



A Thought on Electoral Reforms Bangladesh Society for the Enforcement of Human Rights (বাংলাদেশ মানবাধিকার বাস্তবায়ন সংস্থা)

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It is indeed possible to prepare fresh and fair Voters list in 2 months

1. Each Union Parishad has 9 Wards. There are 1500 to 2000 average voters in each Ward.
2. In each Ward, there is one elected member of the Union Parishad elected by the voters of that Ward.
3. A voter Enlistment Committee may be set up comprising the Elected Member (as Chairman) and the candidates who contested the last Ward election, as members.
4. The Committee so constituted will be entrusted with the duty of collecting the names, pictures and other particulars such as date of birth, father's name, address etc. of every voter of that Ward, as are contained in a passport.
5. It will be possible through this process to evolve a transparent leak proof Voters list of that Ward since, the Chairman and the members of the Committee will guard against one another and will not allow any false name or strangers to be added in the list which may jeopardize any members interest. This cross interaction among the members of the Committee will ensure that no Single name is dropped from the list and no non voters name is added to the list.
6. The cost and expenses to prepare this list will be borne by the Election Commission and should be handed over to the committee.
7. The Election Commission shall prescribe maximum 2 months time within which to complete this process.
8. The list so prepared by the committee shall be handed over to the Chairman of the Union Parishad by the Committee in a sealed envelope, the list must contain the signatures of all the members of the Committee including the Chairman of the Committee.
9. The Chairman of the Union Parishad, after receiving the 9 sealed envelopes from each Ward, will forward these envelopes under his sealed folder to the Upazilla Nirbahi Officer (UNO) of the Upazilla.
10. The UNO after receiving all the folders of all the Chairman of the Union Parishad will send these to the Deputy Commissioner of his district under his sealed folder.
11. The Deputy Commissioner, after receiving all the sealed folders from the Upazilla Nirbahi Officer of each Upazilla will send these sealed folders to the Election Commission under his sealed folder.
12. The Election Commission will take necessary action to reflect these lists in their records in the appropriate manner and send these lists to the Passport office for issuing Passport for each voter on the basis of the information revealed in the list.
13. Once the Passport is issued the Passports will go back to the Ward Committee and the Committee will hand over the Passports to each voter of his ward under duly convened meeting of the said Committee in which all the members of the Committee must remain present record their attendance.

Caretaker Govt. or its reforms Nothing is necessary

For a free -fair and violence free election what is necessary

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Election & Rigging

Through Twelfth amendment in the 5th Parliament, Parliamentary system of Government was restored in Bangladesh. The Representatives of the people on the basis of majority in the Parliament will form the Government and the Government formed by such so called peoples representatives can not be considered as the Government of the people or by the people. The question today is, whether the results of the election are really reflecting the will of the people. There may be hundreds of arguments in favour or otherwise, the fact remains, immediately after the election one or the other of the parties are raising issues on the integrity of the results and claiming the election being rigged. This issue is ultimately taken to the streets and pushing the country to an uncertain situation to political instability, law and order situation, economic uncertainty thereby jeopardizing the very integrity of the country as an independent sovereign nation. To consolidate peoples administration and institutionalize democracy, what is needed therefore, is a system of election which will be absolutely free and fair. In the constitution of Bangladesh, this responsibility to ensure free and fair election under a democratically elected Government was assigned to the Election Commission. But unfortunately, since the Constitution required the Election Commission to take the assistance from the Government servants in carrying out this responsibility and since the Government servants in the past in carrying out this responsibility could not act without any influence being exerted on them by the elected Government, Caretaker Government system was deemed necessary to replace the political Government during the election and by thirteenth (13th) amendment, the system of Caretaker Government was introduced in the Country. Needless to say, we can not preserve our democracy, if we can not keep it free from the influence of Black Money, Violence, Vote Rigging, taking over of polling centre by violence, snatching of Ballot Boxes, etc.

