



## PRELIMINARY STATEMENT

### **Peaceful parliamentary elections mark an important step in the restoration of democratic governance to Bangladesh**

**31 December 2008, Dhaka**

*The European Union Election Observation Mission (EU EOM) has been present in Bangladesh since 7 November 2008 following an invitation from the Caretaker Government of the People's Republic of Bangladesh and the Bangladesh Election Commission. The EU EOM is led by Alexander Graf Lambsdorff, Member of the European Parliament. The EU EOM deployed 150 observers from 25 EU Member States plus Norway and Switzerland. The observers were deployed throughout Bangladesh to observe and assess the electoral process in accordance with international standards for elections as well as the laws of Bangladesh. The EU EOM was joined by a four member delegation from the European Parliament, led by Charles Tannock, Member of the European Parliament, which endorses this preliminary statement. On Election Day, observers visited some 800 polling booths in the 6 Divisions of Bangladesh to observe the opening, voting, counting and consolidation of results. The EU EOM will remain in country to observe post-election developments. This statement is preliminary; a final report including recommendations for future elections will be published in March 2009. The EU EOM is independent in its findings and conclusions, and adhere to the Declaration of Principles for International Election Observation commemorated at the United Nations in October 2005.*

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### **Preliminary Conclusions**

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- **The 2008 parliamentary elections in Bangladesh mark an important step towards reestablishing democratic governance of the country. A remarkably peaceful environment and high turnout on Election Day showed the determination of the people of Bangladesh to return to democracy. Minor technical difficulties aside, professionalism, transparency and credibility were the hallmarks of this election. The outcome of the election appears to reflect the will of the people of Bangladesh. EU EOM observers did not report patterns of fraud in the process.**
- **There was a high degree of confidence in the Bangladesh Election Commission (BEC) which has shown itself to be neutral and has demonstrated its ability to conduct technically-sound elections. While discharging most of its responsibilities in a transparent and responsible manner, efficiency was hampered by overreaching: the BEC regulated beyond its practical capacity to implement, which overwhelmed the system and left some areas such as the postal ballot system and the regulation of the consolidation process poorly addressed.**

- **Key improvements bringing elements of the process into line with international electoral standards include the Final Voter List (FVL) which proved to be accurate, inclusive and reliable and the new delimitation of constituencies ensuring greater compliance with the principle of equal suffrage. However, the right to vote was undermined by the omission of some 3 million 18-year olds unable to vote in this election due to the registration cut-off date of 1 January 2008.**
- **Voter information and civic education activities of the electoral administration were adequate. However, voter information on the option to vote for “None of the Above” was inconsistent and generally insufficient.**
- **The main legal basis for elections is the Representation of the People Order (RPO) which is excessively prescriptive in some places and insufficiently detailed in others. Over-regulation with the aim of transparency led to difficulty implementing some procedures, and some otherwise reasonable and useful processes, such as the scrutiny of candidates, disrupted the electoral preparations because of their implementation too close to Election Day.**
- **Following the lifting of the State of Emergency the campaign was generally conducted in an open and free environment with no reported restrictions on campaign meetings or rallies. The campaign was remarkably peaceful, however, there were some isolated incidents of violence between supporters of rival candidates.**
- **The presence of party/candidate agents as well as domestic observers was considered important and contributed to the transparency of the voting and counting processes at polling centre and polling booth level. However, the BEC’s reliance on party representatives to inform voters of their polling booths was unfortunate and arguably enabled campaign activities to continue on Election Day.**
- **Print and broadcast media covered the elections extensively and for the most part equitably. The media enjoyed a reasonable degree of freedom of expression with no reported instances of intimidation or violence against journalists during the campaign.**
- **Women and minority groups did not participate in the political or electoral administration process in any significant numbers, with very few holding decision making positions. The enfranchisement of Bihari people was a positive development.**
- **Civil society organisations played an important role in the process carrying out a number of election activities, including election observation, civic education, political party development and initiatives to increase women’s participation.**
- **The high democratic standard set by this election must be sustained in the following days and weeks as the country returns to democratic governance. This will depend on all political leaders and their supporters who have to demonstrate lasting respect**

