots performed by the returning officer for this constituency did not completely answer these questions.

There are of course limitations inherent in this type of qualitative post-election investigation. Nonetheless, the problems uncovered in the six constituencies described above were of a magnitude significant enough to warrant singling them out as problem constituencies. This does not necessarily mean, however, that the outcome would have been different had the misconduct not occurred, nor does it mean that the election process in the particular constituency was devoid of legitimacy. Such conclusions would be warranted only after a complete review of the election-day developments in these constituencies. Notwithstanding the inevitable delays, this review can best be accomplished through the election petition process.

B. Statistical Analysis

In undertaking this mission, the delegation was aware that one or more of the parties might question the results in different constituencies. The delegation also was uncertain whether any of the parties would initiate an effective independent, parallel vote tabulation, which could have provided a basis for comparing the official results released by the CEC. In these circumstances, the statistical analysis coordinated by delegation member Lee Feldman proved critical in assessing the allegations of wholesale fraud presented by the PDA. Feldman performed a similar analysis in 1988 to examine PPP allegations of voter disenfranchisement.

The analysis was designed with the following goals in mind:

- to broaden the scope of the delegation's coverage beyond the constituencies and polling stations personally observed;
- to help explain the results in constituencies observed by the delegation;
- to develop an overall perspective on the behavior of the electorate in this election as compared to previous elections; and

- to analyze the vote casting and counting processes for systemic strengths and weaknesses.

Appendix XXII outlines the methodology used by Feldman in performing the statistical analysis. It also presents his comments on the electoral process and on the limitations inherent in a statistical analysis of the type he performed.

The analysis relied on data released by the CEC. The data permitted a constituency by constituency comparison of the 1988 and 1990 elections with respect to: voter registration, voter turnout, and vote totals received by each of the contesting parties. (See Appendix XXIII.)

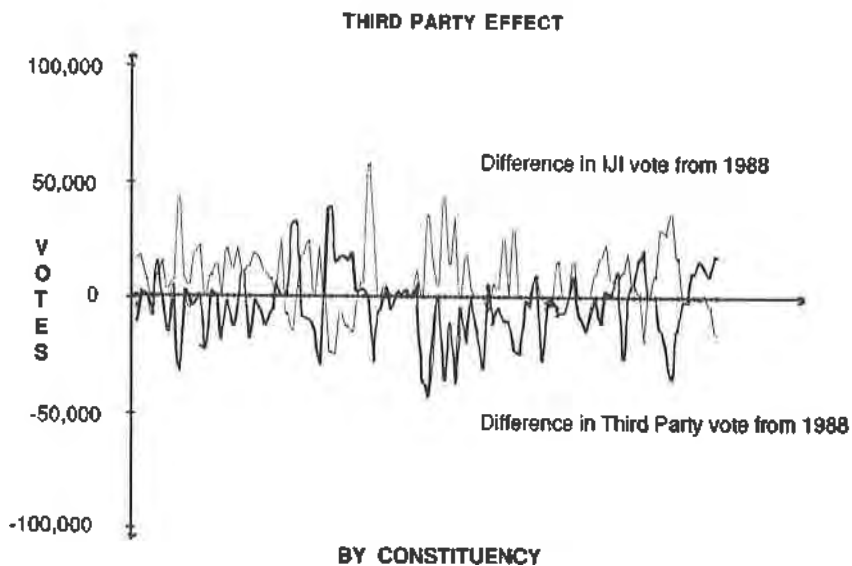
By evaluating this data, patterns of voter behavior, statistical anomalies and internal inconsistencies emerge that suggest, but do not prove, the existence of irregularities in certain constituencies. At the same time, it is also possible, and in some instances likely, that shifts in voter preferences as a result of effective political activity may explain what have been identified as problem constituencies.

The most significant pattern that emerged from analysis of the data attributes the IJI's overall success to its ability to forge coalitions or electoral alliances that prevented third-party candidates from effectively competing against the IJI candidates. Table 1 illustrates that in most constituencies won by the IJI in 1990 the increase in IJI votes mirrors a corresponding decrease of third-party votes.

There were, however, a number of constituencies where the increase in IJI votes cannot be explained by a corresponding loss in third-party votes. In these constituencies and others, a pattern of PDA vote erosion raises questions about the quality of the electoral process. Vote erosion is the loss of voter support by one party in 1990 as compared to its performance in 1988. While fluctuation in party support would be expected in any election, significant erosion could also indicate irregularities. (See Appendix XXIII.)

The statistical analysis established parameters of vote erosion that helped determine the magnitude of the possible problems in the

TABLE 1



election process. In some constituencies, the erosion was so significant that it alone raises questions. In other constituencies, the combination of vote erosion and the ability of the winning candidate to garner all or most "available" votes raises questions about the election process. From a statistical perspective, "available" votes are votes that result from increased turnout, decreased PDA support and decreased third-party support.

Approximately 15 percent of the 216 National Assembly constituencies fall into one of these two categories. In all of these questionable constituencies, the PDA lost at least 15 percent of the vote that it received in 1988. In more than 90 percent of these questionable constituencies, the winning candidate received virtually all of the available votes.

The IJI won approximately 70 percent of the constituencies identified by the analysis as questionable. In approximately 6 percent of these constituencies, the PDA won despite the decrease in its vote total from 1988. Finally, third-party candidates, many of whom were in alliance with the IJI, won approximately 24 percent of the questionable constituencies.

This statistical analysis highlights the extent to which the election process may have been flawed. It cannot and does not draw conclusions about either the type of irregularities that may have occurred or the validity of the outcome in any constituency. Even in those constituencies where the analysis raises questions concerning the process, it is not possible to reach an *a priori* conclusion that the runner-up would have been the victor.

C. Summary

The above-mentioned problems notwithstanding, there is no clear basis presently available for invalidating the overall results of the 1990 Pakistan elections. The delegation's first-hand observations, coupled with the third-party phenomenon, suggest that the results in most constituencies reflected the will of the electorate. The PDA did not present sufficient evidence to prove, nor did the statistical analysis establish, that the results in a majority of the constituencies were affected by fraud.

The two tracks of the delegation's post-election investigation, however, confirmed the *possibility* that serious irregularities may have affected the election process, but not necessarily the results, in approximately 15 percent of the National Assembly constituencies. Moreover, the safeguards designed to prevent fraud proved ineffective in many constituencies.

By listing the problem constituencies found during the post-election investigation and identifying the types of problems encountered in each, the delegation seeks to highlight the need for increased vigilance by electoral authorities, government officials, political parties and the citizenry. The problems areas may also suggest the need for reforms in the election process that would facilitate more rigorous surveillance. Failure to address this matter in the near future will only diminish confidence in the election process.

Chapter 8

REFLECTIONS ON PAKISTAN'S ELECTIONS

The controversy surrounding the 1990 elections has raised questions regarding the relationship of elections to democratization, the resilience of the democratic process in Pakistan, and the role of election observers in reporting on the process. Elections, of course, are only one test of democratization. The weakness of civilian institutions (or their corruption) and other socio-political and institutional characteristics, such as the nature of the military's political involvement, also play significant roles in determining the extent to which democratic values and the integrity of democratic processes are likely to be respected. Nonetheless, an election provides an important indicator of the direction of a political transition. It also offers a good opportunity to examine the status of democratization in a country.

The first section of this chapter compares aspects of the 1988 and 1990 elections, as part of an assessment of the current status of Pakistan's electoral process. The second section reviews the methodology used by the delegation in addressing the challenge of observing what it recognized would be controversial elections.

A. The Electoral Process In Pakistan

There were notable parallels between the elections of 1988 and 1990. Both elections occurred following the dismissals of elected governments: in 1988 by President Zia ul-Haq and in 1990 by President Ghulam Ishaq Khan. In both instances, while the dismissals were challenged in the courts, these challenges did not prevent the

elections from taking place as scheduled. The role of the caretaker governments sparked controversies in both elections. Prior to both elections, speculation arose as to whether the military, always a pivotal player in Pakistan's political affairs, would accept the results.

The differences between the circumstances of the two elections, however, were equally significant. In 1988, no accountability tribunals were instituted to investigate allegations of corruption against one of the major contestants and no candidates were imprisoned during the campaign. The pre-election rhetoric on both sides was considerably less hostile in 1988 than in 1990. Equally important, in 1988 the Pakistan army was recovering from the shock of the aircraft accident in which President Zia ul-Haq and many leading generals lost their lives. By issuing timely decisions on key issues, the judiciary, too, played an important role in the 1988 election process.

The principal difference between the two elections was in the outcome. In 1988, the PPP obtained a large plurality of the seats in the National Assembly, while in 1990 the IJI won a majority of the seats. Under normal circumstances such transitions, first to the PPP and then to the IJI, would reflect a healthy and dynamic democratic society. Regrettably, this is not how some Pakistanis viewed the situation.

The PDA alleged that it lost the election due to massive fraud and refused to accept the outcome as a fair reflection of the will of the electorate. While the PPP made similar charges concerning fraud in 1988 – when it performed well – the PDA's allegations were of a substantially different nature in 1990. The political polarization before, during, and after the elections, coupled with the scope and intensity of the PDA allegations – some of which have been corroborated and others which have not – demonstrate that many people in Pakistan had significant doubts about the country's democratic processes.

When substantial allegations of fraud are made, it is expected that the accusing party will make responsible efforts to substantiate the charges and prove its case. For example, one of the most significant PDA allegations questioned the integrity of the vote counting process. On this issue, however, the PDA failed to provide

corroborating evidence, demonstrating the weaknesses of its political organization. The PDA also promised to publish a "white paper" detailing all election-related irregularities, but as of March 1991 this paper had not been released.

In most countries, political parties bear the principal responsibility for monitoring the vote counting process. This task requires training party agents and developing a parallel vote tabulation. The presence of polling agents alone cannot ensure a fair election. Their role, however, is not only to deter fraud but to document in a credible manner any instances of procedural abnormalities.

The failure of the PDA to develop an effective parallel vote tabulation contributed to a situation where allegations of wholesale fraud could not be documented. While the PDA maintained that this failure was due to the kidnapping and intimidation of party agents, the PDA was unable to provide a significant number of results, presented in an organized and coherent manner, from polling stations staffed by polling agents and free from problems. Consequently, there was no reliable basis upon which to evaluate the authenticity of the official results released by the CEC, except through statistical analysis.

The delegation was also aware of the difficulties of gathering written evidence in societies that have high illiteracy rates, and recognizes that the PDA's inability to gather evidence may have resulted in part from these difficulties. Clearly, a better-educated population is the optimal safeguard against electoral fraud. Until that goal is achieved, however, political parties should seek to focus their attention in the periods between elections on serving an educational role. They should develop a body of trained polling agents and skilled party officials. These men and women would strengthen not only the electoral process but the party organizations themselves.

Still, despite the limitations of evidence, the allegations of fraud, coupled with NDI's own identification of election-related problems, highlight the need to implement electoral reforms. A failure to do so could result in even more serious problems in the future and a loss of

confidence in the democratic process by a population that, based on recent election turnout figures, already appears disengaged.

Although the election process was fraught with controversy, certain aspects do provide cause for optimism: the election campaign was competitive and relatively peaceful; the CEC made great efforts to mobilize its resources for hastily-scheduled elections; the print press appeared generally robust; and respect for the judiciary was high. The PDA also provided an important signal that democratic values are alive in Pakistan today. Despite its claim of massive fraud, the alliance participated in the provincial assembly elections and PDA members assumed their seats in the National and provincial assemblies. Similarly, in 1988, the IJI accepted defeat and entered parliament.

B. Observing the 1990 Elections

NDI recognized from the outset that the 1990 elections would be difficult to observe. Pakistan's large population and geographic diversity make it hard to generalize about political developments even under the best of circumstances. The political polarization in Pakistan made this task especially difficult in 1990. Further, the single-member constituency system used for Pakistan's elections meant that the delegation had to consider more than 200 separate election results. Most critical, the delegation ultimately had to evaluate elections where one of the major contestants challenged the very legitimacy of the process, and where no independent, local group mounted an effective, nationwide monitoring effort.

The delegation was prepared for the challenges. The polarized nature of Pakistan politics was highlighted by the findings of the five-member pre-election mission sent by NDI to Pakistan in early September, six weeks before the elections. Consequently, the delegation was organized with considerable care. The size of the 1990 delegation was more than double that of its 1988 counterpart. This allowed the delegation to cover 12 cities and their environs on election day, as compared to five in 1988. To better assess certain controversial issues, the delegation organized functional teams of individuals with relevant experience to examine the accountability

process, the media, and the complaints procedures. As was the case in 1988, the delegation evaluated the results through a statistical analysis. Finally, an NDI representative remained in Pakistan for several weeks following the elections to investigate complaints regarding the balloting and tabulation processes.

Despite an enhanced observation process, some Pakistanis and outside observers have criticized aspects of the delegation's activities. The critics suggest that the relatively small size and limited language capabilities of the observer delegation restricted its ability to observe subtle forms of fraud. Moreover, the critics regard the delegation's October 26 preliminary assessment as flawed with respect to timing and content.

At the outset, it should be noted that observer delegations have very clearly defined functions. Observers serve to encourage participation in an electoral process, to deter the most blatant types of fraud and to report objectively on their observations of the process. Observers do not serve as substitutes for domestic political parties or election-related organizations. Moreover, in evaluating allegations of irregularities, an observer delegation must consider the credibility of the evidence presented by the contesting parties and independent groups, and the probable effect that alleged irregularities have on the election process. Thus, only if an observer delegation – having considered the quality of the campaign, the election day balloting and the counting of the ballots – is convinced that the overall outcome does not reflect the will of the electorate should it issue a statement questioning the validity of the process. Absent such evidence, an observer delegation can only report what it observed and what it heard.

For the 1990 elections, the delegation attempted to cover as much territory as possible, but never pretended that it could uncover all forms of abuse. Delegation members were well aware of the constraints under which observers operate generally and of the complexity of assessing allegations of wholesale electoral fraud in an environment of the kind that exists in Pakistan. The team assigned to Lahore underscored some of these limitations:

1) As the election results came in on election night, there was some astonishment regarding the extent of the landslide for IJI, especially in the city of Lahore. This astonishment was based on the extremely enthusiastic rallies mustered by the PPP in the city in comparison to the less well attended rallies of the IJI; the results of the limited number of ballot counts witnessed by observers, which generally indicated at least a close race, and the reactions of knowledgeable Pakistanis.

2) Mere astonishment is not a concrete basis for questioning the reported result. There are some members of the team who are concerned, nevertheless, that the limitations of our observations do not put us in a position to guarantee or certify the absolute integrity of the reported outcome of the election. All would ideally prefer to have more opportunity to investigate and to have access to more data regarding turnouts, which appeared modest to us, and comparisons to data from 1988 before we evaluate the fairness of the process.

It should be understood that observers are not independent investigators. Before they can denounce fraud, they must receive evidence of its existence. As is apparent from this report, the delegation reviewed carefully the many allegations presented by the PDA, in the course of the post-election investigation. The delegation also benefitted from a self-generated statistical analysis.

As noted earlier, a statistical analysis cannot conclusively establish the occurrence of fraud or the probable victor of a constituency where statistical anomalies exist. Still, despite these limitations, the statistical analysis proved a highly useful tool in evaluating the allegations of fraud.

The timing of the preliminary assessment has been criticized. Yet it was issued on October 26, almost 48 hours after the polls closed and after the CEC had released preliminary results from virtually all constituencies. Failure to issue a statement at that time would have been viewed as a conclusion, *sub silentio* and without

evidence, that the elections were fraudulent. Failure to issue a statement could also have created a situation where, potentially, 40 individuals would have offered separate opinions, based on personal observations formed in different regions of the country. Such *ad hoc* impressions would only have added to the confusion prevailing in Pakistan.

Instead, the delegation issued a carefully worded, preliminary statement based on the information available at the time and on a consensus that incorporated the delegates' various experiences across the country. The statement emphasized that the observation process would continue through the provincial assembly elections and that a final evaluation of the entire election process would require additional investigation and analysis.

The interpretation of the preliminary statement as a certification of the election process did not reflect the content of the statement. It may have reflected the desire of certain journalists to undermine the PDA's allegations concerning electoral fraud. Such slanted news is an unfortunate consequence of the acute polarization of all political discourse in Pakistan. The PDA's characterization of the entire elections as a fraud, which the statement did not corroborate, also affected the interpretation of the statement. Thus, many press reports, including some in the international media, contrasted the PDA allegations with the delegation's findings thereby highlighting the delegation's failure to denounce the elections. (See Appendix XXIV.)

The delegation recognizes that the media and policymakers desire unequivocal evaluations of elections. However, the reality is that such evaluations sometimes are not possible, particularly when only some of the allegations can be corroborated and the cumulative effect of the irregularities on the process requires subjective judgments. (See Appendix XXV.) Observer delegations, in these circumstances, should simply report the allegations and their observations, without necessarily addressing the ultimate question of whether the elections were or were not free and fair.

In this context, it is worth contrasting the statements issued by the 30-member delegation sponsored by the South Asian Association

for Regional Cooperation (SAARC), which reflected a balanced assessment of the election process, and the four-member delegation sponsored by the France-based International Federation for Human Rights. (See Appendix XXVI.) The French delegation denounced the elections despite having no experience in observing elections, arriving in Pakistan on election day, and possessing limited information on the prevailing political situation.

The role played by the NDI-sponsored delegation in Pakistan highlights some of the tensions that exist between sovereignty and the promotion of democracy. Yet, during the past decade, observer delegations have been accepted in different regions and in diverse circumstances as contributing to the universal value of political participation.

NDI-sponsored observer delegations have established their credibility and value under varied circumstances. In the Philippines and Panama, they denounced blatant and demonstrable electoral fraud. Without invalidating the results in Paraguay and Romania, they cautioned that elections in these countries did not necessarily represent a dramatic step toward democracy. In Chile and Haiti they helped raise voter confidence and helped ensure that the governments would respect results that showed a victorious opposition. And in the Dominican Republic and Bulgaria they confirmed for the international community that, while irregularities occurred in the process, such irregularities did not necessarily invalidate election results showing a ruling party victory.

Election observing is not a science. However, by utilizing a professional and considered approach, an observer delegation can contribute to an important event in a country's political history. Notwithstanding the debate over aspects of the 1990 elections, the delegation believes that its presence in Pakistan on election day and its pre- and post-election investigations contribute to the prospects for an improved electoral process in Pakistan.

Chapter 9

RECOMMENDATIONS

The delegation was impressed with many aspects of Pakistan's election process, including the public enthusiasm witnessed at campaign rallies, the spirit shown by individual election and party officials, and the largely safe conditions under which the voting was conducted. The delegation concluded that the results in most constituencies reflected the will of the electorate. At the same time, the delegation discovered some serious problems. This chapter offers recommendations concerning the election process.

Ideally, elections should ensure both the free expression of the electorate *at* the polls and the confidence of the electorate *in* the polls. Both ideals depend not only on the administration of the elections but also on the active support of all the salient institutions involved in the political process.

The NDI-sponsored international delegation to Pakistan in 1988 found that, with some exceptions, the elections that year met both criteria. The 1988 delegation also found that Pakistan's laws compared favorably to those used in other countries and, for the most part, served the electorate well in 1988. Between 1988 and 1990, the election laws were not significantly altered. Yet, during the 1990 elections, the election laws proved insufficient to prevent the occurrence of serious problems in certain constituencies. The laws had not changed but the degree of political polarization and uncertainty appeared to have intensified in Pakistan.

One example illuminates the larger issue. At the request of candidates who presented allegations about election irregularities, returning officers had the power to reopen ballot bags and recount the ballots, but many declined to exercise this authority. The process of opening the ballot bags is a complicated one and can potentially be abused. It is a process, however, that might have resolved numerous disputes and renewed faith in the election system.

In and of themselves, the laws used in 1988 and 1990 allowed for the resolution of complicated and emotional problems in an expeditious fashion. The execution of these laws, however, did not always accomplish the desired effect. The election tribunal process, for example, appears adequate to address electoral complaints. Yet, in practice, the standards of evidence used by the tribunals make it very difficult for the complainant to prove his or her case. Moreover, the petition process is extremely slow; as noted, more than half of the 110 petitions brought in 1988 are still pending.

The occurrence of elections so soon after the last national contest may have contributed to voter apathy, but concerns about the perceived corruption of governments and the possibility of violence could also be considered contributing factors to the lack of participation in the 1990 elections in Pakistan. Although secure and safe conditions prevailed in most of the country, the occurrence of unchecked violence, especially in parts of rural Sind, damaged the process.

Other issues, which were outside the delegation's terms of reference, had an undetermined effect on the election results, but almost certainly influenced the electorate's view of the process. For example, regardless of how the Bhutto government's performance is assessed, its summary dismissal – two years after a similar dismissal of the Junejo government – and the charges filed against Bhutto and members of her government, affected the political environment in which the vote was held. The fact that governments have repeatedly been dismissed in Pakistan, either through constitutional fiat or *coup d'état*, only adds to the electorate's overall cynicism regarding democratic politics.

The fact that some political institutions did not perform their necessary roles or abused their authority is troubling; the fact that the system's safeguards could not compensate for these failures or abuses heightens this problem and raises concerns about the election process in certain constituencies.

As explained above, qualitative and quantitative analyses suggest serious irregularities in several constituencies. The occurrence of these irregularities raises concerns about the future of electoral politics in Pakistan. Equally important, the very possibility that fraud could have occurred damages the credibility and viability of the democratic process.

Absent reforms, several problems could arise in the future. The irregularities and violence that occurred in some constituencies could spread, thus raising questions about the validity of the process and further undermining public confidence in the system. Even in the absence of future irregularities, the electorate could become increasingly uninterested in the process unless public confidence is restored. The combination of election irregularities and weak institutions could seriously impair the democratic process.

These potential problems are certainly no more treacherous than the challenges that democrats in Pakistan have overcome in the past. The people of Pakistan have shown a remarkable resilience and commitment to pluralism, often in the face of enormous obstacles. The delegation urges them to look toward the future with a realistic vision of the work still to be done.

The people, through their elected leaders, can best determine the steps needed to ensure the prospects for democracy in Pakistan. The following recommendations, therefore, are made in the hope of stimulating debate in Pakistan regarding possible electoral reforms.

- 1) *Central Election Commission*: Each election, the CEC faces enormous challenges – it must hire thousands of temporary employees, adjudicate complex matters of electoral law and organize elections in more than 33,000 different locations. To meet these challenges, the CEC relies on the election law for administrative and procedural guidance, and on the cooperation of the civil government.

These procedures are not adequate, however, to address the labyrinth of complications that surround the current polarized political environment.

The complications arise at the very start of the campaign cycle and continue long after the close of the polls. One example involves the appointment of election officials. The CEC may need to review its appointment policies to ensure that all election officials are both impartial and sufficiently independent to withstand the pressures that might be brought to bear upon them.

Equally important, positions on the CEC must be filled as soon as vacancies occur. The CEC is responsible for reviewing the constituency boundaries and revising the electoral rolls, during non-election years. Thus, leaving positions on the CEC vacant and not providing necessary funding to the CEC, as occurred following the 1988 elections, is imprudent.

2) *Media*: The 1990 elections raised serious questions concerning the government's relationship to the media. This is not a new problem, but one that appeared to have grown more pronounced during these elections. The government monopoly on radio and television, the print media's reliance on government advertising, the government's monopoly on newsprint, and the intimidation of news organizations by political parties all impinged on the media's ability to serve as a watchdog and source of accurate election information. Pakistan's print journalists, who generally receive low salaries and are susceptible to political pressure, are further hampered by government restrictions.

The delegation notes that Prime Minister Bhutto's government significantly improved the situation of the media in Pakistan. The independence of the print press was encouraged, a second television channel was introduced, and the effort to impose "advice" on the press by the Bhutto government was reduced. The new government could secure these gains through further reforms. While a government-controlled electronic media is common in many countries, removing television and radio from direct government control and further easing censorship, which is permitted under such laws as the Press and Publications Ordinance, might increase the confidence

among the electorate and the competing parties in the media. The civil authorities also have a responsibility to ensure that the press can operate in an environment free of violence and intimidation.

3) *The Role of the Police and Army*: On election day, the police and army, for the most part, appeared to have carried out their responsibilities in a professional and nonpartisan manner. To guard against false arrests and detention for political reasons during the campaign or on election day, however, immediate judicial review of these matters should be authorized.

4) *Accountability Process*: The establishment of special accountability tribunals is a unique means of dealing with official misconduct. It permits courts to hold officials to a higher standard than the criminal law and to disqualify from public office those who do not meet that standard. Obviously, public corruption, if unchecked, can destabilize governmental institutions, especially nascent democratic institutions.

Establishing tribunals at the outset of an election campaign, however, erodes public confidence in the accountability process and jeopardizes the fairness of election campaigns. When these tribunals are directed against only one party, the process becomes trivialized. The means of combating corruption should not become as much a source of instability as corruption itself.

5) *Political Parties*: As is generally the case elsewhere, Pakistan's electoral system relies heavily on the political parties to educate their supporters, train election day workers and establish safeguards against fraud. Yet in many instances, the political parties were incapable of meeting these responsibilities. In many polling places party agents were present and played an active role in the process, but they did not seem prepared for problems when they arose. In addition, parties that alleged pre-election or election day fraud often were not properly prepared to document their complaints nor did they try to correct abuses that may have been caused by misfeasance rather than malfeasance.

