

8th Parliamentary Election 2001, Bangladesh

REPORT

Odhikar

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INTRODUCTION

Odhikar is a human rights organization established in 1994 with lawyers, university professors, journalists, social and development activists committed to human rights. Among many other activities one of the mandates of Odhikar is to observe elections and to monitor human rights violations related to elections. Since Odhikar attaches special importance to election monitoring, it submitted a proposal to monitor the 8th National Parliamentary Election to the Asia Foundation. The Asia Foundation accepted the proposal, titled “Pre-election Assessment and Mobile Monitoring on Election Day of the 8th Parliamentary Election” and an agreement between Odhikar and The Asia Foundation was entered into.

BACKGROUND

For the last 50 years Bangladesh has experienced a turbulent political atmosphere. Elections were frequently banned and militarization, autocracy and dictatorship ruled the country. In between peaceful situations, seven elections were held, but only the 7th Parliament has lasted for five years duration. It was only in 1991 that the seventh general election was considered the fairest ever held in the country. However, problems like vote buying, threats and intimidation, killings, undue influence over the voters, threats to opposition candidates mar the election process. There is now an increased ratio of candidates who have economic power, especially those coming from the business sector or industrialists.

Odhikar has been active documenting, monitoring and campaigning against human rights violations, including election-related violations. It has always published its findings in the newspapers and this has been used as a document for lobbying both locally and internationally to stop and resist human rights violation in the country.

Aside from its local members, Odhikar invited the regional network, Asian Network for Free and Fair Elections (ANFREL). Odhikar is an executive committee member of ANFREL and has participated in observation missions that ANFREL has conducted in Asian countries. Odhikar, during this years election monitoring, asked for solidarity support from other ANFREL members from Southeast Asia, South Asia and East Asia to assist in monitoring to ensure free and fair elections and to make democracy a truly meaningful one for Bangladesh.

AIMS AND OBJECTIVES

- To help ensure an environment conducive to a free and fair election by sending domestic monitors, with the support of international observers, to monitor the period immediately prior and during the actual polling until the counting period focusing on areas where vote-buying and rigging practices are prevalent and, secondarily, focusing on non-troubled areas.
- To provide capacity- building training’s on election and human rights and election monitoring and management to local election monitors, both in the rural and urban districts, to make them aware of their rights and of the political affairs of the country.
- To inform the public, both local and in the international community, of the election developments before, during and after the election.
- To help strengthen the democratic spirit of the voting public.

TARGET

- To monitor the 8th National Parliamentary Election in 28 constituencies to ensure the maintenance of democracy.
- To help ensure democracy and the fundamental rights of all voters.

ACTIVITIES

a. Volunteer Selection

Odhikar has a strong network with local organizations, the Press Club, local Bar Associations and social activists. It has also trained human rights defenders in 8 (eight) districts of the working area. Odhikar selected the following volunteers through its networking according to the rules and regulations of the Election Commission:

i) Central Coordinator

One Central Coordinator was selected for the period of September 01, 2001 to October 15, 2001.

The Central Coordinator coordinated the whole election-monitoring program, which included preparing monitoring plan, selection and deployment of volunteers, collecting and compiling all the monitoring reports etc.

ii) Divisional Coordinators

Six Divisional Coordinators, one in each division, were selected for the period of September 12, 2001 to September 26, 2001 to coordinate pre-election assessment in their respective divisions.

They summarized reports from the pre-election monitoring forms received from their divisional observers and sent the report to the Central Coordinator.

iii) Divisional Observers

Thirty Divisional Observers, five from each division, were selected for the period of September 12, 2001 to September 26, 2001 for pre-election assessment.

They monitored the pre-election situation and reported to the respective Divisional Coordinators.

iv) Constituency Coordinators

Twenty eight Constituency Coordinators were selected for the period of September 29, 2001 to October 03, 2001.

They observed and monitored the election on the concept of pre-election, the day of election and after the day of election. Accordingly they started 2 days before election day and 2 days after the election and reported on the situation and also coordinated the mobile observers. They summarized reports from the election monitoring forms and sent the report to the Central Coordinator. They were also members of the mobile observation team, composed of three members including foreign observers from ANFREL.

v) Mobile Observers

Two hundred eighty local mobile observers, ten observers in each constituency, were selected for the period of September 30, 2001 to October 02, 2001.

