

QUALITY OF GENERAL ELECTIONS 2018: AN APPRAISAL IN THE LIGHT OF NATIONAL AND INTERNATIONAL ELECTION OBSERVERS' REPORTS

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Abstract

The core aim of this paper is to assess the quality of 2018 general elections in light of reports of national election observers like PILDAT and FAFEN and international election observers like EU EOM and COG. The assessment is made on three-tier bases of analysis including the general features of the report, discussion and analysis on the report and a final assessment in the form of conclusion. The findings of the majority of the reports assess that 2018 elections were having some problems and irregularities in pre-poll and post-poll phases while the Election Day operations were smooth with a fiasco of RTS. This paper will be highly helpful in reaching to a final judgment about the quality of 2018 general elections in Pakistan in light of national and international reports.

Key words

Election Observer, 2018 General Elections, Rigging, PILDAT, FAFEN, EU, EOM, COG.

1. Background

The 11th general elections were held in Pakistan on 25th July 2018 for the national and provincial constituencies. This was the third consecutive election in the electoral history of Pakistan which enabled the smooth transition of power from one civilian government to another (Shah, 2019). After elections, Pakistan Tehreek-e-Insaaf (PTI) with the help of independents became the largest party and succeeded in forming government in the center (Dawn, 18th August, 2018). At provincial

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level, PTI formed its governments in Khyber Pakhtunkhwa (Dawn, 17th August, 2018) and the Punjab (Dawn, 21st August, 2018). The Pakistan Peoples Party Parliamentarians (PPPP) in Sindh (Dawn, 18th August 2018) and Balochistan Awami Party (BAP) in Balochistan formed their respective provincial governments (Dawn 19th August, 2018).

After elections many controversies aroused regarding the validity of the election results. The main political parties like Pakistan Muslim League-Nawaz (PML-N), PPPP and Muttahida Majlis-e-Amal (MMA) and other regional political parties like Awami National Party (ANP), Qaumi Watan Party (QWP) etc all rejected the election results. They levied the allegations of rigging in 2018 elections (Dawn 26th July 2018). PML-N asserted that the overthrow of Nawaz Shareef from politics on the basis of corruption charges and the intimidation of media paved the way for rigging in pre-poll phase (BBC, 23rd July, 2018). The secretary general of PPPP, Farhatullah Babar, maintained that the grant of magisterial powers to the army personnel insider the polling stations make the results suspicious. He also criticized the caretaker government for granting magisterial powers to army with the consent of the parliament which paved the way for rigging (Daily Times, 25th July, 2018). MMA also rejected the election results and asserted that the mandate of the public has been stolen and Imran Khan has been imposed on them. It demanded for holding fresh elections (Dawn, 10th August, 2018). ANP termed 2018 elections as rigged because his party has been ousted from electioneering due to terrorists in the pre-poll phase. He held Election Commission of Pakistan (ECP), Army and caretaker governments responsible for keeping the Pakhtun leaders out of the legislature (Dawn, 28th July, 2018).

Election Commission of Pakistan (ECP) secretary, Babar Yaqoob Fateh Mohammad, termed 2018 elections as free and fair. He rejected the allegations of rigging and maintained that the complaints were procedural in nature. However, He conceded the failure of Result Transmission System (RTS) which delayed the result (Dawn, 27th July, 2018). Director General Inter Services Public Relations (DG ISPR) while responding to the allegations levied by political parties and other stakeholders for rigging, pointed out that the role of the army was just to

improve the law and order situation. It has not played any direct role in the elections. He added that if allegation were being levied on army for manipulation of the results then evidence should be provided in this regard. The also asserted that history would prove that 2018 elections were free and transparent. (Dawn, 19th July, 2018; Dawn, 13th October, 2018)

The international election observers like European Union Election Observation Mission (EU EOM) asserted that a level playing field had not been provided to the contestant political parties and candidates in the pre-election phase (Dawn, 28th July, 2018). The Commonwealth Observer Group (COG) appreciated the Electoral laws and pointed out some of procedural flaws in the electoral process which was suggested to be addressed through proper channel. Both the international observers rejected the perception that the election process had been interfered by the army. It had only assisted the polling staff (Dawn, 29th July, 2018). The national election observer like Pakistan Institute of Legislative Development And Transparency (PILDAT) asserted that the quality of 2018 general elections has been declined in comparison to 2013 elections (Dawn, 10th August, 2018). Free and Fair Election Network (FAFEN) termed 2018 elections as free and fair. It urged upon the ECP to conduct an inquiry for addressing the complaints of the political parties and other stakeholders (Dawn 29th July, 2018).

