

SENATE OF PAKISTAN



SEVENTEENTH PARLIAMENTARY YEAR 2019-2020

REPORT NO. 04 OF 2019

**REPORT OF THE SENATE STANDING COMMITTEE ON
PARLIAMENTARY AFFAIRS**

ON

**" CALLING ATTENTION NOTICE REGARDING REPORT OF THE WORKING
GROUP OF THE ELECTION COMMISSION OF PAKISTAN ON E-VOTING FOR THE
OVERSEAS PAKISTANIS" RAISED BY SENATOR MUHAMMAD JAVED ABBASI
IN THE SENATE SITTING HELD ON 5TH OCTOBER, 2018"**

PRESENTED BY:

SENATOR SASSUI PALIJO
CHAIRPERSON (COMMITTEE)

SENATE SECRETARIAT

REPORT OF THE SENATE STANDING COMMITTEE ON PARLIAMENTARY AFFAIRS ON THE CALLING ATTENTION NOTICE REGARDING REPORT OF THE WORKING GROUP OF THE ELECTION COMMISSION OF PAKISTAN ON E-VOTING FOR OVERSEAS PAKISTANIS MOVED BY SENATORS MUHAMMAD JAVED ABBASI DURING SITTING OF THE SENATE HELD ON 5TH OCTOBER, 2018.

I, Senator Sassui Palijo, Chairperson Standing Committee on Parliamentary Affairs have the honor to present on behalf of the Committee, this report on the Calling Attention Notice regarding Report of the Working Group of the Election Commission of Pakistan on E-voting for Overseas Pakistanis moved by Senator Muhammad Javed Abbasi during the sitting of the Senate held on 5th October, 2018.

2. The composition of the Committee is as under:-

1.	Senator Sassui Palijo	Chairperson
2.	Senator Musadik Masood Malik	Member
3.	Senator Pervaiz Rashid	Member
4.	Senator Khanzada Khan	Member
5.	Senator Farooq Hamid Naek	Member
6.	Senator Dr. Sikandar Mandhro	Member
7.	Senator Taj Muhammad Afridi	Member
8.	Senator Anwar ul Haq Kakar	Member
9.	Senator Mir Muhammad Yousaf Badini	Member
10.	Senator Abida Muhammad Azeem	Member
11.	Senator Waleed Iqbal	Member
12.	Minister for Parliamentary Affairs	Ex-officio Member

3. The Committee took up the issue in its meeting held on 23rd January, 2019. However, the issue was deferred due to absence of the mover. The issue was again placed on the agenda of the Committee meeting held on 8th May, 2019. The meeting was attended by the following members:-

1.	Senator Sassui Palijo	Chairperson
2.	Senator Taj Muhammad Afridi	Member
3.	Senator Dr. Sikandar Mandhro	Member
4.	Senator Pervaiz Rashid	Member
5.	Senator Abida Muhammad Azeem	Member
6.	Senator Walid Iqbal	Member
7.	Senator Muhammad Javed Abbasi	Mover
8.	Senator Lt. Gen. (R) Abdul Qayyum	Special Invitee

3. Senator Muhammad Javed Abbasi informed the Committee that before the passage of Elections Act, 2017, a Parliamentary Committee was constituted which thoroughly considered the issue of voting right to the overseas Pakistanis. However, the Election Commission of Pakistan (ECP) informed the Committee that they had constituted a working group comprising experts from academia, private sector and international forums to consider the issue of right of vote to the Overseas Pakistanis through E-Voting. The Working Group in its report opposed the idea of E-voting as there were serious issues of security of E-Vote.

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Therefore, the ECP also opposed the proposal of E-Voting to Overseas Pakistanis in the Parliamentary Committee. The Committee agreed with the suggestion of the ECP to drop the proposal of E-Voting. This was made part of the report of the Parliamentary Committee which was presented before and adopted by the House. According to him the ECP opposed the idea of E-Voting before the Parliament but they allowed E-Voting in by-election 2018 on the orders of the Supreme Court of Pakistan. Thus they violated the Rules of Procedure and Conduct of Business in the Senate, 2012 which provides that the report containing recommendations adopted by the House shall either be implemented or the concerned department should inform the Senate within 2 months about the reasons for non-implementation of the recommendation of the House failing which it shall be binding on them.

4. The Secretary, Election Commission of Pakistan informed that they opposed the proposal for E-Voting before the Parliamentary Committee. He informed that they also opposed the proposal before the Supreme Court of Pakistan. However, the Supreme Court of Pakistan did not agree with their arguments and ordered implementation of the proposal in Bye-election, 2018. He informed that attempts were made to hack the system during its pilot project in By-election 2018.

5. The representative of DAI-Tabeer, a private organization informed that only 9 countries have granted the right of vote to its overseas citizens through internet. Fifty two countries have granted this right through postal ballot whereas 52 countries including India do not give this right to its expatriates. He informed that they were opposed to the idea of E-Voting for the Overseas Pakistanis on account of the issue of security of ballot.

6. The Committee was of the view that they do not oppose the right of vote to the overseas Pakistanis. But steps should be taken to ensure the secrecy and security of ballot. They were of the view that the Election Commission of Pakistan should consider the issue of E-voting and file a review petition against the decision of the Supreme Court of Pakistan regarding E-Voting, if required.

7. **Recommendations:** After thorough discussion, the Committee disposed off the issue of Calling Attention Notice and recommended that the Election Commission of Pakistan should reconsider the issue of E-voting and file a review petition against the decision of the Supreme Court of Pakistan regarding E-Voting, if required.


(RAFIULLAH)
Secretary Committee

Islamabad, the
8th May, 2019.


(SENATOR SASSUI PALIJO)
Chairperson Committee