About the Voters list

Fair and transparent voters list is a precondition to a fair election. The elected representatives at the grass root Ward level of the Local Government, along with their competitors in the last Local Government Ward Election may be assigned the responsibility to prepare the list of 1500 to 2000 Ward level Voters. Such a Voter list can be prepared by such persons maximum within a month. (See details in the marginally noted column dedicated for this purpose in the left most area of this article)

About Minimizing Election Costs

A wide participation of the people in the election is another precondition to a free and fair election. With the increase of the number of candidates in the election, the number of supporters will increase and more people can be drawn in the process of election thereby minimizing the scope and extent of vote rigging, violence etc.

Election expenses come in the way of a popular, Competent and acceptable person participating in the election. It is difficult for a reasonably competent, acceptable middle class elite to participate in the election as a candidate due to the lack of money required for running elections these days particularly when the rampant use of black money totally pollutes the election environment. Substantial steps have been taken by enacting laws by putting some restrictions on election publicity to reduce the election expenses, but we need to do more. Election Camps set up by individual candidates for election campaign is the real reason underlying such huge election expenses. If the number of Camps and the period of their operation is controlled drastically, the election cost will automatically come down. The best system would be if the campaign is restricted to mixing only and the entire camp system is abolished. Such mixing campaign may also be restricted to 7 days prior to the day of election. Only one public meeting in each of the Union of the electorate may only be allowed and only one public meeting for the entire electorate just before the closure of the Election campaign period may be allowed to each candidate. Posters in the existing prescribed black and white form may only be allowed to be displayed in the market areas of the constituency. These measures will drastically cut down the election expenses and enable the intelligentsia teachers and professionals like doctors, lawyers and members of the elite to participate in the election. In such a widely participated election violence / rigging etc. will automatically come down and the quality of the Parliament will also undergo a drastic change.

About the National Identity Card

(See the Rightmost column describing the system in details)
While on the one hand, through wider participation of people, we need to curb violence, rigging, ballot box snatching etc in the course of the election, it is also necessary, on the other hand, to ensure that while the Votes are being cast there can be no rigging of votes by false casting. In reality what is happening is one vote is being cast by another and when the actual voter approaches the polling officer for ballot paper, he finds his ballot paper has already been given to somebody else who produced himself in that name and cast his vote by that name. Casting of false votes either through impersonation or by forcible take over of control of the Ballot box through illegal violent occupation of the Polling Centre or snatching has very often been the reason underlying the raising of the issue of election

rigging from time to time. Very often the election officials themselves become involved in this process to favour one or the other of the candidates. WE MUST STOP THIS MALPRACTICE and the only way to stop this is to hand over to each voter an identity Card which would ensure accountability of the Polling officer to the individual voter whose vote has been rigged. The question is how to achieve this and what would be the nature of the identity Card which would ensure such accountability.

The answer is simple. Hand over passport to all the voters and make it compulsory for them to produce it and get endorsement thereon of the polling officer as described in the dedicated column (Right most in this article) before he hands over the ballot paper to him. The passport which will comprise only 6 pages (front & reverse) will only have 2 new pages in addition to the existing pages containing the identity, picture and necessary information's thereto as can be seen at the bottom part of this article. Out of the 2 new pages, one will be for visa and another will be for election endorsement. The grass root voters of the rural areas should clearly understand that this passport is the gateway to their holy hajj and the visa page is preserved for endorsement of Hajj Visa, for hindus also for visit to their holy shrines etc. The document will become important to these voters because of this and they will not easily part away with this document and will preserve them carefully. The other new page will be for election endorsement. At the time of election, when the passport will be produced by the voter to the polling officer, the polling officer will ascertain his identity from the passport so produced and while handing over the ballot paper to him, will at the same time affix his seal and signature with the date on