Thus, the nature of general elections 2018 has become controversial. This controversial nature needs to be highlighted and analyzed on the basis of some neural reports. It is against this backdrop that the quality of 2018 general elections has been assessed on the basis of international observers' reports like EU EOM and COG and national observers' reports such as PILDAT and FAFEN.

2. Non-Partisan Election Observer

The non-partisan citizen election observer refers to non-government international and national association which observe the conduction of an election on the basis of international standards. It plays an important role in elections in many ways. It mobilizes the citizens to observe election in an orderly manner. It engages the citizens in election

process by building their confidence. It keeps a vigilant watch on any electoral fraud. It highlights all the problems and irregularities in the electoral processes. It plays its role in promoting the confidence of all people and other stakeholders in civil society on electoral operations. It provides recommendations for improving the future election process (Lappin, 2009).

3. Research Questions

- How far the election observers see the pre-election phase as impartial in terms of electioneering?
- How far the election observers treat election day operations as free and fair?
- How far the election observers observe the post-election scenario in terms of acceptance of election results?

4. Methodology

It is a qualitative research which has been confined to published reports of various election observers. Descriptive and analytical approaches have been adopted for reviewing these reports and reaching a final conclusion for assessing the quality of 2018 general elections in Pakistan.

5. Method of Assessment

The assessment of the reports has been made on the bases of pre-poll phase, election day operations and post-poll environment. Each report has been analyses in terms of its general features, analysis and discussion and a conclusion. The section of general features has focused on the description of the report on the basis of assessment criterion along with weakness and strengths. The section of the analysis and discussion has provided a thorough discussion on the report which is the contribution of the study. The conclusion of the paper provides the final assessment of the quality of 2018 elections on the basis of reports.

6. General Features

6.1. PILDAT

Pakistan Institute of Legislative Development And Transparency (PILDAT) has published its report in August 2018. It has assessed the quality of 2018 general elections on the basis of empirical and general assessment and drawing a conclusion.

6.1.1. Empirical Assessment

According to empirical assessment, the overall quality of the 2008 general elections was 40% which was increased to 56.76% in 2013 general elections. However, this overall quality drops down to 51.79% in 2018 general elections. It has assessed the quality of General Election 2018 with the help of 39 parameters. Each parameter has been measured on the basis of 5-point Likert Scale ranging from 1 to 5 with 1 stands for poorest quality and 5 showing the best quality. All these parameters have been grouped under the following four heads.

6.1.1.1. Pre Poll Phase

This part has been gauged on account of eighteen parameters containing, comprehensiveness and fairness of the constitutional and legal framework for conducting elections, surety over the updated nature of the electoral rolls, the neutral nature of the federal and provincial caretaker governments, impartiality of the security forces and intelligence agencies, the effectiveness of the caretaker governments in supporting ECP, the independent nature of the ECP, the extent of integrity and competence of ECP as a whole, effectiveness and fairness of the scrutiny process, effectiveness of ECP in monitoring the over-expenditure during electioneering, the effectiveness of the system by political parties for monitoring the expenditure on political advertisement, the surety of the provision of peaceful environment by caretaker government for electioneering, the independence of judiciary during electioneering, independence of media from executive during electioneering, independence of media in terms of undeclared vested interests during electioneering, competitiveness of the elections among various contestants (on the basis of vertical downward alignment), competitiveness of the elections among various contestants (on

horizontal basis), satisfaction over the arrangement for knowing the location of the polling stations and the fairness of the delimitation in Pakistan.

On the basis of these parameters the percent scores were calculated for 2008, 2013 and 2018 general elections by the PILDAT. As per these calculations the percent score for 2008 general elections was 32.94% which increased to 62.35% in 2013 general elections. However, this score dropped to 50.00% in 2018 general elections.