Political parties should improve the training programs they use to prepare their workers for election related activities and parties

should better equip themselves to react to potential problems. The training process must not wait until the weeks immediately prior to an election. Party agents have significant responsibilities; they need the benefit of instruction from their sponsoring parties. Parties should also consider working with each other and non-governmental organizations to develop an independent, parallel vote count capability. Such a mechanism would go a long way toward preventing and resolving disputes concerning balloting and post-balloting irregularities.

6) *Polling Stations*: The delegation heard allegations concerning the movement of polling stations. Some party representatives alleged that the CEC had changed locations for political reasons while others claimed that stations had been moved immediately prior to the election to confuse voters.

Some reforms might reduce the possibility of such allegations. Presiding officers, for example, could be instructed to meet with party polling agents at the polling station prior to election day. This would deter last minute changes in the location of polling stations and would ensure that polling officials and polling agents correctly understood their responsibilities. The CEC might also consider listing both the site chosen for a polling station for a current election and the one used at the previous election.

7) *CEC Monitoring Process*: The election laws carefully outline procedures for the prevention of fraud. They do not, however, provide a mechanism for recording problems if they do occur. For this job, the CEC relies almost entirely on the political parties.

To ensure that all irregularities are properly recorded, the CEC could require presiding officers to complete a simple form immediately after the polls closed that would recount the day's events, including any violence or irregularities that occurred. The form would be signed by the party agents present or their failure to sign would be noted. These forms would become public immediately after the elections and would provide a basis for verifying allegations subsequently presented by the parties.

The tabulation process also can be better used to review the quality of the balloting process. For example, the CEC could require the automatic recount of a small number of random ballot bags in each constituency, as part of a review for alleged irregularities. This would permit a check on the system without presenting so large a task that the CEC could not meet its constitutional requirement to release the official results within 14 days of the elections.

8) *Women's Polling Stations*: The delegation noted confusion and disorder at many women's polling stations. While recognizing the social and religious constraints placed on the participation of women in Pakistan's public life, the delegation also notes that women constitute about half of the national population and possess the right to vote. Therefore, it urges the CEC to review the procedures used at women's polling stations with regard to the identification and treatment of voters and to make the administrative changes necessary to encourage participation.

9) *Election Complaints*: With respect to complaints, the CEC should consider the extent to which reliance on information provided by other branches of government is warranted. Under some circumstances, it may be appropriate for the CEC to accept the information provided by other branches with little fear that political pressure has distorted the information. However, when there is a high degree of political polarization and many of the complaints are directed at various agencies of the federal or provincial governments, an independent investigation by the CEC would appear necessary. Whether or not this proves possible will indicate the degree of autonomy that the Pakistani political system is willing to permit the CEC.

10) *Identification Cards*: Other administrative steps that might improve the electoral process include the placement of additional controls on the distribution of identification cards to prevent issuance of more than one card per person and other similar abuses.

11) *Civic Education*: Lastly, the CEC may want to consider the extent to which it can reinforce the election process through voter education and training programs for the general public, party agents

and polling officials. The programs might increase awareness about polling procedures, existing electoral safeguards, the complaints process, and, most important, the benefits and responsibilities of voting.

Redressing all of the problems identified above is a difficult and long-term task, but it is by no means impossible. It requires, above all, the commitment of the principal political institutions in Pakistan. If the civilian politicians of today fail to implement a conciliatory, pluralist political order, then the prospects for sustained democratization in Pakistan recede, and the prospects for a reassertion of anti-democratic forces increase.

Building an independent media and strengthening political parties could take many years. In the short-term, however, electoral reforms can be enacted speedily, particularly if the major political parties and other interested civilian groups recognize the dangers inherent in their inaction. These reforms could enhance public confidence in any future elections and have a positive impact on the democratic process.

APPENDICES

PRE-ELECTION SURVEY MISSION TO PAKISTAN

September 9-16, 1990

MARK BRADEN

Attorney, Baker and Hostetler;
Former Chief Counsel, Republican
National Committee
United States

MAHNAZ ISPAHANI

NDI Director of Research
United States

ERSIN KALAYCIOGLU

Turkish Democracy Foundation;
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KENNETH F. MELLEY

Executive Director, Advocacy
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Directors
United States

VERNE NEWTON

Author and Filmmaker
Former staff member, Agency for
International Development
United States

**COLLAGE OF PRESS CLIPPINGS COVERING
SEPTEMBER 1990 NDI SURVEY MISSION**

The Frontier Post 9 Sept 1990

**Americans
watching
election
process**



elections survey team of National Democratic Institute, USA led by Mr. Awan-i-Sadr, in Islamabad on Saturday

U.S. team in Islamabad

F.P. Report
The United States has put an open eye on the forthcoming general elections in the country. An official delegation has been sent to Pakistan by Washington to monitor the election process till the transfer of power.

The delegation met the president on Saturday and discussed with him the opposition parties' apprehensions about the forthcoming polls. The delegation also took up with the president the process of the accountability against the opposition leaders.

It is learnt that more delegations from United States would visit Pakistan soon. They will also meet the prominent leaders and watch the process of polling in the country.

**Jam assures
NDI team
of fair poll**

Dawn 13 Sept 1990

KARACHI, Sept 12: A five-member delegation of National Democratic Institute for International Affairs, Washington, led by Mr Kenneth Melley, now on the lay

The Muslim 10 Sept 1990

**US team calls
on Abida**

ISLAMABAD, Sept. 9: A 4-member delegation of Washington based National

president at Awan-i-Sadr.

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The Pakistan Times 9 Sept 1990

ISLAMABAD, Sept. 8. President Ghulam Ishaq Khan has said nothing including the process of accountability shall come in the way in October 24 elections.

He was talking to a five-member survey team of National Democratic Institute (NDI) of USA at the Awan-i-Sadr Saturday. The team led by Mr. E. Mark Stragen is currently visiting Pakistan to carry out a pre-election survey.

The President categorically made it clear that there was no possibility whatsoever of changing

US observers welcomed

**No possibility of
changing election
schedule: Ishaq**

mission to Pakistan to review the forthcoming elections.

Our reporter adds: President Ghulam Ishaq Khan has ruled out the possibility of the postponement of the elections.

Talking to newsmen informally at the marriage ceremony of the daughter of Mr Justice Syed Nasim Hassan Shah of the Supreme Court of Pakistan Lahore Friday night, President said there should be no wiggles about the holding of general elections after led on the Governor of Sindh,

Dawn 13 Sept 1990

**NDI team
calls on**

Governor

member pre-election team National Democratic Insty USA led by Mr Kenneth Melley, was run after th

No change in polls schedule

By TA

**Accountability process
even-handed: Ishaq**

ISLAMABAD, Sept. 8: President Ghulam Ishaq Khan said Saturday the special courts were looking into specific "known misdoings and crimes" committed by former legislators.

"The process of accountability

member of the delegation reportedly said. The President remarked that the accountability process was even-handed and the question of any discrimination did not arise, an informed source told The Muslim.

that their Institut confine its findi election arrangen also come here t opened and how t was run after th The meetin

named Acting Prime Minister. As required by the Constitution, new national and provincial elections were scheduled -- for October 24 and October 27 1990 respectively.

It is in this political context that NDI organized a five-member survey mission to Pakistan. The survey mission included: Mr. Kenneth Melley, a Member of the Board of NDI and Assistant Executive Director of the National Education Association; Mr. Mark Braden, former counsel to the Republican National Committee and a member of the 1988 Pakistan observer delegation; Dr. Ersin Kalaycioglu, a founder-member of the Turkish Democracy Foundation and a political scientist in Istanbul; Mr. Verne Newton, a former special assistant to the Administrator of the Agency for International Development and a participant in the 1988 pre-election fact-finding mission; and Dr. Mahnaz Ispahani, NDI's Director of Research and a respected scholar of South Asian politics. The mission evaluated the pre-election political environment, the laws and procedures for the elections, and the feasibility of organizing an international observer delegation.

The members of the survey mission met with a wide range of politicians including President Ghulam Ishaq Khan, Acting Prime Minister Jatoi, former Prime Minister and PPP Co-Chairman, Benazir Bhutto, and leaders of the IJI, MQM, JUP, JI and other parties. The mission also met with election officials, academics, journalists and representatives of the military in Islamabad, Lahore and Karachi. The mission's visit received wide coverage in the print and electronic media.

There was ambivalence in Pakistan regarding the propriety of welcoming an international observer delegation for the October elections. President Ghulam Ishaq Khan, Acting Prime Minister Jatoi and other officials of the caretaker government welcomed the presence of an observer delegation, as did Benazir Bhutto, and officials of the caretaker government noted the international delegation's "positive and fair" report on the 1988 elections. Yet some members of the Pakistani government have expressed concern that an observer delegation would infringe upon the sovereignty of Pakistan.

Taking into account NDI's institutional commitment to the strengthening of democratic practices around the world, the fact that key Pakistani leaders welcomed an observer delegation, and NDI's commitment to consider other democratic development programs in Pakistan -- as President Ghulam Ishaq Khan suggested -- NDI plans to organize an international observer delegation to the scheduled Pakistani elections. The mission will be funded by a grant from A.I.D..

This week, the chairman of NDI, former Vice President Walter F. Mondale, is sending a letter to President Ghulam Ishaq Khan indicating that NDI plans to organize a 40-member international delegation to observe the October 24 National Assembly elections. The delegation would include parliamentarians, political party leaders and election experts from approximately 15 countries; the U.S. component would include Republicans and Democrats. A smaller team will remain in Pakistan for the October 27 Provincial Assembly elections. The letter further expresses the hope that the delegation will be received in the same positive manner as it was in 1988.

Before turning to the question of how the delegation would observe the elections, I would like to outline the principal conclusions of the survey mission regarding the current political climate.

The Campaign Environment

Dismissal of the Government

The election campaign is taking place in a highly charged political environment. There remains substantial legal and political controversy over the President's dismissal of the government. This is apparent even among the judiciary, as evidenced by the recent ruling of the Peshawar High Court ordering the restoration of the North West Frontier Province Assembly, and the stay order issued by the Supreme Court. In this respect, too, the campaign environment mirrors that of 1988, when there was also debate about the constitutionality of Prime Minister Junejo's ouster.

In his August 6 address, the President of Pakistan dissolved the government stating that he was exercising "the powers conferred on me by clause (2)(b) of Article 58 of the Constitution." He based his

decision on a variety of factors including, in his words, "political horse-trading, . . . violations of the Constitution in respect of Centre-Province relations, encroachment on provincial autonomy, role and status of the Senate, respect for the higher judiciary, use of official machinery and resources . . . large-scale plunder of national wealth, the scandalous incidence of corruption, and the sad law and order situation in Sind." All these factors led the President to conclude that "the Government of the Federation was not being and cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate has become necessary."

The PPP argues that the ouster of its government is unconstitutional, and the party has challenged the President's action in the courts. PPP leaders argue that the President is not constitutionally empowered to dismiss a government for perceived inefficiency, incompetence or other political reasons. According to this view, only "a complete paralysis of the government" would even arguably permit the President to dismiss the government using such constitutional authority. PPP officials refer to the 1988 ruling by the Supreme Court of Pakistan which found that the government of Prime Minister Mohammed Khan Junejo had been improperly removed by President Zia. In that case, the Court did not order the restoration of the Junejo government because it stated that the holding of the scheduled elections was in the national interest. The PPP further argues that the higher judiciary or the speakers of the Assembly, rather than opponents of the PPP, should have been invited to lead the caretaker government.

PPP leaders also argue that one of the President's professed main reasons for ousting Benazir Bhutto, i.e. the corruption of her government, has not been proved. Members of the caretaker government, meanwhile, expressed the view to the NDI survey team that the President has the constitutional power to dismiss a government. There does appear to be general agreement, however, that the President's actions cannot be constitutional in the absence of new elections being held within three months.

Tribunals

After dismissing the government, the President established special courts to hear the references submitted by the caretaker government regarding the alleged corruption of former PPP officials. In his meeting with the NDI survey team, the President stressed the importance of ensuring the accountability of public servants to the future of democracy in Pakistan.

The President also told the team that he wanted to make accountability a permanent, institutionalized process in Pakistan. He stated that special tribunals were required since the regular Pakistani courts do not provide for the disbarment of corrupt candidates seeking election and are too slow.

The laws governing these tribunals have legal precedents. In January 1949 the Constituent Assembly passed the Public and Representative Officers (Disqualification) Act (PRODA). It was used to debar many politicians from holding public office. In August 1959 the Elective Bodies (Disqualification) Order, (EBDO) was instituted, which broadened the interpretation of corruption and misuse of power. Prime Minister Zulfikar Ali Bhutto resurrected the accountability proceedings in 1977. Shortly before the elections, he enacted two laws, the Holders of Representative Office (Prevention of Misconduct) Act and the Parliament and Provincial assemblies (Disqualification for Membership) Act. Charges under the Misconduct Act could only be brought by the Prime Minister who was himself exempted from being tried under the Act. On November 25, 1977, when General Zia ul-Haq instituted Martial Law he modified these acts by executive order, through P.O. 16 and 17, under which the Prime Minister, the Chief Ministers and other senior officials were no longer exempt from facing charges. Subsequently, these orders underwent further modification. Today, acting under one law, the special tribunals are empowered to impose criminal sanctions; acting on cases referred under another law, the tribunals have the power to disqualify individuals from holding public office.

A caretaker government official explained the initiation of "accountability proceedings" thus: the government minister responsible

for overseeing the accountability process submits cases to the Law Division of the government which, after making its own determination as to the validity of the charges, submits a case to the Prime Minister. The Prime Minister, whose advice is binding, finally decides whether or not to advise the President to pursue a case. The President is the referring authority; he submits a reference to the courts instead of filing a suit or making an indictment. The survey team was told that the manner in which the tribunals affect Benazir Bhutto's electoral chances are "immaterial" to the process.

PPP representatives have challenged the fairness and the constitutionality of the special tribunals. Originally, former Prime Minister Bhutto stated that she does not recognize the tribunals' jurisdiction, describing them as "kangaroo courts." She has agreed, however, to appear before the tribunals. PPP officials argue that the tribunals are designed to fulfill a political purpose, namely, to discredit the former Prime Minister, her husband, relatives and government.

PPP officials see the establishment of a quasi-judicial process to deal with alleged government corruption as part of a strategy to prevent PPP leaders from contesting the October elections or, if they win, from forming a government. (The accountability process is intended to continue after the elections are held. Thus, candidates who have won election but are found guilty of corruption, could lose their seats in the assemblies.) The accountability process was described by PPP representatives as "a sword" hanging over their heads.

Thus far, several cases have been referred to the tribunals. The tribunal judges appear to be acting independently. They have agreed to hear certain cases; challenged the government's evidence in others; and dismissed one case. The integrity of the judges chosen to serve on these tribunals has not been questioned.

Thus far, four references have been filed against Bhutto. PPP representatives contend that once references are filed, a candidate cannot focus on his or her campaign. Less than a month before the elections, Benazir Bhutto continues to campaign, but she is also appearing in court. The PPP argues that her campaign schedule must

be arranged around tribunal appearances. No PPP candidates have yet been barred from seeking election.

The caretaker government argues that the accountability tribunals are legal and not political proceedings. Its representatives insist that the careful, drawn-out procedures of the tribunals include numerous safeguards, and that rapid disqualification is unlikely. Officials of the caretaker government stress that while the process of electoral accountability is of paramount importance, the people also have a right to know the ethical performance of those who have held public office. Defendants are represented by counsel and have the right to appeal to the Supreme Court of Pakistan. Serving judges of Pakistan's High Courts have been selected by the President, in consultation with Pakistan's Chief Justices, to conduct the proceedings of the tribunals.

Critics of the tribunals, however, argue that the tribunals' rules of procedure may not ensure certain defendants' rights of due process. The proceedings are to be continuous, without any possibility of adjournment, which, they contend, could put accused officials at a serious disadvantage in preparing their defenses.

The survey mission was told by many politicians and analysts that political corruption was a systemic problem in Pakistan. It did not seem to be confined to any particular party. A number of officials and journalists assert that corruption had become extensive in the previous government, and even in the Bhutto-Zardari family. Benazir Bhutto and her husband, however, absolutely deny all charges against her family and government. Members of the present caretaker government have also been criticized by the press and the PPP for corrupt acts.

To date, only cases against PPP members have been brought before the tribunals. Some officials of the caretaker government argue that this is due to the fact that it was the PPP that controlled the previous government. Other members of the caretaker government suggest that inquiries are being made regarding non-PPP politicians as well. Yet this has not yet led to a single case being brought against them. Officials of the caretaker government told NDI

that the delays were being caused because, among other reasons, files recording the alleged corruption were burned by departing PPP officials, and because the caretaker government wants to present "foolproof" cases.

Neutrality of the Caretaker Government

As in 1988, serious concerns have been raised about the neutrality of the caretaker government of Prime Minister Ghulam Mustapha Jatoi. Strictly speaking, some members of the 1988 caretaker government were also not politically neutral. It became quickly evident to the survey team of 1990, that today, Pakistanis are polarized between those who support the Bhutto family and those who oppose it.

As noted earlier, PPP officials argue that members of the judiciary or the speakers of the assemblies would have been more appropriate leaders of a caretaker government. In turn, when questioned on the neutrality issue, officials of the caretaker government asked whether anyone could be perceived to be neutral in Pakistan today. Judge us, they said, by our actions.

While PPP representatives and other Pakistanis question whether Benazir Bhutto will be permitted to form a government if the PPP wins the election, officials in the caretaker government and the military told the survey team that Bhutto would not be prevented from forming a government.

Administration of the Elections

The Pakistani election code and the procedures promulgated by the national election commission are virtually unchanged from the 1988 elections. These codes and procedures provided a good framework for the balloting and the tabulation of the 1988 election results. They compare favorably to procedures found in other democratic nations. The combination of registration rolls, picture identification cards and indelible ink would seem to make multiple voting by individuals extremely difficult to organize on a large scale without detection.

The Chief Election Commissioner is Justice Naimuddin, a judge

of the Supreme Court. According to him, most of the personnel for the 1990 elections will be the same as those deployed during the 1988 elections. Outside Baluchistan (where the required number of officers is unavailable), 99 percent of the returning officers are judicial officers. Deputy Commissioners will prepare the election plan (including the location of polling stations and which personnel to hire). This will then be scrutinized by returning officers. According to the Election Commissioner, complaints regarding such matters as the distances between polling sites, will be addressed and their numbers will be increased.

The election code provides that all candidates and parties are entitled to poll watchers who may be present in all polling stations before and during the casting of ballots and during all stages of the tabulation process. Each representative is entitled to record the individual polling station's results and can transmit them to their candidate or party leadership. The ballot boxes will be opened in the presence of candidates or their representatives. This system of observation at each stage of tabulation would also appear to make any systematic fraud detectable.

The actual implementation of the written legal and administrative procedures will be key in assessing the elections. In 1988 there were allegations of significant ballot fraud, but the observer delegation found little evidence to support the allegations. Given the identical procedural circumstances, an observer delegation and party poll-watchers which are permitted a level of access similar to that of 1988 should be able to determine whether the election balloting process is conducted fairly or whether widespread fraud and abuse occurs.

Many political leaders appear to have confidence in the integrity and professionalism of the Election Commission. PPP leaders, however, repeatedly expressed their concern that the executive would bring pressure to bear on the Election Commission. (These concerns were also expressed in 1988). During the past month, press reports have also noted that the administrative machinery for the elections in Punjab may be improperly used during the campaign period. A PPP leader in Punjab stated that while the Election Commission would issue orders, the polling agents themselves would be under the control

of the caretaker provincial administrations. Allegations have also been made regarding recent transfers of a number of assistant commissioners and deputy commissioners in the province of Sind.

There have been two minor changes in election procedures since 1988. One involves a change in the manner in which candidacies may be challenged. In 1988, candidacies could be challenged only by opposing candidates. The 1990 change permits any qualified elector in the district to challenge any candidacy. The period for such challenges has been expanded from two days to four. PPP representatives expressed concern that these changes would enable their opponents to harass PPP candidates. While these provisions are subject to abuse, the former procedures themselves could have been misused. There also remains an expedited appeal process to the judges of the High Court, in whom the PPP has expressed some faith. Moreover, in most democracies and in most states in the United States, any qualified elector can challenge a candidacy. Thus, this is a process that will have to be observed in order to determine whether or not it is used as an democratic device.

The other change, according to the Chief Election Commissioner, involves the redrawing of the lines of four National Assembly districts. PPP candidates alleged that these lines have been redrawn in a manner which benefits the incumbent caretaker regime. These charges were specifically denied by the Election Commission. All other districts remain the same as in 1988.

The registration rolls close on the date that an election is announced. To a limited degree, this procedure keeps political parties from padding the rolls for a particular election. The survey team did hear a PPP allegation that approximately 16,000 names of new registrants were added to the rolls in a Sind district in which Prime Minister Jatoi will be seeking election. Further investigation would be required to determine whether or not this charge is true. This was the only allegation of such a nature that was heard.

A number of politicians raised the possibility of heightened, intra-party, election-related violence in the province of Sind. In 1990, Sind has witnessed an escalation of murders, kidnappings and

robberies (in which associates of political parties are also reportedly implicated). According to military officials, prior to August 6, the army had been called out to restore order every second day in 1990. The security environment will be carefully observed in the coming weeks, not only for its potential impact on the election campaign but also as it affects the security of the members of the international observer delegation.

The survey team was also told about the exorbitant costs of contesting for a National Assembly seat in Pakistan's elections and the possibilities for illegal campaign-related activities. The observer delegation will further examine the possible abuses of campaign expenditures, e.g. bribery.

Other Concerns

As in 1988, the team heard other allegations. PPP representatives claim, for example, that government officials are unfairly using their position of incumbency. A senior PPP leader in Punjab maintained that government resources were being used by the caretaker regime to influence voters, and all projects launched by the previous PPP government had been halted.

PPP officials also complain about the media. The Bhutto government permitted a high degree of freedom for the print media. Ironically, it was the newspapers that used that freedom to print numerous stories of government corruption, helping to create a widespread impression that the PPP government was corrupt. Today, as during the tenure of the previous government and prior to the 1988 elections, the state-controlled broadcast media -- which reaches many millions more people than the print media -- continues to provide little access to opposition politicians.

Allegations of harassment, arrest and torture of PPP workers and associates of the Bhutto-Zardari family were also heard. PPP leaders in Sind complained about large-scale arrests or detentions of their party workers and provided the survey team with lists of names. They also claimed that PPP workers were being tortured in order to obtain false statements about PPP corruption. It was alleged that the homes of PPP workers have been raided and persons have been

taken to unknown places without access to counsel. These charges of human rights abuses should be further investigated.

Other political groups, particularly the MQM, a Sind-based party, maintained that during its tenure in government as well as today, the PPP has been associated with political harassment and violence against party workers. The MQM itself has been accused by its opponents, of committing violence in the major urban centers of Sind. The LJI further argues that, during its tenure in government, the PPP misused its federal authority by trying to control funds for provincial development programs.

International observers to Pakistan's elections must be aware of the complexity of the political situation in Pakistan today. Constitutional issues remain to be resolved. There is a high level of political polarization as well as fear of electoral manipulation.

There is also uncertainty surrounding the actual occurrence of the elections as scheduled. President Ghulam Ishaq Khan and the Prime Minister Jatoi told the survey team that no postponement of the elections would be tolerated. The President pointed out that similar misgivings and doubts had been voiced prior to the 1988 elections. Some politicians and journalists informed the NDI team of various scenarios in which elections might be postponed, including increased tensions in Kashmir and instability in Sind.

Finally, there is a widespread perception among politicians, journalists, academics and others in Pakistan that the army leadership will play a major role in determining whether or not elections will be held as scheduled, as well as the composition of any future civilian government. The delegation heard arguments that the situation today differs from that of 1988, when the army lost many of its leaders in the airplane crash that killed President Zia, and the generals ensured the transition to civilian rule through an electoral process. According to many Pakistanis, the army has found little to recommend civilian government in the last 20 months. Thus, speculation about the army's future role in politics is rife.

For democracy to proceed in Pakistan, the leadership shown by the Chief of Army Staff and the President of Pakistan in ensuring

free and fair elections in 1988 will be important once more.

NDI has prior experience working in Pakistan and has organized many international delegations to elections conducted under difficult circumstances in other countries. We are confident that an observer delegation can impartially and effectively observe and evaluate the technical aspects of the electoral process in October 1990.

Despite the problems and uncertainties, Pakistanis from across the political spectrum are actively participating in the elections. This fact alone merits international support for a free and fair process.

It would be premature to make definitive judgements now about how many of the above-mentioned issues might affect the elections. To do so, would prejudice the findings of the international observer delegation. Moreover, for impartial observers, the pre-election environment is a critical aspect of the entire process but one that must be weighed after the tabulation of results.

In countries such as Chile, Panama, Nicaragua, Bulgaria, and South Korea, there were those who were prepared in advance to dismiss the possibility of free and fair elections because of pre-election irregularities. While these irregularities cannot be condoned, when assessed at the end of the process, they were not of a magnitude that would have altered the electoral outcome. On the other hand, the pre-election period in the May 1990 Rumanian elections and the January 1988 Haitian elections became prime factors in assessing the entire election process.

