

Press Release

Change in the Rules for Presidential Election Criticized

Islamabad, September 19, 2007: Centre for Peace and Development Initiatives, Pakistan (CPDI-Pakistan) expresses its deep concern that the Election Commission of Pakistan (ECP) has amended the rules for the presidential election in a non-transparent manner and without consulting stakeholders such as civil society organizations and political parties. It is strange that the ECP did not even announce this change until after the Federal Minister for Parliamentary Affairs had shared this with media. This has raised serious questions about the legality and credibility of the procedure that was followed, and whether it was really the ECP that had initiated and steered the amendment process. It is highly unfortunate that, by operating in a non-transparent manner on this matter, the ECP has made itself controversial at such a critical juncture of Pakistan's history. As the amendment explicitly favours the incumbent president, it is hardly surprising that the ECP is being widely criticized for being bias and partial.

CPDI-Pakistan demands the ECP to fully explain the process that it followed to amend the rules that govern the presidential elections. The ECP must especially explain when it initiated the amendment process and why the need for such an amendment was felt at that particular time. The ECP must also explain the role that the Ministry of Parliamentary Affairs and the President House played in the amendment process. Information must also be disclosed about the officers or the legal experts, who were consulted for their comments and whether all of them agreed that such an amendment was, indeed, required.

It is strange that the two Supreme Court judgments, which the ECP has referred to justify the amendment in the rules, had been announced in 2002 and 2005. The questions arise: if the change in the rules in the light of these judgments was at all necessary, why the ECP continued to sleep over them for such a long time. And why it has chosen to change the rules just before the presidential election and at the time when the larger bench of the Supreme Court was about to start its hearing on a range of questions surrounding the presidential election. Until such questions are answered by the ECP in a satisfactory manner, the ECP would continue to be perceived as a biased, partial and a non-transparent organization.

CPDI-Pakistan recommends that the Chief Election Commissioner (CEC) must organize meetings with stakeholders, especially political parties and civil society organizations, in order to explain its point view and listen to the concerns from

other participants. These meetings may help in developing a better understanding of the situation and removing the possible misunderstandings. In the meanwhile, the ECP must also consider withdrawal of the amendment in the rules, as most jurists and constitutional experts seem to be of the opinion that the amendment is against the spirit of the constitution and could lead to serious difficulties in the conduct of presidential elections.