6.1.1.1.2 Polling Day Operations

This part has been assessed by virtue of nine parameters including, the extent of satisfaction over the training of polling staff and Returning Officers (ROs), the impartiality of the polling staff, the effectiveness of the management competency of ECP, safety and security for polling staff to conduct duty in sensitive polling stations, the extent of satisfaction over the arrangement of ECP in transportation of polling material and staff, the suitability of the polling stations, the extent of satisfaction over the law and order situation, the extent of satisfaction that armed forces have not affected the electoral choices of the voters and the accessibility and transparency of the polling operations by neutral election observers. On the basis of these parameters the percent scores were calculated for 2008, 2013 and 2018 general elections by the PILDAT. As per these calculations the percent score for 2008 general elections was 40% which increases to 44% in 2013 general elections. In case of 2018 general polls, the percent score was reached to 64% which is highest one in comparison to previous elections. The report applauds the endeavors of the ECP, polling staff and the security forces in polling day operations.

6.1.1.1.3 Counting and Result Compilation & Transmission

This part has been measured in light of six parameters including, the transparency in compilation of statement of Vote Count at polling station, efficiency and accuracy in sending election results from polling stations to ROs, efficiency and accuracy in sending election results from the ROs to the ECP, satisfaction over the provision of the

statement of the count to polling agents and their display at polling stations, transparency in consolidating results at RO level and surety that the statement of the count has not been changed in polling station. On the basis of these parameters the percent score were calculated for 2008, 2013 and 2018 general elections by the PILDAT. As per these calculations the percent score for 2008 general elections was 43% which increased to 47% in 2013 elections. However, this score dropped to 40% in 2018 general elections. On the basis of this comparison, PILDAT terms 2018 general elections as the weakest one.

6.1.1.1.4 Post Poll Phase

This part has been evaluated on the basis of six parameters comprising of, the extent of acceptance of election results by political parties, the extent of acceptance of election results by defeated candidates, the extent of acceptance of election results by the electorate, the extent of satisfaction of the neutral election observers (domestic & foreign) in declaring elections as free and fair, compatibility between election results and the findings of the survey conducted before elections and pressure in the formation of government. On the basis of these parameters the percent score were calculated for 2008, 2013 and 2018 general elections by the PILDAT. As per these calculations the percent score for 2008 general elections was 56% for general elections 2008 which was increased to 68.00% in 2013 general polls. However, this score dropped to 50% for 2018 general elections.

6.1.2. General Assessment

Apart from the empirical assessment, the following general assessment further explore the quality of 2018 general elections. The general assessment has been made on the basis of the following points.

- Apart from PTI, all political parties rejected the results of 2018 elections. They levied many allegations of rigging in the elections. The President of ANP, Asfandiyar Wali Khan, accused ECP, Pakistan Army and caretaker government for alleged rigging. Major political parties such as PML-N, PPP and MMA also levied the allegations of rigging and they decided to use the floor of parliament for addressing the issue of rigging.

- The international election observers such as European Union Election Observation Mission (EU EOM) and COG Observers also showed their partial satisfaction over the results of the elections. EU EOM regarded pre-poll phase as not free and fair. There was censorship in case of media. The EU EOM regarded the verdict of the court against Nawaz Shareef, as based on injustice in the pre-poll environment. It also raised its reservations over the presence of armed forces in the process of counting and transmission of result.
- The COG Mission applauded the electoral laws in Pakistan. However, it showed its reservations in counting method and transmission of the results.
- The Human Rights Commission of Pakistan expressed its reservations over the participation of the electoral candidates affiliated with terrorist individuals which have been strongly rejected by the voters.
- There were also flaws on the part of ECP. For example, some of the polling stations were far away from the voters especially in tribal areas. Secondly, the ECP had not pre-tested the RTS due to which the elections results were delayed to more than 56 hours. The secretary of ECP had even conceded the failure of RTS. Thus, ECP should had been very careful in using RTS. Either RTS should be pre-tested or there should be a plan-B in case of RTS failure.
- In 2018 general elections about 371000 troops had been deployed inside and outside the polling stations. This strength of the troops was much more than the strength present earlier in 2008 and 2013 general elections which were 39000 and 75000 respectively. The ECP has assigned magisterial powers to the army which was greatly criticized by the politicians.
- There has been recorded inconsistency between the public opinion polls conducted before 2018 elections and the actual results after elections. According to this opinion polls, the expected vote banks of PTI was ranged between 30% to 20%; for PML-N it was 27% to 30%; for PPP it was 17% to 20% and for other parties it was 15% to 20%. According to actual