**for the spirit of parliamentary democracy. It is important to note that a healthy democracy requires a meaningful and constructive role for the opposition, acting in parliament.**

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## **Preliminary Findings**

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### **BACKGROUND**

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The Parliamentary election held on 29 December 2008 was the ninth Parliamentary election since Bangladesh secured independence in 1971. The elections were originally scheduled to take place on 22 January 2007 under the administration of a non-partisan caretaker government, as provided-for in the Constitution of the People's Republic of Bangladesh. However, one of the main party alliances, led by Awami League (AL), decided to boycott the elections on the grounds that the caretaker government, headed by President Iajuddin Ahmed, was favouring its main opponent, Bangladesh Nationalist Party (BNP). On 11 January 2007, the EU and other international observer missions judged that conditions precluded credible elections and suspended their activities. The same day President Iajuddin Ahmed, under pressure from the army, cancelled the elections, resigned as Chief Advisor of the caretaker government, and declared a State of Emergency. A new caretaker government was appointed to prepare for credible and participatory elections and took office for an unspecified period of time.

In April 2007 the caretaker government committed to holding the elections before the end of 2008, a timeframe largely determined by the period of time required to complete a new electoral roll. To implement this project and other election-related reforms, the caretaker government appointed fresh leadership to the Bangladesh Electoral Commission (BEC).

The State of Emergency was declared under Article 141A of the Constitution and remained in force from 11 January 2007 to 16 December 2008. It curtailed fundamental rights enshrined in the Constitution such as freedoms of movement, assembly, association, and expression. The ban on political party activity was gradually relaxed, with indoor meetings permitted in Dhaka from September 2007 and countrywide from August 2008. On 3 November 2008, the emergency rule restrictions on the freedoms of speech and expression were lifted. In the light of the restoration of these fundamental rights, the European Commissioner for External Relations, Dr Benita Ferrero-Waldner decided to deploy a full European Union Election Observation Mission (EU EOM) to Bangladesh.<sup>1</sup> The State of Emergency was lifted as of 17 December 2008.

The BEC had originally scheduled the parliamentary elections to take place on 18 December 2008. However, following a threat from the BNP-led alliance not to participate in the elections unless they were postponed, a compromise was found to hold the elections on 29 December. The caretaker government and BEC also met several other demands put forward by the political parties, including the postponement of the upazila local elections by several weeks. The authorities thus made significant efforts to ensure that elections could take place in an environment acceptable to all parties.

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<sup>1</sup> Commissioner Ferrero-Waldner had initially deployed an EU Election Assessment Mission with fewer observers and a more limited mandate than a full-fledged EOM.

The parliamentary elections were held in 299 single-member constituencies.<sup>2</sup> Thirty-eight registered political parties participated in the election. There were 1,538 candidates in the BEC's final list, including 141 independent candidates. Two main electoral alliances fought the elections, one led by AL, the other by BNP. The Jatiya Party (JP) of former President Ershad attached itself to the AL-led alliance and Jamaat-e-Islami (JeI) continued its alliance from the 2001 election with BNP. Five mostly new parties formed a third alliance called 'Jukta Front' (United Front) which together covered roughly one third of the constituencies.

## **LEGAL FRAMEWORK**

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The main legal acts governing the elections in Bangladesh are the Constitution of the People's Republic of Bangladesh of 1972 and the Representation of the People Order (RPO) of 1972 (as amended 2008). During the period of State of Emergency, changes and amendments to election related rules and regulations were promulgated as ordinances or statutory regulatory orders (S.R.O.)<sup>3</sup> One of the first duties of a new parliament will be to accept or reject all ordinances and SROs authorized during the caretaker government.

Most of the new provisions expressed in ordinances and S.R.O.s have been included in the RPO, which is regarded as the consolidated electoral act. Significant improvements have been made in the areas of candidates' financial disclosure, political party registration and campaign spending limits. There are still shortcomings in areas such as election media coverage, which is largely unregulated, and disqualification criteria for candidates, as well procedures for allocating political party symbols to candidates.

Article 91E was the most discussed and criticised amendment to the RPO. It grants powers to the BEC to order an investigation and disqualify any candidate found to be in breach of the regulations. A disqualified candidate can only challenge the decision by filing a writ petition to the High Court.

