Supplement to Observer Group Report

Bangladesh Parliamentary Elections 1996: Re-polling, 19 June 1996

On 12 June 1996 voting was suspended, for various reasons, in a number of polling centres across Bangladesh. The Election Commission subsequently decided to repeat the elections in the affected centres and, accordingly, on 19 June re-polling took place in 122 centres in 27 constituencies.

Both the Chief Adviser and the Chief Election Commissioner made clear that they would welcome observation of the re-polling by members of the Commonwealth Observer Group which had been present for the 12 June elections. A combined team of 10 Observers and support staff therefore remained in Bangladesh to observe the re-polling on 19 June. This Supplement is their report.

Background

Of the 27 constituencies in which re-polling took place on 19 June sixteen were in Chittagong Division, four were in Sylhet Division, two in Barisal, one in Rajshahi and the remainder in Dhaka Division. Three Commonwealth Observers were deployed to Comilla, two to Chittagong and one to Sylhet while two used Dhaka as their base and two staff members remained at our office in the capital. We consulted with other international observers to ensure that there was no unnecessary duplication of coverage and, at polling centres, exchanged notes with the domestic observers of FEMA and CCHRB.

Arrangements were broadly as for the 12 June elections. Campaigning was banned in the 48 hours before the poll and restrictions were again placed on the use of motor vehicles. All



Providing the ansars ... women 'ansar' security personnel, some dressed in special distinctive yellow saris: the Observers welcomed the use of women to police the lines of female voters during the re-polling

the candidates who featured on the ballot paper a week before appeared on the ballot paper again.

However, the re-polling differed from the earlier elections in one important respect: security was completely overhauled, reflecting the fact that re-polling had been made necessary in many of the centres because of disruption on 12 June. Where before the affected polling centres might have had as few as two or even only one armed policeman on duty on election day the Election Commission announced that on 19 June each centre would be protected by 20 armed police, five members of the Bangladesh rifles and 12 ansars (four of them women), with armed police and army reinforcements in reserve. A magistrate would be present at each polling centre to oversee security.

Comilla

Prior to re-polling day we gained the impression from our meetings with electoral and law enforcement officials that preparations were well in hand. With the completion of polling in all but 27 constituencies on 12 June ample resources had been released for re-polling. In line with the national announcement, more senior officials were to be appointed as Presiding Officers, magistrates would be at each centre and the contingent of security forces at each polling centre would be significantly increased. In fact we were told that given the security available no centre was considered as a high risk. We also learnt that it had been decided to mark the index finger of the left hand with indelible ink in order to distinguish this poll from that of 12 June and the ballot papers were to be of a different colour from those used on 12 June. Officials indicated that they were confident of a high voter turnout and that the repolling would be peaceful.

On re-polling day itself our Observers visited five centres in Comilla 6 constituency, three centres in Comilla 7 and three in Comilla 8. Five of these centres were visited twice. All the centres in Comilla 6 and 7 were in exceptionally remote rural areas and one was accessible only by rickshaw or on foot. Entrance and exit from most centres was restricted, even in the urban areas.

Overall, the assessment of the officials we had met was borne out. In most of the polling centres we visited Presiding Officers were in full control and a magistrate was present.



Improvements ... a party poster is removed from the wall outside a polling centre: several such measures were taken to improve arrangements for the re-polling on 19 June

Polling officials functioned effectively, although in some centres there was room for improvement in the way that they handled voters, a significant percentage of whom were illiterate. In fact, many voters in these rural areas seemed to have very little knowledge of the voting process. We noted with interest at the count that several ballot papers had been put in the ballot box without being marked, and in a number of other cases voters had stamped and torn off the section of the ballot containing the name and symbol of the candidate they were supporting, then put both sections of the ballot paper in the ballot box.

Once more, voters came out in large numbers with women again outnumbering men. Voters' queues were long in the morning but had reduced to a trickle by mid-afternoon. Party agents performed their duty effectively, and did not disrupt the proceedings. Security forces secured the polling centres, compounds and perimeters effectively.

Generally, the system worked well, and irregularities and difficulties were kept to a minimum. The team noted that some of the booths were again very dark and cramped and in two of the polling centres we visited the area for marking the ballot did not allow for optimum security. However, we did not believe that the secrecy of the ballot was compromised. We heard reports of suspected cases of personation and one Presiding Officer told us that he had received complaints about party activists seeking to prevent minorities from coming to the poll. The army had been called in, and had brought the situation under control. Those who wanted to continue to the poll could do so.

The count was observed at two centres in Comilla 8. In both cases it was an efficient, transparent and speedy exercise.

Sylhet

The impression gained from meetings with staff of the Deputy Commissioner's office and the Police Superintendent the day before the re-polling was that arrangements were well advanced. Each polling centre was to be provided with more than 20 security officers, comprising police and *ansars*. The army was also to be deployed to the polling areas, to be called on if necessary. Officials indicated that they were confident that the polling would be very peaceful and that turnout would again be high.

Polling was observed at three polling centres in Sylhet – Companyganj (Sylhet 1), Muslimnagar and Daubari (Sylhet 4) – all in very remote locations. Two of them could be reached only by using ferries and then continuing on foot.

As had been planned, a magistrate and a deputy magistrate, together with increased security forces, were present in each centre. As we had observed on 12 June, long queues had formed quite early in the day and polling had started on time. The polling observed at these centres was conducted smoothly and according to regulations. Low literacy levels amongst the voters meant that at times the absolute secrecy of the vote may have been compromised, in that voters had innocently returned the ballot papers to the issuing officer without having folded them.

At one centre our Observer learnt of an incident in which two people had been taken into custody for alleged personation, then released later. All in all, however, the impression gained at these three centres was that the re-polling was taking place in a controlled manner and was well handled by both the polling officers and the security staff.

Chittagong

Our Observers in Chittagong covered Chittagong 11 constituency, where they visited all four polling centres in the morning and revisited three of the same four in the afternoon.

Security was well provided for and crowd control was achieved with the minimum use of force. This time police had the advantage of radio communications. Polling was orderly and to the best of our Observers' knowledge took place without incident. The centres were efficiently administered, arrangements were good and the secrecy of the ballot was assured.

The arrangements for voters' queues were good and this contributed to the orderly manner in which voting was carried out. The ban against campaigning at the centres was rigorously



Additional security ... security personnel were present at the polling centres in greater numbers for the re-polling: here Commonwealth Observer Alice Killam meets a Bangladesh Army signals unit, part of the mobile reserve

enforced. Efforts had been made to remove party posters (with which the centres had been plastered prior to 12 June) and party booths and crowds of party supporters were kept well away from polling centres.

Those voters we spoke to indicated that they were happy with arrangements. They turned out in huge numbers in the morning, with 800 at one centre when we visited at 8.45 a.m. This meant that some voters had a very long wait, but they remained patient and calm, in spite of the rain. In contrast, at the centres we visited in the afternoon there were very few voters. Turnout overall in the four centres in Chittagong 11 was around 60 per cent.