election results PTI secured a vote bank of 43%, PML-N got 23.16%, PPP secured 15.8% and other political parties got 17% of the voters. Thus, the voter bank of PTI was 12% more; PML-N was 5.34 less; PPP was 2.7% less and of other political parties it was 1% less than the expected percentage in opinion polls.

- The international media more particularly *Los Angeles Times* (20th July, 2018), *Foreign Affairs* (27th July, 2018), *Washington Post* (25th July, 2018) and *the Guardian* (26th July, 2018) that the army had a soft corner for Khan. The security apparatus has also harassed the PML-N workers in pre-poll environment. In addition, Khan had also been greatly supported by his new elected slogan of ‘changed Pakistan’. People had also been frustrated from the dynastic politics in Pakistan.

6.1.3. Conclusion

On the basis of empirical and general assessment, the following conclusion is drawn.

- There have been issues and problems in the pre-election phase. It has been justified by international observers.
- The polling day activities were smooth and disciplined. The credit in this regard goes to the armed forces who controlled the situation inside and outside the polling stations.
- There has been reported no single incident where military personnel have directed illegal instructions to the polling staff.
- The political parties have alleged that statement of the count has not been made in the presence of their polling agents. In addition, copies of 45 and 46 forms have neither been handed over to the polling agents nor displayed at the polling stations for general public.
- The RTS has been failed while transmitting results from polling stations to ROs.
- There had been a delayed of 56 hours in declaring 99% of the results on the part of ECP which makes the result suspicious.

The PILDAT finally recommends that a thorough investigation should be made for addressing the allegations of rigging so that to remove all the fallacies and suspicion of the political parties, electoral candidates and general public.

6.2. FAFEN

Free and Fair Election Network (FAFEN), non-partisan election observer, based in Islamabad, has published its post-election report titled, “FAFEN General Election Observation 2018: Key Findings and Analysis” with regard to general elections 2018 in Pakistan. The report is composed of the following parts.

1. Methodology
2. Assessment on the basis of Election forms
3. Assessment Tests
4. Major findings

6.2.1. Methodology

FAFEN adopted the following multi-phased election observation methodology for assessing the quality of 2018 general elections. Under the methodology, 130 districts and 272 National Constituencies were selected for making observation. Training was imparted to observers on the basis of Election Act, 2017. The process of observation had been subjected to the following four phases.

6.2.1.1 Pre-Election Long-Term Observation

This phase has been attributed to January-May 2018 period. In this phase 130 observers, called ‘District Coordinators’ (DC) have been appointed in 130 districts for observing the local political environment vis-à-vis implementation of electoral laws. The observations of DCs confined to finalization of electoral rolls, delimitation of constituencies, political environment and participation of marginalized groups.

6.2.1.2 Pre-Election Medium-Term Observation

This phase is based on a period of June to July 2018. In this phase 264 observers called ‘Constituency Coordinators’ (CCs) have been appointed in 270 constituencies. The observation of CCs was to

observe the establishment of polling stations, scrutiny process of nominated candidates, candidates' perceptions about critical election processes, campaigning and canvassing for elections and meeting with election officials.

6.2.1.3 Election Day Observation

This phase is based on the Election Day i.e. 25th July 2018. In this phase a total of 16429 Election Day Observers (EDO) along with 264 CCs had been deployed to observe election day operations in 60000 polling stations. Each EDO spent one hour and observed the environment inside and outside the polling stations.

6.2.1.4 Post-Election Observation

The observation period in this phase was August 2018 onward. The observation scope in this phase was confined to 270 national constituencies and 15 election tribunals. In this phase a total of 264 CCs and 20 Legal Researchers had been deployed to observe the post-election processes like candidates' perception about the quality of election day processes, meeting with election officials and election disputes resolution process.