NDI will carefully evaluate unfolding events during the next three weeks and the international delegation will make its final assessment, examining the impact of all the issues on the voting and counting process.

There are several aspects of the proposed observation effort that I would like to highlight for the subcommittee:

- *The international observer delegation will review all aspects of the electoral process.* In assessing the campaign, all restrictions on political participation will be considered, but the primary focus of the observer delegation will be on the extent to which political parties and candidates are able to communicate their

messages to the Pakistani public through rallies, media and other means permitted by Pakistani law.

- *The observer delegation will be multi-national with the U.S. component including Republicans and Democrats.* This national and political diversity will provide the delegation with a broad political and cultural perspective with which to observe the electoral process in Pakistan. The delegation will have technical experts who have observed elections elsewhere, including members of the International Foundation for Electoral Systems.
- *The delegation members will abide by all Pakistan's laws. They will not seek to arbitrate disputes. Delegates will attempt to document their observations, and in all instances distinguish facts from subjective judgements. The delegation will meet with government and election officials, leaders of various political parties, and representatives of other institutions that are playing a role in the electoral process.*
- *On election day, delegation members will be present at polling sites across the country, with special emphasis on those areas identified as important.* This coverage, together with the presence of representatives of the competing political parties, will help permit detection of any attempt to manipulate the process in a significant manner.
- *As it did in 1988, the delegation will carefully review statistical data from past Pakistan elections.* This will provide an additional tool in evaluating allegations of electoral manipulation.
- *Because of the importance of the Provincial Assembly elections, some members of the delegation will remain in Pakistan through October 27.* The observations of this group will form a part of the delegation's overall assessment of the process.
- *A presence will also be maintained in Pakistan throughout the period required for a new government to be formed.* This will permit a review of complaints filed and an evaluation of how such complaints are handled by the authorities. If warranted, NDI will organize a visit to Pakistan by a small group of delegates to present the findings of the international delegation

to the government of Pakistan.

Having explained the methodology that will be used, let me add that the international delegation does not presume to supervise the elections. The judgement regarding the elections will be made by Pakistan's people. Similarly, the multinational observer delegation will report on the election process. It will not advocate policy towards Pakistan, in this country or elsewhere.

In this sense, the role of election observers is a limited one. They can contribute to the fairness of the process in small but important ways: by inspiring confidence in the process, helping to deter possible misconduct on election day, and by providing an objective report to the international community.

Let me close with a few final comments. As the international delegation noted in 1988, an election is just the beginning of a democratic process. It is not an end unto itself. We do not underestimate the difficulties in Pakistan. Genuine democratization in Pakistan will take many years. Political parties and parliaments require strengthening, and the civilian sphere of politics requires expansion. Long-term and large-scale programs to increase literacy, improve health, and raise the economic and social status of Pakistan's women, are also critical to the success of democratization efforts.

NDI believes that the commitment to observe the electoral process is part of its larger commitment to democratization in Pakistan. NDI would respond to requests for future programs to help make multi-party parliamentary government effective and responsive to the demands of civil society and to develop standards for good government. There is strong sentiment for democracy among Pakistan's people. In response to that sentiment, the international community should stand ready to assist all efforts to promote and sustain democratic institutions.

TERMS OF REFERENCE**INTERNATIONAL OBSERVER DELEGATION
TO THE PAKISTAN NATIONAL ELECTIONS****MEMORANDUM**

TO: International Delegation Members
FROM: NDI
DATE: October 11, 1990
RE: Terms of Reference

The National Democratic Institute for International Affairs (NDI) is organizing a 40-member international observer delegation for the October 1990 elections in Pakistan. The delegation has been welcomed by President Ghulam Ishaq Khan and leaders of the major political parties. The delegation includes parliamentarians, political party leaders, democratic activists, jurists, regional specialists and election experts from some 20 countries; the United States contingent includes both the Republicans and the Democrats. While the delegation's primary focus will be on the October 24 elections for the National Assembly, several members of the delegation will remain in Pakistan for the October 27 provincial assembly elections.

NDI has considerable experience organizing international election observer missions in a number of countries, including Bulgaria, Chile, Czechoslovakia, Guatemala, Haiti, Hungary, Namibia, Panama, Paraguay, the Philippines, Romania, and Taiwan. In November 1988, NDI organized a 25-member international delegation to the national and provincial elections in Pakistan.

The 1988 delegation to Pakistan judged the elections to have been generally free and fair and concluded that President Ghulam Ishaq Khan, General Mirza Aslam Beg, and Chief Election Commissioner Syed Nusrat Ali contributed to and ensured the integrity of the constitutional and electoral processes. The 1988 delegation also concluded that the laws and procedures compared favorably with those used in other democratic countries, provided the

necessary public confidence to ensure the participation of all prospective candidates, and secured broad respect for the results among the contestants and the Pakistani people. The delegation further found that the campaign was conducted in a peaceful manner with no significant restrictions on the ability of parties and candidates to communicate their messages to the voters. Apart from some candidates who were government officials, none of the 1988 contesting parties was allowed access to the government-controlled television and radio. There were few observed irregularities in the balloting and counting processes, and the political parties played a critical monitoring role.

In observing the 1990 elections, the delegation does not presume to supervise the elections or to interfere in Pakistani affairs. The delegation will observe the elections in accordance with internationally recognized standards for the monitoring of electoral processes. It is the Pakistani people who will make the final judgment about the significance of these elections.

The delegation's presence will demonstrate the international community's continued interest in and support for free and fair elections and democratization in Pakistan. It will provide the international community with an objective assessment of Pakistan's electoral process. In addition, members of the delegation will have an opportunity to learn more about the development of democracy in Pakistan and to reflect on how this relates to the issue of political development in their respective countries.

The delegation's observations and other credible sources of information will form the basis for conclusions about the elections. Therefore, the delegation must attempt to document its observations and in all instances to distinguish objective from subjective judgments. To accomplish this task, the delegation will meet with government and election officials, leaders of the various political parties, and representatives of other institutions that are playing a role in the electoral process.

The delegation will arrive in Islamabad, the federal capital, on October 21 and depart from Pakistan on October 27. On October 21

and 22, NDI staff members will brief the delegation and provide a detailed itinerary. The delegation will meet with members of the Federal Election Commission, political analysts, political party representatives and others involved in the electoral process. To obtain a national perspective on the political environment and the electoral process, the delegation will then divide into seven teams that will disperse across Pakistan's four provinces – Punjab, Sind, Baluchistan, and the North West Frontier Province – as well as Islamabad. Upon arrival in the provinces, the teams will be briefed on local political conditions and will meet with election officials and leaders of the contesting parties.

On election day, October 24, the teams will visit polling places and counting centers, observing the general conduct of the elections. Special attention will be paid to those areas identified by political party representatives. The delegation will carefully review statistical data from Pakistan's past elections, using this information as a means by which to evaluate allegations of electoral misconduct.

The entire delegation will reassemble in Karachi on October 25 for a debriefing, preparation of the delegation statement, and a press conference. Several members of the delegation will remain in Pakistan to report on the October 27 provincial elections. A technical team, comprised of one or more members, will stay in Pakistan for approximately one month to gather post-election data, evaluate the handling of complaints regarding the elections, and assess the process of forming a new government.

Drawing upon the information gathered in Islamabad, the four provincial capitals, and surrounding areas, the delegation will publish a comprehensive report after the elections. It will be widely distributed in Pakistan and throughout the world. The report will include the delegation's observations and an assessment of the issues listed below. NDI expects the report to be ready by the end of the year.

Because of the possibility that casual statements may be taken out of context, delegates should not make any comments to the media regarding their personal observations of the elections until after the

delegation has reconvened in Karachi, all the teams have provided their briefings, and the delegation has issued its formal statement. [See "Press Guidelines" in the briefing book.] Only then will delegation members have a national perspective on the electoral process. The delegation statement issued following the October 24 elections should avoid any comment that could influence the outcome of the October 27 provincial assembly elections.

Based on NDI's work in Pakistan during the last four years and, in particular, the report of a five-member survey mission that visited Pakistan from September 2 to 16, 1990, the following are among the issues that the delegation will explore:

A. Political Campaign

1. Was the Election Commission able to conduct the elections in a politically neutral manner? Were election authorities independent of political direction?
2. Did the identification card requirement disenfranchise a significant number of voters? Were there allegations that identification cards were misused?
3. Were there any restrictions that prevented political parties or candidates from conducting their campaigns in any region of the country?
4. Were candidates or voters subjected to intimidation during the campaign as part of an attempt to influence their votes? What was the response of the authorities to allegations of such intimidation?
5. Was there evidence of illegal campaign practices by any of the participants? How did the authorities respond to these charges?
6. Were government resources used to give an advantage to any party or candidate? What effect did this have on the campaign?
7. What effect did the existence of a state of emergency have on the campaign?
8. In light of the change in the election law to allow anyone to challenge a candidate's eligibility for the ballot, were there challenges to candidates? Were these challenges handled in an

expeditious and fair manner? Were any candidates disqualified? Were there any legal appeals in connection with such challenges?

B. Media

1. What was the role of the media in the elections? Did candidates have access to broadcast media in order to communicate their messages? How did the print media cover the campaign?
2. Did the government-controlled broadcast media demonstrate bias in covering the campaign? Was there news coverage of government officials who were also candidates? Did that news coverage give such candidates a notable political advantage?
3. How did the media cover allegations of corruption against former government officials? How did the media cover the proceedings of the tribunals looking into such charges?

C. Tribunals

1. What effect did the establishment of special tribunals have on the campaign and the electoral process? Did the cases hamper the ability of candidates to campaign?
2. Were the tribunal proceedings instituted in a non-partisan manner?
3. Was the existence of the tribunal process consistent with Pakistan's constitution and Pakistani law? Did the tribunals act in a manner consistent with Pakistan's law?
4. How were tribunal judges selected and appointed?
5. Did the tribunals conduct themselves in an impartial and fair manner? Did the tribunals' rules of procedure, including the rule against adjournments, hinder the ability of defendants to prepare a defense and to campaign?
6. Was there any effort to influence politically the actions of the tribunals? Did the tribunals act independently?
7. Were any candidates disqualified by the accountability tribunals?

D. Administration of Elections

1. Did the national and provincial election commissions and the local election officials act in a nonpartisan manner?
2. Did the safeguards included in the law prove adequate to prevent significant fraud in the balloting process?
3. Were voters identified in accordance with the procedures established by the Election Commission? Were large numbers of Pakistanis unable to vote because they lacked national identity cards?
4. Were voters able to cast a secret ballot? Was there any intimidation of voters by security forces, local leaders, or political parties on election day?
5. Were the poll watchers designated by the political parties permitted access to polling sites and to the counting centers?
6. Were ballots counted in the manner established by the election law? Were there suspicious delays in the preparation or release of election returns?
7. Were there any challenges to the balloting or counting processes?

E. The Results

1. Were the official results reported in accordance with the election law?
2. Did the various Pakistani political parties recognize the results? If not, were challenges filed in accordance with the election law?
3. Was a new government formed in accordance with the prescribed procedures?

**INTERNATIONAL OBSERVER DELEGATION BRIEFINGS
ISLAMABAD**

OCTOBER 21, 1990

NDI Briefing

Humayun Khan
Additional Secretary, Central
Election Commission

Welcome Remarks and NDI
Activities in Pakistan
Kenneth Wollack

*Peoples Democratic Alliance
(PDA) Briefing*

Pakistan's Politics and Society
Mahnaz Ispahani

Shahnaz Wazir Ali
former Minister of State for
Education

Overview of Election
Observation
Larry Garber

Amna Piracha
Central Secretariat, Pakistan
Peoples Party

Pakistan's Election Law
Patricia Keefer

Kamran Shafi
Former Press Secretary to
Benezir Bhutto

Delegates attend political rallies
in Islamabad and Rawalpindi

Afzal Siddiqui
Advocate

OCTOBER 22, 1991

*Central Election Commission
Briefing*

*Islami Jamhoori Ittehad (IJI)
Briefing*

Justice Naimuddin Ahmed
Chief Election Commissioner

Hussain Haqqani
Press Secretary to Acting Prime
Minister

Chaudhry Shauqat Ali
Secretary, Central Election
Commission

Appendix VII comprises three parts: 1) 1990 General Election Team Deployment; 2) Pre-Election Delegation Team Meetings; and 3) Special Functional Teams

1990 GENERAL ELECTION TEAM DEPLOYMENT

PUNJAB

Lahore:

Balasubramaniam
Coleman
Giere
Hatch
Hertzberg
Katjavivi
Ispahani
Mitropoulos
Makram Ebeid
Oldaker
Ozbudun

Islamabad/Rawalpindi:

J. Baran
K. Baran
Brandenburg
Dembinski
Feldman
Halefoglu
Hennessey
McAvoy
Steiner
Vulkova
Wollack

Multan:

Bjornlund
McInturff
Ooko-Ombaka

SIND

Karachi:

Andrews
Garber
Heins
Heper
Huffman
Jones
Leissner
Nakano

Faisalabad:

Fox
Quesada
Shocas

Sukkur:

Toure

Rubin

Nawabshah:

Manikas

Nkwinti

BALUCHISTAN*Quetta:*

Wilson

Richter

NORTH WEST FRONTIER*Peshawar:*

Gabal

Griffin

Keefer

Saunders

Sock

Wood

PRE-ELECTION DELEGATION TEAM MEETINGS

ISLAMABAD
(Leadership Team)

October 22, 1990

Ghulam Ishaq Khan
President, Islamic Republic of
Pakistan

Sartaj Aziz
Minister for Finance, Planning
and Economic Affairs

Sahibzada Yaqoob Khan
Minister for Foreign Affairs

Wasim Sajjad
Chairman of the Senate

Syed Ijlal Haider Zaidi
Defense Advisor to the Prime
Minister

ISLAMABAD

October 23, 1990

Ijaz Gilani
Gallup Pakistan

Salim Gilani
Director General, Pakistan
Broadcasting Corporation

Amanullah Khan
Bureau Chief, Daily *Musawaat*

Darius Minwalla
Advisor to former Prime
Minister Benazir Bhutto

Sheikh Mansoor
PDA, Islamabad Secretariat

Agha Nasir
Managing Director, Pakistan
Television Corporation

Zaheer Bhatti
Director of Programming,
Pakistan Television

FAISALABAD

October 23, 1990

Mohamed Hussein Bhatti
Chief Election Official,
Faisalabad District

Mohammed Asif Khan
Assistant Commissioner, City of
Faisalabad

Syed Tahir Raza
Additional Deputy
Commissioner, Faisalabad
District

Zahid Sarfaraz
Minister of Interior

Syed Mahmood Alam Shah
Faisalabad Chamber of
Commerce & Industry

Badar Chaudhary
President, PDA
Faisalabad Division

Fazal Hussain Rahi
Candidate, NA 64, PDA

Col. Nisar Akbar
PDA

LAHORE

October 23, 1990

Khalilur Rehman Khan
Election Commissioner
Punjab Province

Mian Nawaz Sharif
Former Chief Minister, Punjab
Province

Mian Mohammad Azhar
Governor, Punjab Province

Khurshid Kasuri
Secretary-General, PDA

Fakhar Zaman
President, Provincial Secretariat,
PDA, Punjab Province

Asaf F. Wardag
Member, Senate of Pakistan
Additional Secretary General
Central Secretariat, IJI

Asma Jahangir
Advocate, Human Rights
Commission of Pakistan

Shahid Kardar
Economist, Human Rights
Commission of Pakistan

I.A. Rehman
Director, Human Rights
Commission of Pakistan

Ahmed Rashid
Journalist

MULTAN

October 23, 1990

Tariq Farooq
Commissioner, Multan Division

Sheikh Jalil Ahmad Election Officer, Multan Division	KARACHI* <i>October 23, 1990</i>
Shareef Malik Additional Deputy Commissioner, Multan Division	M.H. Zaidi Election Commissioner, Sind Province
S.M. Tariq Qadri Election Officer, Multan Division	Jam Sadiq Ali Chief Minister of Sind
Malik Mukhtar Awan Candidate, NA 116, PDA Former Minister of Manpower	Altaf Hussain MQM Chief, Karachi
Hamid Raza Gilani Candidate NA 114, IJI	Professor Ghafoor Ahmed Jamaat-e-Islami
Khalid Hassan Journalist, <i>The Frontier Post</i>	Justice Dorab Patel Human Rights Commission
Syed Ishtiaq Hussain Jaffrey Chairman, Small Landowners & Farmers Association of Pakistan	Iqbal Haider PDA
Syed Zaman Jaffrey President, Saraiki Quami Movement Secretary General, Saraiki National Alliance	PESHAWAR <i>October 23, 1990</i> Gulistan Janjua Governor, North West Frontier Province (NWFP)

* The Karachi, Sukkur and Nawabshah teams all attended briefings in Karachi on October 23 before deploying on election day to their respective regions. The teams also held meetings with local election and party officials on October 24.

Taqi S. Hashmi
Director of Public Relations,
Ministry of Information
Government of the North West
Frontier Province (NWFP)

Qaiser Khan
PDA

Wali Khan
Awami National Party

Aftab Sherpao
Former Chief Minister, PDA

QUETTA

October 23, 1990

Sardar Fateh Hassani
Member of the National
Assembly

Abbas Ali Shah
Managing Director, Bannu
Sugar Mills, Ltd.

FUNCTIONAL TEAMS

**CHALLENGES AND
COMPLAINTS**

J. Baran
Garber
Griffin
Katjavivi
Quesada
Shocas

MEDIA

K. Baran
Hertzberg
McAvoy
McInturff
Toure

STATISTICAL ANALYSIS

Brandenburg
Feldman
Gabal
Hatch
Nakano
Garber

TRIBUNALS

Coleman
Heins
Manikas
Oldaker
Sock
Bjornlund

ARRIVAL STATEMENT**INTERNATIONAL OBSERVER DELEGATION
TO PAKISTAN NATIONAL ELECTIONS**

October 23, 1990

Ladies and Gentlemen, I am Vahit Halefoglu from Turkey, and I am pleased to introduce the international delegation that is in Pakistan to observe the October 24 and 27 National and Provincial elections. This delegation is being organized by the National Democratic Institute for International Affairs (NDI), which has gained an international reputation for professionalism in organizing such efforts.

Before we explain the nature of our visit, allow me to introduce the co-leader of this delegation Senator Stanislaw Dembinski of Poland, to my left. Senator Dembinski is a prominent figure in the Solidarity movement, which courageously and successfully spearheaded the democratic revolution in Eastern Europe. To my right is Ken Wollack, Executive Vice President of the National Democratic Institute.

I would also like to note that this 40-member delegation includes prominent parliamentarians, political party leaders, regional specialists and election experts from 17 countries in Europe, Asia, Africa and the Western Hemisphere. Many of the delegation members have participated in the previous observer missions, including the mission that observed the 1988 National and Provincial Assembly elections.

Given the significance of these elections for the democratic future of Pakistan, it is not surprising that the elections have attracted international attention. This delegation has been welcomed by leaders of the caretaker government as well as leaders of major political parties. Many other Pakistanis also have expressed appreciation that this and other groups are present for the elections.

I wish to emphasize that this delegation is here as observers. We do not come as supervisors or arbiters. We have taken no

Appendix VIII

position on the outcome of these elections. Ultimately, it will be the Pakistani people who will judge the fairness of the electoral process.

The purposes of the delegation are to demonstrate the international community's continued support for free and fair elections, and for the democratization process in Pakistan. We also are here to learn from the people of Pakistan about the nature of the electoral process and its implications for Pakistan's political future. Let me emphasize though that the members of the delegation are not serving as representatives of governments, and therefore, we will not make policy recommendations as to bilateral issues among our respective countries. Our role is strictly limited to providing the international community with an assessment of Pakistan's electoral process.

This role is consistent with the practice of international election observer missions, a practice that is now widely accepted in the international community. The attitude of political party representatives and members of the caretaker government toward this delegation reflects this trend.

Two years ago, our predecessor delegation, also organized by NDI reported that the elections were conducted in a generally fair manner. It concluded that the laws and procedures compared favorably with those used in other peaceful democratic countries and that the pre-election campaign was, by and large, peaceful and fair.

While there has been serious debate in Pakistan about several aspects of these elections, all sectors of the population appear to be participating actively in the process. We have already met with a wide spectrum of Pakistanis to obtain their views on the electoral process and the delegation has already divided into teams, most of which have departed Islamabad to visit all four provinces of the country. Delegation members will meet with Pakistanis involved in the electoral process in each of the provinces and, on Wednesday, will observe the balloting and counting processes at hundreds of polling sites around the country.

The delegation has reviewed carefully the report of a election international team that visited Pakistan several weeks ago.

Appendix VIII

assess the pre-election environment and preparations for the elections. Throughout our stay, members of the delegation will be obtaining assessments of Pakistanis regarding three distinct elements of the electoral process – the campaign period, election day procedures, and the tabulation of results.

The delegation reassembles in Karachi on Thursday to share our experiences and plans to issue a preliminary statement on Friday. Our observations of this process will, we expect, reflect those of the Pakistani people.

In addition to the delegation's observations of the National elections, a smaller group will remain in Pakistan to report on the Provincial elections. NDI representatives will also stay in Pakistan in order to gather post-election data. The delegation will then prepare a comprehensive report that will be published next month.

We wish to reiterate our support for the people of Pakistan in their efforts to consolidate democratic government in which political pluralism flourishes, individual rights are protected and the rule of law is institutionalized.

Thank you. We will be pleased to answer any questions.

PRELIMINARY STATEMENT**INTERNATIONAL OBSERVER DELEGATION
TO THE PAKISTAN NATIONAL ELECTIONS**

October 26, 1990

This is the preliminary statement of a 40-member international delegation that observed Pakistan's national elections on October 24, 1990. The delegation, organized by the National Democratic Institute for International Affairs (NDI), includes parliamentarians, political party leaders, election experts and regional specialists from 17 countries in Africa, Asia, Europe and North America.

Given the significance of these elections for the democratic future of Pakistan, it is not surprising that the elections have attracted international attention. This delegation was officially welcomed by leaders of the caretaker government as well as leaders of major political parties.

The purposes of this delegation were to demonstrate the international community's support for free and fair elections and for the democratization process in Pakistan. The delegation's mandate included the examination of three aspects of the election process; the campaign, the balloting and the tabulation of results. Our statement presents a preliminary assessment of these matters. A more detailed report, which will include a review of election complaints and how they were handled by the Election Commission and the courts, will be issued at a later date.

The delegation arrived in Pakistan on Saturday, October 21. During its stay, the delegates met with government and election officials, leaders of the major political parties, journalists and others involved in the electoral process in Islamabad, Lahore, Karachi, Peshawar, Quetta, Faisalabad, Multan, Sukkur and Nawabshah. On election day, members of the delegation visited polling stations in approximately 30 constituencies and observed both the balloting and counting processes. The delegation also carefully examined several

critical aspects of the electoral environment, including the media, the accountability tribunals and the handling of election-related complaints by the election commission.

The elections, as we observed them at the local level, were generally open, orderly and well-administered. The procedures used for the balloting process were in accordance with the applicable election law. In addition, the electoral system affords opportunities for the candidates and parties to check for abuse.

The election personnel involved in administering the process were usually well-versed in the system. They appeared to be impartial and effective. Generally, the police present at polling stations maintained law and order and provided a calming influence. At most polling sites, at least two party representatives were present. The delegation was impressed by the cooperation between the polling agents representing opposing parties.

The delegation reviewed the processing by the election commission of several complaints. Generally, the election commission communicated with federal and provincial officials to obtain information regarding the exact nature of the allegations. In some cases, the election commission's exclusive reliance on such information made it difficult for the commission to fully ascertain the credibility of the allegations presented.

Before the election, the contesting political parties and alliances had an opportunity to communicate with prospective voters through large rallies, processions, posters, billboards and other campaign activities.

Despite these positive conditions, the election process was not without problems. The delegation members recognize that the election campaign was conducted in a highly polarized political environment, due in part to the August 6 dissolution of the government and the establishment of accountability tribunals. While rendering a judgement on these actions is beyond the mandate of this delegation, the delegation believes that the ongoing tribunal process during the campaign and the selective filing of references before these special courts complicated the pre-election atmosphere. In the same

vein, the caretaker government's use of the perquisites of incumbency was controversial and seems to have given an advantage to one of the contesting parties.

On election day, in certain constituencies throughout the country, and particularly in Sind, delegation members heard credible reports of several specific and serious problems. Examples of these problems are:

- the killing of candidates, party workers and other civilians;
- attacks by armed men on polling officials, polling agents and voters; and
- the kidnapping and arrest of party workers.

Cultural, social and religious realities make it difficult for a number of women to effectively participate in the electoral process. The large number of women that turned out to vote shows their desire to participate in the process. The administrative procedures as applied in polling stations for women, however, made it difficult for polling agents to verify the eligibility of women to vote. These problems allow the opportunity for abuse and manipulation in certain areas.

The independent, English-language print media actively covered the election campaign in Pakistan and played a positive and constructive role in the election process. Given the low literacy rate, however, it is unclear how significant an impact print media have in influencing political opinion.

The delegation heard several complaints about bias in the electronic media. The delegation concludes that Pakistan Television's news coverage of the campaign was not balanced. The coverage of Pakistan Radio was somewhat more balanced, especially on election day. The delegation notes that this is the first time that PTV has covered a general election, and hopes that there will be better coverage in the future.