They observed the election atmosphere one day before election day, the situation on election day and one day after election day. Before election day they observed the human rights violations related to elections and put it down in the prescribed pre-election monitoring forms. On election day they were divided into two groups as semi mobile teams and observed polling centers and reported the findings of the observation in the prescribed election day monitoring forms. After election day they observed the human rights violations related to elections; prepared narrative reports and submitted all the reports to the Constituency Coordinators.

b. Working Area (Constituencies) Selection

Odhikar selected the following constituencies to monitor, based on various aspects such as fairness of election procedure and the violation of human rights..

| Sl. No. | Number of Constituency | Name of Constituency |
|---------|------------------------|----------------------|
| 1 | 08 | Dinajpur-3 |
| 2 | 46 | Naogaon-1 |
| 3 | 53 | Rajshahi-2 |
| 4 | 62 | Sirajgonj-2 |
| 5 | 82 | Jhenaidah-2 |
| 6 | 87 | Jessore-3 |
| 7 | 100 | Khulna-2 |
| 8 | 114 | Patuakhali-2 |
| 9 | 125 | Barisal-5 |
| 10 | 128 | Jhalakhati-2 |
| 11 | 134 | Tangail- 2 |
| 12 | 136 | Tangail- 4 |

| | | |
|----|-----|-------------------------|
| 13 | 137 | Tangail- 5 |
| 14 | 152 | Mymensingh-4 |
| 15 | 179 | Munshigonj-4 |
| 16 | 180 | Dhaka-1 |
| 17 | 183 | Dhaka-4 |
| 18 | 184 | Dhaka-5 |
| 19 | 185 | Dhaka-6 |
| 20 | 186 | Dhaka-7 |
| 21 | 187 | Dhaka-8 |
| 22 | 188 | Dhaka-9 |
| 23 | 189 | Dhaka-10 |
| 24 | 190 | Dhaka-11 |
| 25 | 206 | Narayanganj-5 |
| 26 | 228 | Sylhet-1 |
| 27 | 229 | Sylhet-2 |
| 28 | 287 | Chittagong-9 |
| 29 | 299 | Rangamati Hill District |

c. Training for Observers

Odhikar conducted a 'Training and National Workshop on Election Monitoring' on 8-9 September 2001 at BRAC Training and Resource Center (TARC) at Ashulia, Savar, Dhaka. Divisional Coordinators, Divisional Observers, Constituency Coordinators and Odhikar's staff participated in the program.

Auxilium Toling Olayer, Coordinator of The Asian Network For Free Elections (ANFREL) was Chief Guest and Abdul Quayum Mukul, Joint Editor of The Daily Prothom Alo was present as Special Guest. Adilur Rahman Khan, Vice President of Odhikar was the Speaker of the Inaugural Session. The session was presided over by Masood Alam Ragib Ahsan, Director of Odhikar.

The following topics discussed:

- Laws and Practices on Election and Election Monitoring
- Election Monitoring: Strategies for the Monitors
- Election Monitoring: Issues and Challenges of the 8th National Parliamentary Election

Md. Idrisur Rahman and Md. Asaduzzaman, Advocate, Bangladesh Supreme Court , Auxilium Toling Olayer, Coordinator, ANFREL, Mr. Fazlous Sattar, Coordinator, Radio Metro wave, Ms. Taleya Rehman, Executive Director, Democracy Watch, Mr. Amir Khasru, Senior Reporter of The Daily Ittefaq were present as speakers and resource persons of the training program. They spoke on the election laws, rules and regulations for the observers, election monitoring strategies, how to collect information, how to fill up the prescribed pre-election and election day monitoring forms, how to prepare reports etc.

d. Pre-election Assessment Report and Press Conference

d.i Pre-election Assessment

Odhikar conducted pre-election monitoring for 15 days (Sep 12 – 26, 2001). The pre-election reports were received from six divisional coordinators and thirty divisional observers from six administrative divisions of the country. The reports reflected that in most of the constituencies the electoral code of conduct had been violated by the candidates and their supporters. In some of the constituencies, the extent of such violations was extreme. A number of observers have mentioned the use of illegal arms and money. Apart from giving cash and other forms of incentives to the voters, it has been alleged that the candidates donated money to clubs, mosques, madrassas and other societies. Groups known as the 'extremists' were campaigning for other candidates under new names. In some areas the minority community and its voters were threatened. In some areas such as Sirajgonj, greater Jessore, Kushtia, Khulna and Shatkhira, the Government was not seriously active to stop the extremists.

