

## Chapter 4

# The Poll and Count

We were able to visit 105 polling centres (including some that were deemed to be in high risk areas) in 31 constituencies throughout Bangladesh, in all of the six Divisions into which the country is divided. We were also able to observe the counting of votes in ten centres. All presiding and law enforcement officers were exceptionally co-operative with us, and greatly facilitated our work. Our impressions are set out in this chapter.

### Voting Arrangements

Voting took place in polling centres, which were each run by a Presiding Officer and usually located in schools or other public buildings. These centres were divided into as many as 12 polling booths, each run by an Assistant Presiding Officer and two other election officials. The booths were equipped with a register, ballot box and other appropriate equipment. The marking of the ballot paper took place in a screened voting area in a section of each polling booth. The contesting parties were entitled to place party agents in each polling booth.

Altogether, some 25,957 polling centres were set up throughout the 300 constituencies from which Members of Parliament were to be elected. There was generally one polling centre for each 2,500 of the country's 56.7 million registered voters, with an average of 500 voters per booth.

Arrangements were made for women and men to cast their ballots separately, either in different polling booths in the same polling centre or in separate polling centres. In centres where it was possible there were also separate entrances and exits for women and men.



*Tools of the trade ... Commonwealth Observer Errol Bethel (left) and an Election Commission official inspect a store of election kits and ballot papers: despite the scale of the exercise, in general supply arrangements worked well*



*Supply side ... ballot papers being transported under the guard of armed police and 'ansar' security personnel: election materials had to be supplied to 25,957 polling centres*

### **Polling Day**

Polling day, Wednesday 12 June 1996, had been declared a national holiday. Most types of motor vehicles and all motorcycles had been banned for the day (except in the cases of those used by essential workers, observers, journalists and election officials), to prevent the use of such vehicles in any disruption of the elections.

Turnout at the opening of the poll and throughout the morning was especially heavy, with women voters noticeably outnumbering men in many

polling centres. The atmosphere was orderly and festive, although there were a few centres that were considerably less organised and problematic. There could be no doubt, however, that voters were highly motivated and determined to exercise their franchise. Voters did not have to travel exceptionally long distances to polling centres – the Election Commission had made sure that no one would have to travel more than two-and-a-half miles (four kilometres).

We did not consider the polling centres to be well sign-posted, but the tremendous turnout of voters when the poll opened on election day was a clear indication that this did not affect the voters in any way. In any event, enormous crowds always pinpointed the location of polling centres. We were told that some centres had been added after the list of centres was published, but could not determine whether this affected voters in any way.

The situation of polling centres and their surroundings varied tremendously. In very small facilities, polling booths tended to be cramped, crowded and dark. They usually had only one

door for entry and exit, which added to the congestion in the booth. There was also limited space for queuing in the compound, which also created some difficulty. However, there was ample space in the vast majority of facilities, and where Presiding Officers had taken care with the layout of the polling centre both small and large facilities functioned smoothly and efficiently.

Voters turned out in enormous numbers in the early morning and



*All clear ... election officials demonstrate to observers and party agents that the ballot box is empty*

at almost all polling centres we visited hundreds were in the queue when the polls opened at 8 a.m. This was the case even in areas where threats of violence had been reported. In fact we were told that many people voted early, fearing trouble later in the day. For the most part, queues were orderly. In a number of cases, however, impatience combined with large numbers and long waiting periods in the heat caused some disorder.

As the monsoon season had begun, it was thought that weather would be a factor affecting voter turnout on election day. However, there was little or no rain throughout the country. The Election Commission later confirmed our assessment regarding a high voter turnout, announcing that 41.5 million people voted, representing 74 per cent of all registered voters.