Yesterday, the delegation heard allegations about tampering with the vote count by switching ballots boxes and by expelling polling agents. Our delegation saw no evidence on election night to support these allegations. It is our opinion that the safeguards in the system

would make tampering on a scale sufficient to affect the overall nationwide results difficult, but not impossible.

Delegation members did receive some information that an election "cell" in a provincial chief minister's secretariat had requested progressive reports of election results in apparent violation of published election rules.

The delegation does not believe that the above-mentioned problems significantly altered the outcome of the elections.

As of today, the delegation has received no evidence that would allow us to substantiate allegations concerning irregular vote totals. Given that this is a preliminary assessment, however, the delegation will closely monitor the situation, including the use of statistical analysis, to examine further this matter. The statistical analysis, relying on data obtained from the election commission and the political parties, will permit a comparison of the results of this election with results in the two previous elections. In addition, we urge the election commission and other authorities to act on all allegations tendered to them.

As a final comment, we hope that the level of cooperation between local party agents that we witnessed on election day leads to the peaceful evolution of democracy in Pakistan. The development of democracy in Pakistan could only benefit from a spirit of tolerance, dialogue and cooperation among the political parties. The delegation hopes that the decision of the major political parties to participate in the October 27 Provincial Assembly elections is indicative of this spirit.

**STATEMENT OF KENNETH WOLLACK
EXECUTIVE VICE PRESIDENT
NATIONAL DEMOCRATIC INSTITUTE
FOR INTERNATIONAL AFFAIRS
BEFORE THE
SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS
HOUSE FOREIGN AFFAIRS COMMITTEE**

November 2, 1990

Thank you Mr. Chairman. The National Democratic Institute for International Affairs (NDI) appreciates this opportunity to present its views and those of the 40-member international delegation that observed the recent elections in Pakistan. The delegation, which included nationals of 17 countries, was led by former Turkish Minister of Foreign Affairs Vahit Halefoglu and Polish Senator Stanislaw Dembinski.

The delegation issued a preliminary statement on Friday, October 26. This was done after several days of briefings, meetings with government officials and political party leaders, visits to more than 600 polling sites in 30 National Assembly constituencies, review of the counting process, a lengthy debriefing session following the elections, and an initial statistical analysis of the announced results. I am submitting a full copy of the preliminary statement for the record; for now, I wish to highlight several key points included in the assessment.

First, the delegation reported that it had seen a generally open, orderly, well-administered balloting process, with well-trained polling officials and agents for at least two parties present at almost every polling site visited.

The delegation noted several areas where the election was marred by violence, arrests of party representatives, other acts of intimidation and failure to comply with the prescribed procedures. The latter failure increased the possibility that the safeguards included in a well-designed election system could be undermined.

The delegation reviewed some of the problems that affected the campaign. In certain areas, the pre-election political environment did not provide a level playing field for all the contesting parties. While political parties were allowed to campaign freely, hold rallies and use posters and music to communicate their messages, other factors complicated the pre-election period. These factors included the selective use of accountability tribunals and the perquisites of incumbency by the caretaker governments, which benefitted one of the contesting parties. The delegation believed that the existence of the above-mentioned problems did not significantly affect the overall results, which showed the Islamic Democratic Alliance (known by its Urdu initials as the IJI) scoring a major victory.

Benazir Bhutto's Pakistan Peoples Party (PPP), however, was contending, and still contends, that the results were attributable to massive rigging. Other parties also claim that fraud affected their candidates' results. In these circumstances, as a final point, the delegation emphasized the preliminary nature of its statement and indicated that it would continue to monitor the situation, would view the complaints presented by the different parties and would complete a statistical analysis of the results. The preliminary assessment was not intended as a certification of the elections, and the delegation was quite careful in avoiding statements that could be seen as suggesting such a conclusion. This point has been reiterated in a letter sent earlier this week by NDI president Brian Atwood to U.S. Secretary of State James Baker.

The delegation fulfilled its responsibility by reporting in a credible and objective manner on the entire electoral process. The preliminary statement included election day observations and noted the misgivings of the delegation regarding certain aspects of the election environment and campaign. The delegation's statement contributed to the international community's understanding of what happened in Pakistan.

Mr. Chairman, for the past five years, NDI has been following political developments in Pakistan closely. In 1988, NDI organized a pre-election mission and an 18-member international observer

delegation, thus providing the Institute with a comprehensive understanding of the legal framework and administrative procedures used in Pakistan's elections. Consequently, NDI appreciated the challenges involved in organizing an observer delegation for the 1990 elections, particularly given the highly polarized nature of Pakistan society today.

Recognizing these factors and the possibility that the electoral outcome might be challenged by one of the contesting parties, NDI organized the observer delegation with considerable care. The size of the delegation was more than doubled as compared to 1988. On election day, the delegation covered 11 cities and their environs, as compared to five in 1988.

However, having organized observer delegations in varied and difficult circumstances, NDI is well aware that it is not only the size of the delegation and its election day coverage that are important in observing elections. Thus in structuring the observer delegation for this election, NDI established functional teams comprised of experts from different countries to examine the accountability tribunals, the role of the media and the complaints process, and to conduct a statistical analysis of the results. These teams met with government officials, political party leaders, jurists, and journalists, and reviewed carefully the contents of the references filed against Ms. Bhutto and her colleagues, complaints filed with the election commission and tapes of news programs.

On election day, the delegation remained in contact with the political parties. Delegation members sought to verify complaints by visiting the polling sites where there were potential or reported problems. In some cases the reports proved accurate, while in the majority of cases delegation members established that no problems existed.

In addition, more than 10 hours were reserved for debriefing sessions in which the reports of the functional and election day teams were drafted and presented to the entire delegation. In their reports, delegates emphasized different aspects of the process based on what they saw and heard in their assigned regions. The delegation

statement, however, reflected a consensus view based on a nationwide perspective.

Finally, NDI was aware that the responsibilities of the delegation did not end with the issuance of a preliminary assessment. Thus, the mission included observation of the Provincial Assembly elections and a continuous on-the-ground presence to review the complaints process. It is to these matters that I would like to now turn.

A 15-member team remained in Pakistan for the Provincial Assembly elections on Saturday, October 27. Even more than the National Assembly elections, these elections were marred by violence. Forty-one people were reported killed and scores were injured; casualties included supporter of all major parties. Many of the deaths and injuries were the result of local rivalries, but this does not mitigate the responsibility of government officials and political party leaders to create an environment in which human rights are protected.

In addition to observing the Provincial Assembly elections, the delegation also met with political party representatives to obtain further information regarding allegations of massive fraud in the National Assembly elections. There were many allegations presented by all parties, but particularly the PPP, some with very specific details. However, hard and fast evidence regarding massive fraud has yet to be documented and presented, but the process of collecting data that would form the basis for such claims is now underway.

An NDI representative continues to meet with the political parties and to follow the complaints process as prescribed by Pakistani law. During this past week, the election commission has held hearings regarding the most serious complaints presented by the different parties. The commission has the authority to take appropriate action, including the voiding of election results and the scheduling of new elections in particular constituencies.

According to information current as of Thursday, October 31, the Commission had scheduled hearings in eight cases involving National Assembly constituencies. One of these cases was dismissed following a hearing and the winning candidate officially proclaimed;

in the remaining cases, the commission has not yet reached a decision and the winning candidate has not yet been officially proclaimed. In addition, with respect to at least one Provincial Assembly election the Commission has ordered a repolling in approximately 21 polling stations.

Following the announcement of the official results, a second, more formal, complaints process is available. This involves the formation of election tribunals, which hear petitions filed within 45 days of the declaration of the official results. These petitions must include list of witnesses and supporting documents, and must be accompanied by a deposit. On Thursday, the Commission named the justices for seven election tribunals (three in Punjab, two in Sind, one each in the Northwest Frontier Province and in Baluchistan). The PPP has indicated that it plans on pursuing claims of fraud through the petition process, although this process may take anywhere from several months to one or two years.

In addition to monitoring the proceedings before these tribunals, the NDI representative is reviewing the tally sheets prepared by the returning officers for selected constituencies. The data on these tally sheets can then be compared to the results obtained by the party agents. However, the PPP acknowledges that it does not have tally sheets for many of the polling stations, thus making such comparisons difficult.

I would now like to report on the statistical analysis that we are conducting. By way of background, NDI's election observing experience has demonstrated the importance of focussing particular attention on the process of counting, tabulating and announcing the vote count. It is during this phase that wholesale fraud affecting the overall results can be committed. For this reason, NDI, in other countries where it has worked, encourages the use of parallel vote tabulations as a basis for verifying the official results of the election. However, as we discovered in 1988, no party or independent group in Pakistan was able to conduct an effective operation on a nationwide basis.

Recognizing this deficiency, in 1988 NDI relied on a statistical

analysis performed by Lee Feldman, president of Global Analysis, Inc., to evaluate the results. That analysis proved critical in refuting the allegation that requiring the presentation of identification cards at the polling site systematically disenfranchised large number of voters, thus depriving the PPP of an absolute majority in the National Assembly. The analysis showed that whatever disenfranchisement may have occurred did not have a disproportionate affect on any one party.

For the 1990 elections, NDI sought to use statistical analysis as a tool for identifying possible anomalies in the reported results. The statistical analysis developed once again by Mr. Feldman was meant to supplement the observations in the field and the qualitative analysis of issues relating to the campaign.

In brief, the following areas were reviewed: 1) an analysis of registration figures and voter turnout in 1990 by constituency as compared to 1988; and 2) a comparison of 1990 and 1988 voting results by constituency.

The data thus far shows the following (where we have complete data):

1. The number of registered voters in 1990 was 47,246,379, an increase of 1,040,334 from 1988;
2. The voter turnout in 1990 was 46.2 percent, an increase of 3.12 percent from 1988;
3. The range of turnout by constituency was considerably more varied in 1990 than in 1988 (i.e., in 1990, the standard deviation in turnout was 22.2 – the comparable figure for 1988 was 12.6);
4. In the 104 constituencies where the IJI won the elections, the average turnout was 48.9 percent;
5. In the 44 constituencies where the PPP won the elections, the average turnout was 41 percent;
6. In the 50 constituencies with the lowest margin of victory in 1988 (i.e., a margin of victory of less than 2,700 votes), the IJI won 17 seats, the PPP won two seats, and the remainder were won by candidates representing other parties or independents;

7. In the 10 percent of constituencies with the highest increase in registration, the IJI won four seats and the PPP won one seat;
8. In the 10 percent of constituencies with the highest increase in turnout, the IJI won eight seats and the PPP won six seats;
9. In the 10 percent of constituencies with the largest decrease in turnout, the IJI won 11 seats, the PPP won seven seats and the MQM won 11 seats.
10. In the 46 constituencies where the PPP won in 1988 and the IJI won in 1990, registration increased by an average of .5 percent (1,139 votes per constituency), turnout increased by an average of 9 percent, and the percentage of votes received by other candidates decreased by an average of 11.3 percent.

There are several hypotheses to explain this data. Some are consistent with a relatively fair election in which a major political shift occurred, while others could be used to support claims that fraud occurred. The statistical analysis alone does not support such a conclusion, but must be analyzed together with evidence presented by the political parties regarding specific constituencies. Through its on-site monitoring, the delegation is continuing to explore these matters.

Thank you Mr. Chairman.

**ELECTION COMMISSION ALLOCATION OF SYMBOLS
TO POLITICAL PARTIES
1990 GENERAL ELECTIONS**

MUSLIM POLITICAL PARTIES

	Name of Party/Group	Election Symbol
1)	Awami National Party	Lantern
2)	Islami Jamhoori Ittihad	Bicycle
3)	Pakistan Democratic Party	Umbrella
4)	Jamiat-ul-Ulema-Islam (Fazalur Rehman Group)	Book
5)	Pakistan National Party	Axe
6)	Haq Parast Group	Kite
7)	Baluchistan National Movement	Saw
8)	Jamiat-ul-Ulema-e-Pakistan (Noorani Group)	Ladder
9)	Jamiat-ul-Ulema-e-Pakistan (Niazi Group)	Tractor
10)	Sind National Front	Car
11)	Sind National Alliance (Hamida Khuhro Group)	Sewing Machine
12)	Jamhoori Wattan Party	Wheel

- | | | |
|-----|---|---------------|
| 13) | Peoples Democratic Alliance | Arrow |
| 14) | Pakistan Awami Tehreek | Clock |
| 15) | Pukhtun Khawa Milli Awami Party | Tree |
| 16) | Punjabi Pukhtun Ittehad
(Sarwar Awan Group) | Spectacles |
| 17) | Punjabi Pukhtun Ittehad
(Mir Hazar Khan Group) | Hockey |
| 18) | Hazara Front | Walking Stick |
| 19) | Pakistan Muslim League
(Qayyum Group) | Scooter |
| 20) | Pakistan Mazdoor Kissan Party
(Fatehyab Group) | Mountain |
| 21) | Jamiat ahl-e-Hadis | Telephone |
| 22) | Progressive Peoples Party Pakistan | Knife |
| 23) | Awami Tehreek (Palejo Group) | Bus |
| 24) | National Democratic Party | Flower Vase |
| 25) | Qaumi Inqilabi Party | Bulb |
| 26) | Jamiat ahl-e-Sunnat | Turban |
| 27) | Pakistan Muslim League
(Sh. Liaquat Group) | Lota |
| 28) | Baluch Ittehad Party | Suitcase |

29)	Pakistan Saraiki Party	Takhti
30)	Sind National Alliance (Hamid Jatoi Group)	Table
31)	Muhajir Punjabi Pathan Ittehad	Lock
32)	Saraiki Quami Ittehad	Ghulail

NON-MUSLIM POLITICAL PARTIES

	Name of Party/Group	Election Symbol
1)	Pakistan Christian National Party (Samson Manoa Group)	Chair
2)	Pakistan Christian National Party (Joseph Francis Group)	Spade
3)	Pakistan Masihi Ittehad	Ladder
4)	Pakistan Masihi League (Ajmal Group)	Umbrella
5)	Pakistan Masihi League (Hayat Group)	Scooter
6)	Pakistan Masihi Party	Car
7)	Pakistan United Christians Front	Bicycle
8)	Pakistan Iqiliati Rabata Party	Candle
9)	Ali Pakistan Christian Movement	Arrow

- | | |
|--------------------------------------|----------------|
| 10) Pakistan Christian Association | Saw |
| 11) Pakistan Minority Ittehad | Tractor |
| 12) Pakistan Christian Congress | Railway Engine |
| 13) Pakistan Minority Inqilabi Group | Axe |
| 14) Pakistan Hindu Party | Wheel |
| 15) Masihi Awami Party | Well |
| 16) Azad Masihi League | Turban |

IJI POLITICAL ADVERTISEMENT



Date: Oct. 19, 1990

RAWALPINDI

Page:

مہوٹے، ایک کو گولڈ میڈل کا سہانہ کر کے ہی بھٹو کی کم

پاکستان کو امریکی فوجی وسائل، پاک فوجی زنگام کے شوق و ستارہ جوت ہیں ان تقاضے کے خلاف کہہ کر ہی نہیں نضرت بھٹو نے آہم کردار ادا کیا

میری بیٹیوں کو نضرت بھٹو کی پیشکش!

گھوٹہ لے لو۔ گھڑی دے دو

ہمارا اتحاد

جان دے دیں گے۔ گھوٹہ پر آپ سب کو نہیں آنے دیں گے

پاکستان کے ایسی پروگرام ہی حفاظت کیجئے اسلامی جمہوری اتحاد مووٹ دیجئے

پاکستان کے آئی پروگرام کا مشن

اسلامی جمہوری اتحاد

اپنی قسمت آپ بنائیں

سائیکل پر سفر لگائیں

**SECTION 574(b) OF THE FOREIGN OPERATIONS,
EXPORT FINANCING, AND RELATED PROGRAMS
APPROPRIATIONS ACT, 1991
(THE MIKULSKI AMENDMENT)**

Notwithstanding any other provision of law, none of the funds appropriated by this Act under the headings "Economic Support Fund," "Foreign Military Financing Program," and "International Military Education and Training" may be available for Pakistan unless the President certifies, and so reports to the Congress, that

- 1) the state of emergency in Pakistan did not interfere in the fair conduct of National Assembly elections;
- 2) the Government of Pakistan held timely, free, fair, and internationally monitored National Assembly elections, open to the full participation of all legal parties and all legal candidates of those parties;
- 3) the proceedings of the Special Courts established on August 8 and August 21, 1990, did not interfere with the conduct of free and fair elections; and
- 4) the process of convening the National Assembly is progressing without interference.

**LETTER ALLEGEDLY WRITTEN BY PRIME MINISTER
BENAZIR BHUTTO TO PETER GALBRAITH**

MRS. BENAZIR BHUTTO
BIJANAL HOUSE
KARACHI.

Dear Peter Galbraith,

I don't know how to thank you, for your so many favours to me and my family.

As you know that the orders of my dismissal were drafted in the JAG branch of the GHQ, as it was not possible for me to pull along with the army and they subverted my Government.

I have already communicated to various friends in the congress and especially Stephen Solarz; to use their good offices with President Bush, so as to put maximum pressure on President Incha, and the army in Pakistan, that they do not disqualify me from the elections, as it will be unjust and negation of all democratic principles for which we have struggled.

It would be most appropriate if military as well as economic assistance to Pakistan is stopped, and all the international agencies like the World Bank, IMF are told to squeeze the Government of Pakistan, and if possible oil supply to Pakistan should be disrupted, so that normal life in Pakistan comes to stand still.

As long as I was the Prime Minister, I kept a check on the nuclear device, but now I do not know what are the plans of the Government.

The suspension of F-16 and its spares will bring the army to its senses.

Dear Peter, please use your influence on V.P. Singh the Indian Prime Minister, to engage the Pakistan army on the borders, so that they do not impede my way.


I wish Rajiv Gandhi had been the Prime Minister of India, things would have been easier.

Thanking you and with warm regards.


Sincerely yours,

Benazir Bhutto

SAMPLE VOTER ID CARD



حکومت پاکستان
شناختی کارڈ



BD 834849



 دستور پاکستان سہ ماہی۔













PHOTO OFFICE NO. 25-5-58

267	-55-	319	057	شناختی نمبر
رقیم کی سہیلی				نام
رحمت علی				والد یا خاوند کا نام
کچی کھڑکی گلی				موجودہ پتہ
گرت فروا مسجد باغیان لویہ لکھنؤ				مستقل پتہ
"الحق"				شناختی علامت
دکن ٹاؤن نزد خرم کاسٹان				تاریخ پیدائش
1955				تاریخ پیدائش

Assistant Director
LAKHORE.

۱- کارڈ گم ہونے کی صورت میں قریبی کسی رجسٹرڈ ڈسٹریکشن اور ڈسٹرکٹ ایجنٹ سے درخواست کی جائے گی۔
۲- گم شدہ کارڈ ملتے پر قریبی ایئر بس اسٹیشن میں ڈال دیں۔

SAMPLE BALLOT

NA-91 GUJRAT-II			
	شنزاد انور		پیر محمد افضل قادری
	عابد حسین سندھو		چوہدری احمد مختار
	گلزار احمد		چوہدری شجاعت حسین
	محمد عارف محمود		چوہدری صادق حسین
	مختار انور		خادم حسین قیصر
	مس ارشاد چوہدری		خضر حیات

SUKKUR AND GUJRANWALLA TEAM REPORTS

Chapter 5 summarizes the findings of the delegation teams based on reports filed by delegation members. The following two reports were also prepared by delegation members and are included to provide two kinds of information: additional information on the election process and an account of the methodology used by observers on election day. While these reports differ in style and content, both provide insight into the techniques used by election observers and the positive and negative events that characterized these elections.

REPORT OF SUKKUR TEAM

Members of team: Barnett R. Rubin (rapporteur) and Babacar Toure

Background: The team travelled to Sukkur district, which is a part of Sukkur division, which also includes Nawabshah district. Sukkur district includes three National Assembly constituencies. These are NA 151, including Sukkur town, on the right bank (west) of the Indus, and NA 152 and 153, both on the left bank (east) of Indus. Sukkur borders on the Bhuttos' home district of Larkhana and is generally considered to be part of the Bhutto-PPP stronghold in rural Sind.

The races were as follows: In NA 151 Islamuddin Shaikh, the relatively popular IJI mayor of Sukkur town (who has some support from the *muhajerin* in the town) was running against Khurshid Shah of the PPP. The MQM had withdrawn its candidate in favor of Islamuddin Shaikh. In NA 152, Sardar Ghulam Mohammad Meher, one of the largest landlords in Sind, was running as an IJI-type independent against Jam Saifullah, a young, relatively weak PPP candidate. In NA 153 Sadruddin Shah, the son of Pir Pagara, a local religious leader, was running against the PPP's candidate, Sardar Nur Mohammad Khan Lund.

The "caretaker" administration of Sind had originally ordered the transfer of the Deputy Commissioner (DC) of Sukkur district, Kamran Lashari. This transfer order was rescinded, however, and Lashari was still in place.

The team arrived at Sukkur airport at about 8:30 a.m. The team was met there by our four-member police escort. Soon thereafter the team was also greeted by Imdad Ali Awan, chairman of the PPP Sukkur district. We had arranged this with the PPP in Karachi the day before. We did not receive any escort from the Ministry of Information.

While we were waiting for our car and driver (who arrived shortly) Awan informed us of "rigging" that was taking place. He said (as reconstructed from notes):

Last night the IJI people attacked the polling stations. The official staff was made hostage. They snagged all the ballot papers and stamped all the ballot paper for the IJI candidate Ghulam Mohammad Khan Mcher in NA 152. This took place in Ghotki taluqa. The polling officers have lodged a complaint and an FIR has been lodged with the police. In NA 153, where the son of Pir Pagara is running against Sadar Nu Mohammad Khan Lund of the PPP, there are five polling stations where in the late hours of the night they made hostages of the staff and got the ballot papers. An FIR has been lodged and complaint made to the District Returning Officer [DRO] to be forwarded to the Election Commission. Also an FIR has been lodged at *thana* (police station) Mirpur Mathelo. In NA 152 6 polling stations were attacked. At least that is the sum of the complaints we have so far received. The FIR for Mithari polling station has been lodged with thana Ghotki. This information has been confirmed by the DC and DRO. The DRO is a district and sessions judge. The DRO has sent a report to the Election Commission.

In response to our questions, he noted that NA 151 has 172 polling stations and the other two constituencies about the same.

We next paid a call on the DC, Kamran Lashari. He informed us of the following, as reconstructed from notes:

At about 11-12 p.m., last night we got a message that polling

station number 48 in taluqa Ghotki had been pounced upon by armed people and the presiding officer and polling staff had been taken away. By sunset the night before the elections we had made them all be there. A skeleton security staff was also stationed there, but there were just one or two policemen and one or two auxiliary forces, about an average of three per polling station, and they were not armed properly.

The message came from the Assistant Commissioner of Ghotki. He was informed by the *thapedar* (revenue officer), who was there at the polling station. He slipped off and reached the sub-district magistrate. He informed him that armed people had come and forced the polling staff to stuff the ballot box. Then they blindfolded them and took them away.

I told him [the AC] to verify the report. So he went there with the police accompanied by the assistant returning officer, a civil judge. When they got there, they found the staff back. After the kidnappers had stuffed the ballot box, they dropped the staff back there. The AC took the staff to Ghotki and took their report. The FIR was registered with the local police station.

[As we were talking a telephone message arrived saying that four or five people had been killed in a clash in Adilpur, a town in Ghotki taluqa, but this later turned out to be a false rumor, based on a traffic accident in which two people were injured.]

Kamran Lashari continued:

In Ubauro taluqa of NA 153 at Rajenpur polling station and Sain Dino Malik polling station the same kind of thing happened. At Rajenpur – this was also last night, they kidnapped the staff, took the ballot boxes, and stuffed them. In the second case, they have not brought back the polling staff. In the first case they brought them back.

What is strange is that this kind of thing is happening in the areas where IJI is more powerful. You could infer that they do not trust their own voters. Sardar Meher is maybe the biggest landlord of Sind, but in previous years even his own tribe didn't support him.

Actually the Sardar spoke to me last night. He called after

these incidents occurred and apologized. He said he was sorry, he was sleeping, and some of these young people got out of hand.¹

Other attacks have been reported but not yet verified.

We then decided to follow-up on these comments by visiting the DRO. He said:

There were no attacks on the polling stations actually, but the polling staff was overpowered. The ballot papers were spoiled. They put the rubber stamp in favor of a candidate. I cannot say which candidate won. We ordered that these ballots should be sealed at once and not used for purpose of election. We have taken cognizance of both incidents and sent fresh ballot papers. These incidents occurred at polling station 48 to 40 in Ghotki. The cases are registered with the police and FIRs have been lodged. They have also been reported to the Provincial Election Commission in Karachi. They are being kept informed.

The team proceeded to Ghotki to inspect the polling stations that had been attacked (and also to see if there had in fact been a clash in which 4-5 people had been killed).

After about an hour's drive we arrived in the headquarter of the administration of Ghotki *taluqa*. Just before getting there we were met on the road by Jam Saifullah, the PPP candidate of NA 152, who wanted to direct us to the polling stations in question. He waited as we entered the office of the administration.

