

TESTIMONY OF FORMER SENATOR TOM DASCHLE
BEFORE THE HOUSE OVERSIGHT AND REFORM
SUBCOMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS
December 20, 2007

Mr. Chairman, thank you for inviting me here today to speak on behalf of the National Democratic Institute (NDI) regarding the prospects for free and fair elections in Pakistan. I am a member of the Board of Directors of NDI and was pleased to be able to lead a pre-election assessment to Pakistan for NDI from October 17 to 21.

NDI has been actively involved in supporting the electoral process in Pakistan for nearly two decades. The Institute organized international delegations to observe the national and provincial elections in 1988, 1990, 1993, and 1997. This year, NDI is implementing a program to train political party representatives to monitor polling stations across the country on election day. The Institute also conducted two pre-election assessment missions to Pakistan, both prior to the imposition of martial law. The first was held in May and I led the second, held in October. These missions identified a number of critical issues that needed to be addressed by the Pakistani government to improve the inclusiveness and credibility of the polls. The most recent delegation identified the following critical issues affecting these elections:

- the high incidence of election-related violence;
- the killing and abduction of journalists and political party workers;
- the infringement of the rights of women to vote;
- the ban on political parties operating in the Federally Administered Tribal Areas;
- the lack of regular consultation by the election commission with the political parties and civil society on election procedures and policies; and
- the inaccuracy of the voters' list.

President Pervez Musharraf's recent retirement from his military post and the lifting of the state of emergency on Saturday have been welcome developments, but much remains to be done before the upcoming polls could be viewed as free and fair by international standards. In fact, we urge the members of this committee not to be distracted by President Musharraf taking off his uniform. It has not undone the damage of eight years of military rule to the basic institutions of rule of law and democracy in Pakistan.

Similarly, the lifting of the state of emergency is not alone sufficient for ensuring free and fair elections. It is only the first of many steps the government must take to avoid a further deepening of Pakistan's current crisis.

Among the serious impacts of the recent state of emergency was the severe erosion of the independence of Pakistan's judiciary. Musharraf's replacement of several Supreme Court justices who threatened to rule his reelection unconstitutional undermines the democratic principle of checks and balances. Without the restoration of Chief Justice Iftikhar Chaudhry and the other deposed justices, public confidence in the ability of the judicial system to act independently and ensure the transparency of the electoral process will be significantly curtailed.

Lingering restrictions on the press and opposition political parties also pose a threat to free and fair elections in Pakistan. Vibrant independent media and political competition are important elements in free society. While many restrictions imposed during the state of emergency have

since been lifted, one major television station continues to be prohibited from broadcasting while others face strict limitations on the content of their political coverage. Many opposition supporters remain under arrest while their parties do not have the freedom to campaign freely.

In addition, both of NDI's assessments identified a host of very serious and basic issues that, if not addressed, would adversely affect the election. Virtually nothing has been done since our first report to strengthen the prospects for free and fair elections. While the government has allowed the return of two former prime ministers – Benazir Bhutto and Nawaz Sharif – after years of exile, Sharif has been barred from standing for a seat in parliament, thus diminishing his party's ability to fully participate in these elections. The other issues identified by the NDI delegations, which remain unaddressed today, are still fundamental to an inclusive, credible, and transparent electoral process.

Only elections that are viewed as legitimate by the people of Pakistan can resolve the instability that has long plagued their country. Robust institutions, an independent judiciary, free and independent media, vibrant political parties, and transparent elections are all fundamental to a stable and democratic future for Pakistan.

Thank you.