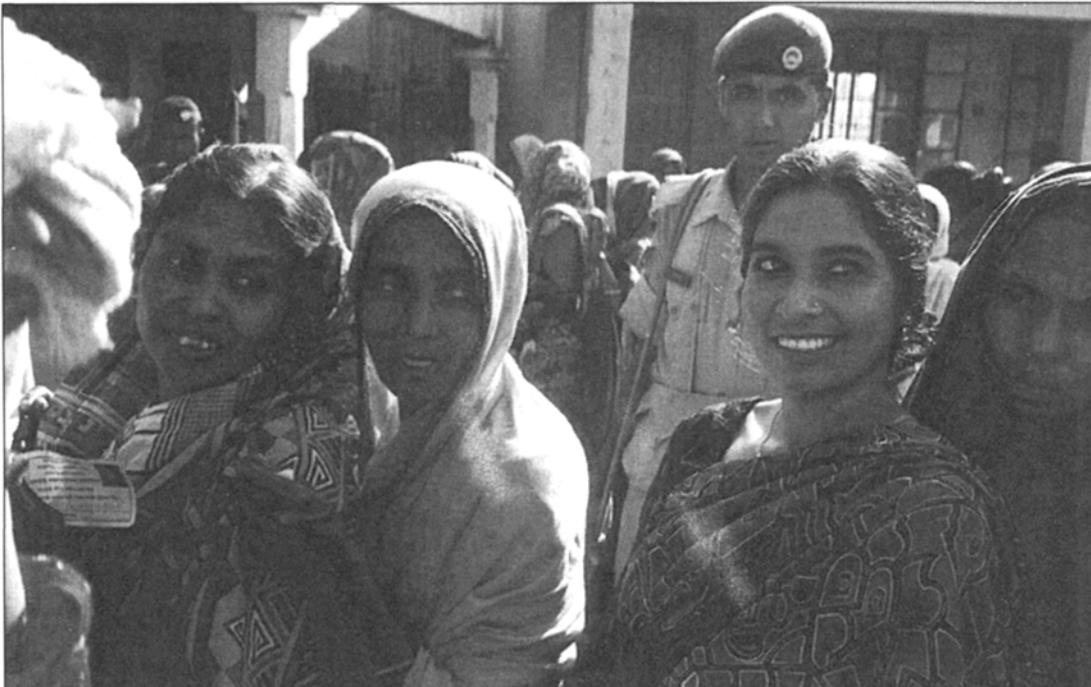
### Opening of the Poll

We were present at our selected polling centres well in advance of opening time at 8 a.m., in order to observe the preparations for polling. Most of the centres opened on time and the display of the ballot boxes by the Presiding Officer to prove that they were empty, the fixing of unnumbered wax seals on the ballot boxes and other necessary procedures were carefully observed in most cases. Party agents who were present at the polling centres to ensure that all was in order declared themselves to be satisfied. In all other polling centres in which we enquired Presiding Officers said that they had opened the poll on time.