the prescribed page of the passport. This is the proof whereby the polling officer will become accountable to the voter. This is the proof that the voter has cast his vote on the basis of this identity Card. If the passport does not contain this endorsement and yet it is found that his vote has been cast already, the voter can easily hold the polling officer responsible for allowing somebody else to cast the passport holders vote. The voter can prove from the passport that he did not present himself for casting this vote (if showing that there is no endorsement of the polling officer in the passport) yet, the officer has allowed somebody else to rig his vote. There should be a law prescribing severe punishment against the polling officer responsible for collusion in the casting of the false vote. Needless to say, this system will totally stop violent take over of polling centres, snatching of ballot box, casting of false vote and above all non citizens coming from across the border to cast false votes. According to information so far obtained average cost for such passport will not exceed Tk. 50/- each. Our constitution says "People are the source of all power" and to empower the people, if democracy in which the result of the election will truly reflect the will of the people, will be needed to be ensured, it shall be the priority with the Government to provide the costs for such passports. If the country can not afford such costs, we have friends like the European Union, UNDP, USA, UK, who have very often been expressing their concern and anxiety over the norms and practice of democracy in this country, can come forward and help us to take care of the expenses involved. Passport is known to everybody in Bangladesh even a villager of a remote village knows what is passport because someone or the other of that village must already be somewhere abroad. Which means you need nothing to do to identify passport, to the general people whereas if you have a different mode of identity card, that itself will be needed to be identified,

Moreover for issuing passport, we have established mechanism, office, personnel etc. who need no more training or knowledge to issue such document. All that will be necessary, will be to expand the passport office throughout the country to take care of the extra load. If all the voters can not be given passport within this short period remaining for election, at least some constituencies may be earmarked to adapt to the system as pilot projects.

One thing I must emphasize that there should be no doubt that this document is the real passport. This is the real passport that we are recommending as national identity card which should be used by each individual above 18 for many other purposes additionally to identify himself. If any holder wants to increase the pages for visa, this can be done by the passport office in the usual way.

About full time Election Observer

It has been noticed in the past that some form of legitimacy or otherwise is being attempted by some so called Elected Observer -National and International (engaging local voters as observers) to be given to an election by engaging some volunteers to observe the election. The finding of these observers is normally based on the casual and random visit of an election centre. It is unfortunate that these observations are taken seriously in evaluating the election results, despite the fact that the observation is very casual and devoid of full time attention. The freeness and fairness of an election can not be ascertained by such part time casual observation of some centres or constituency. For such conclusion, provision for full time observation is absolutely, necessary, at least in some sensitive constituencies.

About the Election Commission

It is the election commission with which is entrusted the responsibility of ensuring free and fair election. To enable the Election Commission to ensure such free and fair election, it is absolutely necessary that the Commission becomes self dependant and powerful. It must have its own finance, own personnel and its own independent secretariat, so that to perform its own independent function it need not depend on the Government officials of different cadres. Election Commission must have its own cadre trained and developed separately to conduct election in a free and fair manner without in any manner relying on any other authority or body. Returning officers, assistant returning officers, polling officers and other officer and employees performing election duties must be inducted from this cadre and trained specifically by the Election Commission to perform their respective functions impartially without fear or favour. Needless to say, the chief Election Commissioner and the other members of the Election Commission should be appointed from among the persons of known integrity.

About election to more than one seat and a constitutional issue:

Under the existing law, a person can contest from 5 seats. Though in reality it may be happening, but legally it is possible to have a 60 member Parliament each contesting and winning from 5 seats to which they were nominated. Each member so elected will have to accept only one seat and vacate the remaining four. What does it mean? It means in such event, if at all happening, a 60 member Parliament will have to deliberate to elect a Speaker and in an appropriate moment the President of the Country by a simple majority of 31 votes. What happens if one of the 60 seats fall vacant for any reason? No Parliament and the election will have to be held again. Again if the 60 member Parliament starts functioning, the bye elections to the 240 seats will have to be, under the present system, held under a political Government formed from among the majority of the 60 whereas only 60 initially elected were elected under a Caretaker Government! Can a Constitution have provisions giving rise to these sort of strange situations? Caretaker Government has been evolved in the Constitution to ensure free and fair election to all the 300 seats but what becomes of it if only 60 members are elected under it and the remaining 240 seats are elected under a political Government formed from the 60 members. It is true that this is highly unlikely that this will happen in reality but then why have a system whereunder however remotely, this may become possible. It is better to make the Constitution leakproof by amending it in such a way that a person can only contest from one seat only.