There we found the AC together with the ARO. Both tried assiduously to minimized the importance of what happened. They said:

¹ The next day, when I raised this incident with Jam Sadiq Ali, he said it was unfortunate, these thing had been done by Sardar Meher's son-in-law. It would be interesting to learn if the culprit identified with such certainty by the Chief Minister of Sindh has been arrested. — BRR.

No one has died at any polling station. All polling stations are operating normally. At Mithari (or Mithali)² polling station (number 48) the presiding officer of the polling station has put an FIR that he and two assistant presiding officers were kidnapped. Later they came back and they are conducting the election. We have arranged for new ballot papers. Also at polling station number 40 the presiding officer of the polling station has lodged an FIR that he and four APOs were kidnapped. They have returned and are conducting the election. In Adilpur there was some problem between parties and a speeding vehicle that caused minor injuries. But they exaggerate. One person was injured due to the speeding vehicle of a candidate and one due to retaliation with blows. [We never got further details of what finally seemed to be rather minor incident.]

The AC then drew us a map of how to get to some of the affected polling stations, and the PPP candidate lent us one of his followers as a guide. We proceeded to Mithari polling station, #48. To do so we proceeded down the main road through Adilpur, where things were calm, until we reached a *kachha* (unpaved) road branching off to the right. We followed this road between some dusty fields showing the stubble of the harvest, until we had to swerve off to the right in order to allow two vehicles of the Pakistan army, including a field unit of about 30 men with helmets on and rifles at the ready, who were returning from the polling station.

The polling station was building (apparently a schoolhouse) in the middle of an open space to the side of a small village. As we pulled into the space and got out of our vehicles a crowd of well over a hundred men surrounded us. They began shouting very angrily in Sindhi and showing identity cards which had apparently not been punched. This seemed to indicate that they wanted to vote but could not.

Then the polling staff led by the presiding officer came out of the building. The presiding officer was Jamil-ur-Rahman, an officer

² My aural impression is that the third consonant in "Mithari" is a retroflex liquid midway between r and l.

of the Habib Bank. The crowd became incensed when he arrived, and told me not to speak to him. One of them shouted, "Khalafi hai," meaning "He is an opponent," or "He is against us." Jamil-ur-Rahman said that this was not so. We quieted the crowd and assured them (in Urdu) that we were going to interview first the polling staff and then them. We asked them to cooperate by being orderly and quiet so that we could collect the facts, and they subsequently did so, more or less.

The presiding officer said that in the morning the men of Sardar Meher had come to the polling station. There were no polling agents present because they had been "hijacked" before the time of polling. He gave the names of the hijacked polling agents as: Mushtaq Ahmad, Amanullah Qabol, and Ali Abbas Nunari. He said that the army had been there about a half an hour before. It had conducted searches of some of the nearby houses, had found a rifle and a gun and made some arrests.

We then went inside the polling station, where we interviewed several members of the staff. They said that the night before they had been blindfolded and kidnapped by men commanded by a certain Ali Gul and his uncle. They came at 9:30 p.m., put all the polling materials and equipment in water and bound the eyes of the PO and APO. They then took them to an unknown house where they "put 700 votes out of the law." Afterwards they came back to the polling station after three hours. When they reached the polling station, they found that the SDM and others were present with the forces. They talked to them and promised to remove all problems. All the polling materials were gone.

One of the APOs or polling officers gave a long and somewhat disjointed account of the day's events. This official said that Hazar Khan Gozdar, a "helper" of Ghulam Meher, had hit him in the mouth. Meher's "helper," that polling official claimed, had said that the polling staff should put false votes into the ballot boxes or "we will kill you." One person put the stamp for Meher on the ballot papers. The official complained the government did not give weapons to the staff to defend themselves. The official also said that Ghulam Meher had come to the polling station with his helpers. When Meher and

his supporters saw the People Party polling agent Imam Bakhsh Qabol, they fired on him and kidnapped him. The official said that turnout was very low and that following the kidnapping of the PPP polling agent, PPP supporters had refused to vote.

The team then went back outside and found a couple of people who spoke Urdu, who explained about what had happened. They said that at 7:30 in the morning the men of Sardar Meher fired on the polling agents and wounded and kidnapped four people. They claimed that fake votes were being cast. The people (PPP supporters) were afraid to vote as long as there were no polling agent present. They feared the armed men of Sardar Meher would return. They were waiting outside the polling station in the hopes that they would eventually be able to vote. They said they would vote only if the army returned and guarded the polling station all day.

As these accounts were somewhat confusing, we asked for someone in the crowd who could write Urdu. When one man presented himself, we asked him to write an account of what had happened for later reference. At our request, he then read it aloud to the crowd for their comments, which led to his adding something at the end. A translation of what he wrote follows:

In the morning when the People's Party agents arrived at the polling station, they were fired on and kidnapped, and the People's Party supporters were not permitted to cast their votes. Until now the People's Party agent still has not come, and they have not been allowed to cast their votes. From the morning until now fake votes have been cast. If the fake votes are stopped, then we will cast our votes, and if not, we will not.

We promised to report what happened and asked advice from our guides and from the local people about which of the four or five nearby troubled polling stations marked on our map was the closest. They suggested one that was not on the map that was even closer, which was in a village called either Sher Meher or Khero Meher (perhaps these are just dialectical variants of the same name). In any case, we returned to the main road and turned right until we came to

a very large irrigation canal (about 10 meters across). We turned left off the road following a *kachha* road along the canal. Our police escort (who was a PPP sympathizer) told us that the entire canal and all the land we could see was the property of Sardar Ghulam Mohammad Khan Meher.

After a little while we reached a bridge crossing the canal that led to a narrower, muddy *kachha* road through some cane fields to the village. At the foot of the bridge, however, was gathered a crowd of peasants similar to the one we had just left. Furthermore, as we arrived, the same army unit we had seen earlier crossed the bridge toward us. It was composed of two jeeps and a vehicle drawing a large open wagon. Helmeted soldiers with rifles in guard position were seated around the edges. The floor of the wagon was covered with straw on which were the still, prone figures of about six men, who were covering their faces.

The conjunction of our two vehicles (our car and police jeep) with a white American, a Senegalese, and four policemen from Sukkur, a field unit of the Pakistan army, and a crowd of angry peasants created what was initially a rather confusing scene. We got out of the car and introduced ourselves to the commanding officer. Then we interviewed both some of the peasants and the officer.

The peasants were PPP supporters who were registered at the polling station up the road. They all took out their identity cards to show that they had not been punched, that they had not been able to vote. They said that three polling agents of the PPP had been kidnapped at Sher Meher polling station.

According to the officer, there were men with Kalashnikovs in the cane fields who were firing on the voters, preventing them from going to the polling station.

The six men in the wagon had been captured with Kalashnikovs in the cane fields by the army. Everyone present apparently believed that they were the agents of Sardar Meher. However, the would-be voters believed that there were many such left in the fields, and they were still afraid to vote.

As we were interviewing some of the peasants about these

incidents, an NCO with an artillery uniform became quite angry at them for telling us these things and started threatening one man, shouting at him. "Who are you? Why are you talking?"

Our police escort assured us that the remaining gunmen would not fire at us but only at PPP voters, so we climbed into the jeep and crossed the bridge.

When we arrived in the village, we found the polling station set up in the schoolhouse on the village square. There was a small crowd standing there, but the atmosphere was quite unsettled, as the army had just come through. People were very reluctant to talk to us and not too happy to see us. Our police escort explained to us that this was the home village of Sardar Meher or at least of a major part of his tribe. He also told us (later) that the village police had threatened him (in Sindhi), saying (as he translated into Urdu), "If you keep telling these things, we will attack you."

In the polling station we found a quite unsettled atmosphere. The ballot box was sitting in the middle of the floor, rather than in the polling booth. According to the presiding officer, "The army officers were angry with us. They asked us why we did not keep the ballot box in the proper place. I explained that the ballot box was being kept by somebody, in his custody. I was engaged with the forms, which is lengthy work." We were unable to figure out exactly where the ballot box had been kept, but we saw that there was a window right in the polling booth through which tampering might have occurred. In this tense atmosphere it proved impossible for us to get a clear answer about what was happening. We noted that the outside walls of the polling station were covered with election posters for Sardar Meher.

We asked about the polling agents. The polling agent of Sardar Meher was present, but not of the PPP. We were told that a PPP polling agent had come on a motorcycle and then left.

We then returned by the same route by which we had come and found the crowd of PPP supporters still gathered around our car. They urged us to report the *bara zulm* (great oppression) that was taking place.

We then returned toward Ghotki. We had passed what looked like a peaceful functioning polling station on the main road, so we returned to it. This was polling station 49 in the government high school, Adilpur.

In the men's polling booth we found all the polling agents present and apparently cooperating. We also visited two women's polling booths, where the staff was male. Women polling agents were present, but they kept their faces partially covered not only from us but apparently from the male polling staff, and did not appear to be involved very much with the process. They seemed quite withdrawn. In any case, there were few or no voters in the women's polling booths. We were told that there were no challenged votes and no tendered votes. We did not observe any conflicts or disputes.

Outside at the PPP camp we met the brother of Jam Saifullah, the PPP candidate, who told us that there were 18 polling stations where "bogus" votes were being cast and where there were no PPP polling agents. But Adilpur was Jam Saifullah's home town and Sardar Meher could not do this there. He told us that some of the kidnapped and subsequently released PPP polling agents were nearby, in Jam Saifullah's house. He led us there through the streets of Adilpur. In the house there was a crowd of people. We were introduced to a number of people alleged to be previously kidnapped PPP polling agents. Others with gunshot wounds or other serious injuries, we were told, were in the hospital in Ghotki. One present was Mohammad Hayat. Another was Imam Bakhsh Qabol, the man whose name had been given to us at Mithari. He had a large gash under his right eye which they said was from a Kalashnikov.

It was now about 2:30, and we decided to return to Sukkur town and NA 151, to see what was going on there. Our first stop was in the old city of Sukkur, polling station number 19 in the Office of the Deputy Director of Fisheries. We had been told by a PPP official we had met when we came back to Sukkur that there was "massive rigging" going on here, but all the polling agents were present, and they had no complaints. There were no tendered or challenged votes. In the men's polling booth, there were 1,839 registered voters of

whom about 1,000 had voted. In the women's booth there were female staff at work and women polling agents from all the parties, including two factions of the IJI. There were 1,450 registered voters in this booth. No polling was going on while we were there, and we failed to get turnout figures. Here too there were no complaints.

At this point our driver complained that it was getting toward closing time of the polls, and he had not yet been able to vote. So we asked him to take us to his polling station, which was in the new city of Sukkur. After crossing the city, we arrived at a large complex of government buildings. These included five polling stations, numbers 39, 40 and 41 for men and numbers 42 and 43 for women. In all there were 6,304 voters registered at these polling stations.

On our way into the polling station, followed by a growing crowd, a Baluch man came up to me and asked in Persian if I was Iranian. While I said that I was American, but that I did speak some Persian, he began telling me a complicated story in Persian about how someone was giving money to someone else in order to corrupt the electoral process. I couldn't make out exactly what the gist of his claim was, and this was one story I decided not to take the time to follow up.

One IJI outside the polling station. (In NA 152 there was no IJI candidate, and we had hardly spoken to them all day.) We spoke to an elderly man who said:

In this polling station the PPP-PDA is casting many bogus votes and mistaken votes. There is army interference. There are bogus ID cards. They have used them and they also try to start quarrels between locals and refugees. They tried to stop the polling by making clashes.

He also had a complaint about police on duty at polling station 52 and 52. We were unable to understand precisely what the complaint was. He said they had informed Col. Mohammad Ishaq Khan, who is in charge. He had intervened and stopped it.

Inside the polling station we spoke to another IJI polling agent. He said that there were 900 (registered) voters in his booth, but that

the turnout had been very low. Only 252 votes have been cast. When they did come to vote, he complained that 75 percent had name differences between the ID card and the electoral roll.

Then the APO became agitated and tried to stop the polling agent from talking. He said, "He is not telling the truth. We have accepted all voters. In my view the polling has been fair in all means. All the agents of parties are satisfied, and there are no tendered or challenged vote." We noticed, however that this APO was not accepting such votes. We saw at least one man coming with an ID card that did not match the roll who was more or less summarily shoved out the door.

And we spoke to the PPP polling agent who said:

There is pressure from the caretaker government on the polling officers. This seat is a tough seat. The MQM has withdrawn their candidate in favor of the IJI because these parties are both opposed to PPP. They have polling lists with many wrong names. If one letter is missing from a name, the vote will be rejected. We were provided with an incomplete list of voters. They have got two people in this polling station working for the MQM. One person has voted three times – he is a worker of the MQM. The PPP polling agent challenged the ballot, but the presiding officer did not accept challenged ballots.

While this was going on, one of the polling officers was trying to get him to stop speaking to us.

We then witnessed the counting of three ballot boxes, which appeared to take place normally, in the presence of all polling agents. The results of the three boxes were: IJI (Islamuddin Shaikh) – 406; PPP (Khurshid Shah) – 320. Plus some votes for JUI (Fazlur Rahman), and some others, and five votes for Hindu and Scheduled Caste candidate Walter Herbert. These were all male polling booths.

Back in our hotel we telephoned Imdad Ali Awan of the PPP to thank him for his assistance in the morning. We told him what we had seen. According to him, there had been more "rigging" of the

type we had seen in NA 152 (Ghotki - Pano Akin) in NA 153, where Pir Pagara's son was running against Sardar Lund of the PPP. He also said that there was rigging going on in Larkhana 3, Shikarpur 2, and in Sanghar, where Chief Minister Jam Sadiq Ali's son was running. He emphasized that in latter there was "a lot" of rigging. The day in our meeting with him in Karachi, Jam Sadiq Ali claimed that there was a lot of PPP-initiated violence in Sanghar, including a firing on his son.

Around 11:30 that night we went to try to find the DC and see what happened elsewhere. Our car was unavailable, so we went out in the street and more or less stood there until a passing motorist picked us up. He took us to the home of the commissioner of Sukkur division, where we found the Commissioner, Deputy Commissioner Kamran Lashari, and a commander of the police rangers.

Lashari asked us how our day had gone. We told him what we had seen, and he appeared to be surprised. He was under the impression that order had been restored in Ghotki, and he did not realize that the polling agents had been kidnapped. We gave him the written Urdu statement to read.³

The three officers present were receiving telephone calls giving them information on the law and order situation (which was now generally calm) and on the election returns. They told us what they were hearing. While we unfortunately did not take notes on these results (which we imagined were definitive), we later compared our recollection of these events, and we are in agreement that we remember hearing the following two statements:

1. The PPP had carried all three seats in Sukkur district. This

³ The next morning when we called on him to offer our thanks and take leave, he said that he was concerned over the provincial elections, as Ghotki was a separate constituency there, and the rigging might affect the outcome. He said he was thinking about moving the polling station closer to the main road so that they would be more accessible to police. We have no information on what happened in the provincial elections.

includes NA 153, where the son of Pir Pagara, Sadruddin Shah, was running against the PPP.

2. Asif Ali Zardari had defeated Murtaza Jatoi in Nawabshah.

The next day in Karachi we were surprised to read in the newspapers that Murtaza Jatoi had been declared the winner in Nawabshah by the Election Commission in Islamabad. We were also surprised to hear from Jam Sadiq Ali that the son of Pir Pagara had won in NA 153.

REPORT OF GUJRANWALLA TEAM

Team Members: Peter Katjavivi, Gina Giere and Peter Hatch (rapporteur)

Having observed the opening of the Poll at Francis High School in constituency NA 96 in Lahore we travelled approximately 70km toward Gujranwala. In and around Gujranwala, we visited polling stations in NA 74, NA 75, NA 76 and NA 81.

The road to Gujranwala was busy with traffic including numerous vehicles conveying electors to and from the polling stations. We passed a number of polling stations on the way and observed that there was a lot of activity outside the premises. The activity was particularly heavy in the vicinity of the party agents tables, which had been set up at the roadside.

At these tables, we could see party workers issuing voting slips in what appeared to be an orderly manner. The atmosphere seemed relaxed and carefree; it had the feeling of a holiday. People appeared to be enjoying themselves and making the most of the occasion. There was military/police presence, but had it been intrusive it seems likely that the atmosphere would have been quite different.

At most polling stations visited, the presiding officers and assistant presiding officers were following the stipulated election procedures. Electors also were generally familiar with these procedures. In addition, we observed that the ballot boxes were properly sealed and that despite the somewhat makeshift polling compartments (i.e., a table or chair behind a curtain in a corner of the polling room) the secrecy of voting was maintained. The ID card

system seemed to work well. The team saw examples of ID cards used in previous elections that had been punched and spoke with women who were able to vote even though their cards still carried their maiden names. With only one exception, voting at both male and female polling stations was orderly and regular. This exception was at the women's polling station number 100, in constituency NA 76, where the situation was chaotic. The female presiding officer did not appear able to exercise her authority. She did not control admittance to the polling station room and was unable to quiet the crowd of women within the room who appeared eager to cast their votes. The unwillingness of the police officer present to intervene did not improve the situation.

The team noted that without exception the election officials, party agents inside the polling stations and party workers at the tables outside the stations were courteous, helpful and willing to answer questions. The team found the voters curious, friendly and on no occasion threatening.

Turnout was difficult to estimate given the small number of sites visited. At some polling stations turnout seemed quite low. At two polling stations in NA 74, which had 500 and 424 registered voters, for example, only 70 and 40 votes respectively had been cast by 12:30 p.m. The presiding officer reported that the voters had to travel some distance and he expected many more voters later in the afternoon. At polling station number 110 in NA 81, however, the presiding officer reported that there had been a large turnout between 10 a.m. and midday with over 50 percent having voted by early afternoon.

The team is very cognizant of the limitations of its observations. Based on the sites visited, however, the team concluded that the election was being conducted in accordance with the election rules and in a generally open and orderly manner. The team received no complaints concerning the polling arrangements and most voters interviewed seemed to believe that the arrangements were better than in 1988.

REPORT OF "ELECTION CELL" ACTIVITIES

FOLLOWING FROM SECRETARY TO CHIEF MINISTER OF BALUCHISTAN QUETTA BEGINS. ELECTION CELL HAS BEEN ESTABLISHED IN CHIEF MINISTER SECRETARIATE(.) FOLLOWING ACTIONS ARE TO BE TAKEN BY YOUR CONCERNED STAFF(.) (1) REPORTS OF ALL POLLING STAFF AND LAW ENFORCING AGENCIES TAKING THEIR POSITION TO BE COMMUNICATED BY A.N OF 23RD OCTOBER 1990(.) (2) COMMENCEMENT OF POLLING ON ALL STATIONS ON THE ELECTIONS DAY I.E. 24 24TH OCTOBER TO BE REPORTED PROMPTLY(.) (3) TWO HOURLY SITUATION REPORTS ON LAW AND ORDER SITUATION TO BE COMMUNICATED TILL FINALIZATION OF POLLING(.) (4) PROGRESSIVE UN-OFFICIAL RESULTS ALSO TO BE PROMPTLY COMMUNICATED AS THE SAME ARE RECEIVED(.) (5) NAME OF DUTY OFFICERS WITH TELEPHONE NUMBERS MAY BE IMMEDIATELY INTIMATED(.) (6) COMM TO BE MADE ON FOLLOWING TELEPHONE NUMBER(.) (A) QUETTA AND LORALAI DIVISION 7310(.) (B) SIBI AND NASIR ABAD DIVISION 73155(.) (C) KHUZDAR/MEHRAN DIVISION 73107(.) KINDLY ACKNOWLEDGE RESULT OF THIS WIRELESS MESSAGE AND ENSURE COMPLIANCE(.) ENDS(.) PLEASE ENSURE SUBMISSION OF TWO HOURLY REPORT ON LAW AND ORDER SITUATION AND PROGRESSIVE UN OFFICIALS REPORTS AFTER THE ENDS OF POLLS TO THIS OFFICE FOR ONWARD TRANSMISSION TO QUARTER CONCERNED(.)

LETTER GIVEN TO NDI QUETTA TEAM
24 OCTOBER 1990 (Retyped verbatim)

Following from Secretary to Chief Minister of Balochistan Quetta begins. Election Cell has been established in Chief Ministry Secretariate(.) Following actions are to be taken by your concerned staff(.) (1) Reports of all polling staff and law enforcing agencies taking their position to be communicated by A.N of 23rd October 1990(.) (2) Commencement of Polling on all stations on the elections day i.e. 24th October to be reported promptly(.) (3) Two hourly situation reports on law and order situation to be communicated till finalization of polling(.) (4) Progressive un-official results also to be promptly communicated as the same are received(.) (5) Name of duty officers with telephone numbers may be immediately intimated(.) (6) Communication to be made on following telephone number(.) (A) Quetta and Loralai division 731 (illegible) (B) Sibi and Nasir Abad division 73155(.) (c) Khuzdar/Mekran division 73107(.) Kindly acknowledge receipt of this wireless message and ensure compliance(.) Ends(.) Please ensure submission of two hourly reports on law and order situation and progressive un official reports after the ends of polls to this office for onward transmission to quarter concerned(.)

**RESULTS OF 1990 NATIONAL ASSEMBLY ELECTIONS
BY PARTY AND REGION**

	PPP	IJI	MQM	ANP	JUI/F	IND	Others	TOTAL
Punjab	14	92	--	--	--	6	3	115
NWFP	5	8	--	6	4	3	--	26
Sind	24	3	15	--	--	4	--	46
Baluchistan	2	2	--	--	2	--	5	11
TOTAL	45	105	15	6	6	13	8	198

Source: *HERALD*, 1990

**RESULTS OF 1990 PROVINCIAL ASSEMBLY ELECTIONS
BY PARTY AND REGION**

	IJI	PDA	PDP	MQM	ANP	JUI	JWP	PMP	BNN	PKMAP	IND	TOTAL
Punjab	216	10	2	--	--	--	--	--	--	--	12	240
NWFP	29	8	--	--	22	2	--	--	--	--	17	78
Sind	6	46	--	28	--	--	--	--	--	--	20	100
Baluchistan	7	1	--	--	--	6	9	5	2	2	--	32
TOTAL	258	65	2	28	22	8	9	5	2	2	49	450

Source: *HERALD*, 1990

METHODOLOGY FOR STATISTICAL ANALYSIS

Introduction

The vote casting and counting processes are critical elements of a free and fair election. With this in mind, the statistical analysis sought to determine the extent to which "unusual" activity in these processes indicated an attempt to alter outcomes through manipulation and thus create a situation wherein the spirit, if not the substance, of a free and fair election was violated. However, the results of the statistical analysis were not, in and of themselves, sufficient to provide more than an indication of irregularities.

The statistical analysis evaluated patterns of behavior, and permitted vote totals to be investigated for internal consistency. The analysis was designed to permit identification of several possible types of fraud, including: disenfranchisement of voters; gross ballot box stuffing; systematic additions of votes through targeted polling stations and subtle stuffing (for example at the use of fraudulent ID cards); and other irregularities.

The statistical analysis also enabled a categorization of constituencies. This categorization provided a presumptive indication of the fairness of the *vote casting* and *counting* component of the election.

Preparation for Analysis

During the two weeks prior to the elections, a template for the analysis process was created. This included review of the 1985 election results, data entry of 1988 election results into a spreadsheet, and development of a specialized database program, which provides a facility for various statistical measures, clustering and graphing of the election results.

Prior to the elections, the statistical team interviewed Election Commission officials, party officials and others to ascertain the mechanisms of the election and anticipated problems. On election night, one member of the team stayed at the Election Commission control room and, working directly off the Urdu documents, received

results contemporaneous with the Election Commission. As they became available, results were entered into the computer systems used by the statistical team.

The team also investigated several "back rooms" at the Election Commission where tallying was taking place to ascertain the time lag between results being called in from returning officers and summed tally sheets being presented to the Election Commissioners. There was nothing particularly unusual about the count as compared to our experience of 1988 and the delays experienced in collecting the information were, for the most part, similar to the delays encountered in 1988.

Data Collection

The statistical team collected data from the 206 single-member muslim constituencies contested on October 24 and compared the data with corresponding data from the 1988 elections. Specifically, the team investigated changes from 1988 with respect to the following factors:

- Registered voters;
- Votes cast and voter turnout;
- Increases (decreases) in votes by the winning, runner-up and third-party candidates;
- Number of votes garnered by the winning candidate from third-party and runner-up candidates;
- PDA votes cast as a function of a predicted apportionment of increased voter turnout;
- PDA votes cast and, where relevant, the decrease in predicted PDA votes cast (this is referred to as PDA vote erosion);
- A cluster analysis of voter turnout, votes cast for major parties, third-party phenomena and rejected votes; and
- A comparison between constituencies for turnout, victory margins and other factors.

Basis for Analysis

Several factors and analytical techniques were used to determine the appropriate classification for each constituency. Because of the sensitivity of the undertaking, the criteria used are fairly conservative and include the following:

- Constituencies where the 1990 turnout was 15 percent greater than the 1988 turnout
- Constituencies where the erosion of the 1988 PPP vote was greater than 15 percent, but less than 25 percent
- Constituencies where the erosion of the 1988 PPP vote was greater than 25 percent and less than 40 percent
- Constituencies where the erosion of the 1988 PPP vote was greater than 40 percent
- Constituencies where the winning party may have secured 100 percent of the increased voter turnout plus decreased PDA vote (accounting for changes in third-party vote).

