

**STATEMENT OF THE
NATIONAL DEMOCRATIC INSTITUTE (NDI)/CARTER CENTER
PRE-ELECTION DELEGATION TO BANGLADESH'S
2001 PARLIAMENTARY ELECTIONS**

Dhaka, August 4, 2001

This statement is offered by the joint National Democratic Institute (NDI)/Carter Center pre-election delegation to Bangladesh's 2001 parliamentary elections. The delegation, which visited Bangladesh from July 30-August 4, was led by Jimmy Carter, former President of the United States, and included: Tioulong Saumura, Member of Cambodia's National Assembly and member of the Steering Committee of the Sam Rainsy Party; Patrick Merloe, NDI Senior Associate and Director of Programs on Elections and Political Processes; Ashley Barr, The Carter Center Senior Program Associate, Democracy Program; Lawrence Lachmansingh, NDI Asia Programs Deputy Director; and James Oliver, NDI Resident Representative in Bangladesh.

NDI and The Carter Center are planning to organize an international observer delegation to the elections and will continuously monitor the electoral process through the post-election period. Additional statements and reports will be issued as appropriate. NDI and The Carter Center do not seek to interfere in or to certify the election process; we recognize that ultimately it is the people of

establishing democracy serves as an example of how they can move beyond today's acute political polarization.

The orderly transfer of power to the Caretaker Government for this year's elections is another encouraging indication of a maturing political process. Institutionalizing a non-party Caretaker Government for organizing elections, made possible by the cooperation of the main political parties through a constitutional amendment, is a Bangladeshi innovation in which the political parties and the nation can take pride.

The Caretaker Government, led by the Chief Advisor, Justice Latifur Rahman, has taken important steps to prepare for the elections. At the request of the Chief Advisor, the President of Bangladesh, Justice Shahabuddin Ahmed, is considering an important and constructive package of electoral reforms recommended by Chief Election Commissioner (CEC), M.A. Syed, and others. The promulgation of the reforms by the President can make a significant contribution to improving the election process.

Elections for the 300 seats of the Jatiya Sangshad (The House of the Nation, or Parliament) are likely to take place near the beginning of October. Bangladeshi civic organizations, including FEMA and the Election Monitoring Working Group members, are mobilizing significant domestic nonpartisan election monitoring efforts for the pre-election period, election day and the period immediately following the elections. Their election-day goal is to place one local observer in every place where voting takes place ("polling booth"). NDI and The Carter Center strongly support these domestic observers.

These factors should provide a sound basis for establishing public confidence, but nonetheless there is an evident anxiety among the population about the nation's ability to achieve a peaceful, democratic election process this year. Unfortunately, it appears that inappropriate political pressures to gain electoral advantage are being applied to the Caretaker Government and the Election Commission. Such pressures should be resisted in order to guarantee the integrity of these institutions. Any political parties applying this pressure should cease doing so in order that these respected institutions can organize a peaceful election process on an effective, impartial and transparent basis, in accordance with the law and international standards.

The delegation was heartened by the commitments made to it by the leaders of the main political parties, including former Prime Minister and leader of the Awami League Sheikh Hasina, and former Prime Minister and leader of the Bangladesh Nationalist Party (BNP) Begum Khaleda Zia. The commitments, made while together at a luncheon meeting hosted by the Chief Advisor, as well as in private meetings between each of them and this delegation, included: renouncing the use of violence; committing their parties to compliance with the Election Commission's (EC's) Code of Conduct for Political Parties; and committing to support the Caretaker Government's drive to collect weapons. Sheikh Hasina and Begum Khaleda Zia also indicated their agreement that domestic election monitoring should be encouraged for the upcoming elections, that the new parliament should increase opportunities for women to serve as Members through direct elections, and that the new parliament should institutionalize mechanisms to ensure a meaningful role for the opposition – including that the Speaker of Parliament, once chosen, would function in a nonpartisan capacity. They also pledged not to boycott the next parliament and renounced the use of hartals. (The points of agreement are presented in more detail in an attached document.)

As in the past, the elections and the surrounding political process may be corrupted by the use of so-called “black money” to buy votes and bribe electoral officials, government functionaries and police officers. The use of “muscle men” to carry out political violence and to intimidate voters, supporters of political opponents, election workers and domestic election monitors is another serious threat to the integrity of the election process. The increasing presence of arms, principally illegal but also those legally held, justifies heightened concerns about politically motivated violence and intimidation.

It will take public announcements and clear demonstrations of political will by the main political parties to quell citizens’ anxiety about these serious matters. At the same time, the political parties must move beyond “winner-take-all-politics,” which causes parties to adopt desperate tactics in attempts to avoid being relegated to what they perceive as meaningless roles in Parliament. The delegation emphasized in its meetings that the period before the upcoming elections presents a critical opportunity for the parties to commit to making changes in parliamentary procedures that would ensure a meaningful role for the opposition. Such commitments would improve the prospects for all to compete peacefully in the elections, accept the results of an open and proper election, and take up the responsibilities of the majority and loyal opposition to work in partnership to meet the needs of the nation.

The Caretaker Government and the Election Commission face a number of serious challenges to organizing peaceful, fair and proper elections. The political parties, news media, and civil society groups should actively support the Caretaker Government and Election Commission in working to meet these challenges. In recognition of the desire of Bangladeshis to advance their democratic process, the delegation offers a number of recommendations at the end of this statement.