Polling booth layout was generally adequate although, as on 12 June, some were crowded and often they were very dark. One specific criticism was that often those going to vote had to follow the same route within the polling booth as those returning from voting. This could have been easily avoided by making minor amendments to the layout.

The staff and Presiding Officers were competent and helpful to voters. We had been told by the Deputy Commissioner that none of the polling centre officials used at these centres on 12 June would be employed again on this occasion and that those employed would be mainly government officials. While we could not confirm this, those Presiding Officers and Police Inspectors we asked about this were certainly new.

We received no complaints from party agents stationed inside the booths and only one complaint from a voter, regarding a dispute about her identity (which we drew to the attention of the Assistant Presiding Officer). Presiding Officers told us that they had received no complaints.

As on 12 June, there was a very large turnout of women voters. On this occasion female *ansars* were employed to provide for order in the women's voting queues – a welcome innovation.

One particularly positive feature of the re-polling exercise was that party agents inside the booth (and the counting room) did not wear any form of identification showing their party emblem. This was in marked contrast to the experience on 12 June.

The count attended by our Observers was generally well conducted and the outcome was

certified by party agents, who were present throughout. However, one of the 12 armed police inside the counting room itself appeared to stray beyond his official duties and dispute, in a heated manner, the Presiding Officer's views on a matter which appeared to be related to the counting procedure, challenging a number of ballot papers. In our view the integrity of the count was not affected – the Presiding Officer showed no sign of having been influenced. Nevertheless, in our Observers' view such behaviour by a police officer was improper.

While there were few rejected ballot papers, several were challenged because the ink used on the official stamp showed through to the side on which the voter had placed her/his mark. This could be remedied in the future by the use of different paper for the ballot papers.

The team received reports from villagers and from two party agents to the effect that members of minority communities were too scared to come to vote, either because they had been threatened directly or because they were still fearful from the intimidation of 12 June. However, our Observers did not themselves witness any intimidation.

One party agent, in Patiya, said that there had been intimidation of minority voters throughout the day in the town itself, with small groups of party supporters intercepting voters who had walked in from villages. He told our Observers that this had been reported to the police, who had responded that their job was simply to protect the polling centres. However, the magistrate at the appropriate polling centre and his Inspector of Police both denied that any such reports had been received and stated that as a preventative measure mobile police teams were touring the area.

We assured those we met from the minority communities that security at the polling centres was good, but we were of course in no position to know what difficulties potential voters from minority communities might have faced on their way to the poll or afterwards.

Dhaka

The Dhaka team concentrated on the Narayanganj 2 constituency, about 40 km to the north of Dhaka. Polling had been disrupted by various outbreaks of violence on 12 June, at six polling centres. Our Observers visited all six, three of them twice.

The opening was observed at the Maruwadi polling centre, the largest, with 3,938 registered voters. The pattern seen there was repeated at each of the other centres visited: a strong turnout, with women voters in the majority. Security was strongly in evidence, near the centre and at strategic points in the villages around it. Those not actually voting were kept well beyond the 400-metre perimeter. As at centres elsewhere, women *ansars* took charge of the queues of women voters.

The poll opened on time with all party agents present, but processing was slow (partly because there was only one stamp with which to mark the ballot paper). Folding of the ballot paper often took time and was frequently completed by the polling officer. At each centre all party agents were asked if they had any concerns regarding the procedure in the booth, in the queues or with their supporters' access to the centre. In all cases they expressed satisfaction. Asked about the heavy police and military presence they all expressed satisfaction, seeing it as a guarantee of safety and order for voters.

The team visited the Jalakandi polling centre and then proceeded by boat and foot to Gazipura and Bishnandi centres. The latter was reached by footpath through a well populated village some 2 km from the landing. The area was covered by a combination of outposts of regular troops and mobile patrols of ten to 12 armed Bangladesh Rifles. At Bishnandi one would-be double voter was apprehended and held for about half-an-hour as an example to others. He was then removed from the centre.

After revisiting Jalakandi, where voting had dwindled to just a handful of voters, our Observers visited Bazbi and Satgram. At the former there was still a small number of women in the queue. At Satgram the voting was virtually over.

The team attended the count at Maruwadi. This was conducted meticulously under the control of the magistrate, who made random checks of the counting and at one stage, finding that one pile supposedly of 100 votes actually contained 102, ordered the counting officers to sign off on each batch with their full names. This applied to both the first and second count

and he warned them that anyone found making such an error would be immediately arrested and prosecuted. In the event, the count took only an hour to complete. The party agents expressed satisfaction with the procedure.

Conclusion

We heard from international and domestic observers who covered other constituencies and from media reports that while polling took place peacefully at most of the 122 polling centres there were incidents of violence on re-polling day. One international observer team reported that it was present shortly after a group stormed a polling centre and threw ballot boxes into the water. (The Election Commission subsequently decided that re-polling would take place there on Saturday 22 June 1996.) There were also alleged irregularities in procedure and reports of some intimidation. There is a procedure by means of which political parties can make complaints and these will no doubt be considered in the proper way.

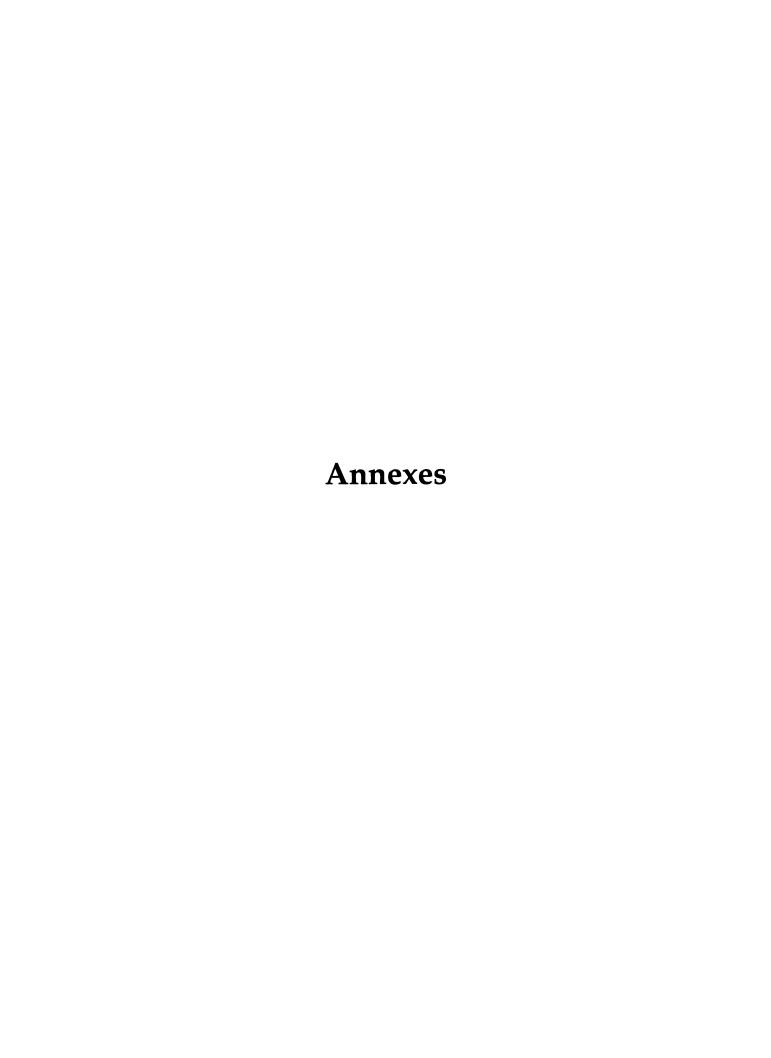
As far as our own observations are concerned, the day went very well. We were impressed by the generally high turnout, particularly by women voters, which was a tribute both to the people's determination to exercise their right to vote and the arrangements made by the Election Commission, which should again be commended for its efforts.