These factors were evaluated in combination. Thus, a constituency that had an increased turnout in excess of 15 percent AND an erosion of the PDA base of 24 percent would be rated as more unusual than a constituency with only a PDA erosion of 24 percent. A direct analysis of the erosion of the PDA base from 1988, however, was complicated by the fact that the PPP was not in a coalition in 1988 as it was in 1990.

In those constituencies where there was an increase in voter turnout, two methods for evaluating the erosion of the PDA base were established: (i) erosion assuming that none of the increased vote turnout went to the PDA candidate; and (ii) erosion assuming that a portion of the new vote turnout equal to the ratio of the PDA share of all votes (in constituency) went to the PDA candidate.

Finally, the following criteria were applied to assign the specific classification types for each constituency:

- A decline in the PDA base of more than 25 percent was considered highly unusual and indicated that there may have been irregularities;

- A decline in the PDA base of less than 25 percent but greater than 15 percent, *where* the winner appeared to have secured all of the available new votes – i.e., a) increased voter turnout, b) lost third-party votes and c) lost PDA votes – was considered to be an indication of possible irregularities, while recognizing that such a combination of events could also be the result of coordinated political activities; and
- A decline in the PDA vote of less than 25 percent where the factors listed above were not present was considered a constituency where the statistical analysis did not demonstrate possible irregularities, although there may have been manipulation that was not identifiable through the statistical analysis.

It is important to note that even in those constituencies where there are reasons to question the electoral process, it is not possible to assume that the runner-up party would have been the victor. In these constituencies, the statistical analysis simply cannot be used to determine which candidate would have been the winner. Therefore, only in a conjectural manner, can the statistical analysis be used to ascertain the extent to which the existence of election irregularities might have affected the number of seats held by any given party.

Analytical Premises

The basic premise of the analysis is that useful information can be extracted from a comparison of the behavior of constituencies in 1990 to the behavior of constituencies in the 1988 elections. While this is fundamentally true, several phenomena introduce an element of uncertainty into the analysis:

- In any given 1988 constituency, undetected fraud could have occurred which would diminish the value of a comparison to 1990 as (i) the fraud might be repeated and therefore no significant change in behavior would be noticed or (ii) the 1990 results might artificially look unusual despite the fact that they more honestly reflect a fair result.

In light of the above statement, it is useful to note that if the 1990 election results were used as the base year, and then compared with the 1988 election results, there would be many constituencies with reduced turnout and increased PPP vote totals. Thus, in 1988 the PPP might appear to have won many constituencies by a margin that was suspiciously large, and IJI might look like the victim of systematic disenfranchisement. While most analysts would agree that the PPP's 1988 victory was attributable to political causes rather than rigging, there is a degree of speciousness to the premise that 1988 is the only baseline for comparison (many analyses have made this assumption).

- In 1988 the PPP, for valid political reasons, may have secured votes from a large number of "swing" voters. For this purpose, swing voters are defined as voters who vote for a party, but are not necessarily party loyalists and thus are more likely to change party affiliations.

For example, one might assume that the Pakistan electorate consists of 40 percent loyal IJI supporters, 40 percent loyal PPP supports and 20 percent swing voters. The 1988 results might then reflect the PPP obtaining, in any given constituency, a portion of the 20 percent swing voters (e.g., 50 percent). This would give the appearance of a PPP loyalist base that is larger than it is in fact. When, in 1990, these PPP swing voters changed affiliation to the IJI, it would appear that a portion of the loyal PPP partisans had (i) changed affiliation or (ii) been somehow disenfranchised. To account for this problem, the decline of PPP vote is not considered significant unless the decline is "dramatic" (this being a less than scientific concept).

- The statistical analysis was conducted, for the most part, without the benefit of qualitative substantiation that effective detection mechanisms would have provided. This significantly altered the tenor of the analysis: fraud or manipulation could only be suspected, but could not be conclusively proved. In order to make more definitive statements regarding the 1990 elections, much more data would have to be collected (including individual

polling station data) and processed to ascertain, with more definition, what occurred in the problem constituencies.

- Different kinds of fraud require different levels of sophistication and coordination. No quantitative system, for example, would detect a sophisticated election cell which, upon completion of the vote tally, decided to add only enough votes to affect a change in the outcome.

In Pakistan, there are systems (theoretically) in place to deter such manipulation provided that the safeguards (in this case polling agents and tally sheets) are in place and are unfettered. Unfortunately, it may be the case that the party organizations (upon whom the onus of detecting and demonstrating fraud falls most heavily) may not be capable of meeting the challenge of demonstrating gross fraud.

OBSERVATIONS ON STATISTICAL ANALYSIS

Voter Turnout

Voter turnout was analyzed at several points in time. Initially, with only a few of the constituencies reporting in during the night of the election, an estimate of turnout projected national turnout of 38 percent. Subsequently, by midday the following day, with more constituencies reporting, national turnout was estimated at 44 percent. This apparent discrepancy is likely the result of legitimate aspect of the vote tabulation and data collection process. Nonetheless, it is possible that this could have resulted from certain irregularities, but we have no corroborating information to this effect.

Third-party Phenomena

The statistical analysis demonstrates that the IJI was, for the most part, successful in consolidating its support by eliminating or coopting powerful third-party candidates. Consequently, the IJI was able to garner a substantial portion of the votes that previously went to strong third-party candidates in 1988. The table on page 99 shows, for all constituencies, the difference in 1990 IJI votes (from 1988) compared to the difference in votes garnered by third-party

candidates. As can be seen, in most constituencies won by the IJI, the increase in IJI votes was mirrored by a corresponding decrease in third-party votes.

Problem Constituencies

There were also constituencies where the IJI vote was not the result of reduced third-party votes. In some of these constituencies, the results can be explained politically (e.g., a weak PDA candidate or a switch in party affiliation of a popular candidate). However, there are those constituencies that, based on a surface analysis of the numbers, suggest some "interesting" phenomena. The following example demonstrates how an unusual phenomenon could possibly be indicative of irregularities, but is not necessarily the result of irregularities.

In NA 1 (Peshawar), where the 1988 winner (PPP) flipped to the 1988 runner-up (ANP), the following data provided the basis for analysis:

- There were 96,516 votes cast (10,280 more votes from 1988 cast for an 11.92 percent change);
- The ANP received 15,286 more votes than it did in 1988 (a 42.5 percent change);
- Given the ratio of votes won by ANP to the votes won by PDA, the PDA should have (and may have) garnered 4,149 of the new votes cast (i.e., as a result of increased turnout);
- The PDA lost 5,707 votes as compared to 1988, representing a loss of 13 percent of their 1988 vote; and
- Third parties gained 701 votes.

There are two possible scenarios:

1. The ANP managed to secure 100 percent of the new votes cast (10,280) plus 13 percent of the PDA base (5,707), except for 701 votes that went to third parties; or
2. The ANP garnered 59 percent of the new votes cast (6,131) plus 22 percent of the PDA base (9,856), except for 701 votes that went to third parties.

Scenario 2 is more realistic, although scenario 1 is also possible. Thus, this constituency is categorized as one where irregularities may have occurred thus resulting in uncertainty about the results, notwithstanding that there may be a legitimate political explanation for these numbers.

Voter Registration and Political Organization

In light of the dramatically increased voter registration rolls (especially in the Sind), one might draw the conclusion that this election was characterized by significantly more organization by the IJI than was the case in 1988. The post-election "confusion" and the PDA's inability to effectively substantiate claims of widespread irregularities provides a further basis of support for the theory that the PDA simply encountered well-organized political opponents. Of course, this high level of organization also could have expressed itself through sophisticated and subtle rigging, but, except as noted, this does not appear to be the case.

Conclusions

The statistical analysis of the 1990 elections is far from definitive. However, after some initial problems with inaccurate or incomplete data were corrected, the analyses revealed no significant underlying trend which was indicative of massive, centrally organized fraud.

Since Pakistan uses a parliamentary system, aggregate analysis of nationwide turnout, victory margins or other factors are not of great significance. It is more important that the analysis accurately reflect the behavior of individual constituencies. Nonetheless, the overall analysis of the 1990 election results supports the conclusion that, for the most part, the election appears to accurately reflect the will of significant portion of the electorate.

The most significant pattern that emerged was the reduction in votes for third-party candidates votes in constituencies where either the IJI or PDA candidate was the winner. In 15 percent of the constituencies, the PDA vote erosion was sufficiently significant, either by itself or in conjunction with other factors, to raise questions regarding the integrity of the results. However, even in these 15

percent of the constituencies, the results could be explained by coordinated political activity.

It is evident from these elections that the mechanisms currently in place in Pakistan that are designed to detect irregularities are far from perfect. While there are procedures in place to deter vote fraud, the mechanisms designed to detect fraud are far less robust. Furthermore, the onus to present evidence of irregularities rests entirely with a complaining party. The Election Commission has no system, nor any apparent interest in establishing an independent capability, to detect irregularities contemporaneously with the vote casting and counting process. If such a system existed, it would act as a significant additional deterrent to fraud. The absence of adequate concurrent detection is a major deficiency in the process and needs to be addressed.

Without the infrastructure of a coordinated policing of the process, the evidence collected by observer missions and the allegations lodged by aggrieved, but inefficient, party organizations is inadequate to characterize this, or future, elections. The fact data from these elections suggests that irregularities may have occurred in more than a few constituencies is evidence that extant safeguards are not adequate. The consequences of these systemic inadequacies could, in the future, erode the foundation of trust necessary for free and fair elections.

STATISTICAL ANALYSIS

Note: Pages 208-218 provide a district-by-district review of the 1988 and 1990 winners and the 1990 results. Pages 219-229 provide a district-by-district analysis of the vote erosion phenomenon.

DISTRICT NAME	1990		1990		1988		1988		1990		1990		1990 3RD
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	1990	1990	1990 2nd VOTES	1990 3RD PARTY VOTES	
1 PESHAWAR 1	ANP	PDA	PPP	ANP	ANP	ANP	51,233	38,951				6,332	
2 PESHAWAR 2	ANP	PDA	PPP	ANP	ANP	ANP	31,222	19,137				14,935	
3 PESHAWAR 3	ANP	PDA	PPP	ANP	ANP	ANP	38,730	19,977				24,142	
4 PESHAWAR 4	ANP	PDA	PPP	ANP	ANP	ANP	38,389	25,722				18,642	
5 CHARSDDA	JUI (F)	ANP	ANP	ANP	LJI	LJI	66,452	52,929				4,586	
6 MARDAN 1 (RESULT CHANGED)	ANP	PDA	PPP	ANP	ANP	ANP	35,880	23,616				23,007	
7 MARDAN 2	LJI	IND	JUI (F)	PPP	PPP	PPP	37,452	24,813				22,595	
8 SWABI	ANP	PDA	ANP	LJI	LJI	LJI	51,909	28,750				35,025	
9 KOHAT	PDA	LJI	LJI	PPP	PPP	PPP	28,015	26,576				34,565	
10 KARAK	IND	LJI	JUI (D)	LJI	LJI	LJI	27,866	14,684				13,784	
11 ABBOTTABAD 1	LJI	IND	IND	LJI	LJI	LJI	64,541	31,754				3,176	
12 ABBOTTABAD 2	LJI	IND	LJI	IND	IND	IND	43,764	29,247				14,269	
13 ABBOTTABAD 3	LJI	PDA	LJI	PPP	PPP	PPP	52,923	30,970				13,656	
14 MANSEHRA 1	IND	LJI	IND	IND	IND	IND	34,787	31,457				25,380	
15 MANSEHRA 2	LJI	IND	IND	IND	IND	IND	19,109	16,115				23,716	
16 MANSEHRA 3	JUI (F)	IND	CANC	CANC	CANC	CANC	13,556	10,684				12,458	
17 KOHISTAN	JUI (F)	IND	LJI	LJI	LJI	LJI	7,752	4,607				13,274	
18 D. I. KHAN	PDA	JUI (F)	JUI (F)	LJI	LJI	LJI	64,533	52,890				41,245	
19 BANNU 1	JUI (F)	PDA	JUI (F)	LJI	LJI	LJI	28,471	12,519				17,201	

DISTRICT NAME	1990		1988		1990		1990		1990 3RD	
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	1990 VOTES	1990 VOTES	1990 VOTES	(TOTAL)
20 BANNU 2	IJI	JUI(F)	IJI	JUI(F)	38,877	34,322			3,769	
21 SWAT 1	IJI	JUI(F)	CANC	CANC	24,891	17,480			32,037	
22 SWAT 2	IND	IJI	IJI	ANP	18,972	18,716			32,275	
23 SWAT 3	PDA	IJI	PPP	ANP	32,515	28,080			28,813	
24 CHITRAL	IJI	PDA	PPP	IJI	35,269	20,628			9,557	
25 DIR	PDA	IJI	IJI	PPP	28,533	27,147			13,085	
26 MALAKAMD P.A.	PDA	IJI	PPP	IJI	30,920	29,037			31,801	
27 TRIBAL AREA 1	IND	NONE	IND	IND					0	
28 TRIBAL AREA 2	IND	IND	IND	IND	607	548			109	
29 TRIBAL AREA 3	IND	IND	IND	IND	967	966			0	
30 TRIBAL AREA 4	IND	IND	IND	IND	494	281			249	
31 TRIBAL AREA 5	IND	IND	IND	IND	536	396			58	
32 TRIBAL AREA 6	IND	IND	IND	IND	842	639			1,912	
33 TRIBAL AREA 7	IND	IND	IND	IND	2,080	794			221	
34 TRIBAL AREA 8	IND	IND	IND	IND					0	
35 FEDERAL CAPITAL	IJI	PDA	PPP	IND	56,795	43,467			8,588	
36 RAWALPINDI 1	IJI	PDA	IND	IJI	80,305	54,011			1,924	
37 RAWALPINDI 2	IJI	PDA	IJI	IND	75,784	54,753			11,796	
38 RAWALPINDI 3	IJI	PDA	IJI	PPP	78,107	54,701			8,358	

DISTRICT NAME	1990	1990	1988	1988	1990	1990	1990	1990	1990 3RD
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	2nd VOTES	2nd VOTES	PARTY VOTES (TOTAL)
39 RAWALPINDI 4	IJI	PDA	PPP	IJI	87,829	57,130			6,383
40 RAWALPINDI 5	IJI	PDA	IJI	PPP	78,530	63,021			1,662
41 ATTOCK 1	IJI	PDA	PPP	IJI	71,134	47,920			5,531
42 ATTOCK 2	IJI	PDA	PPP	PAI	68,458	55,174			38,607
43 CHAKWAL 1	IJI	PDA	IJI	PPP	79,873	60,902			9,592
44 CHAKWAL 2	IJI	PDA	IJI	PPP	79,239	69,593			3,153
45 JHELUM 1	PDA	IJI	IJI	IND	58,806	58,455			7,671
46 JHELUM 2	IJI	PDA	IND	IND	57,177	53,430			5,835
47 SARGODHA 1	PDA	IJI	PPP	IND	55,350	51,092			4,636
48 SARGODHA 2	IJI	PDA	PPP	IND	69,141	45,274			2,886
49 SARGODHA 3	IJI	PDA	IJI	PPP	59,576	55,131			10,517
50 SARGODHA 4	IJI	PDA	IJI	PPP	77,073	51,581			3,046
51 SARG... KHUSAB	IJI	IND	IJI	PPP	84,908	61,804			2,467
52 KHUSAB	IJI	PDA	IND	IJI	61,854	51,269			16,575
53 MIANWALI 1	IJI	PDA	PAI	IND	55,848	31,659			14,150
54 MIANWALI 2	IJI	PDA	PAI	IJI	69,501	34,633			4,609
55 BHAKKAR 1	IJI	IND	IND	PAI	66,846	35,289			3,619
56 BHAKKAR 2	IJI	IND	IND	IND	52,893	38,695			20,433
57 FAISALABAD 1	IJI	PDA	IND	PPP	75,202	58,590			6,272

DISTRICT NAME	1990	1990	1988	1988	1990	1990	1990 3RD
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	PARTY VOTES (TOTAL)
77 GIURANWALA 4	IJI	PDA	PPP	IJI	59,225	50,328	15,433
78 GIURANWALA 5	IJI	PDA	IJI	PPP	65,836	59,139	1,072
79 GIURANWALA 6	PDA	IJI	IJI	PPP	65,262	62,051	4,597
80 GIURAT 1	IJI	PDA	IJI	PPP	94,688	63,247	8,779
81 GIURAT 2	IJI	PDA	IJI	PPP	80,861	74,621	11,789
82 GIURAT 3	IJI	PDA	PPP	IJI	80,621	65,252	19,724
83 GIURAT 4	IJI	PDA	PPP	IJI	62,788	52,881	17,449
84 GIURAT 5	PDA	IJI	IJI	PPP	41,086	28,884	25,927
86 SIALKOT 1	IJI	PDA	IJI	PPP	59,515	38,333	9,217
86 SIALKOT 2	IJI	PDA	IJI	PPP	67,731	58,596	11,490
87 SIALKOT 3	IJI	PDA	PPP	IJI	81,137	50,320	9,324
86 SIALKOT 4	IJI	PDA	IJI	PDP	72,764	47,602	3,988
89 SIALKOT 5	IJI	PDA	PPP	IJI	67,966	39,995	3,447
90 SIALKOT 6	IJI	PDA	IJI	PPP	60,982	34,253	6,717
91 SIALKOT 7	CANC	CANC	IJI	PPP			
92 LAHORE 1	IJI	PDA	PAJ	PPP	57,886	44,384	6,564
93 LAHORE 2	PDA	IJI	PPP	IJI	65,624	52,697	8,526
94 LAHORE 3	IJI	PDA	PPP	IND	53,352	51,953	4,987
95 LAHORE 4	IJI	PDA	IJI	PPP	59,944	39,585	3,793

DISTRICT NAME	1990		1988		1990		1990		1990 3RD PARTY VOTES (TOTAL)
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	1990 2nd VOTES		
96 LAHORE 5	IJI	PDA	PPP	IJI	54,506	41,902		2,187	
97 LAHORE 6	IJI	PDA	PPP	IJI	68,943	51,058		7,783	
98 LAHORE 7	IJI	PDA	IJI	PPP	60,220	48,686		5,839	
99 LAHORE 8	IJI	PDA	PPP	IJI	42,549	32,962		4,284	
100 LAHORE 9	IJI	PDA	PPP	IJI	46,842	34,289		5,330	
101 SHEIKUPURA 1	IJI	PDA	PPP	IJI	60,175	56,429		8,086	
102 SHEIKUPURA 2	IJI	PAT	PPP	IJI	39,430	38,377		42,849	
103 SHEIKUPURA 3	IJI	PDA	PPP	IND	49,701	32,570		19,775	
104 SHEIKUPURA 4	IJI	PDA	PPP	IJI	59,036	44,803		17,012	
105 SHEIKUPURA 5	IJI	PDA	PPP	IJI	43,708	37,098		9,326	
106 KASUR 1	IND	JUI (N)	IND	PPP	46,590	29,032		33,588	
107 KASUR 2	IJI	PDA	IJI	PPP	43,657	35,883		10,970	
108 KASUR 3	IND	IJI	IJI	PPP	51,189	41,564		16,617	
109 KASUR 4	IJI	PDA	PPP	IJI	56,859	45,856		6,868	
110 OKARA 1	IJI	PDA	PPP	IJI	54,096	45,184		5,718	
111 OKARA 2	IJI	PDA	IJI	PPP	50,728	48,895		5,911	
112 OKARA 3	IJI	PDA	PPP	IJI	66,753	39,998		4,802	
113 OKAPA 4	IJI	PDA	IJI	PPP	71,129	46,473		3,897	
114 MULTAN 1	PDA	IJI	PPP	IJI	60,076	54,781		4,580	

DISTRICT NAME	1990	1990	1988	1980	1980	1990	1990 3RD
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	PARTY VOTES (TOTAL)
115 MULTAN 2	IJI	PDA	PPP	PAI	62,637	42,288	2,808
116 MULTAN 3	IJI	PDA	PPP	IJI	50,066	39,852	5,428
117 MULTAN 4	IJI	PDA	IJI	PPP	64,567	56,382	6,455
118 MULTAN 5	IJI	PDA	PPP	PAI	60,954	40,558	16,494
119 MULTAN 6	IJI	PDA	PPP	IJI	66,900	52,084	3,125
120 MUL cum KHANEWAL	IJI	PDA	PPP	IJI	70,025	52,881	1,796
121 KHANEWAL 1	IJI	PDA	PPP	IJI	58,479	45,523	13,633
122 KHANEWAL 2	IJI	PDA	IJI	PPP	63,998	44,784	3,407
123 KHANEWAL 3	IJI	PDA	IJI	PPP	76,045	54,856	5,740
124 SAHIWAL 1	IJI	PDA	PPP	IJI	63,655	55,677	4,830
125 SAHWAL 2	PDA	IJI	IJI	PPP	54,982	50,529	15,427
126 SAHWAL 3	IJI	PDA	IJI	PPP	69,398	65,810	6,234
127 SAHIWAL 4	IJI	PDA	IJI	PPP	61,831	43,101	3,350
128 PAKPATTAN	IJI	PDA	IJI	PPP	60,593	45,960	7,964
129 VEHARI 1	IJI	PDA	PPP	IJI	87,427	55,922	3,948
130 VEHARI 2	IJI	PDA	IJI	PPP	50,719	44,088	39,093
131 VEHARI 3	IJI	PDA	IJI	PPP	72,159	60,747	34,236
132 D.G. KHAN	IJI	PDA	IJI	PPP	78,360	55,711	6,986
133 D.G. KHAN cum RAJANPUR	PDA	IJI	PPP	IJI	76,378	56,342	7,894

DISTRICT NAME	1990		1988		1980		1988		1990		1990 3RD	
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	WINNER VOTES	2nd VOTES	WINNER VOTES	2nd VOTES	WINNER VOTES	2nd VOTES
134 RAJANPUR	IJI	PDA	PPP	IJI	76,446	57,765						3,200
135 MUZAFFARGARH 1	JUI (N)	PDA	IND	PPP	54,039	51,338						9,692
136 MUZAFFARGARH 2	JUI (N)	PDA	PDP	IJI	54,424	46,638						9,867
137 MUZAFFARGARH 3	IND	PDA	NPP K	IJI	43,435	30,438						27,726
138 MUZAFFARGARH 4	IND	IJI	IND	PPP	51,755	39,741						14,013
139 LAYYAH 1	IJI	PDA	PPP	PAI	59,848	43,180						6,377
140 LAYYAH 2	IJI	PDA	IJI	PPP	52,446	44,694						1,277
141 BAHAWALPUR 1	IJI	IND	IND	PPP	68,838	59,175						5,771
142 BAHAWALPUR 2	IJI	PDA	PPP	IJI	71,825	47,515						7,440
143 BAHAWALPUR 3	IJI	PDA	IJI	IND	65,321	65,052						21,839
144 BAHAWALNAGAR 1	IND	PDA	PPP	IJI	50,555	42,897						36,748
145 BAHAWALNAGAR 2	IJI	PDA	IJI	PML (MQ)	81,088	60,521						6,969
146 BAHAWALNAGAR 3	IJI	PDA	IJI	PPP	74,872	66,076						5,072
147 RAHIMAYAR KHAN 1	PDA	IJI	IJI	PPP	66,205	57,432						2,200
148 RAHIMAYAR KHAN 2	PDA	IJI	PPP	IJI	59,181	57,740						2,165
149 RAHIMAYAR KHAN 3	IJI	PDA	IJI	PPP	80,304	51,454						5,595
150 RAHIMAYAR KHAN 4	IJI	PDA	IJI	PPP	52,816	45,144						37,849
151 SUKKUR 1	PDA	IJI	PPP	IJI	60,733	43,618						7,214
152 SUKKUR 2	PDA	IND	PPP	IJI	48,938	39,985						3,724

DISTRICT	1990		1988		1990		1990		1990	
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER	2nd PARTY	VOTES	VOTES	2nd VOTES	1990 3RD PARTY VOTES (TOTAL)
153 SUKKUR 3	PDA	IJI	PPP	IJI	49,399	IJI	34,978			4,359
154 SHIKARPUR 1	PDA	SNA	PPP	IJI	38,301	IJI	20,128			12,023
155 SHIKARPUR 2	PDA	SNF	PPP	IND	43,193	IND	10,333			8,722
156 JACOBABAD 1	PDA	IND	PPP	IJI	54,554	IJI	52,555			2,971
157 JACOBABAD 2	IND	PDA	PPP	IND	81,610	IND	35,818			2,949
158 FERROZE 1	IJI	PDA	PPP	IJI	88,166	IJI	21,829			2,441
159 FERROZE 2	PDA	IJI	PPP	IJI	57,029	IJI	51,520			4,481
160 NAWABSHAH 1	IJI	PDA	PPP	IJI	48,588	IJI	44,964			3,257
161 NAWABSHAH 2	PDA	IJI	PPP	IJI	57,801	IJI	13,656			1,157
162 KHAIRPUR 1	PDA	IND	PPP	IND	74,358	IND	46,073			9,740
163 KHAIRPUR 2	PDA	IJI	PPP	IND	79,080	IND	39,391			2,836
164 LARKA 1	PDA	IND	PPP	PNP	79,901	PNP	9,203			746
165 LARKA 2	PDA	SNF	PPP	IJI	59,464	IJI	16,198			5,714
166 LARKA 3	PDA	IND	PPP	JUI (F)	94,462	JUI (F)	718			1,032
167 HYDERABAD 1	PDA	PNP	PPP	IND	50,154	IND	14,733			1,790
168 HYDERABAD 2	MQM	JUP (N)	IND	IND	76,578	IND	13,949			13,652
169 HYDERABAD 3	MQM	PDA	IND	PPP	91,373	PPP	24,259			6,397
170 HYDERABAD 4	PDA	IND	PPP	IND	56,902	IND	16,563			1,002
171 HYDERABAD 5	PDA	IND	PPP	IJI	59,209	IJI	22,876			2,183

