The Challenges of Electoral Integrity in Bangladesh

The concept of electoral integrity: The concept of ‘electoral integrity’ refers to international standards and global norms governing the appropriate conduct of elections. These standards have been endorsed in a series of authoritative conventions, treaties, protocols and guidelines by international agencies, notably by the decisions of the UN General Assembly and regional bodies, such as, the Organization for Security and Cooperation in Europe (OSCE), the Organization of American States (OAS), and the African Union (AU), and by the UN member states. These standards apply universally to all countries.

Measuring electoral integrity: The election experts and researchers use 49 separate indicators for measuring electoral integrity; among them, the following are most critical:

- Comprehensiveness and soundness of electoral laws
- Electoral procedures including trust of the stakeholders
- Delimitation of electoral boundaries that follows international guiding principles
- Inclusive voter registration
- Transparent party and candidate registration
- Equality of opportunity for all candidates and parties
- Transparent campaign finance
- Fairness of voting process including counting and results
- Non-partisan role of the electoral authorities including election management body, poll officials and police

Bangladesh is very fortunate in having a robust set of electoral laws, which have evolved over the years. The laws provide the Bangladesh Election Commission (BEC) the independence it needs to operate. The secretariat has been placed under the Election Commission rather than any executive body. The Election Commission has been given the independence it requires to conduct the business of election. A credible electoral process, which leads to peaceful transfer of power, plays a vital role in democracy. The success of an election depends, to a large part, on the independence, capacity and impartiality of the Election Management Body of a particular country. The BEC, in order to fulfill this responsibility, should be free from undue influence of the executive branch of the government, political parties, and electoral candidates.

The BEC should be transparent in its activities and financial management. The secretariat should be accountable to the Commission, which should remain accountable to the President and the Parliament. Judicial review should be explicitly available to citizens where the Commission is in
breach of any law. Most importantly, another indicator of integrity is public's perception of the BEC, and normally it is the level of public trust, which is most critical. One particular element, which could address the issue of trust is the appointment of various commissioners of BEC. One could recommend promulgation of a law, which will devise a consultative and transparent process for appointment of the Chief Election Commissioner and Commissioners. The process should also ensure proper parliamentary deliberation and civil society participation, which will certainly enhance citizens’ trust and electoral integrity.

Some of the Challenges for Bangladesh’s upcoming elections:

Ensure civil and political rights during campaign and on election day: It is of paramount importance that citizens’ civil and political rights are protected and encouraged during the period of election campaigning prior to election day. The various rules and regulations should be equally applied, irrespective of political ideology and background. In other words, the political contenders should be able to express their views and move door-to-door without fear or intimidation. The BEC should equitably distribute the ‘space’ given to the various political parties. It is often said that the period prior to the election day determines the final outcome, and therefore, the candidates and voters should be treated fairly by the political administration, often guided by the election commission itself just prior to the election day. Needless to say, the election day itself is most critical and the eligible voters should be able to cast their votes freely and fairly by selecting their candidates without any undue pressure or threat.

Establish BEC’s full authority over the election administration: It is well recognized that for all practical purposes the election commission itself becomes the ‘interim government’ prior to the election day and therefore the commission should take pro-active stand on the running of the civil administration. They have a legal and moral obligation to carry out necessary changes in the administration to ensure that the election process is not hindered in any way, which could distort the final election result. This requires strong leadership and political will, which can only come from the election commission itself.

Neutrality of the returning officers, assistant returning officers and police: An important element of any election process is the role of the key personnel of election administration. Their neutrality during the whole process, particularly on the election day, is the deciding factor when it comes to the voters’ perception of transparency. If the various officers are perceived to be biased in their behavior then the outcome itself can be severely tainted. Therefore, the conduct of the various officers has to be measured, transparent and trustworthy.

Enforcement of electoral code of conduct for political parties and candidates: This is the perennial issue of creating a level-playing field. Even though it may be impossible to create a perfect
environment, which will satisfy all and sundry, it is nevertheless important to apply the various electoral codes of conduct is an objective manner. This is a major challenge, particularly given the fact that the supporters of the incumbent political party may enjoy the implicit support of the local administration and also have disproportionate amount of resources at their disposal.

**Guarantee the security of the candidates, party workers and voters:** This has become a major issue in Bangladesh. Opposition politicians and their workers are under severe pressure from the ruling politicians and their workers, and some of them are facing existential threats. This is of great concern and the final outcome of the forthcoming elections can be badly tainted if this issue is not properly addressed. Immediate steps need to be taken before any fatal accident occurs, which can then trigger a chain reaction.

**Conclusion:** The Bangladesh Election Commission is under spotlight to ensure electoral justice. They have the legal mandate and resources to oversee the election process, which could be respected and the final outcome accepted. Such a process will not only ensure future sustainable development of Bangladesh but more importantly create virtuous politics instead of a vicious one. The forthcoming elections is going to be a turning point, which could usher in long-term ‘course correction’ for Bangladeshi politics. The Bangladesh Election Commission has an onerous duty to perform in the coming days. They will be held accountable by future generations if they fail to deliver a credible general election with sufficient degree of integrity.

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