In some of the areas where we were present members of minority communities and others may still have been too scared to vote. But the significantly improved security arrangements provided at the polling centres at least meant that opportunities to disrupt voting itself were vastly reduced. Given that polling had been suspended at these centres just one week earlier we were impressed by the calm and confidence of the voters at the polling centres, which undoubtedly derived from the reassurance provided by the enhanced security measures. Voting was orderly and the day passed off without any serious incident at the polling centres we observed.

At the same time, steps had been taken to ensure that there was no irregularity in the election process itself. It seemed to us that the preparations for the re-polling were thorough, the election officials were diligent and competent and the procedures for both polling and counting were adhered to. Overall, our Observers found that the administration of the polling centres was efficient, transparent and correct and that the secrecy of the ballot was assured.

There were several features of the re-polling which we particularly welcome and which we hope it may be possible to incorporate in arrangements for all future elections: party agents did not wear party emblems or badges inside the polling booths, efforts were made to remove party posters from the centres, crowds of party supporters and party booths were kept well back and steps were taken to ensure that there was no party campaigning in the immediate vicinity of the polling centres.

In their conversations with our Observers officials at the polling centres, party agents and the voters themselves overwhelmingly supported our view that arrangements for the repolling at the centres we visited were such as to enable the will of the people to be expressed.



ANNEX I

Composition of the Commonwealth Observer Group

Tan Sri (Dr) Muhammad Ghazali Shafie (Malaysia – Chairman)

Tan Sri Ghazali Shafie is a former Minister of Foreign Affairs. Since his retirement in 1984 he has been a special envoy of the Government of Malaysia. He began his career as a civil servant assigned to the Office of the Commissioner for Malaya in London. At independence in 1957 he was appointed Deputy Secretary for External Affairs and became Permanent Secretary in 1959. In 1970 he was appointed a Senator and made Minister with Special Functions. In 1971 he was also made Minister of Information. He was elected as a Member of Parliament in 1972 and was appointed Minister of Home Affairs the following year, holding the portfolio until 1981 when he became Foreign Minister. He retired from politics in 1984.

Tan Sri Ghazali Shafie was educated at Raffles College, Singapore, University College Wales and the London School of Economics. He is currently a Distinguished Fellow of the Malaysian Institute of Strategic and International Studies, Fellow of the National Institute of Public Administration (INTAN), Malaysia, Fellow of the University of Wales and Resident Writer at the National University of Malaysia. Tan Sri Ghazali Shafie was a member of the Commonwealth Group of Distinguished Observers which observed the proceedings of CODESA in South Africa in December 1991 and a member of the Commonwealth Observer Group to the South African elections in April 1994.

Mr Errol Bethel (The Bahamas)

Mr Errol Bethel is Parliamentary Commissioner for the Commonwealth of The Bahamas. He has direct responsibility for the registration of voters, maintenance of the electoral register and the conduct of parliamentary and local government elections. A former Headmaster, Mr Bethel is trained in government and politics and has worked in all major elections in The Bahamas over the past 30 years. He has served as Presiding Officer, Returning Officer and as co-ordinator for the general election.

Mr Justin McClair Daniel (St Lucia)

Mr McClair Daniel joined his country's civil service in 1950 and has been Chief Elections Officer since May 1979, supervising elections in 1979, 1982, 1987, 1992 and a by-election in February 1996. Mr Daniel was Director of Audit of St Lucia from 1974 to 1984. He was also a member of the Caribbean Community's Working Group of Senior Electoral Officials which co-ordinated the Caricom and Organisation of American States (OAS) observers to the 1990/91 elections in Haiti. He has been an election observer in Santa Domingo, El Salvador and Suriname.

Mr Reuben T Kaiulo, MBE (Papua New Guinea)

Mr Reuben Kaiulo is the Electoral Commissioner for Papua New Guinea and is responsible for organising all elections in that country. He was previously (1979-91) Deputy Electoral Commissioner with special responsibility for election planning. Mr Kaiulo observed the 1980 elections in Zimbabwe as part of the Commonwealth Observer Group. He was awarded the MBE by HM Queen Elizabeth II in 1990 for outstanding public service.

The Hon Hulda Stanley Kibacha, MP (Tanzania)

The Hon Hulda Kibacha has been a Member of Parliament since 1990. She has extensive experience in education and training and has been a teacher trainer, Zonal Chief Inspector of Education and co-ordinator of the Inspectorate of Education. From 1983-92 she was a

Principal Assistant Secretary in the Department of International Affairs of the Chama Cha Mapinduzi (CCM) party and is currently a member of the Council of Dar es Salaam University and the Finance and Economic Committee of Parliament. Ms Kibacha is widely travelled and has represented her country on various delegations and at a number of international conferences.

Ms Alice Killam (Canada)

Ms Alice Killam is a Census Commissioner with Statistics Canada and from 1987-95 was a Federal Returning Officer with Elections Canada. She has wide electoral experience, including as a UN Observer for the Edmonton poll for the South African elections and as an election official of the UN Transitional Authority in Cambodia. Ms Killam is a member of several human rights organisations, including the Dignity Foundation, and is involved in various community projects, such as Interchange for Canadian Studies and International Student Exchange Programmes. She is also currently serving as a Board Member for the Multi-Culturalism Commission for the Province of Alberta and as a volunteer English conversation leader for new Canadians.

Miss Lindiwe Michelle Maseko (South Africa)

Miss Lindiwe Michelle Maseko is a Member of the Gauteng Provincial Legislature in South Africa. She is an active member of the African National Congress (ANC) and a member of the ANC Women's League National Committee. She was Chairperson of the Soweto sub-region and has been Provincial Secretary of the ANC Women's League since 1991. From 1992 to 1994 she was Personal Assistant to the Premier of Gauteng, Tokyo Sexwale. Presently she is an ANC whip and Deputy Chairperson of the Seat of Government Select Committee. She also serves on the Sport, Recreation, Arts and Cultural Standing Committee and is a branch representative of the Commonwealth Parliamentary Association.

The Hon Dilan Perera, MP (Sri Lanka)

The Hon Dilan Perera is an attorney-at-law by profession and was born in Badulla, the capital of Uva Province, the largest province in Sri Lanka. He was elected as a Provincial Council Member in 1987 and became Leader of the Opposition in the Uva Council in 1993. He was elected to Parliament in 1994, receiving the highest number of votes in the Badulla District. Mr Perera is a member of the Sri Lanka Freedom Party, which is the largest political party in the 'People's Alliance' Government of Sri Lanka.

