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Session document

19 November 2002

B5-0597/2002 }
B5-0598/2002 }
B5-0599/2002 }
B5-0600/2002 }
B5-0611/2002 }

RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 37(4) of the Rules of Procedure by

- John Walls Cushnahan, Lisbeth Grönfeldt Bergman and Marcelino Oreja Arburúa on behalf of the PPE-DE Group
- Maria Carrilho and Jannis Sakellariou on behalf of the PSE Group
- Cecilia Malmström and Bob van den Bos on behalf of the ELDR Group
- Jean Lambert and Matti Wuori on behalf of the Verts/ALE Group
- Luisa Morgantini on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- GUE/NGL (B5-0597/2002),
- ELDR (B5-0598/2002),
- Verts/ALE (B5-0599/2002),
- PPE-DE (B5-0600/2002),
- PSE (B5-0611/2002),

on the elections in Pakistan

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PE 325.112}
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PE 325.114}
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European Parliament resolution on the elections in Pakistan

The European Parliament,

- A. having regard to the overthrow of the elected government of Prime Minister Nawaz Sharif in a military coup by General Pervez Musharraf,
 - B. having regard to the judgement of the Supreme Court on 12 May 2000, which validated the military takeover under the 'Doctrine of Necessity' on the understanding that democracy would be restored within three years of the coup,
 - C. having regard to the announcement by General Musharraf on 14 August 2001 of a 'roadmap for the restoration of democracy',
 - D. having regard to the decision by General Musharraf to hold a referendum on 30 April 2002 seeking endorsement for an extension of his rule for a further five years,
 - E. whereas on 21 August General Musharraf issued Legal Framework Order 2002 (LFO), which conferred excessive powers on the President to the detriment of parliamentary democracy and institutionalised the role of the military in the governance of the country,
1. Believes that the referendum of 30 April 2002, which was marked by widespread electoral abuse, was contrary to the 1973 Constitution of Pakistan and was a departure from the 'roadmap for the restoration of democracy';
 2. Recalls that it welcomed the holding of the 2001 local government election and the October 2002 National and Provincial Assembly election; points out, however, that the holding of elections does not in itself guarantee the full restoration of democracy;
 3. Recalls that it supported the decision by the EU to send an Election Observation Mission to Pakistan for the October elections;
 4. Acknowledges that, although the EUEOM received less than full cooperation from the Government of Pakistan, no restrictions were placed on the Mission and it was able to fulfil its role in accordance with the internationally accepted criteria used for election observation;
 5. Is aware that the US-based National Democratic Institute for International Affairs (NDI) concluded that the 'framework for the 10 October balloting for the National and Provincial Assemblies provides for a very limited transfer of power to elected civilian representatives';
 6. Is aware of the criticism expressed in the report of the Commonwealth Observer Group 'that the conditions prescribed by the government for the campaign period were unduly restrictive and curtailed the freedom of parties and candidates to conduct their normal campaign activities' and its conclusion that the election was part of an 'incomplete democratic process'; is further aware that, because of this, Pakistan remains suspended from the

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PE 325.112}
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Commonwealth;

7. Is aware of the statement by the Asian Network for Free Elections (ANFREL) that ‘there are legitimate concerns regarding misconduct during the pre-election period’ and that ‘some of the practices observed and reported during this period were serious enough to limit possibilities for democratic transition in Pakistan’;
8. Is aware of the serious concerns regarding the elections expressed by respected locally based NGOs such as the International Crisis Group (ICG) and the Human Rights Commission of Pakistan;
9. Strongly endorses the preliminary conclusions of the EUEOM, which stated that there were serious flaws in the electoral process, and also shares its strong reservations as to whether or not the elections would lead to a transfer of power from a military to a civilian administration;
10. Deplores the introduction of arbitrary criteria for nomination, particularly the requirement to have a BA degree, which deprived 96% of Pakistan’s citizens (including 41% of existing legislators) of the right to run for office, thereby diluting the representative nature of democracy in Pakistan; further deplores the enactment of legislation (of questionable legality) designed to exclude certain candidates, including Benazir Bhutto and Nawaz Sharif, from standing for election;
11. Considers, therefore, that the official declaration of the Danish Presidency on behalf of the Council is an inadequate response to the assessment of the October elections by not only the EUEOM but also the NDI, the Commonwealth and the ANFREL observer groups; believes, furthermore, that this compounds the earlier mistake by the Council when it failed to express its concerns regarding the April presidential referendum;
12. Regrets that an opportunity to help Pakistan progress towards democracy has been missed;
13. Calls on the EU to continue to monitor the process closely and to remain engaged with Pakistan throughout its transition to democracy;
14. Calls on the Government of Pakistan and the Election Commission of Pakistan to ensure that action is taken to implement the EUEOM’s recommendations that democratic processes in Pakistan be enhanced and joint work be undertaken to achieve good governance and functioning democratic institutions in Pakistan and a transfer of power from a military to a civilian administration;
15. Instructs its President to forward this resolution to the Council and Commission and to the Election Commission and Government of Pakistan.