The following were the situation of different constituencies: -

- (i) It had been alleged that in the Khulna-2 constituency, a number of distasteful posters against Khaleda Zia were displayed and the voters list was faulty. A Jubo Dal worker, Zafar Mollah (26) was killed by Awami League activists. The trouble started when a leader of the Jubo League tore down a BNP poster. The BNP candidate has been accused of buying votes by paying cash.
- (ii) BNP candidate Mujibar Rahman Sarwar and Islami Jatiyo Oikya Front candidate Sayed Fazlul Karim (Charmonai Pir) have been accused of disturbing the election atmosphere in Barishal-5 constituency. The Charmonai Pir has been accused of declaring the Awami League obsolete in the No.5 Charmonai union of Kotwali thana.
- (iii) In Jhenaidah-2 constituency Awami League activists attacked the BNP office in Chandpur union of Jhenaidah Sadar thana on 14th of September, 2001. Eight to ten people were seriously injured. An armed group called "Shromojibi Mukti Andolon" was working for the Awami League candidate. It had alleged that the Awami League candidate Nur-E-Alam Siddiky, had connections with armed groups and had spent a substantial amount of money beyond the legally allotted level while the BNP candidate had also spent money beyond the maximum statutory expenditure. The people were worried because of the presence of armed groups. In Jhenaidah Sadar upazilla, Hiron, the Chairman of the Porahati union had been accused of forcing the people to vote for Awami League and obstructing the election campaign of other candidates. The Awami League candidate had been distributing Taka 5 thousand and ten bags of cement to every mosque. Due to election violence, both the Awami League and the BNP had filed cases against one another.
- (iv) Activists of the BNP and Awami League had faced a few rounds of skirmishes, but the use of firearms has not been heard. There were reports and evidence of widespread violations of the electoral code of conduct in Jessore-3 constituency. The independent candidate, Kazi Shahed Ahmed, had allegedly spent a huge amount of money. He was apparently trying to win the elections by various incentives. The Awami League-BNP workers were reportedly threatening the voters to cast the vote in their respective favour.
- (v) There had been no reported violence in Dinajpur 1, 2, 3, 4, 5, and 6, constituencies, except for graffiti and canvassing. There were no serious accusations of violating the electoral code of conduct.
- (vi) The campaigning had reached its peak in Sylhet-1 constituency. The AL and BNP candidates were going from door-to-door asking for votes. Campaigning was also going on in cable networks. Pro- AL Ward Commissioner Jagadish had been accused of dictating/coercing the people of Akhalia slum to vote for AL. The people of Jhalopara slum had also been threatened and told to vote for AL. AL was publishing the fact that the BNP candidate Saifur Rahman was not a local and that his in-laws were from Comilla, allegedly to win sympathy votes in their favour.
- (vii) In Sylhet-2 constituency BNP candidate Ilias Ali and AL candidate Shah Azizur Rahman had been accused of violating the election code of conduct. AL and BNP were violating the code through posters, graffiti and by using the loud speaker before and after the lawfully stipulated time. It had been alleged that the voters list was also defective due to the non-inclusion of many names. It has also been alleged that on 14th September, BNP workers attacked the Awami League office in Osmanpur.
- (viii) In Dhaka-5 constituency the AL-BNP supporters had fought and verbally abused one another while campaigning. The Jatiya Party was playing a quite role. AL candidate Rahmat Ullah had violated the election code of conduct by using posters, graffiti, symbols and banners larger than the legally prescribed size. There was no direct evidence that the contending candidates were influencing the voters with money. But it had been seen that they were catering to the voters through other means. BNP had said that there had been cases filed against 20 of their party men but AL had not put forward any such grievances.
- (ix) The procession of AL candidate Saber Hossain Chowdhury was attacked on the 15th and 18th of September 2001 in Dhaka-6 constituency. The AL election camp had also been ransacked. It had been alleged that BNP had used colored posters and had distributed objectionable stickers. The supporters of BNP candidate Mirza Abbas and AL candidate Saber Hossain Chowdhury had been accused of verbally abusing the supporters and workers of rival parties. Saber Hossain Chowdhury had adopted a new tactic of campaigning. He had employed about a hundred educated and smart young men and women. In the pretence of exchanging ideas with journalists and people of the constituencies, he had declared his plans for the future if he is elected. He had also highlighted his achievements as an MP. These statements were being broadcasted through private channels. A substantial amount of money was spent for this. The voter registration slip distributed by the AL supporters contained coloured pictures of the famous actors and actresses. The BNP candidate had filed cases against 380 AL workers while AL had filed cases against 150 BNP workers. Both the candidates were

catering to the voters. The BNP candidate had complained to the Election Commission that there were about 30 thousand false voters in the Dhaka- 6 constituency. The Election Commission had also admitted to that fact. Even if there were a number of armed personnel in this area, there had not been any incidence of a major conflict.