Ms Johannah-Joy Phumaphi, MP (Botswana)

Ms Johannah-Joy Phumaphi was elected to Parliament in 1994 and is currently an Elected Secretary of the Back Bench Committee and a Member of the Constituency Grading Committee. In 1994 Ms Phumaphi was appointed to the Parliamentary Law Reform Committee. She is also a Branch Representative of the Commonwealth Parliamentary Association, holds an MSc in Financial Accounting and from 1980-91 was Principal Local Government Auditor. Since 1992 she has been working as a management consultant.

Dr Kanwaljit Soin, MP (Singapore)

Dr Kanwaljit Soin has been a nominated Member of Parliament since 1992 and is also a practising orthopaedic and hand surgeon. She holds numerous positions in welfare, advocacy, artistic and professional organisations. She is a founder member and past-President of AWARE (Association of Women for Action and Research) and in 1992 was nominated 'Woman of the Year'. Among Dr Soin's many current appointments she is a member of the Legal Inquiry Panel, Patron of the Lupus Association, Board Member of the

Singapore Council of Women's Organisations and Board Member of CAPWIP (Centre for Asia Pacific Women in Politics). She is also regional member of the Steering Committee of the Women's Group of the Commonwealth Parliamentary Association.

The Viscount Waverley (Britain)

John Desmond, Viscount Waverley, is a member of the House of Lords. He took his seat as a cross-bencher (Independent) in June 1993 and is Chairman of the Lomé Parliamentary Association, the Internal Political Parliamentary Group and the British-Nigeria Parliamentary Group. He is also Secretary of the Export Parliamentary Group, a Companion of the Institute of Export and a member of the Royal Institute of International Affairs. Viscount Waverley has made several parliamentary visits, including to Burundi, Japan, Nigeria, Pakistan, Rwanda and the Falkland Islands.

Mr Trevor Willson (Australia)

Mr Trevor Willson is Assistant Commissioner, Information and Education, with the Australian Electoral Commission and is responsible for the Commission's public awareness programmes, publications and media liaison. He was previously a participant in the Public Service Board's Executive Development Scheme and prior to his work with the Electoral Commission worked in education and curriculum development. Mr Willson has wide international electoral experience and in 1989 was a senior member of the AEC team providing polling assistance and observation as part of the UN contingent in Namibia.

SECRETARIAT SUPPORT STAFF

Professor R H F Austin, Team Leader

Mr J P Sheppard, Deputy Team Leader

Mr Michael Fathers, Media Adviser

Mrs A Missouri Sherman-Peter, Assistant to Observers

Mr Christopher Child, Assistant to Observers

Ms Lorna McLaren, Assistant to Observers

Ms Krishnee Naidoo, Assistant to Observers

Mr Q Kamaluddin, Administrative Officer

ANNEX II

Commonwealth News Release of 31 May 1996



96/20 31 May 1996

Commonwealth to Observe Parliamentary Election in Bangladesh

A team of 12 Commonwealth Observers, together with a supporting team from the Commonwealth Secretariat, will be present in Bangladesh for the Parliamentary Election which is to be held on 12 June.

In making the announcement today, Commonwealth Secretary-General Emeka Anyaoku said that the Commonwealth was responding to an invitation from the Government of Bangladesh for a Commonwealth Observer Group to observe the Parliamentary Election. A planning mission from the Commonwealth Secretariat which visited Bangladesh on 10 May established that there was widespread support among the major political parties for a Commonwealth presence during the election.

The Commonwealth team for Bangladesh will be led by **Tan Sri (Dr) Mohd Ghazali Shafie**, former Minister of Foreign Affairs of Malaysia. The other observers will be:

Mr Errol W Bethel

Parliamentary Commissoner, The Bahamas

Mr Justin McClair Daniel

Chief Elections Officer, St Lucia

Mr Rueben T Kaiulo MBE

Electoral Commissioner, Papua New Guinea

Hon Hulda Stanley Kibacha MP

Member of Parliament, Tanzania

Ms Alice Killam

Electoral Officer, Canada

Ms Lindiwe Maseko MP Member of Parliament, South Africa

Hon Dilan Perera MP Member of Parliament, Sri Lanka

Hon Johannah-Joy Phumaphi MP Member of Parliament, Botswana

Dr Kanwaljit SoinMember of Parliament, Singapore

Lord Waverley Member House of Lords, Britain

Mr Trevor Willson Assistant Electoral Commissioner, Australia

The Group will be supported by an eight-member team from the Commonwealth Secretariat, led by Professor Reg Austin, Director of the Legal and Consitutional Affairs Division.

Note to Editors:

The mission to Bangladesh will represent the 18th election observed by the Commonwealth since October 1990, including elections in Malaysia, Zambia, Seychelles, Pakistan, South Africa and most recently, Sierra Leone. These observer missions are to be seen in the context of a decision taken by Commonwealth Heads of Government to support the promotion of democracy in a number of ways, including through observation, on request, of elections in member states.

ANNEX III

Arrival Statement of 5 June 1996



Bangladesh Parliamentary Election, 1996

Commonwealth Observer Group

News Release

Arrival Statement by the Commonwealth Observer Group

We are extremely pleased to be here in Bangladesh at this important time. We have come in response to a request from the Government of Bangladesh to the Commonwealth Secretary-General, Chief Emeka Anyaoku, for the Commonwealth to observe the Parliamentary Elections on 12 June 1996, and our presence has been welcomed by all the major political parties.

The Observers has been drawn from many parts of the Commonwealth, but all serve as Commonwealth Observers in their personal capacities and not as representatives of their countries, governments or the organisations to which they may belong. The Group's objective is to observe the organisation and conduct of the elections in accordance with the laws of Bangladesh, and to form an impartial judgement based upon our observations.

We have no executive role. On completion of our task, we will present a Report to the Commonwealth Secretary-General, who will make it available to the Government of Bangladesh and to the political parties taking part in the elections, and thereafter to all other Commonwealth governments.

In carrying out this mission we will remain in close touch with the major political parties, the Election Commission, and others involved in the election exercise. We look forward to being briefed on the preparations in hand, and to travelling to many parts of the country before and on polling day.

We consider it an honour to be here at this juncture in Bangladesh's political and democratic evolution. We hope to assist in whatever ways we can in supporting the electoral and constitutional processes in this country.

Note to Editors:

The Commonwealth Observer Group to Bangladesh has established an office at the Sheraton Hotel, Dhaka. For further information, please contact Michael Fathers, Telephone No: 863391, Room 333 and 335.