About the eligibility of a Candidate:

It is advisable that a candidate to be qualified to become a member of Parliament must have a minimum educational qualification.

About the Election Tribunal:

The tribunal has to be powerful enough to disqualify a candidate forthwith to contest an election if he has been found to have committed an election offence in the course of the election campaign or during election. A time limit within which the Tribunal must dispose of a case, should also be prescribed and followed strictly. Enormous sacrifices has been made by the people of Bangladesh to achieve democracy in their beloved country. It is our sacred duty to pay homage to these sacrifices by preserving this hard earned democracy at any cost. Above all, its us, the politician who rule the country on whom lies this duty and responsibility and none of us, Government or opposition irrespective, can avoid this responsibility. To ensure an accountable responsible Parliamentary democracy, Government and the opposition must cooperate with each other in vital national issues and must work hand in hand for the empowerment of the people and the institutions truly representing the people.



Passport as the Voters Identity Card

1. Passport as a document needs no identification since everybody knows what is passport. Whereas if a different type of identity card is prescribed, the card itself becomes subject of scrutiny as to whether it is genuine or false etc.
2. Passport carries the identity of the national of the country. Therefore no foreign national can however falsely, vote and his identification as non voter will be easy.
3. A Bangladesh national will be entitled and it shall be mandatory on the part of the Government to hand over a passport to the national immediately on his attaining 18 years of age and to enlist him as a voter on the basis of that passport.
4. The passport will contain only 6 pages as illustrated below. In addition to the necessary pages containing the identification particulars of the holder, including his picture, there shall be 2 additional pages within these 6 pages: one for endorsement of a visa and another for endorsement of a polling officer on the election day. At the grassroots level, a voter will be made to understand how important this document is to him by explaining to him that he can go to Hajj (the holy pil grimage) by this passport by endorsing a visa for the holy city of Mecca and likewise a hindu national can be explained about his visa to his holy city of Benaras or Puri for his pilgrimage. He will then take care of this document and will not part with it at anybody's instance. He should also be explained that this is the document which he can use as his identity for multifarious other purposes & also for casting vote. This will certainly make the passport important for him to preserve carefully.
5. The page which will be earmarked for endorsement on the election day is for the seal and signature of the Polling Officer in duty. When the voter will hand over the passport to the polling officer, the officer will make himself absolutely certain from the picture and other particulars in the passport that the person in front him is the genuine holder of the passport. After ascertaining his identity the officer, while handing over the ballot paper to the holder, will affix his seal on the space reserved and put his signature with date. This is the proof that the voter has cast his vote at the centre where he is enlisted as a voter. If in that centre, his vote is cast but it appears from his passport that there is no endorsement of the polling officer in his passport, then, the holder can easily hold the polling officer of rigging his vote by allowing somebody else to cast voter under his name. There has to be a harsh law to punish such delinquent polling officers, as well as in appropriate case, to nullify the result of that centre. If this process can be introduced successfully, then, illegal take over of polling booths by violence or snatching of ballot boxes, casting of false votes all will stop (since the voters whose votes have been shown to have been cast by such acts, will be in a position to prove that he never presented himself in the polling centre by proving from his passport that there is no seal and signature of the polling officer) and the election will be free and fair. The polling officer will directly become accountable to the voter and the voter will be in a position to prove that the polling officer has been guilty for collusion in the casting of a false vote. We have good friends abroad who are really concerned about our democracy and are really eager and willing to assist us in institutionalizing democracy in our country and thereby ensure good governance. If the costs of introducing passport as identity Card becomes enormously expensive, we are certain, they will help us.

Sample of proposed six page passport Instead of existing 25 page passport



cover of the existing & the proposed passport

5 page of the existing & the proposed passport where place of issuing, date, validity, name, profession, photograph & address in details of the bearer are mentioned

The page where proof of vote casting will be marked in the proposed passport

The page of the existing & the proposed passport where visa for Hajj or pilgrimage will be issued

The last two page of the existing & the proposed passport

Back cover of the existing & the proposed passport