- (x) In Dhaka-1 constituency there had been one round of fighting between AL and BNP activists on 7th September 2001 and another round between the police and the AL on 8th September. In this constituency, Salman F. Rahman had used colored posters and graffiti indiscriminately. A numbers of motorcycles and minibuses were also being used. It was reported that Salman F. Rahman sent a number of his corporate employees to different areas with promises to build roads, bridges, culverts, schools and madrassas. A number of cars were going around this area daily. Before the elections, the young men of this area were being given temporary jobs and also cellular phones. A number of strangers that were walking around this area were said to have come from Dhaka. It had been alleged by the local people that in the evening these men carried arms openly. The supporters of BNP candidate Barrister Nazmul Huda were going from door to door asking for votes. In this constituency Salman F. Rahman had compelled the voters to take oath by the Holy Quran to cast votes in his favour. A few voters had alleged that if they took oath by the Quran then they were given cash.
- (xi) The four party alliance candidate Abul Kalam and the candidate of Islami Jatiyo Oikya Front, Nasim Osman, had filed cases against one another in Narayanganj-5 constituency. During campaigning, both sides had fought with ramda (large curved knives), hockey sticks, Chinese axes, and pistols. The supporters of Nasim Osman were reportedly threatening the local people through phone calls not to vote for Abul Kalam. Nasim Osman was also distributing coloured televisions and other gift items to various slums. Gifts were also being presented to various clubs. In this constituency cases had been filed against 12 people of the four party alliances. Police had also arrested some of the accused.
- (xii) The situation of Rangamati Hill District was volatile. The PCJSS had called for abandoning the elections. The leaders and workers of PCJSS had launched a full scale anti election campaign and had called for obstructing the elections. Their grievance was that the voters list had not been made according to the CHT Peace Treaty. On the other hand, the opposition party, the United People's Democratic Front (UPDF) had nominated candidates for this constituency and had welcomed the locals for votes. In the meantime, the UPDF had submitted the election manifesto to declare autonomy in the hill tracts. The leader of this organization, Proshit Khisha, had appeared in public after being in hiding for nearly a decade, the sources said. There had been reports of fights due to the PCJSS anti-election campaign. There were complains that his organisation had threatened the elite people of Baghaichori not to vote. The same reports had come from Khashia Char, Bilaishori, Baghaichori and Kaukhali of Rangamati. The district administrator and the police had expressed concern over the situation. In meetings with the Chief Advisor and the Chief Election Commissioner in Dhaka, the divisional and district workers had stated their concern.
- (xiii) The electoral code of conduct was being violated in the form of posters, graffiti and using loud speakers after the stipulated time in Chittagong-9 constituency. A few rounds of skirmishes had taken place regarding putting-up and tearing down posters. The AL and BNP candidates were using more than three microphones every day. Both parties had distributed a number of mobile phones among the leaders and workers. The AL candidate and former minister M.A. Mannan, had provided various forms of incentives to various clubs and societies of Buchliya, Bogar Bil, Rajagali and Chaktakhai.
- (xiv) There were some problems in the corrected voters list in Mymensingh-4 constituency. There were complaints that some names had not been included. The JP (E) candidate, Rowshan Ershad and independent candidate Amir Ahmed Chowdhury had established election camps indiscriminately and were supplying food and drinks to these camps. The independent candidate was organising processions with trucks. The election offices of AL candidate Matiur Rahman and BNP candidate Delwar Hossain had been decorated with lights.
- (xv) The candidates of Sirajgonj-2 constituency were full of anxiety. The main two contenders of AL and BNP had collided a number of times while campaigning. A number of arms had been used in these fights. The AL candidate Md. Nasim, former Home Minister, had already received two notices from the Election Commission for violating the code of conduct. The opposition party was not abiding by the code either. The AL candidate used arms and money for extracting votes. The voters were too scared to confess. There was no report on whether the workers associated with organizing the elections were doing their duties in an unbiased manner. There had not been any verified report on whether the electoral instruments had reached the

constituencies or not. There were complaints regarding the voters list in this constituency but nobody had been obstructed from observing the election. There had been cases filed against election violence but no progress had been made.