ANNEX IV

Schedule of Engagements

Wednesday 5 June

1930

1000	Arrival Press Conference, Sheraton Hotel, Dhaka			
1100	Briefing by Mr Ashfaqur Rahman (Ministry of Foreign Affairs) and Mr Sajedul Karim (Election Commission) and accreditation as election observers			
1600	Representatives of FEMA (Fair Election Monitoring Alliance): Mr Fakhruddin Ahmed (Chairperson) and Mr Tarikul Ghani (Executive Director)			
1645	Bangladesh Workers' Party: Mr Haider Akbar Khan Rano (Member, Politbureau for International Affairs)			
1730	Meeting with Chief Adviser, Justice (Retd) Habibur Rahman			
1900	Chairman's Reception for Observers and Invited Guests, Dhaka Sheraton			
Thursday 6 June				
0900	Communist Party of Bangladesh: President Mr Morshed Ali and General Secretary Mr Mujahidul Selim			
0930	Awami League: Mr S A M S Kibria and Mr Gaziul Huq (Co-Chairmen, Election Steering Committee), Ms Syeda Afroza Alam, Professor Abdul Mannan and Advocate Abdul Mannan Khan			
1030	Jatiya Party: Mr Saeed Tarek (Chair, Election Steering Committee), Mr Sadek Siddique and Advocate Yusuf Hossain Humayun			
1115	Bangladesh Nationalist Party: Mr Zahuruddin Khan (Chairman, National Election Co-ordinating Committee), Mr Rezaul Karim (Co-ordinator for International Affairs), Mr Kaiser Rasheed Chowdhury, Mr Arshad-uz Zaman and Professor M Maniruzzaman Miah			
1200	Jamaat-e-Islami: Barrister Abdur Razzaque (Elections Spokesman), Professor Md Sharif Hussain, Mr Abul Asad, Mr Abdul Gaffar, Advocate Nazrul Islam (Central Executive Committee members)			
1400	Association of Development Agencies of Bangladesh: Ms Rasheda K Choudhury (Director), Dr Qazi Faruque Ahmed (Chairperson), Mr Syed Nurul Alam (Vice-Chairperson), Mr Omar Faruque Chowdhury (Treasurer), Ms Khushi Kabir, Ms Helen Rahman, Mr Shamsul Huda			
1500	Co-ordinating Council for Human Rights in Bangladesh: Mr Jeffrey S Pereira (Vice-President) and Mr Aminul Islam (Director)			
1630	Gano Forum: Mr Ziaul Huq (Chairman, Election Steering Committee), Mr M Maniruzzaman, Barrister V I Chowdhury and Mr Kamal Hyder			

Dinner for Chief Election Commissioner, Mr Mohammad Abu Hena, Sheraton Hotel

Friday 7 June

- Commonwealth Diplomats: HE Mr Kenneth Aspinall (Australian High Commissioner), HE Mr Peter Fowler (British High Commissioner), HE Mr Jon Scott (Canadian High Commissioner), HE Mr Deb Mukharji (Indian High Commissioner), Mr Ramlee Yatim (Second Secretary, Malaysian High Commission)
- Discussion with other Observer Groups: Eric Bjornlund and Peter Manikas (National Democratic Institute, United States), Mr Jeevan Thiagarajah (South Asian non-governmental observers) and Senator Cayetana De Zulueta (European Union Observer Group)
- Representatives of women's organisations: Ms Rokeya Kabir (Executive Director, Bangladesh Nari Pragati Shangha), Ms Khushi Kabir (Co-ordinator, Nijera Kari), Dr Hamida Hossain (Executive Director, Ain Shalish Kendra), Ms Ayesha Khanam (General Secretary, Bangladesh Mohila Parishad), Ms Helen Rahman (Executive Director, Shaishab) and Ms Rasheda K Choudhury (Director, ADAB)
- 1600 Deployment briefing and distribution of Observers' material

ANNEX V

Deployment of Commonwealth Observers

DIVISION		LOCATION
Dhaka	Tan Sri (Dr) Mohd Ghazali Shafie (Chairman) Ms Alice Killam Professor R H F Austin Mr Michael Fathers Ms Lorna McLaren	Sheraton Hotel Dhaka
Chittagong	Mr Justin McClair Daniel Hon Johannah-Joy Phumaphi MP Dr Kanwaljit Soin MP Mr J P Sheppard	Hotel Agrabad Chittagong
Khulna	Mr Reuben T Kaiulo MBE Mr Trevor Willson Mrs A Missouri Sherman-Peter Ms Krishnee Naidoo	Paper Mill Rest House Khulna
Rajshahi	Hon Hulda Stanley Kibacha MP Hon Dilan Perera MP	Parjatan Motel Rajshahi
Sylhet	Ms Lindiwe Maseko MP Viscount Waverley	Hotel Polash Sylhet
Barisal	Mr Errol Bethel	Hotel Ali International

Barisal

Mr Christopher Child

ANNEX VI

Check List for Polling Station Visits and Observation Notes for Poll and Count



Bangladesh Parliamentary Election, 1996

Commonwealth Observer Group

Tel: (880) 2 863 391 or 861 191 Fax: (880) 2 832 915 or 832 975

1 Minto Road GPO Box 504 Dhaka-1000 Bangladesh

Dhaka Sheraton Hotel

CHECKLIST FOR POLLING STATION VISITS

Name of Observer(s):					
Constituency:					
Polling Station:					
Time of Arrival:					
Voters in Queue: Rate of Processing:					
					
1. Opening of Poll:	On time? Procedures followed? No/Yes No/Yes Details:				
 Layout and Facilities: 	Good? Adequate? Poor?				
<pre>3. Polling Staff:</pre>	Efficient? Satisfactory? Poor?				
4. Security Presence:	Discreet? Intrusive? Oppressive?				
5. Complaints by Party Polling Agents:	No/Yes Details:				

6. Complaints by Voters: No/Yes Details:

7. Mood at Station? Orderly? Tense? Chaotic?

8. Secrecy of Ballot: Assured? Poor? Uncertain

9. Voting:

(a) Personation attempts alleged: No/Yes
 Details:

(b) Multiple voting attempts alleged: No/Yes
 Details:

(c) Women deterred from voting: No/Yes Details:

10. Closing of Poll: On time? Numbers still in queue? Procedure followed? No/Yes

11. The Count: Are procedures being observed? No/Yes

12. Apparent fairness overall: Good? Acceptable? Questionable?

13. Other Comments:



Bangladesh Parliamentary Election, 1996

Commonwealth Observer Group

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OBSERVATION NOTES FOR POLL AND COUNT

PART A

The Observers may focus particular attention on the following aspects of the conduct of the election:

THE CAMPAIGN

- 1. Balance of TV/radio election coverage and extent and nature of access by the parties (e.g. allocation of time for political broadcasts and advertisements).
- 2. Print media: nature of coverage and extent of access by the political parties.
- 3. The tone and content of material put out by the political parties, access to printing facilities?
- 4. The conduct of political meetings/rallies (permits for public meetings?)
- 5. The conduct of house-to-house canvassing of voters.
- 6. Nature, scale and effectiveness of Election Commission and other voter education on radio and television, in the print media and by other methods.
- 7. Activities/measures to encourage the participation of women.
- 8. Access to funds and sources of funds.