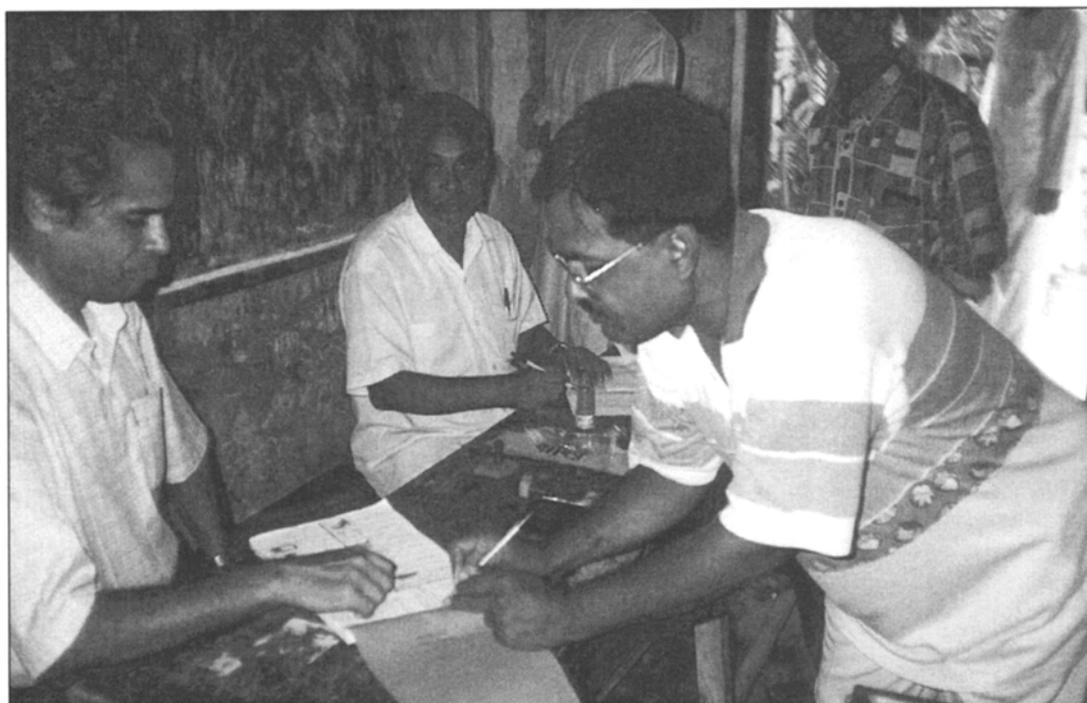
### Voting Procedures

Voters could cast their ballot only at the polling centre in which their names appeared on the list. Procedures outlined in the Representation of the People Order, 1972, required that:

- the voter should have her/his thumb or other finger marked by an election official with indelible ink;
- her/his number and name should be called out, and the electoral roll marked;
- the ballot paper should be stamped with the official mark, the number of the voter should be written on the counterfoil and she/he should mark it with a signature or thumbprint;



*On-line ... 41.5 million people voted, 74 per cent of all those on the register. There was an especially high turnout of women, partly because of the parties' greater use of door-to-door canvassing*



*Correct procedure ... a voter signs the ballot paper counterfoil: this also had to bear the voter's number and the paper itself had to be stamped with the official mark*

- the voter should then be issued with a ballot paper, and should proceed to the place reserved for marking ballots and indicate the candidate for which she/he wishes to vote by placing the stamp provided on the space containing the name and symbol of the candidate and party of her/his choice;
- the marked ballot paper should then be folded and be inserted into the ballot box, which should be placed in full view of the election officials and party agents.

On entering the polling booth some voters, many of whom were illiterate, presented the election officials with a slip of paper bearing her/his number, as provided by party representatives (often located in 'camps' close to the polling centre).

We noted that in most places the procedure for the polling process was followed meticulously. In others, however, the correct sequence was not observed. We witnessed cases in which voters were given the ballot paper then sent to have their fingers inked, and a few in which voters were given ballot papers and permitted to vote, then have their fingers inked.

Our own tests indicated that the ink worked well, though again there were variations in practice. We were told by some Presiding Officers that the ink should be applied to the cuticle area of the finger, but noted cases in which it was applied to the skin of the thumb, well below the cuticle area.

The rate at which voters were processed varied greatly, depending on the efficiency of the election officials, the voters' understanding of the procedure and the time of day. We noted that in most of the polling centres, the rate of voting increased as voting progressed and officials became more familiar with the procedures. Voters in the queue at the close of polling, at 4 p.m., were permitted to cast their vote.

A variety of materials – bamboo canes, mats, galvanised tin, curtains and desks, for example – were used to screen the voting areas in the booths. We considered voting areas to be sufficiently well screened from the rest of the room, thus assuring the secrecy of the ballot.

In our view, the system generally worked extremely well, although we did observe minor irregularities and infringements of the rules. Overall, we were impressed with the care taken by most Presiding Officers to ensure that correct procedures were followed throughout.

## Difficulties at the Poll

We observed a number of difficulties in the course of polling, some of which are not uncommon in elections elsewhere. It is important to add that these difficulties were not of a level of significance that would call the integrity and credibility of the election process into question. They are brought to attention so that consideration might be given, as appropriate, to improvements in future elections.

In only a few cases were we told by Presiding Officers and party agents of complaints about the voting process. However, some voters brought to our attention alleged intimidation of and threats to minorities, charges of personation and multiple voting, suggestions that particular polls had been rigged and that some women had been deterred from voting. In most cases we were not in a position to verify these allegations and in all urged voters to refer their complaint to the election authorities.

In contrast to most of the country, there appeared to be particularly serious problems in Chittagong Division. Of the 27 parliamentary constituencies where re-polling was ordered after the 12 June elections no less than 16 were in this Division. Our Observers in Chittagong were told of the anxiety and apprehension of minority voters that they would be in danger if they came out to cast their votes, and that consequently women in particular were not expected to do so. We were told that some who did vote were harassed in the polling centre or were told that they were not on the list, and sent away.

The frequency with which complaints of intimidation were made in Chittagong in particular pointed up a need for increased law enforcement activity in areas with a history of election violence. There also seemed to be a need for better crowd control training: on one occasion an *ansar* was observed beating women voters with a *lathi*. (*Ansars* are security personnel with limited powers, deployed to support and assist the police.)