- (xvi) In Rajshahi-2 constituency both BNP and Awami League violated the electoral code of conduct. There were allegations that the Mayor of Rajshahi City Corporation and BNP candidate Mizanur Rahman Minu misused the staff and the assets of the City Corporation. For example, he used City Corporation's car for his election campaign. He insisted the employees of Rajshahi City Corporation work for him. JP (E) candidate Mushtaq Ahmed Labu threatened the Daily Sonali Sangbad alleging that the paper did not cover election related news properly. There was a case in the Thana in this regard. There was a collision between the Awami League and BNP activists. The voters list was faulty. The situation in the 'Char' (river sandbanks) area was very tensed.
- (xvii) Election campaigning was going on in full swing in Tangail-5 constituency. The situation was, for the time being, calm. The JP (E) leaders and activists were provided with cellular phones and motor cycles. Krishok Sromik Janata League was placing tubewells in the locality. Almost all the candidates had violated the electoral code of conduct by using posters, hanging banners and graffiti. BNP supporters alleged that their names hadn't been included in the voters list.
- (xviii) Almost all the candidates had managed to be tolerant in the area of Naogaon. All of them were following the code of conduct and there was no information of coercion or intimidation. However, no information could be gathered about influencing voters with money. There was no news of election related violence in this area. Centers had been established in previously specified areas. All the necessary electoral instruments had arrived. No news regarding undue use of government facilities or use of illegal arms could be heard. The election officers had managed to maintain their neutrality and none had been intimidated while carrying out their electoral duties.
- (xix) Activists and supporters of two major political parties (the AL and the BNP) had collided a number of times while carrying out election campaigns in the Jhalkathi-2 constituency. In those collisions, locally made sharp weapons and imported firearms had been used. In this constituency, it was alleged that the Awami League candidate was threatening the voters. None of the candidates had used the government facilities. The electoral instruments had reached the constituency properly. There was no allegation whether the election officers were carrying on their duties properly or not. None had been intimidated in observing election. No complain had been made regarding the voters list. Because of the transport service and infrastructure complexities, election centers had been transferred from some areas.
- (xx) In Patuakhali-2 constituency, there was lack of tolerance among the candidates of the two major political parties, AL and BNP. Their supporters and activists had attacked each other in processions and meetings. Candidates were trying to influence the voters in exchange for Sari(s), Lungi(s), T-shirt(s) and money. In this constituency, the BNP had filed a case against the supporters and activists of the AL. The arrested persons had been detained. There was no complaint about the voters list. The centers had not been established in previously specified areas. Due to poor transportation services and infrastructure complexities some centers had been transferred.

In the Eighth National Parliamentary Election both the Awami League and BNP, the two major political parties, were eager to acquire power and both had indicated to the voters that if a free and fair election took place, then they would win. Due to their belligerence this year the election context was absolutely different than previous years. From the commencement of the election campaign, both parties had openly accused each other in various speeches and statements. Unfortunately there was absence of expected tolerance on the part of the political parties. Both the parties accused each other rather than supporting the activities of administration. They even criticized the non-party caretaker government, even though it was their own creation. They were not even sparing the neutral organizations involved in election related activities. This political intolerance cast a negative shroud on the law and order situation in the country. Almost every day there were news of incidents of murder, killings and torture. The use of illegal arms was pervasive. Under the present circumstances, there was nothing satisfactory and the print media of Bangladesh was the prime evidence of this. Everyday there were news of murder, killings, tortures and attacks on the meetings of political rivals. This situation created fear among the citizens, especially, the women, who constituted almost half of the total voters. Due to the prevailing law and order situation, people were worried about election day and the post election situation.

The use of money and arms were pervasive in this election. Apart from these, there was the trend of using religion in politics. Although two leading political parties had opposed the use of religion, they were convincing the voters with religious songs, by pledging better remuneration and amenities to the religious teachers and compelling the voters to take oath by religious books.

Our pre election report reflected the pervasive use of money and illegal arms and the deterioration of law and order situation. The Home Ministry declared 64 Upazilas and 7 Thanas as extremely vulnerable and 164 Upazilas and 42 Thanas as most vulnerable. Odhikar had conducted a survey, since the announcement of the election schedule, regarding the law and order situation. According to the reports sent by Odhikar activists, from different parts of Bangladesh, and surveys conducted by them, it had been reflected that since the announcement of the election schedule on 19th August to 26th September, 127 people had been killed and 7,729 people injured in 540 reported incidents of election related violence.

d. ii Press Conference on Pre-election Observation Report

The whole pre-election observation report was published in a press conference jointly conducted by Odhikar and ANFREL on 26 September at 3:30 pm at VIP Lounge of the National Press Club. Auxilium Toling Olayer, Coordinator of ANFREL, along with other ANFREL members and on behalf of Odhikar Mr. A. F. Hassan Ariff, President, Mr. Adilur Rahman Khan, Vice-President, Mr. Asaduzzaman, Executive Member, Mr. Masood Alam Ragib Ahsan, Director and all of its staff, Divisional Coordinators, Divisional Observers, Constituency Coordinators, Journalists and Photographers were present in the press conference. The pre-election observation report was widely published in most of the daily newspapers the next day. Ekushey Television also covered the pre-election observation report.