DISTRICT NAME	1990		1988		1986		1980		1980 3RD	
	WINNING PARTY	2nd PARTY	WINNING PARTY	2nd PARTY	WINNER PARTY	2nd PARTY	WINNER VOTES	2nd VOTES	1980 PARTY VOTES	1980 3RD PARTY VOTES (TOTAL)
172 BADIN 1	PDA	IND	PPP	IJI			42,506	16,249		1,499
173 BADIN 2	PDA	IND	PPP	IJI			36,133	12,951		4,839
174 THAPPARKAR 1	MQM	PDA	PPP	IND			44,909	44,493		9,998
175 THAPPARKAR 2	IJI	PDA	PPP	IND			32,019	28,930		12,050
176 THAPPARKAR 3	IND	PDA	IND	PPP			49,970	37,938		843
177 DADU 1	PDA	PNP	PPP	IND			53,431	21,333		2,425
178 DADU 2	PDA	IND	PPP	PNP			56,243	21,535		747
179 DADU 3	PDA	SNA	PPP	PNP			52,979	31,125		2,955
180 SANGHAR 1	IND	PDA	IND	PPP			76,853	23,319		1,356
181 SANGHAR 2	IND	PDA	PPP	IJI			72,405	46,889		5,127
182 THATTA 1	PDA	SAT	PPP	ANP			47,370	12,015		4,865
183 THATTA 2	PDA	IND	PPP	IND			33,774	25,562		3,091
184 KARACHI (WEST) 1	MQM	PDA	PPP	IND			50,042	45,004		24,201
185 KARACHI (WEST) 2	MQM	PDA	IND	PPP			99,883	15,563		11,639
186 KARACHI (CENTRAL) 1	MQM	IJI	IND	IJI			90,497	21,254		6,540
187 KARACHI (CENTRAL) 2	MQM	PDA	IND	IJI			111,340	3,487		3,314
188 KARACHI (CENTRAL) 3	MQM	IND	IND	IJI			142,591	12,410		6,501
189 KARACHI (SOUTH) 1	PDA	IJI	PPP	IJI			54,308	12,615		6,089
190 KARACHI (SOUTH) 2	MQM	JUP N	IND	IND			52,887	35,804		1,720

DISTRICT NAME	CHANGE IN TURNOUT FROM 1988	CHANGE IN VOTES FOR WINNING PARTY (FROM 1988)	CHANGE IN VOTES FOR WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN VOTES FOR 3RD PARTY (FROM 1988)	CHANGE IN PDA VOTES (FROM 1988)	PREDICTED PDA SHARE OF 1990 TURNOUT	POSSIBLE VOTES LOST OR GAINED BY THE PDA (FROM 1988)	POSSIBLE ERSION OR GAIN FROM 1989 PDA BASE (BASED ON POSSIBLE VOTES LOST OR GAINED)	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 100% OF LOST PDA VOTES PLUS 90D PARTY LOSSES
1 PESHAWAR 1	10,280	15,286	42.52%	-5,707	-12.76%	701	-4,707	4,146	-6,856	-22.07%	1
2 PESHAWAR 2	6,400	11,820	60.92%	-5,907	-21.71%	-104	-5,307	1,676	-7,185	-29.40%	1
3 PESHAWAR 3	3,549	14,003	56.83%	-8,431	-29.86%	-3023	-8,431	865	-9,287	-22.69%	1
4 PESHAWAR 4	7,701	10,572	38.01%	-2,186	-7.81%	-691	-2,186	2,394	-4,574	-16.39%	1
5 CHARSODDA	19,912	DATA N/A	DATA N/A	-10,266	-16.24%	-1840	0	0	0	0.00%	0
6 MAPROAN 1 (RESULT CHANGED)	7,846	3,742	11.64%	-17,475	-37.91%	21,679	-17,475	2,566	-20,041	-43.48%	1
7 MAPROAN 2	1,817	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-1,4312	0	0	0	0.00%	0
8 SWABI	-3,021	11,652	26.84%	DATA N/A	DATA N/A	-6,474	0	-793	0	0.00%	1
9 KOHAT	4,440	8,960	47.07%	-3,976	-13.02%	-548	8,966	1,395	7,571	30.74%	1
10 KAPRAK	3,662	DATA N/A	DATA N/A	-5,083	-26.71%	7310	0	0	0	0.00%	0
11 ABBOTTABAD 1	7,644	46,306	205.86%	-4,061	-11.31%	-31,410	0	0	0	0.00%	1
12 ABBOTTABAD 2	4,079	12,106	38.25%	4,916	16.75%	-12,848	0	0	0	0.00%	1
13 ABBOTTABAD 3	-1,432	-7,202	-11.89%	5,904	23.55%	-132	5,904	-455	6,359	6.00%	0
14 MANSEHRA 1	10,139	4241	1.23%	DATA N/A	DATA N/A	4900	0	0	0	0.00%	0
15 MANSEHRA 2	554	DATA N/A	DATA N/A	-4,353	-22.78%	773	0	0	0	0.00%	0
16 MANSEHRA 3	0	DATA N/A	DATA N/A	DATA N/A	DATA N/A	0	0	0	0	0.00%	0
17 KOHISTAN	7,681	DATA N/A	DATA N/A	DATA N/A	DATA N/A	4681	0	0	0	0.00%	0
18 D. I. KHAN	5,641	DATA N/A	DATA N/A	-9,962	-15.24%	-13,940	0	2,234	0	0.00%	0
19 BANNU 1	863	9,377	49.11%	DATA N/A	DATA N/A	-8596	0	166	0	0.00%	1

TABLE 2.1. FALSE 2.0

DISTRICT NAME	CHANGE IN TURNOUT FROM 1988	CHANGE IN WINNING PARTY (FROM 1988)	CHANGE IN WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN VOTES FOR 3RD PARTIES (FROM 1988)	CHANGE IN PDA SHARE OF 1980 TURNOUT (FROM 1988)	CHANGE IN PDA VOTES (FROM 1988)	PREDICTED VOTES LOST OR GAINED BY THE PDA (FROM 1988)	POSSIBLE EPSILON OR GAIN FROM 1988	CONSISTENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 100% OF LOST PDA VOTES PLUS 3RD PARTY LOSSES
	(FROM 1988)	(FROM 1988)	(% OF 1988)	(FROM 1988)	(% OF 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)
20 BANNU 2	692	1,306	3.47%	4,543	15.29%	-5,445	0	0	0	0.00%	1
21 SWAT 1	0	DATA N/A	DATA N/A	DATA N/A	DATA N/A	0	0	0	0	0.00%	0
22 SWAT 2	611	DATA N/A	DATA N/A	2,077	12.49%	-4,448	0	0	0	0.00%	0
23 SWAT 3	10,146	8,902	37.70%	DATA N/A	DATA N/A	-4,230	8,802	3,660	5,212	22.07%	0
24 CHITRAL	9,226	11,864	50.88%	-12,194	-37.18%	5,555	-12,191	1,947	-13,530	-42.16%	1
25 DIR	-7,828	-441	-1.52%	-6,143	-21.07%	954	-411	-3,168	2,724	0.00%	0
26 MALAKAND P.A.	1,758	-8,254	-21.67%	5,743	24.65%	4,286	-4,251	592	-8,846	-22.58%	0
27 TRIBAL AREA 1	0	-3,188	-100.00%	DATA N/A	DATA N/A	0	0	0	0	0.00%	0
28 TRIBAL AREA 2	-11	-3	-3.85%	-62	-13.02%	14	0	0	0	0.00%	0
29 TRIBAL AREA 3	0	-3,777	-44.78%	-1,775	-54.80%	0	0	0	0	0.00%	0
30 TRIBAL AREA 4	-83	0	1.89%	-204	-42.95%	-40	0	0	0	0.00%	0
31 TRIBAL AREA 5	-116	-202	-27.47%	-343	-46.81%	-17	0	0	0	0.00%	0
32 TRIBAL AREA 6	-2,397	-964	-44.59%	-667	-57.57%	-203	0	0	0	0.00%	0
33 TRIBAL AREA 7	146	1,045	100.97%	-54	-29.29%	-813	0	0	0	0.00%	0
34 TRIBAL AREA 8	0	-521	-100.00%	-621	-100.00%	0	0	0	0	0.00%	0
35 FEDERAL CAPITAL	857	DATA N/A	DATA N/A	3,473	8.88%	-3,576	3,473	342	3,091	7.73%	0
36 RAWALPINDI 1	-1,568	35,236	76.16%	DATA N/A	DATA N/A	-4,3314	0	-542	0	0.00%	0
37 RAWALPINDI 2	1,156	14,596	29.65%	DATA N/A	DATA N/A	-2,897	0	445	0	0.00%	0
38 RAWALPINDI 3	3,862	5,955	6.82%	-2,954	-5.14%	1,401	-2,961	1,353	-4,317	-7.46%	1

TABLE 3. PAGES 8-9

DISTRICT NAME	CHANGE IN TURNOFF FROM 1988	CHANGE IN VOTES FOR WINNING PARTY (FROM 1988)	CHANGE IN VOTES FOR WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN VOTES FOR 3RD PARTIES (FROM 1988)	CHANGE IN PDA VOTES (FROM 1988)	PREDICTED PDA SHARE OF 1990 TURNOFF	POSSIBLE VOTES LOST OR GAINED BY THE PDA (FROM 1988)	POSSIBLE ERROFF OR GAIN FROM 1988 PDA BASE (BASED ON POSSIBLE VOTES LOST OR GAINED)	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 10% OF LOST PDA VOTES PLUS 50 PARTY LOSSES
39 RAWALPINDI 4	4,135	43,110	86.40%	-3,571	-8.28%	-3,540	-3,571	1,581	-5,132	-8.46%	1
40 RAWALPINDI 5	8,563	14,344	22.39%	5,143	8.89%	-1,0824	5,143	3,786	1,375	2.38%	1
41 ATTOCK 1	-1,829	35,075	97.28%	244	0.57%	-37,148	244	-704	946	0.00%	1
42 ATTOCK 2	-512	DATA N/A	DATA N/A	-12,555	-18.54%	-6509	-12,555	-174	-12,381	0.00%	0
43 CHAKWAL 1	6,586	10,252	29.52%	7,805	14.92%	-1,9558	7,805	2,673	5,232	9.87%	1
44 CHAKWAL 2	12,734	3,311	4.32%	5,621	14.16%	762	8,831	5,331	2,800	4.59%	1
45 JHELLUM 1	4,251	DATA N/A	DATA N/A	6,414	18.20%	-27,219	0	2,048	0	0.00%	0
46 JHELLUM 2	13,817	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-1,3802	0	8,340	0	0.00%	0
47 SARGODHA 1	55	261	0.47%	DATA N/A	DATA N/A	1135	261	27	234	0.42%	0
48 SARGODHA 2	8,321	DATA N/A	DATA N/A	822	1.40%	-29786	822	3,212	-2,566	-5.80%	0
49 SARGODHA 3	-1,912	-5,624	-8.64%	-2,220	-3.87%	5940	-2,220	-642	-1,378	0.00%	0
50 SARGODHA 4	-486	5,626	8.15%	5,618	12.71%	-12,126	5,618	-1,96	6,013	0.00%	1
51 SARGODHA 5	11,557	3,398	4.15%	DATA N/A	DATA N/A	-5327	0	0	0	0.00%	0
52 KHUSHAB	8,741	24,752	66.75%	DATA N/A	DATA N/A	-10,540	0	3,455	6	0.00%	1
53 MIANWALI 1	7,846	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-4064	0	2,444	0	0.00%	0
54 MIANWALI 2	-2,659	29,020	71.75%	DATA N/A	DATA N/A	-28025	0	-656	0	0.00%	1
55 BHAKKAR 1	-8,269	DATA N/A	DATA N/A	-13,891	-28.25%	-28445	0	0	0	0.00%	0
56 BHAKKAR 2	4,718	DATA N/A	DATA N/A	-10,536	-21.40%	-1,328	0	0	0	0.00%	0
57 FAISLABAD 1	9,942	DATA N/A	DATA N/A	-243	-0.41%	-6813	-243	4,159	-4,402	-7.48%	0

TABLE-3, FALSE 2-B

DISTRICT NAME	CHANGE IN TURNOUT FROM 1988	CHANGE IN VOTES FOR WINNING PARTY (FROM 1988)	CHANGE IN VOTES FOR WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN VOTES FOR 3RD PARTIES (FROM 1988)	CHANGE IN PDA VOTES (FROM 1988)	PREDICTED PDA SHARE OF 1990	POSSIBLE VOTES LOST OR GAINED BY THE PDA (FROM 1988)	POSSIBLE ERSION OR GAIN FROM 1988	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 100% OF LOST PDA VOTES PLUS 3RD PARTY LOSSES
58 FAISALABAD 2	-306	-12,011	-21.86%	-1,279	-3.05%	1,062	-12,011	36	-11,822	0.00%	0
59 FAISALABAD 3	8,603	8,621	23.23%	8,662	-19.22%	8474	-8,662	3,354	-13,046	-25.68%	1
60 FAISALABAD 4	7,306	DATA N/A	DATA N/A	2,282	8.07%	-2771	2,282	1,651	327	1.17%	0
61 FAISALABAD 5	4,406	561	0.79%	7,156	13.85%	-3316	7,166	2,000	5,150	9.40%	1
62 FAISALABAD 6	0	DATA N/A	DATA N/A	0	0	0	0	0	0	0.00%	0
63 FAISALABAD 7	3,354	15,021	32.69%	-4,243	-7.82%	-8624	-4,243	1,666	-5,909	-10.59%	1
64 FAISALABAD 8	3,870	DATA N/A	DATA N/A	-2,273	-4.18%	-8646	-2,273	1,530	-3,803	-7.29%	0
65 FAISALABAD 9	2,174	DATA N/A	DATA N/A	-4,268	-8.92%	-1063	-5,208	1,017	-7,225	-10.28%	0
66 JHANG 1	7,111	4,363	12.20%	8,654	21.14%	-4208	4,363	2,586	1,765	4.77%	1
67 JHANG 2	10,816	15,156	35.80%	DATA N/A	DATA N/A	9121	0	4,254	0	0.00%	1
68 JHANG 3	-297	DATA N/A	DATA N/A	-8435	0	-79	0	0	0	0.00%	0
69 JHANG 4	14,629	9,374	17.27%	14,243	42.13%	-8686	9,374	7,684	1,690	5.11%	1
70 JHANG 5	7,297	-2,695	-4.93%	6,995	16.65%	1467	-2,695	3,543	-6,238	-10.13%	0
71 TOBA TEK SINGH 1	3,297	810	0.17%	6,980	13.74%	-3833	6,980	1,461	5,524	10.87%	1
72 TOBA TEK SINGH 2	1,753	8,556	14.27%	-4,758	-13.12%	-1025	-4,758	835	-7,393	-14.35%	1
73 TOBA TEK SINGH 3	94	17,262	33.30%	-5,277	-9.51%	-11101	-5,277	400	-5,686	-10.25%	1
74 GLJARANWALA 1	7,967	23,188	31.02%	-13,145	-25.12%	2927	-10,145	2,801	-21,046	-39.13%	1
75 GLJARANWALA 2	4,514	DATA N/A	DATA N/A	-5,590	-10.62%	29020	0	0	0	0.00%	0
76 GLJARANWALA 3	1,630	7,579	12.78%	-5,758	-9.04%	-583	-5,758	713	-6,469	-10.10%	1

TRUE ± 0.5, FALSE ± 0.

DISTRICT NAME	CHANGE IN TURNOUT FROM 1988	CHANGE IN WINNING PARTY (FROM 1988)	CHANGE IN VOTES FOR WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR PARTY (FROM 1988)	CHANGE IN VOTES FOR PARTY (FROM 1988) (% OF 1988)	CHANGE IN 2nd PARTY (FROM 1988)	CHANGE IN 3rd PARTIES (FROM 1988)	CHANGE IN PDA VOTES (FROM 1988)	PREDICTED PDA SHARE OF 1988 TURNOUT	POSSIBLE VOTES LOST OR GAINED BY THE PDA (FROM 1988)	POSSIBLE GAIN FROM 1988 PDA BASE (BASED ON POSSIBLE VOTES LOST OR GAINED)	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 10% OF VOTES
	FROM 1988	WINNING PARTY	% OF 1988	FROM 1988	FROM 1988 (% OF 1988)	2nd PARTY (FROM 1988)	3rd PARTIES (FROM 1988)	PDA VOTES (FROM 1988)	PDA SHARE OF 1988 TURNOUT	THE PDA (FROM 1988)	POSSIBLE GAIN FROM 1988 PDA BASE (BASED ON POSSIBLE VOTES LOST OR GAINED)	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 10% OF VOTES
77 GUJRANWALA 4	4,833	6,670	12.71%	-12,890	-20.52%	10,845	10,845	-12,890	1,866	-14,856	-23,466	1
78 GUJRANWALA 5	13,260	10,917	19.65%	20,754	94.63%	-26,995	-26,995	20,754	6,224	22,530	74,154	1
79 GUJRANWALA 6	11,197	31,372	92.57%	21,004	91.47%	-41,119	-41,119	31,372	5,510	26,662	76,314	1
80 GUJRAT 1	12,900	10,636	26.50%	-8,165	-11.42%	12,320	12,320	-8,165	4,996	-13,090	-18,296	1
81 GUJRAT 2	14,701	2,836	3.69%	5,184	7.47%	6,681	6,681	5,184	6,358	-1,374	-1.88%	1
82 GUJRAT 3	7,950	16,851	26.62%	-11,066	-14.53%	14,007	14,007	-11,066	2,800	-13,866	-18,126	1
83 GUJRAT 4	5,325	21,949	53.75%	2,381	4.67%	-1,866	-1,866	2,381	2,115	246	0.64%	1
84 GUJRAT 5	8,042	9,961	32.06%	-3,943	-12.01%	2,024	2,024	9,961	3,446	6,515	20,354	1
85 SIALKOT 1	-1,332	-387	-0.65%	-2,917	-6.16%	1,572	1,572	-2,917	-477	-2,040	0.00%	0
86 SIALKOT 2	11,616	9,184	15.69%	3,433	6.22%	-1,003	-1,003	3,433	4,916	-1,506	-2.73%	1
87 SIALKOT 3	12,371	29,400	56.03%	-2,560	-4.47%	-1,673	-1,673	-2,560	4,022	-6,774	-12,874	1
88 SIALKOT 4	23,175	27,483	60.73%	DATA N/A	DATA N/A	-20,685	-20,685	0	0,471	0	0.00%	0
89 SIALKOT 5	8,480	35,538	112.81%	7,794	24.20%	-3,923	-3,923	7,794	3,044	4,750	14,756	1
90 SIALKOT 6	12,309	17,081	39.91%	9,178	36.60%	-11,880	-11,880	9,178	4,156	5,022	20,026	1
91 SIALKOT 7	DATA N/A	DATA N/A	DATA N/A	DATA N/A	DATA N/A	0	0	0	0	0	0.00%	0
92 LAHORE 1	10,220	DATA N/A	DATA N/A	-333	-3.74%	-12,420	-12,420	-333	4,168	-4,501	-16.07%	0
93 LAHORE 2	2,696	-8,236	-6.60%	11,516	27.99%	-2,672	-2,672	-8,236	1,349	-7,887	-13,594	0
94 LAHORE 3	6,177	DATA N/A	DATA N/A	-1,472	-2.76%	-1,970	-1,970	-1,472	2,910	-4,382	-8,204	0
95 LAHORE 4	14,465	10,525	21.56%	3,520	9.76%	923	923	3,520	5,543	-2,023	-5.61%	1

TABLE 3.1. TABLE 3.2

DISTRICT	CHANGE IN TURNOUT FROM 1988	CHANGE IN VOTES FOR WINNING PARTY (FROM 1988)	CHANGE IN VOTES FOR WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN PDA VOTES (FROM 1988)	PRECTED PDA SHARE OF 1988 TURNOUT	POSSIBLE VOTES LOST THE PDA (FROM 1988)	POSSIBLE ERSON OR GAIN FROM 1988 PDA BASE (BASED ON POSSIBLE VOTES LOST OR GAINED)	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 10% OF LOST PDA VOTES PLUS AND PARTY LOSSES
96 LAHORE 5	12,527	15,912	40.86%	-1,466	-3.38%	-1719	-1.46%	5,956	5,956	-6,832	-15.75%	1
97 LAHORE 6	8,654	13,281	29.89%	-5,845	-10.27%	1011	-3,845	3,378	3,378	-8,223	-18.21%	1
98 LAHORE 7	5,977	8,450	16.24%	776	1.62%	-3657	776	2,366	2,366	-1,948	-3.32%	1
99 LAHORE 8	3,310	17,520	70.09%	1,678	5.37%	-15888	1,678	1,967	1,967	312	1.00%	1
100 LAHORE 9	6,943	16,377	59.78%	386	1.14%	-19720	386	2,397	2,397	-2,011	-5.87%	1
101 SHEKUPURA 1	8,152	17,274	40.26%	-10,430	-15.50%	2208	-10,430	4,142	4,142	-14,572	-21.79%	1
102 SHEKUPURA 2	2,341	7,625	28.20%	DATA N/A	DATA N/A	509	0	0	0	0	0.00%	1
103 SHEKUPURA 3	3,310	DATA N/A	DATA N/A	-5,810	-15.14%	-8942	-5,810	1,059	1,059	-4,869	-17.90%	0
104 SHEKUPURA 4	7,225	9,400	19.59%	-17,377	-27.95%	15186	-17,377	2,678	2,678	-20,066	-32.25%	1
105 SHEKUPURA 5	7,702	14,970	52.13%	-3,833	-8.82%	-3643	-3,833	3,170	3,170	-8,803	-15.70%	1
106 KASUR 1	600	-17,400	-27.20%	DATA N/A	DATA N/A	28269	0	0	0	0	0.00%	0
107 KASUR 2	2,379	2,960	7.27%	15,981	75.02%	-15882	15,981	841	841	14,138	70.42%	1
108 KASUR 3	10,907	DATA N/A	DATA N/A	-12,825	-21.72%	11244	0	0	0	0	0.00%	0
109 KASUR 4	3,729	6,960	13.96%	-5,955	-15.72%	5319	-5,955	1,660	1,660	-10,115	-18.59%	1
110 OKARA 1	472	8,164	17.77%	-11,046	-19.64%	3554	-11,046	203	203	-11,248	-20.01%	1
111 OKARA 2	7,860	5,880	11.19%	7,817	19.03%	-5039	7,817	3,806	3,806	4,311	10.48%	1
112 OKARA 9	13,632	19,571	41.46%	-9,344	-18.94%	265	-9,344	3,740	3,740	-13,084	-28.55%	1
113 OKARA 4	24,582	22,000	44.87%	1,330	2.95%	1222	1,330	9,403	9,403	-8,073	-17.69%	1
114 MULTAN 1	14,987	1,776	3.05%	12,824	30.56%	367	1,776	7,543	7,543	-5,767	-9.86%	1