We recognised the importance of the work undertaken by the domestic election observer organisations FEMA and CCHRB, which had observers in many polling centres, and noted that FEMA experienced difficulties with accreditation for their observers in some areas.

One common problem involved the physical arrangements for the poll and polling materials. In a number of cases, small polling centres in small compounds made it difficult for orderly lines to be formed and maintained. In many such locations, polling booths were also quite small, and three polling officers and up to five party agents in one small booth made it difficult, though certainly not impossible, for all involved to carry out the polling procedure efficiently.

Although in general supplies were good, in one booth at a particular centre at which we were present there were insufficient ballot boxes, and ballots had to be removed from one box into a bag, so that the box could be re-sealed for use by other voters. The bag of ballot papers was sealed appropriately in the presence of party agents.

Sometimes there was confusion in confirming voters' identity. In most cases Presiding Officers dealt expeditiously with these problems, but in several cases voters were sent away without being able to vote.

We had difficulty distinguishing between polling officials and party agents in the polling centres. Neither were clearly identified. There was a particular difficulty when the physical arrangements were such that both had to sit in the same place.

We also observed that a small number of voters, especially women, were told that they had already voted and that their names had been marked on the voters' list. Some of these voters were sent away by polling officials, without checking their hands for indelible ink, and without being advised to raise the matter with the Presiding Officer or being offered the option of a tendered ballot.

In a few cases we observed the calling in of the army to assist the civilian authority. The army performed its duty with professionalism, and enabled the police to quickly restore order and reopen voting. However, the intrusion of security officers into the business of the polling centre, including taking notes at the count, was a problem. In such instances they clearly did not understand their role.

We noted that in several polling centres party posters were hung on the walls of polling booths, in one case above the desk of the polling officer.

There were disturbances in a few centres, caused by pushing and jostling when voters

became impatient and anxious to vote. In such cases there was some concern that if women were not able to vote expeditiously they would return to their homes and not vote at all.

We also observed that in several polling centres more booths had been allocated for men than for women, although in some cases the women outnumbered men by more than three to one. This appeared to be a result of miscalculation regarding likely voter turnout at particular times of day.

We were impressed that decisions had been taken to close polling centres where there were obvious irregularities and disturbances, confirming the determination of the Election Commission that the elections should be credible. Voting was discontinued in 122 polling centres, accounting for less than 0.5 per cent of the 25,957 centres.

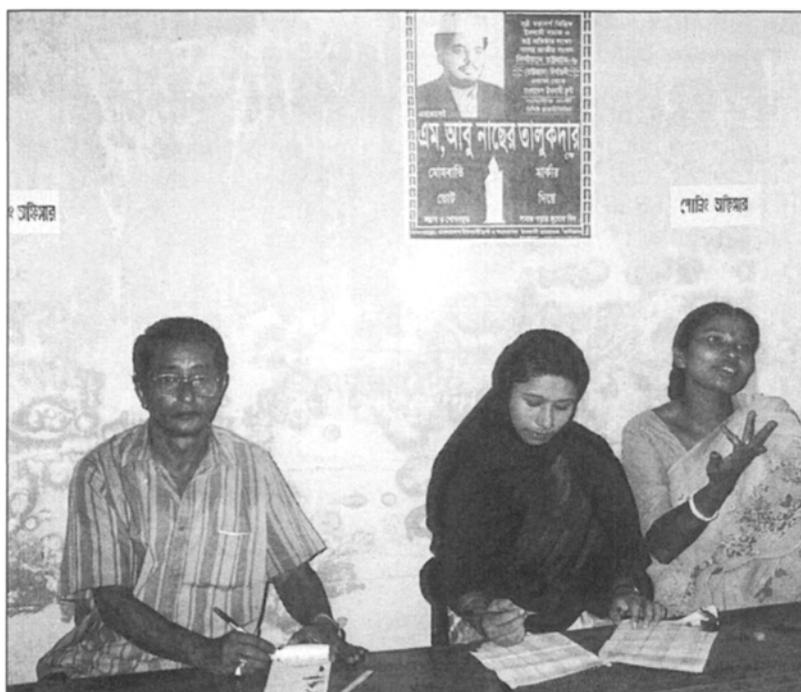
### Polling Officials

We believe that the Election Commission and its officials should be commended for their performance at the poll and count, particularly considering the enormity of the task of preparing for and conducting elections for millions of registered voters in two months.