The RPO has been amended several times since 1972. Some provisions are supported by detailed instructions while others are only general directives. The adjudication of minor campaign irregularities is an overregulated process creating a heavy workload for the election commission. Conversely, the provision for consolidation of the election results lacks an understandable description of the process.

In the month prior to Election Day the Supreme Court<sup>4</sup> played a more significant role than expected. Many candidates rejected by the BEC availed themselves of their constitutional right to file a writ petition<sup>5</sup> to the High Court to challenge the decisions of the BEC.

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<sup>2</sup> The election in Noakhali-6 constituency was rescheduled for 12 January 2009, following the death of one of the nominated candidates.

<sup>3</sup> Electoral Rolls Ordinance (Ordinance No. 18/2008); Political Party Registration Rules (S.R.O. No. 25/2008); Electoral Rolls Rules (S.R.O No.31/2008); Code of Conduct for the Political Parties and the Candidates (No.269/2008); Conduct of Election Rules (S.R.O. No. 286/2008).

<sup>4</sup> The Supreme Court of Bangladesh is the highest court of law. It is composed of a High Court division and an Appellate division. The High Court division hears appeals from lower courts and tribunals and also has original jurisdiction in some cases (e.g. in the case of election related issues) The Appellate division hears appeals from the High Court division.

## **ELECTION ADMINISTRATION**

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There was a greater degree of confidence in the current BEC than in its predecessor. The BEC consulted civil society and most political parties on reform of the electoral framework and this process was positively assessed by most stakeholders. Concerns remain about BEC meetings, which are not open to either observers or the media, and the minutes of which are not made public.

The BEC successfully carried out a review of constituency delimitations and completed the delimitation on 10 July 2008, which affected 133 out of 300 constituencies. The Commission adopted an average figure of approximately 267,000 voters per constituency and re-allocated parliamentary seats between districts and divisions. This helped ensure compliance with the principle of equal suffrage.

The BEC proved its ability to organize technically sound elections and was positively assessed by EU EOM observers for their efficiency and professionalism. The planning and implementation of the recruitment and training of election administration and polling staff were timely and adequate.

The BEC has extensive responsibilities and powers. As well as determining constituency delimitations and managing the polling and the results processes, the commission is mandated to conduct voter education, voter registration and candidate registration. It is also responsible for managing election-related complaints, including those related to campaign and media regulations. While discharging most of its responsibilities in a transparent and responsible manner, efficiency was hampered by overreaching: the BEC appears to have regulated beyond its practical capacity to implement, which overwhelmed the system and left some areas such as the postal ballot system and the regulation of the consolidation process poorly-addressed.

The voter information and civic education activities of the electoral administration were assessed as adequate by EU EOM observers. However, voter information on the 'None of the Above' voting option was inconsistent and generally insufficient. The BEC delegated most voter information and civic education to local civil society organizations, which conducted their activities with funding from the international community.

The postal voting process proved to be totally dysfunctional, and of nearly 1 million voters entitled to use this voting modality,<sup>6</sup> only a minimal number requested a postal ballot before the original deadline of 27 November. The BEC extended the deadline, but still only a very small number of eligible voters sought postal ballots. This appeared to be for lack of information in most cases.

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<sup>5</sup> A legal instrument for remedies at the superior courts against the arbitrary or illegal actions of any authority or of the lower court.

<sup>6</sup> Voters eligible for postal voting include security agents, prisoners, elections polling staff and other electoral personnel.

## **VOTER REGISTRATION**

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The voter registration process produced a good quality voter list with photographs. It was more accurate, inclusive and reliable than the previous voter lists of 2001 and 2006 following the elimination of duplicates and erroneous entries, as well as the registration of young voters and some marginalized segments of society. The Final Voter List (FVL) contained 81,130,973 voters, of whom 41,244,820 were women (50.9 per cent) and 39,787,636 were men (49.1 per cent). Political parties and candidates received a soft copy of the FVL, without photographs.

The right to vote for all Bangladeshi citizens over 18 has, in principle, been respected. However, it was undermined by the omission of some 3 million 18-year olds unable to vote in this election due to the registration cut-off date of 1 January 2008. There was no provision for enabling these individuals to register.