6.2.2. Assessment on the basis of Election forms

FAFEN has made assessment of the 2018 general elections on the basis of various election forms. These include, Form-28, Form-33, Form-45, Form-46, Form-47 and Form-48

6.2.3. Assessment Tests

FAFEN has made assessment of the 2018 general elections on the basis of various tests. These include, the availability of relevant forms, authenticity of relevant forms, completeness of relevant forms, correctness of relevant forms and consistency of relevant forms.

6.2.4. Major findings

Following are the major findings of the FAFEN's report.

1. As per the comparative analysis between 2013 and 2018 general elections with regard to the implementation of the regulatory

and legal provisions, the irregularities have been decreased from 100% to 38% between these two general elections. In 2013, there have been reported one irregularity from every polling station while in 2018, there have been reported one irregularity from every fourth polling station. Thus, irregularities have been decreased in 2018 general elections.

2. It has been statistically estimated that the polling staff in a polling booth can dispose of a maximum of 45 voters in one hour. A turnout of more than this number is statistically improbable. A voting pattern based on this way is called improbable voting. In 2018 general elections, a total of 4% improbable voting pattern has been recorded.
3. The security official mostly followed the code of conduct related to ban on carrying mobile phone to polling station by the voters, cooperation with media persons and refraining from checking ID cards or voter-chits by the security officials. It has been observed that ban on carrying mobile phone to polling station by voters, has been violated in 10% , the code of cooperation with media person has been violated in 8% while code of checking ID cards or voter-chits by security officials have been violated in 74% in observed polling stations.
4. It appreciates the role of the polling staff and security officials (97% in observed polling stations) for facilitating persons with disabilities, old men, women with infants or pregnancy and persons of transgender.
5. The Election Act 2017 provided the right to citizen associations to observe election day operations. However, only 15 international election observers have been seen in all 57832 observed polling stations which is a meager strength.
6. Votes are casted to the electoral candidates and the candidate with more votes is declared as winning candidate. The votes of the losing candidate and the excessive votes of the winning candidate, are not represented in the legislature under First-Past-the-Post system. The report says that 57% of the votes of the losing candidates and 11.8% of the excessive votes of the winning candidates have been included in the process of political representation in legislatures under First-Past-the-Post

system. It suggested that the system of Proportional Representation can solve this problem.

7. The voters' registration has been increased by 22.9%. In 2013 the registered voters were 86.18 million while in 2018 they were 105.9 million.
8. The number of total invalid votes which were not included in the count were 1693558 (3%) in 2018 general elections.
9. FAFEN made an assessment of the form-45 and form-46. It was found that many legal formalities had not been fulfilled with regard to 28% forms including the signature and thumb impression of the polling staff and NIC number of the voters.
10. According to Election Act, 2017, the prescribed limit for voters in a polling station has been assigned to be 1200 voters with 300 voters in a polling booth. However, according to statistics the number of voters has been exceeded from 1200 voters in 50.59% polling stations.

6.3. EU EOM

European Union Election Observation Mission (EU EOM), under the chief observer, Michael Gahler, a German member of the European Parliament, visited Pakistan on 24th June and remained till 23rd August, 2018. This mission consisted of 122 observers from all 28 European countries. The main aim of the mission was to observe all the electoral processes and to see that whether the elections have been conducted according to international commitments or not? It was also to see that the national electoral laws have been followed or not? It published its final report on 2018 general elections in Pakistan on 07/06/2019. It is based on the following findings and analysis along with recommendations.

6.3.1. Key findings

1. There was no check on the expenditure of the political parties in electioneering.
2. The criterion for the registration of the candidacy was vague.
3. There was partial access to the election observers for monitoring and observing all the electoral process in the election day operations.

4. The electoral rolls were not unified.
5. There were also limitations on the media in the form of self-censorship.
6. There were also limitations on freedom of assembly.
7. The ECP failed in providing its information and decision to all stakeholders in time.
8. The voters had not been educated properly with regard to voting process.
9. Flaws have also been observed in postal voting.
10. The lack of trust has been observed with regard to delimitation of constituencies among various political parties.
11. There was lack of transparency in transmission of the results.
12. There have also been reservations over the presence of army inside the polling stations.