The vast majority of Presiding Officers and polling staff we observed applied election laws and procedures scrupulously. Overall, polling centres had been properly prepared and the majority of voters were processed efficiently. We found most Presiding Officers to be fully in control of their polling centres, and most helpful and courteous to voters, hearing and making decisions to challenges with the voters' rights fully in mind. The high standard maintained by them attested to the success of the training programmes conducted by the Election Commission.

Naturally, there were cases in which greater authority could have been exercised by Presiding Officers to address disruption and disorder caused, *inter alia*, by the need for flexibility in the allocation of polling booths between men and women. We noted that a few Presiding Officers retreated to their offices when the situation became chaotic, leaving polling officers to deal with the situation. Difficulties were also created where polling officials were inconsistent in the application of electoral law and procedures. Some did not appear to know how to deal with illiterate voters, or recognise the need to explain to them carefully the procedure for voting.

All the Presiding Officers we encountered were men, although a high percentage of polling staff were women. Women were on duty in women's booths. We noted that when there were disputes or problems these women were able to handle them efficiently and effectively.



### Party Agents

Party agents, particularly those representing the four major parties – the Awami League, BNP, Jatiya and Jamaat-e-Islami – were present at all the polling centres we visited. Most of the agents in women's polling booths were women.

The conduct of party agents varied considerably. A significant majority performed efficiently and effectively the important role delineated for them in the conduct of business at the polling centre, and as required,

*Party influence ... a party election poster is clearly visible on the wall of this polling booth in Chittagong Division as voters are issued with their ballot papers*

*Making her mark ... a voter casts her ballot: most appeared to understand the procedure very well, as the low level of spoilt ballots showed*



contributed constructively to the resolution of problems. Most party agents appeared to fully understand their role and function. There was also a notable degree of camaraderie among some of them.

However, a few party agents actively sought to exercise a degree of influence over the voters. These agents openly told voters who they should vote for, harassed both voters and polling officials, used their right of objection to disrupt the proceedings both during the poll and the count and, in one case, took over when the situation in the polling booth became chaotic. Yet one of our

teams noted that few of them raised objections when voters were told that they could not vote because they had already done so, or when evidence of false voting was put forward.

The situation was more difficult in those few cases in which the layout of the polling booth did not provide for a clear separation between polling staff and polling agents, since party agents were not easily identifiable. Notwithstanding this, almost all party agents we met indicated that they were pleased with the conduct of the poll and had no complaints.

### Security

Concerns about security on election day loomed large, prompted by a history of violence during past elections in Bangladesh. It was clear to us from the comprehensive and elaborate plans put in place for the security of voters, polling officials, party agents and polling places on election day that security was considered vital to the conduct of the elections.

Security arrangements differed from polling centre to polling centre. At those judged most vulnerable there were several armed police, perhaps supplemented by members of the Bangladesh Rifles. Unarmed police and *ansars* (at least one of whom was armed) were present at all polling centres. Armed reserve forces of police and soldiers were also available on standby. We only saw army personnel in polling centres when their presence had been officially requested.

Most of the security forces were professional, courteous and helpful, and in a majority of polling centres they took responsibility for maintaining order in the queues and performed other duties related to the smooth conduct of voting. We noted, however, that in some cases the security presence was quite intrusive, with officers controlling entrance and exit into and out of the polling centre, moving freely into the polling booth and handling ballot papers. At the count in a few polling centres, security officers were observed taking down results, then leaving the counting centre and returning to take down further results, giving the impression that they were feeding information to the crowds. At some polling centres where altercations and violence broke out, the security forces did not intervene.

Neither voters nor party agents seemed overly concerned with the conduct of the security forces, giving the impression that generally voters did not feel intimidated by their presence inside or outside the polling centre, even though the security presence cannot always be held to have been discreet. We believe that if the presence of security forces had an impact on voter turnout, it was a positive one.

Polling day passed off relatively peacefully, with only isolated incidents of violence.