THE POLL

- 1. The location of polling centres.
- 2. Distances travelled by voters to polling centres, particularly in rural areas.
- 3. The procedure followed at the opening of the poll.
- 4. The length of time voters wait to cast their votes.
- 5. The adequacy or otherwise of facilities at poliing stations and their state of readiness.
- 6. Availability of adequate supplies, eg, ballot papers, official stamps and stamppads, indelible ink, etc.
- 7. The performance of electoral officials at the polling centres/booths visited.
- 8. The procedures in place to ensure proper security of ballot papers, ballot boxes and official seals.
- 9. Arrangements to facilitate voting by women.
- 10. The steps taken to ensure that the secrecy of the ballot is assured.
- 11. The general atmosphere at the polling centres/booths visited.
- 12. Access of party agents and observers to polling centres/booths.

THE COUNT

- 1. Inspection of seals.
- The process of reconciling the number of people who voted with the number of ballots cast.
- 3. The determination of invalid ballots.
- The facilities for candidates and their representatives to witness and verify the count and overall transparency.
- 5. Access by domestic and international observers.
- 6. The conduct of electoral officers.

PART B

Questions that may be put:

BEFORE POLLING DAY

- 1. Was the Voters' Register compiled in a satisfactory way? Were people missed out? Were the names of dead people or "phantom voters" included?
- 2. Who are the election officials? How were they chosen? Are voters confident that they will be impartial?
- 3. Is the person in the street satisfied with arrangements? Will he/she vote? If not, is he/she afraid to do so? Were there any attempts to discourage/encourage the participation of women and were they effective?
- 4. Have all parties been able to campaign freely? Has the campaign been free of intimidation, etc? Have all parties had full access to the mass media?
- 5. Is there freedom to advertise and distribute posters, leaflets, etc?

ON POLLING DAY

- 1. Before polling starts, are the ballot boxes empty? Are they properly sealed? Are all procedures being adhered to?
- 2. Are all parties represented at polling stations? Are they satisfied with the process?
- 3. Are voters apparently voting freely? Are they enthusiastic? Do they talk freely? Do they exhibit signs of fear or intimidation?
- 4. Do voters understand the procedures properly? If not, are the procedures being explained fully and impartially? Are attempts being made to suggest how voters should vote?
- 5. Does the turnout indicate that women have been deterred from voting?
- 6. Is only one person at a time being allowed into the voting booth?
- 7. How long are voters waiting to vote? If a long time, are some being put off?
- 8. Will all parties be represented at polling centres throughout voting and count? Are party polling agents adequately trained and vigilant?
- 9. Will foreign observers have free access to all stages of the process?
- 10. Is the security presence effective/oppressive?

THE COUNT

- 1. Are the boxes kept safe until opened? Are all parties present at opening?
- 2. Does the number of used ballot papers taily with the record of those who voted?
- 3. Are the papers counted properly? Are counting agents present? Are they satisfied with the procedure of the count?

ANNEX VII

Interim Statement of 12 June 1996



Bangladesh Parliamentary Election, 1996

Commonwealth Observer Group

News Release

Interim Statement by Tan Sri (Dr) Mohd Ghazali Shafie Chairman of the Commonwealth Observer Group

Representatives from the Commonwealth were given a mandate by the Secretary-General to observe the preparations for and the conduct of Bangladesh's general election and to determine whether the ballot was a genuine expression of the people's will. The Secretary-General took this decision in response to an invitation from the Caretaker Government and with the approval of the Political Parties.

Since arriving in Dhaka on 4 June, our 12-member group and its six support staff from the Commonwealth Secretariat have been briefed by representatives from a wide variety of interested groups and officials, including the Chief Adviser, the Chief Election Commissioner and the President. On the eve of the poll, I also met with the leaders of the two main political parties in Bangladesh. On 8 June, four days ahead of the poll, six teams of Commonwealth observers dispersed to the country's six divisions to assess the preparations for voting as well as to observe the election process.

Throughout our time in Bangladesh we have endeavoured to approach our task fully aware of the historic importance of this election for the people of Bangladesh. We have been particularly impressed by the special constitutional and legal arrangements that were put in place to ensure a neutral administration and a credible election. The establishment of the Caretaker Government created an atmosphere - noticeable to us all - that gave a new respect to the political process. This was manifested repeatedly on election day by the high turnout we witnessed in the cross-section of constituencies we visited across the country.

We were impressed by the part played by domestic Non-Governmental Organisations in support of credible elections through voter education activity and by observing the poll. The voters themselves were evidently highly motivated as witnessed by the high turnout, particularly of women voters. We are grateful to the Government of Bangladesh for facilitating our work and that of the other international observers which amply demonstrates the Government's belief in the positive contribution that the Commonwealth and the wider international community can make to the credibility of the election in such circumstances.

We were aware of serious disturbances and some shortcomings, but these did not materially affect the voting process. The calm and patience shown by voters in often over-crowded voting centres was a credit to their commitment and overall we believe that the election will provide a true reflection of the popular will. The counting was carried out according to procedures laid down by the Election Commission. The security forces have on the whole played a positive role in support of the civil authorities.

12 June 1996

ANNEX VIII

Departure Statement of 21 June 1996



Bangladesh Parliamentary Election, 1996

Commonwealth Observer Group

News Release

For Immediate Release

21 June 1996

DEPARTURE STATEMENT BY TAN SRI (DR) MOHD GHAZALI SHAFIE CHAIRMAN OF THE COMMONWEALTH OBSERVER GROUP TO BANGLADESH

The Commonwealth Observer Group, which arrived in Dhaka on 4 June 1996, has completed its observation of the elections, having visited 130 polling centres during the polling and re-polling, in all the six Divisions of Bangladesh. Eleven members of the Group remained after the 12 June elections in order to observe re-polling in seven of the twenty-seven constituencies and began to disperse last night, 20 June 1996.

We are of the view that this was a credible election. The overall process, including the re-polling on 19 June, enabled the vast majority of voters to exercise their franchise freely. Although there were shortcomings we believe that the validity of the outcome was not affected.

In our view, the people of Bangladesh have demonstrated an impressive commitment to democracy. In this they were well served by the Caretaker Government. The Election Commission is to be commended for its remarkable achievement in organising these elections in such a short period. The security forces played an effective and positive role, the political parties and candidates for the most part conducted themselves responsibly and the media enabled the parties to put their case to the voters. We were pleased to observe the high turnout, especially of women voters.

We are grateful to have had this opportunity to serve our fellow Commonwealth citizens in support of our association's fundamental political values. We wish to express our appreciation to the Caretaker Government and the Election Commission for facilitating our work, to thank all those others who have assisted our Group and to acknowledge the many personal kindnesses extended to us. Most of all, we wish the people of this country every success for the future. The will of the voters has been expressed. We look forward now to the further consolidation of democracy in Bangladesh.

NOTE FOR EDITORS

This statement concludes the task of the Commonwealth Observer Group, whose full report will now be submitted to the Commonwealth Secretary-General. No further statement will be issued.

ANNEX IX

Bangladesh Election Commission Guidelines for Election Observers

BANGLADESH ELECTION COMMISSION

SHER-E-BANGLA NAGAR, DHAKA

GUIDELINES FOR OBSERUERS

TO OBSERVE ELECTION

Election is a process through which people exercise their right to choose their representative for elective offices. The election proceedings, should therefore be free, fair and transparent. One of the methods through which transparency can be attempted is by inviting impartial/neutral/reputed observer groups to observe the process of election without in any way interfering with the free flow of activities relating to elections.