6.3.2. Recommendations

1. Amendments should be brought in the constitution as well as Election Act 2017 so that to remove the vague and subjective criterion for candidacy.
2. Amendment should be brought in the electoral laws so that the ECP could disseminate transparently the information of public interest including the online dissemination.
3. The ECP should conduct regular meetings with stakeholders so that transparency can be ensured. It will also contribute in building public confidence over ECP.
4. The security forces should be deployed only outside of the polling station. It will increase the civilian ownerships over electoral process and build up public confidence.
5. The freedom of speech should be according to international standards.
6. The female representation in contesting general seats should be encouraged.
7. There should be a unified electoral roll according to international standards.
8. The non-partisan election observers should be given full access to all stages of election operations on election day.

9. There should be constituted a new parliamentary committee for introducing new electoral reforms so that the electoral process can be made transparent.

6.4. The Commonwealth Observer Group (COG)

The COG under the leadership of General Abdulsalami A. Abubakar, arrived in on 18th July 2018. It met with all stakeholders in Pakistan. COG started its observation on 23rd July 2018. On election day it visited 107 polling stations in various parts of the country including Islamabad, Rawalpindi, Lahore, Multan, Faisalabad, Karachi and Hyberabad. It submitted its report on 27th July 2018 which is analyzed by categorizing in the following heads.

6.4.1. Pre-Electoral Environment

1. The political parties and electoral candidates had been able to have electioneering freely and peacefully. In the process of electioneering newspapers, TV channels, social media, posters, banners, party flags have been used.
2. The security situation in the country was tense as a whole. Some incidents of terrorism also taken place in Khyber Pakhtunkhwa and Baluchistan.
3. Some of the stakeholders alleged army and judiciary for their impartial electoral role.
4. Some of the stakeholders accused that due to life threat to journalists, the media was in the gripe of self-censorship.

6.4.2. The Legal Framework

- The mission appreciated the reformed legal framework for conduction of 2018 general elections. It asserted electoral reforms have made ECP independent and autonomous in the following ways.
- It has been given the power to make rules.
- It exercises the financial autonomy.
- It has been given the power to punish for any contempt.
- It has been granted the power to declare a polling as null and void.
- It has been given the power to give magisterial powers.

- It takes measures for training of polling staff.
- It has been granted power to cancel the registration of a political party or candidate.
- The power of launching a comprehensive action plan four months before general elections.
- The space capacity of ECP for storage of polling record.
- ECP has been given power to declare election results null and void if there is less than 10% female turnout in a constituency.
- The inclusion of 5% female candidates for general seats by each political party in National Assembly.
- ECP has improved the voters' roll.
- The efforts of ECP for new delimitation of constituencies.
- The facility of postal voting.

6.4.3. Election Day Operations

- The voting started on time and closed on time.
- The voters were motivated for casting vote.
- Generally the ECP administered well the election operations on the election day.
- The voters were mostly not cleared about their polling stations.
- Some of the voters were not cleared to transfer their votes from one to another polling station.
- Politic and army personnel controlled the security situation outside and inside the polling station. The voters were comfortable with their presence in the polling station. However, some of the stakeholders object their presence inside the polling station. It has been observed that the security inside the polling station did not deter the electoral process.
- Results were sent through RTS. In case of the failure of RTS, the results were transmitted through manual mechanism which delayed the declaring of the whole results.
- Some of the President Officers did not handover the copies of Form-45 to polling agents.
- It appreciated the increase turnout of the women voters as compared to previous elections

- Most of the polling stations lacked the facilities for disabled persons in casting vote.

6.4.4. Conclusion

The COG termed 2018 elections an important landmark in the political history of Pakistan. It appreciated ECP for implementing its mandate to hold elections transparent elections in a short time according to the declared schedule. There have been reported some flaws, which should be addressed through proper channel.

7. Discussion and Analysis

Predominantly the election studies are analyzed on the basis of pre-poll phase, election day operations and post-poll phase. In order to assess free and fair elections all phases need to analyzed. The role of ECP, political parties, media, government and other stakeholders need to be analyzed for comprehending transparency in electoral process. The non-partisan election observers too play an important role in identifying the weakness and strengths in the electoral process. Thus, a multiple factors play an important role in in making the electoral process transparent and unbiased. However, in this paper the 2018 general elections are being assessed on the basis of non-partisan election observers' reports like PILDAT and FAFEN and international observers like EU EOM and COG. The phase-wise analysis of all these reports is highlighted by dividing it into the following three heads.