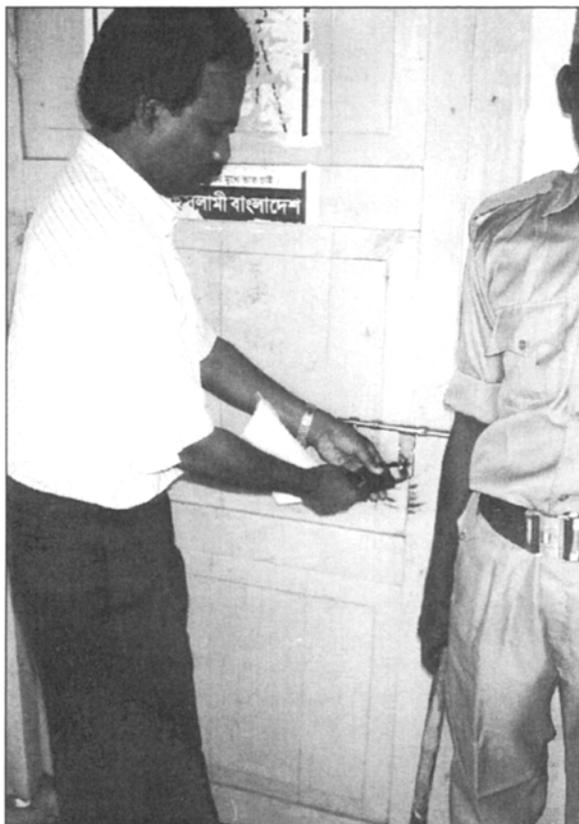
### Voters

The voters of Bangladesh came out in great numbers, confirming their strong support for the elections and the democratic process. We observed that there was an especially high turnout of women voters. Our general impression was that the majority of voters felt free, and under no pressure from intimidation. With few – although very conspicuous – exceptions, voters were orderly and patient, even when they had queued in the heat of the sun for long periods. Long lines of umbrellas shading their owners from the sun could be seen at several polling centres. We did not receive many complaints from voters about the time they had to wait to vote. Great care was taken to bring the elderly and infirm to the polling centre and, for the most part, they were dealt with expeditiously by polling officials.

Most voters appeared to under-



*The count ... in most centres the counting of votes was quick, efficient, transparent and orderly*



stand the voting process very well, a fact to which the low level of spoilt ballots attested. Voters who did not understand the procedure rarely asked for assistance, and many of them seemed to become more confused and uncertain if polling officers and party agents, sometimes simultaneously, shouted out advice to them. We noted that where voters were educated about, and understood, the procedure for voting, the polls moved swiftly and smoothly. The process was also facilitated where voters were in possession of Identity Cards.

It is significant to note some of the reasons for disorder and disruption on the part of voters, which included:

- unsatisfactory arrangements for the conduct of the poll;
- crowded polling centres (either because there were many voters or because voting compounds were too small); and
- the deliberate disruption of the voting process.

*Sealed off ... to provide additional security, officials at some counting centres locked themselves, observers, party agents and police inside the room – and locked everyone else out until the count was over*

## The Count

All closures we observed came at 4 p.m., so procedures for the count started soon after. An early start was also permitted by the fact that ballot papers were counted at the polling centres. On the whole, the co-operation extended to us by election officials was very good, although there were a few instances in which our observation was delayed while the Presiding Officers confirmed with their Supervisors the regulations governing the presence of international observers at the count.

The count was generally orderly, but there were a few noticeable exceptions. These were sometimes caused by the reluctance of those party agents who were not entitled to stay for the count to leave the premises once the count began, and heated exchanges between remaining party agents and the Presiding Officer, particularly where the latter was not authoritative in making a ruling.

Overall, we were impressed with all aspects of the count, including the professionalism of the Presiding Officers and polling staff, the handling of ballot papers and the conduct of party agents. In most polling centres counting was efficient, quick and transparent, and proceeded in an orderly manner.

In the presence of party agents, the Presiding Officer unsealed ballot boxes and removed all ballot papers. Polling officials unfolded and separated the ballot papers according to candidates, then counted the number of ballots each had secured. During this process spoiled, null and void ballots were handed to the Presiding Officer who gave a ruling on them, after which party agents were given the opportunity to scrutinise them. They were counted later and kept separately.

Following the count, the Presiding Officer prepared a statement showing the number of valid votes polled by the contesting candidates, for dispatch to the Returning Officer. Party agents were entitled to a certified copy of the count on request.