E. Election Day Observation and Press Conference

E.i Election Day Observation

Odhikar and Asian Network For Free Elections (ANFREL) jointly observed the 8th National Parliamentary Election of Bangladesh, 2001 (1st October) in 29 constituencies of the country. 275 Local Observers on behalf of Odhikar and 27 Foreign Observers from 17 countries on behalf of ANFREL were deployed in the election monitoring areas. There was a public demand to free the election from arms and money. The Caretaker Government considered the public demand seriously and took all necessary steps to make the election free and fair.

Out of 300 constituencies, elections took place in 299 constituencies on 1st October and the result declared from 298 constituencies. BNP candidate of Cox Bazar-3 constituency died and hence the election of that constituency was rescheduled to 1st November and since a writ petition was filed against the cancellation of the votes of 7 polling centers of Munshigonj-4 constituency, the result of that constituency was not declared. On 1st November, elections of Cox Bazar-3 constituency and on 10th November re-election of 7 polling centers of Munshigonj-4 constituency took place.

Despite prevalence of pre election violence in a number of constituencies the turn out of 29 constituencies and specially in some centers where we directly observed the election was full of festivity and people had courageously observed their duty as citizens and we think they had contributed the most in making the election free and fair. The large turn out of female voters proved again that the people of Bangladesh still believe in democracy.

In general, the atmosphere in and around 1,139 polling centres covered by our observers were festive and relatively peaceful. Initiatives of the caretaker government contributed to the restoration of a safe and stable environment on the polling day. Combined efforts to uphold law and order by members of the civil service and the various security forces, including the Police, Army, Bangladesh Rifle and the Village Defence Force, also encouraged voters to participate actively in the election, although isolated cases about the attacks and looting of polling centres and the intimidation of voters were reported in certain areas.

Though there were sporadic incidences of violence, intimidating of voters, snatching of ballot boxes and ballot papers, that did not discourage the voters from going to the polling centers.

Though voting was halted in some of the centers due to some unwanted incidents, the voters did not leave the centers due to law-enforcing agency's prompt interference. The voters waited in long lines. For this reason though there were some interruption in taking vote in certain centers, the local administration started taking the vote again. Female and minority

voters could not be intimidated from going to the center. But in some centers voters were obstructed from casting vote. The major political parties and their supporters were tolerant, which is a positive step towards achieving democracy.

There were small mal practices that took place in different centers, which were revealed by our observers' on spot investigation.

Till 12 pm Polling agents of BNP could not be found in some of the centers of Dhaka -9 constituency (Dhanmondi, Mohammadpur). These centers are Mohamadpur Besharkari University College, Mohammadpur Uchcha Balika Biddalay, New Model High School. While talking to the Presiding Officer the observers found that those who had been selected by BNP as their polling agents did not come to the center. It was alleged that they were threatened. Apart from that there were no polling officers in Barab Sharkari Prathamik Biddalay till 11 am. The presiding officer of this center said that, those who had been chosen as the polling officers did not come as they were feeling insecure. When the presiding officer informed the Election Commission they sent 14 polling officers. But only 5 polling officers went to perform their duty. During this time there were attempts of casting false votes but due to the interference of the law enforcing agency no unwanted incidents took place.

In Munshiganj, there were incidents of casting false vote. The miscreants occupied the Char Shilmondi Primary School and cast false votes. The voting was halted in Makahati High School and Deobhog Primary School due to robbing of ballot boxes and incidents of firing.

The supporters of Islami Jatiyo Oikya Front beat a BNP supporter, local UP Chairman and his son at the Charmonai Bazar Char Government Primary School center in Barishal-5 constituency. They also attacked the BNP candidate Mujibur Rahman Sarwar. So, there was a collision between the supporters of Islami Jatiyo Oikya Front and the supporters of BNP.

There were some incidents of malpractice in two or three centers of Khulna- 2 constituency. In this constituency, Awami league candidate wanted to influence the voters by paying money and by threats and intimidation. The supporters of Awami League candidates forcibly tried to oust the BNP agents from Masjid Bari Primary School and Kirti Pasha Primary School of Jhalkathi municipality and No 17 Municipality Secondary Night School. There were allegations that in Pritilata Secondary School center of Keora Union the supporters of JP (Ershad) cast some false votes.