7.1. Pre-Election Phase

PILDAT asserts that there were problems in pre-election phase. A level playing field has not been provided to all political parties and electoral candidates. According to the assessment made by the PILDAT during the period of April to July 2018, a low score has been calculated with regard to neutrality of the caretaker federal and provincial governments, impartiality of the intelligence agencies and the independence of judiciary. The statistics asserts that the percent score for this phase has dropped to 50% in 2018 elections which was 62.35% in 2013 elections.

EU EOM identifies a number of problems in pre-election phase. It asserts that electoral laws were vague in terms of providing a criterion for registration of candidacy. There were no unified electoral rolls and political parties had also reservations with regard to delimitation of constituencies. There were limitations on freedom of assembly and the media was in the gripe of self-censorship. The COG appreciated the electoral laws and opined that these laws had made ECP more independent and autonomous in the discharge of its electoral duties. However, it observed the serious concern of the stakeholders over the impartial role of army and judiciary in pre-election phase. The freedom of speech and press was not according to international standards and the journalists had adopted the policy of self-censorship due to threats to their lives. FAFEN appreciates Election Act 2017 and asserts that it provided new energy to ECP for carrying out 2018 elections. It admires the increment in the number of the registered voters.

7.2. Election Day Processes

PILDAT in this phase has highlighted the failure of ECP in using RTS for electronic transmission of the results. It delayed the results for more than 56 hours which certainly created doubts among political parties and other contesting candidates. It appreciates the efforts of the security forces for maintaining law and order situation inside and outside of the polling stations. It has also asserted that there has not been reported a single case where army men have issued illegal instructions to the polling staff. PILDAT appreciates the overall election day arrangements. It is evident from its statistics for this phase which has increased from 44% in 2013 elections to 64% in 2018 elections.

EU EOM posits that non-partisan election observers had partial access for observing all the election day operations. The RTS failed which delayed the electronic transmission of the results and adds ambiguity to the legitimacy of the result. There have been observed flaws in postal voting. It observed serious reservations of the stakeholders over the presence of army personnel inside the polling stations. The COG valued the efforts of ECP in election day operations. It also appreciated the enough women turnout. It appreciated the role of

the army men in controlling law and order situation. It also pointed out that the presence of the army personnel did not deter the electoral process inside the polling station. It observed that the RTS failed and the results were sent through manual mechanism which delayed the whole results. FAFEN observes many irregularities in polling day process which have been decreased in comparison to preceding elections. It asserts that less number of international observers have been seen in polling stations.

7.3. Post- Election Phase

PILDAT in the post-election scenario highlights the importance of the fact that election results must be accepted by all stakeholders including political parties, contesting candidates and the electorate in order to term them as free and fair. However, the results have not been accepted by all stakeholders. The political parties except PTI have levied allegations of rigging. In this regard, the main political parties like PML-N, PPP and MMA levied the charges of rigging and decided to sit in the parliament to give tough time to the government. The President of ANP termed rigging in 2018 elections as a nexus of ECP, Army and caretaker government. According to the statistics of PILDAT the percent score for this phase has been dropped to 50% in 2018 elections which was 68% in 2013 elections.

EU EOM observes the non-acceptance of the election results by political parties. It made ECP responsible for the lack of conducting regular meetings with the stakeholders which if carried the confidence over ECP would definitely increased. The COG admired ECP for implementing its mandate to hold transparent elections in short time according to declared schedule. It maintained that the flaws in post-election scenario can be addressed through proper channel for addressing the problems of the stakeholders and bringing further improvement in electoral process. FAFEN does not mention any observation with regard to post-election environment.