The BEC provided for a Supplementary Voter List (SVL) appended to the end of the regular electoral register to which, at the discretion of the BEC, those who were not included in the FVL could be added upon their written request. Awareness of the existence of this SVL was limited and nationwide according to Preparation of Electoral Roll with Photographs (PERP) only 626 of the voters who might have benefited from the provision actually registered on the supplementary list.

The organisation of the FVL by Voter Serial Number (VSN)<sup>7</sup> and the allocation of voters to polling booths (PBs) according to that numerical order rather than alphabetically, made it impossible for voters to know their PB without the help of electoral officials or party activists in possession of the FVL. Eventually, the BEC decided to delegate the task of informing the voters of their registration number and polling booth to the political parties, as has been the practice in previous elections. The BEC allowed political parties to establish bases next to the polling centres (PCs) where voters received the information necessary for them to know in which polling booth they could vote. This option runs contrary to the best practice of avoiding such direct contact between party activists and voters after the end of campaigning and especially on Election Day.

## **PARTY AND CANDIDATE REGISTRATION**

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Registration of political parties was compulsory for the first time. Thirty-nine parties out of 107 that applied were registered, representing a spectrum of political ideologies, from secular and socialist orientations to Islamic conservatism or fundamentalism. Fewer parties contested than in the 2001 elections, when 54 parties fielded candidates. The registration criteria sought partly to exclude 'sign-board' parties with little if any real presence around the country and partly to promote parties' internal democracy and financial transparency. The BEC managed the registration process in an equitable manner, offering parties that initially failed to meet the requirements the opportunity to resubmit their application having made necessary changes. The BEC verified the information provided by parties and many applications were rejected on the basis that purported party offices existed on paper, but not in reality.

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<sup>7</sup> Each voter's VSN comprises 13 digits.

One consequence of the registration requirements was that very small or geographically concentrated parties could not qualify. This affected parties representing minority religious and tribal communities such as Bangladesh Hindu League and PCJSS/UPDF<sup>8</sup>.

The registration of party factions that retained almost identical names made it difficult to distinguish between certain parties, despite each being allocated a specific electoral symbol. By way of example, there are four registered factions of the JP (National Party) and two of the Jatiya Somojtontrik Dal (National Socialist Party). Selection of more easily distinguishable names for parties would be a helpful measure.

The candidate nomination process put both the parties and the BEC under significant stress, with seemingly clear RPO provisions becoming subject to questionable interpretation. The RPO allows parties to nominate more than one candidate in a given constituency on condition that the Returning Officer (RO) is informed of the final candidate before scrutiny of the nomination papers. However, the BEC did not insist on this stipulation, thus favouring parties – mainly the larger ones – with several nominees, since these could fall back on their second or third choice should the preferred candidate be rejected.

The RPO provides that candidates can step down only if they personally sign a withdrawal form submitted before the last day of withdrawal, which was set for 11 December. As parties and party alliances in many constituencies struggled to persuade candidates to withdraw, the BEC determined that a candidate would be retained on the final list only if their party agreed. This amounted to giving parties the right to de-select nominated candidates, which would appear to be in conflict with the spirit of the RPO.

There were 2,454 nominated candidates at the outset. Following scrutiny and withdrawals 1,538 candidates, including 141 independents, remained on the final candidate list which was completed two days late on 14 December. Thirty-three candidates ran in two or three constituencies simultaneously, three constituencies being the maximum allowed under the RPO.

Common grounds for rejection of candidates were bank loan and utility bill defaulting, incomplete application forms and, in the case of independent candidates, fraudulent and insufficient supporting voters' signatures. On appeal, the BEC reinstated some 120 candidates out of 564 rejected by ROs. Some twenty further candidates were reinstated as late as twelve days before Election Day on order of the Supreme Court. The BEC did not have time to appeal these orders before the election but reserved the option to do so afterwards.

AL and BNP fielded by far the largest number of candidates. They had negotiated seat-sharing agreements with their alliance partners for the constituencies in which they did not have their own candidates, ensuring that the two main electoral coalitions effectively had candidates on the ballots throughout the country.