THE DELEGATION AND ITS WORK

The purposes of the delegation were to express the interest and support of the international community for a peaceful and democratic election process in Bangladesh and to present an accurate report on the environment surrounding the upcoming elections. In the six weeks prior to the delegation’s visit NDI field representatives visited Barisal, Khulna, Rajshahi, Bogra, Rangpur, Chittagong, Cox’s Bazaar, Sylhet, and Srimongal and interviewed more than 175 local governmental and electoral officials, as well as political and civic leaders and citizens about the electoral environment. The delegation also held a series of intensive meetings with a wide range of Bangladeshi leaders and local officials in Dhaka and Comilla.

The delegation met with: President of Bangladesh Justice Shahabuddin Ahmed; Chief Advisor of the Caretaker Government Justice Latifur Rahman; Advisors of the Caretaker Government Mrs. Rokia Afzal Rahman and Syed Ishtiaq Ahmed; Chief Election Commissioner M.A. Syed; Election Commissioners Safiur Rahman and M.M. Munsef Ali; Acting Foreign Secretary Moshin Ala Kahan; former Prime Minister and president of the Awami League Sheikh Hasina; former Prime Minister and Chairperson of the Bangladesh Nationalist Party Begum Khaleda Zia; former President of Bangladesh and Chairman of the Jatiya Party (E) H.M. Ershad; Secretary General of the Jatiya Party (M) Anwar Hossain Monju; representative of the Jamaat-e-Islami Party Ali Ashan Mohammad Mojaheed; other political party leaders; civil society leaders,

including of the domestic election monitoring organizations FEMA and the Election Monitoring Working Group; leaders of women's organizations; editors, journalists, academics concerned with election and political processes; as well as representatives of the diplomatic corps and international organizations.

The delegation would like to express its appreciation to all those it met for their warm reception and for sharing invaluable insights concerning the electoral environment.

NDI and The Carter Center are independent, nongovernmental organizations that have conducted more than 100 impartial pre-election, election-day and post-election observation delegations around the globe. The delegation was invited by the government of Bangladesh and by political and civic leaders. The delegation conducted its activities according to international standards for nonpartisan international election observation and Bangladeshi law.

The methodology of NDI and The Carter Center for monitoring elections is based on the premise that all aspects of the election process must be considered to accurately understand the nature of the elections.

These include 1) the legal framework for the elections; 2) a number of important elements of the pre-election period related to fair competition and the freedom of citizens to make informed political choices at the ballot box; 3) the voting process itself; 4) the counting of ballots; 5) the tabulation of election results; 6) the investigation and resolution of any complaints that might be lodged; and 7) the conditions surrounding the formation of a new government. Moreover, elections cannot be separated from the broader political process of which they are a part, and the elections themselves constitute just one step in Bangladesh's democratic development. The present statement therefore does not seek to reach a conclusion about the nature of the election process.

RECOMMENDATIONS

The delegation was impressed with the number and quality of the positive factors in Bangladesh's electoral environment. The delegation was struck by the commitment of the Caretaker Government and the Election Commission to organizing proper democratic elections. Moreover, the enthusiasm and deep desire of the Bangladeshi people for democracy stood out markedly. It is with this in mind and in the spirit of international cooperation that the delegation offers the recommendations set forth below.

- 1) Supporting the Caretaker Government and the Election Commission:** The creation of the non-party Caretaker Government was developed as a way for elections to be organized fairly, without control over the state apparatus or electoral administration by any political party. The Election Commission (EC) should also function as an impartial body. A number of important steps have already been taken by the Caretaker Government and the EC to better ensure proper elections and others have been submitted to the President for final approval. Significant administrative and organizational challenges face these leaders in their work. The political parties should support these institutions and help instill public confidence to the degree warranted, and the parties should refrain from placing political pressures on them or using them as a political target for short-term electoral gain.

POINTS OF AGREEMENT STATED BY THE MAIN POLITICAL PARTIES

The delegation conducted several meetings with the leaders of all of the main political parties, including the Bangladesh Awami League and the Bangladesh Nationalist Party. Following are the commitments that each of these parties expressed to President Carter and the other members of the delegation. It is the delegation's strong belief that these points, if honored, will make important contributions to achieving proper democratic elections and advancing the democratic process more broadly.

1) Support for Domestic Observers

The leaders of all of the main political parties agreed to support the presence of one domestic observer per polling booth, accredited by the Election Commission, with confirmation by the Returning Officer of each constituency, after consideration of any legitimate objections lodged by the parties or candidates. At the polling booth, the Presiding Officer may remove disruptive persons, including domestic observers acting in a partisan manner. Observers may otherwise remain in the polling booths.

2) Renouncement of Violence

The leaders of all of the main political parties renounced the use of violence and intimidation, agreed to comply with the Code of Conduct issued by the Election Commission, and agreed to actively support the collection of arms by the Caretaker Government.

3) Ensuring a Meaningful Role for the Opposition in the Next Parliament

The leaders of all of the main political parties pledged that they will not boycott the next Parliament. They agreed to support the institution of a neutral, nonpartisan Speaker of Parliament. Once the Speaker is elected to that office by Parliament, he or she would no longer participate in the