Bangladesh Election Commission adopts a very liberal policy of entertaining local/international observers to observe all elections conducted by the Commission. The Commission's liberal approach in this matter is constrained only by limitation of resources which are stretched to the limit at the time of any national level elections as well as legal restrictions on some matters. On the Election day, the pressure is at the peak and it is hoped that the observers will appreciate these constraints and restrictions and cooperate fully with all officials connected with the election.

The following facilitatory guidelines are suggested for both foreign and local observers willing to observe the national election.

A. Role of the observers

The observers may watch activities prior to polling day and organise programme to encourage free and fair voting and observe actual polling on Election day without any interference in proceedings.

It may be noted that on the Election day:

- (a) The observers may only observe the proceedings in the polling station and shall not participate in activities like campaign, voting, counting etc;
- (b) They will not interfere with any of the election activities on-going at the polling station;

BANGLADESH ELECTION COMMISSION

SHER-E-BANGLA NAGAR, DHAKA

- (c) Announcement of any result of voting of a centre or constituency must not be done by the observers/observer group
- (d) The observers are to be completely neutral and non-partisan and are required to satisfy the Election Commission on this.

B. Foreign Observers

- (1) The foreign observers (F.O.) who like to observe polling in Bangladesh may get in touch with concerned Bangladesh Embassy abroad.
- (2) The FOs on arrival in Bangladesh are advised to enlist their names with the Ministry of Foreign Affairs (MOFA) to obtain necessary assistance from the Assistance Cell in the MOFA.
- (3) During their stay in Bangladesh they (F.O.) will remain fully responsible for their board, lodging and transport.
- (4) The FOs will be issued appropriate accreditation cards.

C. Local Observers

- (1) Such observers shall not be supporters of any political party and shall not do anything covertly or overtly which may compromise the quality of the effort. Election Commission/Returning Officers always reserve the right to cancel permission in such cases of violation.
- (2) Such observers will obtain clearance individually or in a group from the Election Commission/Returning Officers, as decided by the Election Commission.

D. Requirements

(1) All observers are expected to inform the Election Commission of the districts/ locations they want to visit during polling, so that the District Administration may assist them during the visit. They may also be required to obtain lds from the

BANGLADESH ELECTION COMMISSION

SHER-E-BANGLA NAGAR, DHAKA

Returning officer after having furnished the names and other particulars of the observers to be fielded. The Returning Officer of any electoral area will have the authority to deny issue of ID to any observer group if the Returning Officer is not satisfied with their antecedents.

- (2) While in the districts they are advised to act in accordance with the advice of the Returning Officer, Assistant Returning Officer, Presiding Officer, Polling Officer as the case may be and will refrain from doing things which may disrupt poll proceedings.
- (3) At any given time not more than one observer (Local and Foreign) may enter inside a polling centre as the facilities inside may be insufficient to accommodate more than one. It is suggested that an observer may not remain inside for long to facilitate the entry of others who may be waiting outside. A Presiding Officer/ Asst. Presiding Officer may ask any of the Observer to withdraw from the centre at any time if he thinks that the observer's presence in any way may prejudice the voting in the centre.
- (4) During their visit of the polling centres, the Observers will abide by all the legal and administrative requirements of the Presiding Officer/Asst. Presiding Officer.
- (5) It is expected that a copy of any written report by the Observer Group will be given to the Election Commission soon after the conclusion of the poll.

E. Pre-poll activities by Observer Groups

Observer Groups are encouraged to carry out at their own cost voter education programmes, TV programme, rallies etc. to encourage people to participate in the polls. Such activities shall be completely non-partisan, unbiased and free from any religious, local or racial prejudice and shall be in accordance with any general policies of the competent authority relating to the activities involved.

F. Journalists

Journalists willing to observe the polling will also be covered by these guidelines.

ANNEX X

Code of Conduct for Political Parties and Candidates

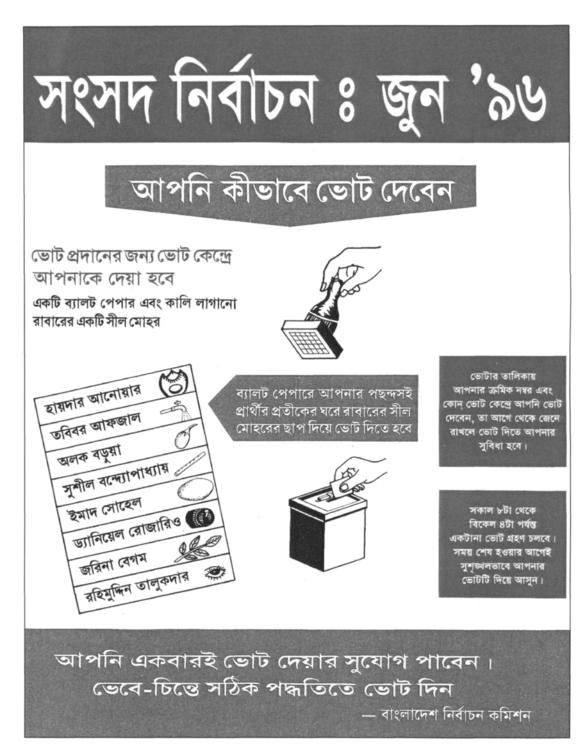
The Code of Conduct for Elections

- 1. **Short title**. These rules may be called The Code of Conduct for the Political Parties and Contesting Candidates Seeking Election to the Jatiya Sangsad, 1996.
 - 2. Definitions.- In these rules, unless there is anything repugnant in the subject or context,—
 - (a) "pre-poll period" means the period commencing on the announcement of the election schedule and ending on the declaration of results;
 - (b) "candidate" means a person nominated by a political party or a person contesting the election independently from a constituency; and
 - (c) "political party" includes a group or combination of persons who operate within or outside Parliament under a distinctive name and who hold themselves out for the purpose of propagating a political opinion or engaging in any other political activity.
- 3. Ban on subscription, donation etc. to any institution. -Concerned political parties may announce their overall development planning. But following the announcement of the election schedule till the day of polling, no candidate or any person on his behalf shall, openly or in secret, give any subscription or donation, or make promise for giving such subscription or donation, to any institution of their respective constituency or to any other institution, nor shall commit to undertake any development project in the respective constituency.
- 4. Use of Dakbangalows and Rest House. All parties and candidates shall be given equal rights for using government dakbangalows, rest houses and circuit houses on the basis of the application first made and in accordance with the existing rules for using of the same. But the officers engaged in the conduct of the election shall get preference to use government dakbangalows, rest houses and circuit houses.
- 5. Election campaign (1) All political parties and candidates shall have equal rights with regard to election campaign. Meetings, processions and other election campaigns of the opponents shall not be disrupted or obstructed
- (2) The local police administration and the opposite party shall, in advance, be informed of the date, time and place for holding meetings or processions in favour of any contending political party or candidate.
- (3) The local police administration shall, well in advance, be informed of the date, time and place of the proposed holding of meeting by any contending party or candidate, so that the police administration can take necessary steps for unobstructed movement of the public and for ensuring law and order there.
- (4) No meeting shall be held on any thorough fare creating hindrance to the movement of the public without obtaining permission from the appropriate authority.
- (5) The organizers of any meeting shall have to seek the assistance of the police for taking action against the persons who obstruct to the holding of such meeting or create disturbances in such meeting. The organizers shall not themselves take any action against such persons.
- (6) No candidate or political party or anybody on their behalf shall use government media, government officers, employees or transport or other state facilities following the announcement of the election schdule.