Failure of candidates to withdraw as per agreement implied that in several constituencies competition took place within as well as outside of each coalition, reducing the alliances'

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<sup>8</sup> PCJSS – Parbatya Chatlagram Jano Sanghati Samiti; UPDF – United People's Democratic Front.

electoral impact. A third alliance, the Jukta Front, presented candidates in roughly one-third of constituencies.

## CAMPAIGN ENVIRONMENT

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The campaign was generally conducted in an open and free environment with parties and candidates not reporting any obstacles to holding meetings and rallies. Overall the campaign was peaceful but isolated violent incidents occurred between supporters of rival candidates. Police and security personnel discharged their duties appropriately on the whole. The army was deployed to ensure additional security from 20 to 31 December.

The official campaign period lasted two weeks, from 12 December to midnight on 27 December. The BEC decided at a late stage that the campaign-free period before Election Day would be 32 hours, rather than the 48 hours specified by law.<sup>9</sup> The code of conduct prohibited campaigning before and after the campaign period, a rule which was generally respected although the BEC did have to issue warnings to political parties that breached it in a few cases. In previous elections the campaign period was usually of three weeks. Some political parties welcomed a shorter and less expensive campaign, while others, primarily smaller parties, felt that they did not have sufficient time to reach out to voters.

Campaigning methods included processions, speeches, door-to-door visits, and ‘miking’ – playing messages from loudspeakers on moving vehicles. Most candidates campaigned in their own constituency although the party leaders, especially in the case of the main parties, toured the country in support of their candidates. In general this support from party headquarters was the most candidates could count on, with campaign financing remaining the candidate’s own responsibility.

The code of conduct aimed to reduce disparities between candidates’ campaigning resources and limited campaign expenses to Tk 1.5 million<sup>10</sup> per candidate. Other measures included a ban on colour posters, the use of motor vehicles in rallies, and offering of food and drinks to voters. The BEC did not have any procedures in place for monitoring campaign expenditure, and many interlocutors claimed that candidates with the financial means spent above the prescribed limit. Candidates and parties are required to submit a statement of their election expenses within 30 days of the election results.

Most political parties’ election manifestos included promises to control food prices. Energy production, employment, economic development, corruption eradication, law and order also featured prominently. As far as the major parties’ manifestos were concerned, the similarities were more striking than the differences, suggesting a basic policy consensus. There was a tendency in the manifestos to focus more on promises than on the means of realizing these.

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<sup>9</sup> Article 78 of the RPO

<sup>10</sup> Approximately 19,000 Euro.

## **MEDIA ENVIRONMENT**

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The state has retained a significant position in the broadcast sector and owns the only national terrestrial television channel and 12 regional radio stations. The most notable recent development is the rapid increase in the number of satellite television channels: there are now 15 commercial cable television channels. State broadcasters are the principal source of information for most of the population. While there is a very active national and local press, its readership and influence are more limited.<sup>11</sup>

On 3 November, Rule 5 and 6 of Emergency Power Rules restricting freedoms of expression were repealed and on 17 December the State of Emergency was fully lifted. As a result, the media enjoyed a reasonable degree of freedom of expression, with no reported instances of intimidation or violence against journalists during the campaign.

The EU EOM monitored four TV channels,<sup>12</sup> ten privately - owned newspapers<sup>13</sup> and two radio stations<sup>14</sup>. The monitoring results covering the period 14 November to 29 December indicate that the coverage of the elections was dominated by the two main political parties and their respective leaders, while other registered political parties received negligible coverage. State - owned media gave extensive news coverage of the activities and statements of the caretaker government's advisors.

On 19 December, Bangladesh Television and Bangladesh Radio complied with their obligation to provide equitable time to the political parties contesting the elections during prime-time hours. According to the guidelines issued by the Ministry of Information on 11 December,<sup>15</sup> registered political parties and alliances with 30 or more candidates may be provided with free airtime for party political broadcasts on state-owned television and radio.

Broadcast media covered the campaign mainly through the news programmes. From 11 December private television channels also broadcast talk shows and special programmes dedicated to the elections. Only a few representatives of political parties took part in the political debate programmes and there was no debate or interviews with the leaders of BNP and AL.