8. Conclusion

PILDAT finds problems with regard to Pre and Post election phases with appreciation of election day operations in comparison to preceding elections. EU EOM finds problems with regard to electoral laws, rolls, delimitation of constituencies and freedom of speech and assembly in pre-election phase. In election day process it pinpoints the failure of RTS, flaws in postal voting and the presence of army personnel inside the polling stations. In post-election scenario it makes ECP responsible for non-conduction of regular meetings with stakeholders in pre-election phase which could built the confidence over ECP. The COG mentions the reservations of the political parties and other stakeholders related to the impartial role of army and judiciary in pre-election phase. It also highlights the policy of self-censorship adopted by the journalists in media. With regard to election day operations, the COG applauded the endeavors of ECP for electoral arrangements and army personnel for maintaining law and order situation. However, it criticized the failure of RTS in transmission of results. It opined that problems with regard to the non-acceptance of election results by the political parties in the post-election phase, can be solved through parliamentary floor. FAFEN admires the legal framework in pre-election scenario. It records fewer irregularities with less number of international observers in polling stations. It mentions no concern with post-election phase.

Thus, PILDAT, EUEOM and COG see problems in the pre-election phase while FAFEN does not mention flaws in this phase. Similarly, with regard to election day operations all these agencies appreciate the efforts of ECP in polling day arrangements with failure in RTS. Likewise, in relation to post-election phase, PILDAT, EU EOM, the COG identify problems. All the problems and controversies related to elections should be addressed by parliamentary committee consisting of the representatives of all political parties.

References

- “Buzdar sworn in as Punjab CM,” *Dawn*, 21st August, 2018
- “EU Mission says Election Results Credible; Criticizes Pre-Poll Environment uneven Playing Field,” *Dawn*, 28th July, 2018
- “Magistrate Rights to Army Officials can be Equated with Rigging: Farhatullah Babar,” *Daily Times*, 25th July, 2018
- “MMA Stages sit-in Against ‘Rigged’ Elections,” *Dawn*, 10th August, 2018
- “Muran Ali Shah takes oath as 33rd Chief Minister of Sindh,” *Dawn*, 18th August, 2018.
- “Sindh Elects Murad Ali Shah, KP Mahmood Khan as CM,” *Dawn*, 17th August, 2018
- “Viewpoint: Pakistan’s Dirtiest Election in Years,” *BBC*, 23rd July, 2018.
- Amir Wasim, “Imran outscores Shahbaz Secures Top Job,” *Dawn*, 18th August, 2018.
- Azfar-ul-Ashfaque, “PTI Delivers Knockout Punch; Six Major Parties Cry Foul,” *Dawn* 26th July 2018.
- EU EOM. (2018). *Final Report on the General Elections, with Recommendations for Reform*. The European Union Election Observation Mission.
- FAFEN. (2018). *FAFEN General Election Observation 2018: Key Findings and Analysis*. Free and Fair Election Network, Pakistan
- Faiz Mohammad, “ANP to Protest Election ‘rigging’ across KP on Monday,” *Dawn*, 28th July, 2018
- Farooq Shah, “History will prove 2018 Elections were Transparent: DG ISPR,” *Dawn*, 13th October, 2018

- Iftikhar A. Khan, “Under-fire ECP puts Blame on Result Transmission System,” *Dawn*, 27th July, 2018
- Iftikhar A. Khan, “Foreign Observers find no Meddling by Troops in polling,” *Dawn* 29th July, 2018
- Iftikhar A. Khan, “Quality of 2018 elections declines Compared to 2013: Pildat,” *Dawn*, 10th August, 2018
- Kalbe Ali, “FAFEN Expresses Satisfaction over Election Process,” *Dawn* 29th July, 2018
- Lappin, R. (2009). “Why Observe Elections? Reassessing the Importance of Credible Elections to Post-Conflict Peacebuilding.” *Peace Research*, Vol.41, No.2, pp.85-117
- PILDAT. (2018). *Assessment of the Quality of General Election 2018*. Pakistan Institute of Legislative Development And Transparency, Pakistan.
- Shah, A. (2019). “Pakistan: Voting under Military Tutelage.” *Journal of Democracy*, Vol.30, No.1. pp.128-142.
- Shakeel Qarar, “No Direct Role of Army in July 25 Elections, DG ISPR Tells Senate Committee,” *Dawn*, 19th July, 2018
- Syed Ali Shah, “Jam Kamal Khan Sworn in as Balochistan’s 16th Chief Minister,” *Dawn* 19th August, 2018
- The Commonwealth. (2018). *Pakistan General Elections*. Commonwealth Observer Group (COG)