The BNP candidate was beaten up by supporters of JP (Ershad). In Baga Bandar High school center of Patuakhali-2 constituency the female voters could not enter the center till noon. The female voters could only cast their vote with the local administrator's interference. But it could not be found whether the intimidators belonged to any particular political group or not. Apart from that, in Narayanganj and in Dohar the voters lists were faulty and due to the rough behavior of the opposite party candidates, some of the voters left the center without casting vote.

Among 299 constituencies in 16 constituencies vote taking of 137 polling centers were held up due to violence on election day. In Barishal, Bhola, and Shariatpur districts 5 persons were killed, 630 persons injured and 57 were arrested in separate incidents on election day. The above-mentioned incidents are only a meagre reflection of the whole situation. These sporadic incidents could not influence a free and fair election of such a large scale.

The main focus of the 8th National Parliamentary Election was the spontaneous presence of female voters in the polling centers. Long lines of female voters at every center of the country were a positive aspect of democratisation. They lined up with patience for casting their votes. A number of female voters did not cast votes due to 'Fatwa' imposed upon them by the so-called 'religious' groups of different areas of the country in the previous elections. But this year female voters enjoyed their voting rights and cast their votes. The Caretaker Government took special care for the minority community people to cast their votes. Sick and disabled voters were also helped so that they could cast their votes.

E. ii OUR OBSERVATION REPORT AT A GLANCE

Our observers observed election following specific prescribed checklists and the compilation report were as follows:

| Sl. # | Subject | Yes (%) | No (%) |
|-------|---|---------|--------|
| 01. | <i>Polling centers were established in the places specified in the previous elections.</i> | 97.89 | 2.11 |
| 02. | <i>There were any campaign tools of any candidate in the stipulated 400 yards of the polling centers.</i> | 57.54 | 42.46 |
| 03. | <i>Empty ballot boxes were sealed.</i> | 99.82 | 0.18 |
| 04. | <i>Any candidate supported transport facilities for the voters.</i> | 43.20 | 56.80 |
| 05. | <i>At the time of coming to the polling center or in the polling center voters were threatened.</i> | 0.35 | 99.65 |
| 06. | <i>Taking of votes started in time.</i> | 99.47 | 0.53 |
| 07. | <i>There was arrangements to cast votes secretly.</i> | 99.38 | 0.62 |
| 08. | <i>There is allegation against voters list.</i> | 28.87 | 71.13 |
| 09. | <i>There was undue plan to cast proxy votes outside the centers.</i> | 2.82 | 97.18 |
| 10. | <i>Female voters cast their votes freely.</i> | 99.73 | 0.27 |
| 11. | <i>Disabled, elderly people and pregnant were given priority to cast votes.</i> | 94.10 | 5.90 |
| 12. | <i>Agents of any candidate were threatened.</i> | 0.62 | 99.38 |
| 13. | <i>Election officers were impartial.</i> | 99.29 | 0.71 |
| 14. | <i>Members of security forces were impartial.</i> | 99.95 | 0.05 |
| 15. | <i>All voters present in the center cast their votes.</i> | 99.91 | 0.09 |
| 16. | <i>Use of illegal arms around the polling centers.</i> | 0.06 | 99.94 |
| 17. | <i>There was obstacle in monitoring election of the observers.</i> | 1.53 | 98.47 |

E. iii SOME FACTS ABOUT THE PARLIAMENTARY ELECTION OF OCTOBER 01, 2001

| | | |
|--|---|---------------------------------------|
| 01. Name of Country | : | Bangladesh |
| 02. Number of Divisions | : | 6 |
| 03. Number of Districts | : | 64 |
| 04. Date and Day of Election | : | October 01, 2001; Monday |
| 05. Polling Hour | : | 8:00 am to 4:00 pm (without break) |
| 06. Number of Constituencies | : | 300 |
| 07. Number of Polling Stations | : | 29,978 |
| 08. Number of Polling Booths | : | 1,49,288 |
| 09. Total Number of Voters | : | 7,50,00,656 |
| a. Male Voters | : | 3,86,84,972 |
| b. Female Voters | : | 3,63,15,684 |
| 10. Number of Returning Officers | : | 68 |
| 11. Number of Assistant Returning Officers | : | 525 |
| 12. Number of Presiding Officers | : | 29,978 |
| 13. Number of Assistant Presiding Officers | : | 1,49,288 |
| 14. Number of Polling Officers | : | 2,98,576 |
| 15. Total Number of Polling Personnel | : | 4,77,842 |
| 16. Number of Contesting Political Parties | : | 52 |
| 17. Total Number of Contesting Candidates | : | 1,935 |
| 18. Number of Candidates Contesting more than one Constituency (32 Candidates in 84 Seats) | : | 32 |
| 19. Total Number of Female Contesting Candidates (37 Candidates in 47 Constituencies) | : | 37 |
| 20. Number of Candidates Nominated by Political Parties | : | 1,451 |