Overall, the tone of the coverage in the broadcast media tended to be neutral. However, private television channel ATN Bangla devoted minimal coverage to JeI and this was generally negative

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<sup>11</sup> According to the World Association of Newspapers' report, newspaper readership in Bangladesh is estimated at 20 million, less than 15% of the population.

<sup>12</sup> BTV State owned, ATN Bangla, Channel -i, NTV

<sup>13</sup> The Daily Prothom Alo, The Daily Jugantor, The Daily Shamokal, The Daily Ittefaq, The Daily Amar Des, The Daily Janakantha, The Daily Star, The Daily Jaijedin, The Daily Sangbad, The Daily New Age.

<sup>14</sup> Bangladesh Betar Radio and Radio Today

<sup>15</sup> Registered political parties/alliances who have nominated candidates in 30 to 50 constituencies, may be provided with up to a maximum of 10 minutes; those who have nominated candidates in 51 to 70 constituencies, may be provided with up to a maximum of 15 minutes; those who have nominated candidates in 71 to 100 constituencies, may be provided with up to a maximum 20 minutes and those who have nominated candidates in 101 to 300 constituencies, may be provided with up to a maximum 40 minutes time to give speech for one time only on Bangladesh Television and Bangladesh Radio.

in tone. On 23 December JeI filed a case against ATN Bangla for broadcasting a news report which it claimed defamed its leaders.

All monitored newspapers provided a wide range of information, although they allocated most of their political and election coverage to the BNP and AL and their respective alliances. While the overall tone of coverage in the print media remained predominately neutral, JeI received limited and negative coverage.

Although candidates and political parties are not prevented from advertising in private media, no paid spot was seen in the monitored television channels until the last week of the campaign. Private television channels - ATN Bangla and NTV- are the only private channels which aired paid political advertising for AL and BNP. A limited number of paid campaign ads were placed in print media outlets by candidates of the two major political parties.

Voter information and civic education features were aired mainly on state-owned TV and Radio, sponsored by the BEC and the Ministry of Information.

## **COMPLAINTS AND APPEALS**

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Appeals and petitions related to candidate nominations had a considerable impact on the election process in the month prior to Election Day. New and previously untested regulations for the candidate nomination process and the election commissions' determination to rigorously follow the rules resulted in many candidates being rejected. Later decisions at the Supreme Court reinstated some candidates, decisions that were disruptive to the election process as ballots had to be reprinted a short time before Election Day. Nomination procedures could be amended to ensure there is sufficient time for the entire process to conclude well in advance of the elections, including any appeals to the Supreme Court.

Relatively few campaign irregularities have been reported to the BEC by the Election Enquiry Committees (EECs), the election authority in charge of investigating pre-poll misdemeanours. The majority of cases investigated were resolved at local level through negotiations.

The RPO stipulates that complaints regarding electoral offences are adjudicated by magistrates appointed by the BEC. However the RPO does not specify if these should be executive or judicial magistrates, and it was only very late in the process that the Supreme Court decided in favour of judicial magistrates. Such uncertainties and late decisions have caused ambiguity with regard to procedures and in some instances, also friction between judicial and executive magistrates.

## **HUMAN RIGHTS**

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Under the Constitution of Bangladesh, all citizens enjoy equal rights and freedoms, regardless of their gender, race, caste, religion or place of birth. However, due to the prevalence of patriarchal traditions, financial, educational and social constraints, the participation of women in political and state institutions in Bangladesh is very limited.

There were only 52 women among the 1,538 candidates vying for 299 seats. Women candidates contested in 57 constituencies<sup>16</sup>. However, a considerable number of them were proxy candidates effectively representing male family members, and only 30 per cent of women candidates contested realistically winnable seats.

Despite the fact that most political party's election manifestos mentioned their good intentions regarding women's empowerment, none of them stated how it would ensure furtherance of these rights.

The enfranchisement of Bihari people was a positive development. Although there are no legal obstacles to the participation of national minorities in the election process, there was a limited representation of minorities among electoral officers and in the electoral administration. Generally, minority representatives throughout the country assumed rather secondary roles. In the electoral administration, they were more present at local level and in political movements they acted mainly at grass-roots level.