TABLE 3.1, PAGES 2-3

DISTRICT NAME	CHANGE IN TURNOUT FROM 1968		CHANGE IN VOTES FOR WINNING PARTY (FROM 1968)		CHANGE IN VOTES FOR WINNING PARTY (% OF 1968)		CHANGE IN VOTES FOR 2nd PARTY (FROM 1968)		CHANGE IN VOTES FOR 3RD PARTIES (FROM 1968)		CHANGE IN PDA VOTES (FROM 1968)		PREDICTED PDA SHARE OF 1968 TURNOUT		POSSIBLE VOTES LOST OR GAINED BY THE PDA (FROM 1968)		POSSIBLE ERSION OR GAIN FROM 1968 PDA BASE BASED ON POSSIBLE VOTES LOST OR GAINED		CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 100% OF LOST PDA VOTES PLUS 3RD PARTY LOSSES	
	TURNOUT	FROM 1968	WINNING PARTY	WINNING PARTY	2nd PARTY	2nd PARTY	3RD PARTIES	3RD PARTIES	PDA	PDA	PDA SHARE OF 1968 TURNOUT	PDA SHARE OF 1968 TURNOUT	THE PDA (FROM 1968)	LOST OR GAINED	POSSIBLE ERSION OR GAIN FROM 1968 PDA BASE BASED ON POSSIBLE VOTES LOST OR GAINED	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 100% OF LOST PDA VOTES PLUS 3RD PARTY LOSSES				
115 MULTAN 2	3,585	DATA N/A	DATA N/A	22%	0.54%	22%	1,407	22%	1,407	-1,178	-2.60%	0								
116 MULTAN 3	5,421	9,217	22.56%	-3,641	-12.41%	10,460	2,866	-5,845	2,866	-7,911	-17.98%	1								
117 MULTAN 4	21,532	14,161	26.99%	4,360	12.70%	878	9,326	4,360	878	-3,136	-4.27%	1								
118 MULTAN 5	23,191	DATA N/A	DATA N/A	9,812	31.91%	-19,720	7,971	0.01%	7,971	1,841	5.99%	0								
119 MULTAN 6	17,242	20,537	64.90%	-1,391	-2.99%	-1,821	7,390	-1,391	7,390	-8,781	-16.62%	1								
120 MUL. cum KHANEWAL	22,513	21,856	45.89%	1,384	3.80%	-1,380	5,505	1,384	5,505	-7,813	-14.94%	1								
121 KHANEWAL 1	13,709	9,657	26.52%	-7,795	-14.59%	11,697	7,765	-7,795	7,765	-19,060	-34.51%	1								
122 KHANEWAL 2	10,129	13,206	25.99%	15,474	52.79%	-16,945	4,123	15,474	4,123	11,351	36.77%	1								
123 KHANEWAL 3	16,577	18,730	32.58%	-663	-1.02%	-1,860	6,685	-663	6,685	-7,218	-13.02%	1								
124 SAHIVAL 1	4,456	15,650	32.71%	-5,010	-8.77%	-5,922	4,000	-5,010	4,000	-8,020	-13.01%	1								
125 SAHIVAL 2	5,782	8,701	15.66%	-3,578	-8.94%	4,600	6,701	2,008	4,005	4,005	8.49%	1								
126 SAHIVAL 3	8,938	10,261	17.37%	11,826	22.04%	-12,810	4,438	11,826	4,438	7,446	13.81%	1								
127 SAHIVAL 4	-5,982	7,664	13.95%	-6,562	-19.25%	-6,660	-2,301	-6,562	-2,301	-4,201	0.00%	1								
128 PAKPATTAN	3,750	41	0.07%	-2,657	-5.67%	6345	1,497	-2,657	1,497	-4,154	-8.54%	1								
129 VEHARI 1	15,036	24,875	39.77%	-9,681	-15.03%	52	5,708	-9,681	5,708	-15,389	-25.70%	1								
130 VEHARI 2	9,943	-14,306	-22.00%	-7,469	-14.44%	31,687	3,274	-7,469	3,274	-40,713	-20.79%	0								
131 VEHARI 3	39,200	3,855	5.77%	2,815	4.63%	22,626	14,247	2,815	2,815	-11,512	-19.98%	1								
132 D.G. KHAN	19,098	10,063	29.69%	19,121	22.20%	-8,115	10,121	19,121	10,121	2,590	5.68%	1								
133 D.G. KHAN cum RAJANPUR	23,780	279	0.37%	20,356	58.79%	3166	12,918	279	3166	-12,639	-16.61%	1								

TABLE 2.3. FRISE 2.3

DISTRICT NAME	CHANGE IN TURNOUT FROM 1988	CHANGE IN WINNING PARTY (FROM 1988)	CHANGE IN WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN VOTES FOR 3RD PARTIES (FROM 1988)	CHANGE IN VOTES FOR 3RD PARTIES (% OF 1988)	CHANGE IN PDM SHARE OF 1980 TURNOUT	PDM SHARE OF 1980 TURNOUT	POSSIBLE VOTES LOST OR GAINED BY THE PDM (FROM 1988)	POSSIBLE ERSION OF GAIN FROM 1988 PDM BASE (BASED ON POSSIBLE VOTES LOST OR GAINED)	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 10% OF LOST PDM VOTES PLUS 5RD PARTY LOSSES
	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)
153 SUKUR 3	4,724	-3,153	-8.02%	6,906	25.00%	901	-3.16%	2,635	-5,708	-11.03%	0	
154 SHIKARPUR 1	3,084	-2,813	-7.14%	DATA N/A	DATA N/A	3298	-2.94%	1,642	-4,825	-11.21%	0	
155 SHIKARPUR 2	8,894	2,572	8.39%	DATA N/A	DATA N/A	2846	2.57%	6,893	-4,321	-10.84%	0	
156 JACOEBABAD 1	20,580	-14,960	-21.19%	DATA N/A	DATA N/A	-706	-14.68%	14,156	-20,826	-41.67%	0	
157 JACOEBABAD 2	58,169	57,870	240.89%	3,280	10.10%	-2768	3.29%	17,306	-14,022	-8.10%	1	
158 FERDZE 1	7,146	57,870	188.16%	-50,021	-88.62%	-506	-50.02%	1,387	-51,408	-71.59%	1	
159 FERDZE 2	32,015	10,886	23.59%	20,410	65.61%	719	10.88%	16,153	-5,287	-11.41%	1	
160 NAWABSHAH 1	10,588	30,026	182.35%	9,373	28.34%	-28651	6.37%	4,916	4,458	12.52%	1	
161 NAWABSHAH 2	4,810	5,829	11.22%	431	3.29%	-1650	5.82%	3,670	2,159	4.15%	1	
162 KHAIRAPUR 1	4,820	-13,761	-15.89%	11,710	34.09%	7005	-13.76%	2,910	-19,601	-18.84%	0	
163 KHAIRAPUR 2	848	-4,231	-8.44%	DATA N/A	DATA N/A	-196	-8.28%	553	-8,792	-10.77%	0	
164 LARKAI	-1,481	-3,541	-4.25%	DATA N/A	DATA N/A	2624	-3.54%	-1,328	-2,220	0.00%	0	
165 LARKAI 2	-1,277	-3,547	-5.83%	DATA N/A	DATA N/A	2718	-3.54%	-629	-2,816	0.00%	0	
166 LARKAI 3	10,658	12,233	14.89%	DATA N/A	DATA N/A	-304	12.23%	10,474	1,759	2.14%	1	
167 HYDERABAD 1	-3,708	-8,306	-4.49%	DATA N/A	DATA N/A	941	-2.98%	-2,789	491	0.00%	0	
168 HYDERABAD 2	-7,760	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-1959	0	0	0	0.00%	0	
169 HYDERABAD 3	15,119	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-7080	14.83%	3,006	145	0.69%	0	
170 HYDERABAD 4	3,214	8,021	11.89%	1,276	8.39%	-4065	8.02%	2,466	3,877	7.05%	1	
171 HYDERABAD 5	-1,662	-2,820	-4.25%	DATA N/A	DATA N/A	470	-2.82%	-1,168	-1,461	0.00%	0	

TRUE=1, FALSE=0

DISTRICT NAME	CHANGE IN TURNOUT FROM 1988	CHANGE IN WINNING PARTY	CHANGE IN WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR WINNING PARTY	CHANGE IN VOTES FOR 2nd PARTY	CHANGE IN VOTES FOR 3rd PARTIES	CHANGE IN VOTES FOR 3RD PARTIES (FROM 1988)	CHANGE IN PDA SHARE OF 1990	PREDICTED VOTES LOST OR GAINED BY THE PDA (FROM 1988)	POSSIBLE GAIN FROM 1988 PDA BASE (BASED ON POSSIBLE VOTES LOST OR GAINED)	POSSIBLE LOSS OR CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 100% OF LOST PDA VOTES PLUS AND PARTY LOSSES	
	(FROM 1988)	(% OF 1988)	(% OF 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	(FROM 1988)	
172 BADIN 1	2216	3.83	0.00%	DATA N/A	DATA N/A	DATA N/A	-7287	3,540	1,563	1,580	5.06%	0
173 BADIN 2	2460	754	2.19%	DATA N/A	DATA N/A	DATA N/A	-8022	784	1,800	-1,095	-2.98%	0
174 THARPAKAR 1	1,551	DATA N/A	DATA N/A	5,022	12.72%	-17,621	5,022	684	4,328	10,985	10.98%	0
175 THARPAKAR 2	2,760	DATA N/A	DATA N/A	-5,336	-18.71%	-5900	-5,366	1,073	6,466	-18,844	-18.84%	0
176 THARPAKAR 3	4,730	6,681	21.05%	531	-1.59%	-9430	-531	2,022	-2,550	-6,564	-6.56%	1
177 DADU 1	3,300	-8,021	-19.05%	DATA N/A	DATA N/A	DATA N/A	-124	-8,025	3,286	-10,306	-16.77%	0
178 DADU 2	1,170	-7,381	-11.86%	DATA N/A	DATA N/A	DATA N/A	-652	-7,381	500	-6,418	-13.19%	0
179 DADU 3	1,336	-10,200	-16.14%	DATA N/A	DATA N/A	DATA N/A	-2514	-10,200	915	-11,013	-17.49%	0
180 SANGHAR 1	16,513	24,128	46.76%	-8,001	-22.83%	-677	-8,001	3,763	-10,731	-35,478	-35.47%	1
181 SANGHAR 2	16,575	DATA N/A	DATA N/A	-2,880	-5.60%	-21900	-2,880	6,240	-8,226	-16,527	-16.52%	0
182 THATTA 1	-1,878	-5,915	-11.11%	DATA N/A	DATA N/A	DATA N/A	1738	-5,915	-1,458	-4,461	0.00%	0
183 THATTA 2	11,284	-3,558	-8.53%	17,381	212.66%	-2528	-3,558	6,110	-8,656	-25,596	-25.59%	0
184 KARACHI (WEST) 1	-2,762	DATA N/A	DATA N/A	11,306	33.62%	-30759	11,316	-1,042	12,440	12,440	0.00%	0
185 KARACHI (WEST) 2	4,108	DATA N/A	DATA N/A	-2,882	-16.00%	-10483	-2,882	500	-3,466	-18,778	-18.77%	0
186 KARACHI (CENTRAL) 1	-7,394	DATA N/A	DATA N/A	-1,351	-8.80%	-8421	0	0	0	0	0.00%	0
187 KARACHI (CENTRAL) 2	1,678	DATA N/A	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-7325	0	56	0	0.00%	0
188 KARACHI (CENTRAL) 3	-618	DATA N/A	DATA N/A	-118,002	-80.53%	-6280	0	0	0	0	0.00%	0
189 KARACHI (SOUTH) 1	-16,458	-7,756	-12.47%	1,684	17.58%	-12605	-7,756	-13,730	5,902	5,902	0.00%	0
190 KARACHI (SOUTH) 2	-10,232	DATA N/A	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-28105	0	0	0	0.00%	0

TABLE 1, PAGES 2-6

DISTRICT NAME	CHANGE IN TURNOUT FROM 1988	CHANGE IN VOTES FOR WINNING PARTY (FROM 1988)	CHANGE IN VOTES FOR WINNING PARTY (% OF 1988)	CHANGE IN VOTES FOR 2nd PARTY (FROM 1988)	CHANGE IN VOTES FOR 2nd PARTY (% OF 1988)	CHANGE IN VOTES FOR 3RD PARTIES (FROM 1988)	CHANGE IN VOTES (FROM 1988)	CHANGE IN PTA VOTES (FROM 1988)	PREDICTED PTA SHARE OF 1990 TURNOUT	POSSIBLE VOTES LOST OR GAINED BY THE PTA (FROM 1988)	POSSIBLE ERSON OR GAIN FROM 1988 PTA BASE (PAISED OR POSSIBLE VOTES LOST OR GAINED)	CONSTITUENCIES WHERE WINNER MAY HAVE SECURED AS MUCH AS 100% OF LOST PTA VOTES PLUS 3RD PARTY LOSSES
191 KARACHI (SOUTH) 3	5,068	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-1400	0	0	0	0	0.00%	0
192 KARACHI (EAST) 1	-9,076	DATA N/A	DATA N/A	-46,956	-81.51%	-11066	0	0	0	0	0.00%	0
193 KARACHI (EAST) 2	2,361	DATA N/A	DATA N/A	2,230	38.29%	-11140	0	0	0	0	0.00%	0
194 KARACHI (EAST) 3	251	DATA N/A	DATA N/A	1,602	11.80%	-13761	1,602	41	1,561	11.50%	11.50%	0
195 KARACHI (EAST) 4	3,648	DATA N/A	DATA N/A	9,342	36.69%	-10347	9,342	1,067	9,275	34.25%	34.25%	0
196 KARACHI (EAST) 5	10,704	DATA N/A	DATA N/A	8,860	27.58%	-14651	8,860	3,250	5,620	17.51%	17.51%	0
197 QUILTACHAGA	1,624	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-2980	0	615	0	0.00%	0.00%	0
198 PESHIN	11,601	DATA N/A	DATA N/A	3,898	15.69%	-8625	0	0	0	0.00%	0.00%	0
199 LOSBALU	11,627	4,861	44.19%	1,832	13.34%	5234	1,832	2,676	-1,144	-9.95%	-9.95%	1
200 ZHOB	6,905	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-669	0	0	0	0.00%	0.00%	0
201 KADHI	22,071	DATA N/A	DATA N/A	DATA N/A	DATA N/A	1156	0	0	0	0.00%	0.00%	0
202 SBIKICHI/ZIARAT/BLUTI	42,611	DATA N/A	DATA N/A	DATA N/A	DATA N/A	3050	0	3,679	0	0.00%	0.00%	0
203 JAFFARABAD/TAMBOO	-22,977	DATA N/A	DATA N/A	-31,205	-61.37%	1246	0	-10,760	0	0.00%	0.00%	0
204 KALAT/KHARAN	3,746	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-2236	0	661	0	0.00%	0.00%	0
205 KHUZDAR	3,165	DATA N/A	DATA N/A	DATA N/A	DATA N/A	-6171	0	1,410	0	0.00%	0.00%	0
206 LASBELAGWADAR	6,819	3,064	17.59%	DATA N/A	DATA N/A	2677	0	2,662	0	0.00%	0.00%	0
207 TURBAT/PANIGUR	10,175	14,080	116.55%	7,686	47.77%	-6986	0	0	0	0.00%	0.00%	1

TABLE # 1, PAGE # 3-3

COLLAGE OF PRESS CLIPPINGS
COVERING NDI INTERNATIONAL ELECTION
OBSERVATION DELEGATION

Observers Accept Pakistani Vote

Group Found No Evidence of Enough Fraud to Swing Outcome

By Steve Coll
Washington Post, December 1990

ISLAMABAD, Pakistan, Oct. 26—A U.S.-based multinational observer team said today that it had so far found no evidence of rigging in Pakistan's election that would have significantly altered Wednesday's landslide defeat of former prime minister Benazir Bhutto. The co-leader of the delegation, former Turkish foreign minister Tahir Haliloglu, said the team's election specialists would continue to conduct statistical analyses to probe questionable results about outside of voter turnout numbers and election results. But so far, Haliloglu said, "The delegation has reserves no evidence that would allow us to substantiate allegations concerning irregular vote totals."

40-member international team to monitor polls

ISLAMABAD, Oct. 20. Advice Newsm, is included in the delegation, although Pakistan has no process. The team observat procur trans 4 electric m's dance with no- recognized s its is the peo 97- who will ris

NDI to inform world about elections

Dawn 24 Oct 1990 Bureau Report
International teams call on CEC
The Muslim 23 Oct 1990

Observers informed of pre-poll rigging

The Frontier Post, 24 Oct 1990
ISLAMABAD — Members of the National Democratic Institute's (NDI) election called on some PPP leaders at the party's central secretariat here on Tuesday. They remained in the secretariat for about one hour and appraised themselves of the appointments which the PPP leadership harbours about fairness of the polls. The PPP leaders informed the delegates that the caretaker had already initiated "selective ap-

Expressing their point further, they said that the caretaker, both at the centre and the provinces, have changed the venue of polling stations in the Chakwal, Sahiwal and Peshawar for campaign hours on the done mainly of IJI candidate maintained. Moreover, supposed ever Punjab, Mian Mohammad Anwar, ex WPTA, "responses to has, can that the Election Dawn 23 Oct 1990 The Independent 27 Oct, 1990

Finally, a malicious propaganda with personal overtones, has been unleashed by these caretaker, including "shows in in almost all as his sole candidate d by some who seems out of a se armed. ter, it might be es the team of for LAHORE, Oct 24: The Governor formally briefs Punjab, Mian Mohammad Anwar, ex WPTA, "responses to has, can that the Election Dawn 23 Oct 1990

the delegation about her past apprehensions regarding the forthcoming polls. Forc

NDI team briefed by Altaf

Dawn 25 Oct 1990
By Our Staff Reporter

Pakistan's election is deemed 'orderly'

NDI team hears PPP complaints

KARACHI, Oct 23: An eight-member delegation of National Democratic Institute (NDI) was met by MQM Chief Altaf Husain about the aims and objects of NDI of its residence on Wednesday.

World keeps open eyes on polls

40 observers arrive in Islamabad

From SIKANDER HAYAT
ISLAMABAD — Advice
rty of the 40-member international
The Pakistan Times 24 Oct 1990
'Observers team calls on president, Senate Chairman'
ISLAMABAD, Oct. 23: Three leaders of the Election Observer team of the National Democratic Institute (NDI) for International

Congress (ANC), South Africa, Gajendra Kishore, will also be part of the international observers team, though Pakistan does not have diplomatic relations with South Africa. According to a source, the purpose of the visit is to demonstrate the international community's interest in free and fair democratic in Pakistan. The delegation to

Observing the polls

A 40-member team of observers has arrived in Pakistan to monitor the 1990 polls as well. This time, however, they are being greeted upon by some who believe that they have flown in following a conspiracy. As a consequence, we have seen a rash of statements from various leaders as to the desirability of having international observers in our midst at the time of election. As a matter of fact, there is nothing unusual about it. Pakistan is not the exception; the Philippines, India and recently the Soviet Union have had these observers watching the election process. The truth is that it should not alarm any less given their over-sensitivity towards things American nowadays. The truth is to

LETTER FROM NDI PRESIDENT BRIAN ATWOOD TO
SECRETARY OF STATE JAMES BAKER



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October 30, 1990

The Honorable James A. Baker, III
Secretary of State
U.S. Department of State
2201 C Street, N.W., 7th Floor
Washington, D.C. 20520

Dear Mr. Secretary:

As you know, the National Democratic Institute recently sponsored a 40-member international delegation that observed the October 24 elections in Pakistan. Vice President Walter Mondale, NDI's Chairman, has asked that I forward you a copy of the preliminary statement the delegation issued on October 26 in Pakistan. This statement, which was carefully drafted and represented the delegation's consensus view, is enclosed.

The Institute, on behalf of the delegation, is continuing to conduct a statistical analysis of the parliamentary districts to determine the existence of any discernable patterns indicating possible fraud. We are also seeking tangible evidence to support a number of serious allegations put forward by parties in Pakistan, particularly by the Pakistan People's Party. The delegation will not issue a final report on this election until this process is completed.

Our Institute can take no position on the issues the Administration must address with respect to the certification required under the Mikulski amendment for the continuation of foreign assistance. However, we have been advised by your Department that our assessment of the electoral process in Pakistan will be one of the factors under consideration. Some Members of Congress have expressed concern that the Administration may base a certification on the NDI delegation's October 26 preliminary statement. I am sure you would agree that this would be inappropriate. We would hope that any final determination with respect to the Mikulski amendment would await the completion of our delegation's work.

Sincerely,

J. Brian Atwood

Enclosure
JBA/gt

**STATEMENTS BY OTHER OBSERVER GROUPS
ON THE NATIONAL AND PROVINCIAL
ASSEMBLY ELECTIONS**

INTERNATIONAL FEDERATION FOR HUMAN RIGHTS

The conclusion of Mrs. Nathalie Muller, Barrister, Miss Carine Jacoby, Barrister, Mr. Justice Olivier de Baynast and Mr. Justice Serge Petit, sent by the International Federation for Human Rights (IFHR), to observe the general election for National and Provincial Assemblies, held in Pakistan on October 24 and 27, 1990, is as follow:

- 1) The election campaign was held in an atmosphere of great tension against Mrs. Bhutto.
- 2) The electoral proceedings were held with great care, giving the impression of regularity.
- 3) However, serious irregularities were noticed by the observers at the local level:
 - Two identical identity cards (i.e. in the Lahore constituency NA 95 where Mr. Nawaz Sharif and Mr. Asghar Kahn were candidates).
 - Refusal to give the October 24 elections' results to the observers (i.e., in the Lahore constituency NA 96, where Mr. Shahbaz Sharif and Mr. Jehangir Badar were candidates).
 - Hindrance of the representatives of the parties in the vote counting process (i.e., at polling stations F 7/2 - F 7/3 in Islamabad).
 - Presence of armed policemen during the vote counting process (i.e., at polling station 145 in Kasur 1 for the provincial elections; at polling station E 8 Islamabad and polling station 82/83 in South Karachi 3 constituency NA 191 for October 24 elections).
 - Voters being prevented from casting their votes, their names having already been used for this purpose (Lahore).

- Number of votes exceeding voter's number (i.e., PP 128 Mian Khalid Saed constituency). And on the whole, general harassment against PDA representatives.
- 4) From explanations provided by PDA, and without the complete official figures more than five days after the General Election - the chief Election Commissioner having stated that the computer was out of order and that there was a lack of personnel to explain this - it seems that the results giving a very large majority to IJI, against deposed Prime Minister Benazir Bhutto, can be partly explained by a mechanism of highly sophisticated rigging which would have occurred between the polling stations and the offices responsible for collecting results at the constituency level.

FDA states that some presiding officers were devoted to IJI before the elections. While they should have forwarded the results immediately to the returning officers, some of the presiding officers may have stopped in intermediary places held by civil servants and may have replaced some envelopes, adding more IJI voting paper.

IFHR delegation gives some credence to these explanations as follows:

- All observers had noticed, on election days a small turnout which did not add up in the final results.
- Only the figures of the first two candidates have been announced.
- The polling stations were closed at 5 p.m., the vote counting ended around 6:30 p.m.; but the results coming from the polling stations only reached the returning officers around midnight instead of 9:30 p.m. as was the case in previous elections.
- No official record was given to the presiding officers and the party representatives as had been done in previous elections.

Moreover, it is unfortunate that the day after the first election an observer team from NDI deemed it right to hold a press

conference stating that, apart from a few incidents, the proceedings were "regular" and the results "not at all affected". This statement had a considerable impact, on the eve of the second elections, being on the front page of the newspapers and destabilizing the balance of forces.

In conclusion:

- Official figures have still not been published, which causes some doubts on the electoral proceedings, but the rigging allegations submitted by the PDA will be difficult for them to establish in the absence of proper post vote counting records.
- Unofficial figures show that PPP, with regards to 1988 elections, has not totally collapsed although it has sustained serious losses.

Therefore, it is really surprising that IJI got such a considerable lead, which would tend to demonstrate that many new votes have gone exclusively to this party, while all observers had noticed a small turnout on election days.

SAARC NON-GOVERNMENTAL OBSERVER MISSION

PAKISTAN NATIONAL ASSEMBLY ELECTIONS OCTOBER 1990

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Dr. Neelam Thiruchiraman

Mr. Jeyan Thiragarajah

INTERIM STATEMENT

A non-governmental Observer Mission of 16 persons--jurists, academics, journalists and diplomats--from four SAARC countries visited Pakistan to observe the National Assembly elections of October 24 1990. The members of the Mission were drawn from Bangladesh, India, Nepal and Sri Lanka. They came in their individual capacities on the invitation of the Human Rights Commission of Pakistan. The visit was facilitated by the Government of Pakistan. This was the third mission of its kind. During the last two years, SAARC non-governmental teams have observed the Pakistan National Assembly elections in 1988, the Sri Lanka Presidential election in 1988, and the Bangladesh local elections in 1990.

The Mission assembled in Karachi on 20 October 1990. After discussions and briefings, it divided itself into groups and visited the four provinces of Pakistan and the federal capital of Islamabad. In all, 129 polling stations in 46 constituencies were visited. In addition to the observation of the actual election process, members of the Mission met representatives from the federal and provincial governments, the federal and provincial Election Commissions, the two main political alliances, non-governmental organizations, professional bodies and the media. The Mission then reconvened in Lahore on 25 October 1990.

The Mission will release a comprehensive report on the Pakistan National Assembly elections covering three aspects of the electoral process: the political and legal background, the electoral machinery, and the actual polling.

SAARC

The conclusions of the Mission are as follows: In the events leading up to the elections, the appointment of an opposition leader as the head of the caretaker government militated against accepted norms of electoral fairplay. The judicial proceedings against some of the leaders of the previous government also hindered a fair election campaign. Further, the partisan use of the electronic media by the caretaker government was not conducive to a free and fair election. The Mission, given the limitations of its terms of reference, leaves these issues to be resolved according to the wishes of the people of Pakistan.

The actual process of polling appeared to be free, fair and orderly in a majority of the polling stations visited by the Mission. In a minority of the polling stations visited, there were serious improprieties and violent incidents. The Mission received other complaints and allegations about electoral malpractices that it was not in a position to verify. In the interest of strengthening the democratic process in Pakistan, the Mission hopes that procedures and practices will be evolved to minimize such allegations and complaints.

The Mission acknowledges the assistance of the Election Commission and officials of the federal and provincial governments of Pakistan. Logistic arrangements for the Mission were coordinated by the Human Rights Commission of Pakistan and the International Centre for Ethnic Studies in Sri Lanka.

The Mission is an expression of the spirit of SAARC and of the commitment of its members to democratic processes and values in the region. Coming from countries with similar histories and socio-political structures, the members of the Mission are aware of the particular problems that the region faces in protecting democratic institutions and human rights. The members feel that it is through a sharing of experiences that the democratic process in the region can be enriched.

The Mission wishes the people of Pakistan well.