- (7) No posters, leaflets or handbills, shall be stuck over the posters, leaflets or handbills of the rival candidates.
- (8) No election camp shall be set up on any road or place meant for the use of the public. Election camp shall as far as possible be simple. No food or drink shall be served to the voters in the election camp.
- (9) No Government dakbangalows, rest houses, circuit houses and government office shall be used by any party or candidate as a place for election campaigning.
- (10) The posters for election campaign shall be printed on paper manufactured in the country and its colour shall be black and white and its size in no case shall be more than 22'' x 18''.
- (11) No contesting candidate shall use more than three microphones in his constituency and the use of mikes shall be restricted between 2 pm and 8 pm.
- (12) No land, building or movable or immovable properties of any citizen shall be damaged in connection with the election and personal peace of any person shall not be violated by undesireable activities or disorderly behaviour.
- (13) Every person shall refrain from all sorts of wall writings as a means of election campaign.
- (14) In the interest of maintaining law and order, no motor cycle or any other mechanical transport shall be used and no fire arms or explosives shall be carried within the premises of the polling stations. No government officer or local influential person shall make any illegal interference in the election process.
- (15) No procession of buses, trucks or any other vehicles or torch procession shall be brought out in favour of any contesting candidate.
- (16) All political parties and candidates shall have to render necessary assistance to the officers and employees entrusted with the responsibility of holding elections in order to ensure peaceful and disciplined casting of votes independently by the voters without any hinderance.
- (17) During election campaign, no contesting party or candidate shall make any bitter and provocative statement and any such statement that may hurt the sentiment of the followers of any religion.
- (18) No contesting candidate shall, under no circumstances, cross the limit of election expenses.
- 6. **Keeping election free from any influence.** Election shall not be influenced by money, arms, muscle power or local influence.
- 7. Access to polling station. Only the polling personel, contesting candidates, polling agents and voters, shall have access to the polling station. Workers of the political parties or candidates shall not enter and move about inside the polling station. Only the polling agents, sitting on their allotted places, shall perform their specific duties.
- 8. **Pre-poll irregularities.** Violation of any provision of these rules shall be considered as pre-poll irregularities and any person or political party aggrieved by such violation may apply to the Electoral Enquiry Committee or Election Commission seeking redress. If the application filed with the Election Commission is found by the Commission as tenable, it shall send the same to the concerned or any Electoral Enquiry Committee for investigation. In both the cases, the Electoral Enquiry Committee, after making investigation as per provisions of Article 91A of the Representation of the People Order, 1972 (P.O. No. 155 of 1972), shall submit its recommendations to the Commission.

ANNEX XI

Bangladesh Election Commission Voter Education Posters



নির্বাচনী আচরণবিধি মান্য করুন অবাধ ও সুষ্ঠু নির্বাচনের পরিবেশ তৈরী করুন

* অর্থ, অস্ত্র কিংবা পেশীশক্তি দ্বারা নির্বাচনকে প্রভাবিত করা যাবে না।

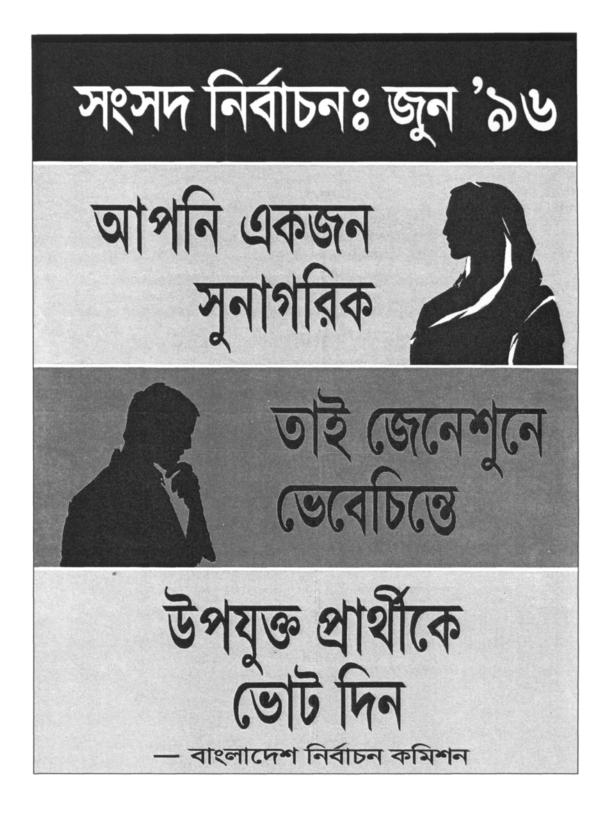
※ নির্বাচনী এলাকায় কোনো প্রতিষ্ঠানকে চাঁদা বা সাহায্যদান কিংবা এ-ধরনের কোনো প্রতিশ্রুতি দেওয়া যাবে না।

* ভোটকেন্দ্রের ভিতরে সকল ধরনের যন্ত্রচালিত যান নিয়ে প্রবেশ ও অস্ত্রবহন নিষিদ্ধ। প্রার্থীর নির্বাচনী ও পোলিং এজেন্ট ছাড়া অন্য কোনো প্রতিনিধি কিংবা কর্মীর প্রবেশও সাধারণতঃ নিষিদ্ধ।

※ আইন-শৃংখলা ভঙ্গ হলে পুলিশের শরণাপন্ন হতে হবে। প্রতিকারের ব্যবস্থা নিজ হাতে তুলে নেবেন না।

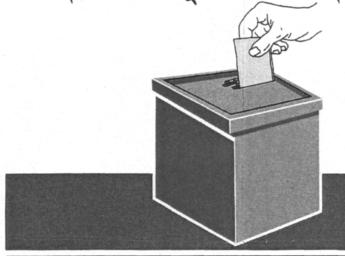
* কোনো অনিয়ম ঘটলে নির্বাচনী তদন্ত কমিটি অথবা নির্বাচন কমিশনের কাছে সরাসরি অভিযোগ পেশ করুন।

বাংলাদেশ নিৰ্বাচন কমিশন



নির্বাচনী আচরণবিধি ১৯৯৬

অবাধ, সুষ্ঠ ও শান্তিপূর্ণ নির্বাচন অনুষ্ঠানের চাবিকাঠি



নির্বাচনী আচরণবিধি পাঠ করুন আলোচনা করুন সঠিকভাবে প্রতিপালনে সহায়তা করুন

বাংলাদেশ নির্বাচন কমিশন