A total of 100 candidates belonging to minorities groups filed nomination papers but only 63 candidates in 49 constituencies were finally accepted.

National minorities did not become a particular target-group for election campaigning and no minority groups lobbied for their concerns to be addressed. No clearly-articulated threats or acts of intimidation against minority groups were reported by EU EOM observers, and there were no major negative campaign messages about ethnic or religious minorities.

## **CIVIL SOCIETY**

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Civil society involvement has been one of the positive features of the 2008 electoral process. There was a number of election activities carried out by civil society organisations, including election observation, civic education, political party development and efforts to increase the participation of women.

Of the 96 domestic election observation organizations registered by the BEC, the biggest was the Election Working Group (EWG), an umbrella organization comprising 32 civil society organizations. The EWG deployed observers several weeks before elections and during the campaign they published surveys on the election process. On Election Day EWG deployed around 100,000 static and some 1,500 mobile observers country-wide.

The presence of party/candidate agents as well as domestic observers was considered important and contributed to the transparency of the voting and counting processes at polling centre and polling booth level.

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<sup>16</sup> Any candidate can stand for election in up to 3 constituencies.

## **POLLING**

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The EU EOM observed in some 800 PBs on Election Day. Opening, voting and counting were conducted in a calm, orderly and peaceful atmosphere, with procedures generally being implemented appropriately. All PB staff was present at the opening, but not all polling staff was present in 3 per cent of PBs visited during the day. Women were found to be presiding officers in only 2.3 per cent of PCs visited. All materials required for the conduct of the poll were available at all the PBs visited by EU observers. The BEC polling staff proved to be committed and generally well trained. Campaign material or campaigning activities were observed inside 2.6 per cent of the PBs visited. Additionally, outside 80 per cent of PCs observed, political parties were informing voters of their VSN and their PBs. While this had been allowed by the BEC, the political parties were providing the information on party and candidate leaflets, which constitutes campaign activity.

EU EOM observers reported instances of intimidation in 2.8 per cent of the PCs observed, but otherwise assessed the general environment as fair, good or very good in 98.1 per cent of the PBs visited. Party agents were present in 99.4 per cent and domestic observers in 64.6 per cent of visited PBs. The largest domestic observer group EWG was present in some 60 per cent of PBs.

In the PBs visited, members of the PB staff were following procedures in an appropriate and consistent manner except for stamping and signing the back of the ballots, which was omitted in 2.3 per cent of the PBs observed.

Overall, EU observers evaluated the performance of polling staff as good or very good in 97.4 per cent and the polling process as good or very good in 97.3 per cent of the visited PBs.

## **CLOSING AND COUNTING**

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The closure of PBs took place in a quiet and peaceful atmosphere; no cases of intimidation or disruption were observed at closing time. The overall turnout of voters was high at 80 per cent. In half the PCs/PBs observed voters were queuing at closing time and allowed to vote, according to procedure. Party agents were present for the closing and counting in all the PBs visited and the main domestic observer group EWG was present in 69 per cent.

The closing and counting procedures were followed and implemented appropriately in 86 per cent of the cases observed, with some minor technical exceptions. Despite procedural lapses, EU observers noted that the Statements of the Count accurately reflected the results.

Counting was assessed positively in 90 per cent of PCs observed. Polling agents were present at all the counting processes observed. In 10 per cent of observed PCs, a copy of the statement of the count was not requested by party agents present. In 44 per cent of the PCs observed, the statement of the count was not publicly displayed. The public display of the statement of the count is a crucial transparency measure which was not fully implemented.

The EU EOM will continue to observe the completion of the entire electoral process.

The EU EOM wishes to express its appreciation to the Caretaker Government of the People's Republic of Bangladesh and the Bangladesh Election Commission for their cooperation and assistance in the course of the observation. The EU EOM is also grateful to the Delegation of the European Commission in Bangladesh and to International Organisation for Migration (IOM) for their support throughout.

For further information, please contact:

Graham Elson, Deputy Chief Observer, +880-1730330501

Naledi Lester, Press Officer, +880-1730330507

*This preliminary statement is available in English and Bangla but only the English version is official.*