E. iv RESULT OF THE PARLIAMENTARY ELECTION OCTOBER 01, 2001

| Name of Political Party | Number of Seats | Comments |
|---|-----------------|---|
| <i>Bangladesh Awami League</i> | 63 | |
| <i>Bangladesh Nationalist Party (BNP)</i> | 192 | Including Jatiya Party (Naziur) and Islami Oikya Jote |
| <i>Jammat-e- Islami Bangladesh</i> | 17 | |
| <i>Jatiya Party (Ershad)</i> | 16 | Including Islami Jatiya Oikya Front |
| <i>Jatiya Party (Naziur)</i> | 4 | |
| <i>Independent Candidates & Other Parties</i> | 8 | |
| Total | 300 | |

E. v Press Conference on Election Observation Report

The Election observation report was published in a press conference jointly conducted by Odhikar and ANFREL on 2nd October at VIP Lounge of the National Press Club. Auxilium Toling Olayer, Coordinator, Mr. Damago G. Macbual, Bangladesh Mission Chief, Sunnai Pashuk, Press Officer of ANFREL along with other ANFREL members and Mr. A. F. Hassan Ariff, President, Mr. Adilur Rahman Khan, Vice-President, Mr. Asaduzzaman, Executive Member, Mr. Masood Alam Ragib Ahsan, Director and the staff, Divisional Coordinators, Divisional Observers, Constituency Coordinators of Odhikar, Journalists and Photographers were present in the press conference. The Election observation report was widely published in most of the daily newspapers the next day. Ekushey Television also covered the election observation press conference.

F. Post Election Observation

Odhikar conducted post election monitoring and it was observed that a tense situation was prevailing in the country.

Abdul Mannan, a BNP supporter of Paikpara Village of Hobiginj Sadar was killed; one polling agent of 4 party alliance was stabbed in Gopalgonj; 5 people were injured in Noakhali District; 24 persons were injured in Magura District in post election violence on October 2,2001.

The supporters of Awami League ransacked several houses belonging to BNP supporters of Gopalpur Thana of Tangail District on October3, 2001. At least 60 people were injured in post election clashes between BNP and Awami League supporters in different places in the district of Sirajgonj on 3 October; at least 15 Awami League supporters were injured by the BNP supporters in Munshigonj District; at least 5 were injured in Chittagong Sadar; 10 people were injured in Barishal; 25 people were injured in Jessore and BNP and Jamaat supporters swooped on the residence of the district Muktiyodha Commander and beat his brother to death in Satkhira District in post election violence on 3 October 2001.

One Solaiman Ali, a BNP worker was killed and 30 others were injured in post election violence at the village Gholapukur of Rani Nagar Upazila of the District Naogaon on 5th October 2001. In another incident, at least 5 Bangladesh Chatra League workers were injured by BNP supporters; one Safiullah, a Awami League supporter was killed by the miscreants at Sonagazi Upazila of Feni District and one Muktar Hossain, a Jubo Dal worker, was killed and at least 20 people were injured in a BNP and Awami League clash at Kapasia on the same day.

Odhikar carried out post election monitoring till 10th October 2001. The post election report reflected that 52 people were killed and 867 people were injured till 10th October 2001 in reputed incidence of post election violence.

RECOMMENDATIONS

Suggested recommendations, which emerged during the period of election observation, are as follows:

- (i) Voters list should be corrected;
- (ii) Voters identity card should be issued;
- (iii) To increase polling centers specially to increase female polling booth and to make arrangement for separate polling booth for persons with disabilities, elderly people and pregnant women;
- (iv) To take effective actions against the violators of election code of conduct;
- (v) ‘Electoral Enquiry Committee’ should be more powerful at the local level;
- (vi) To train properly those dealing with the election procedure;
- (vii) To increase the honorarium and remuneration of the persons dealing with election procedure;
- (viii) To make arrangements to cast the votes of the persons dealing with election observation.

CONCLUSION

The 8th National Parliamentary Election was hailed, as the fairest one so far, except for some unwanted incidents around the country. The people were worried about the use of illegal arms and money in the election. The election observation was difficult and risky also. In this respect it can be said that the mobile election observation of Odhikar was a successful mission. All local and foreign observers and diplomatic missions confidently expressed that the election, as a whole, was conducted in a free, fair, peaceful and orderly manner. Jimmy Carter, Ex-President of the United States of America, in a letter written to the Chief Advisor of the Caretaker Government, had expressed that, “it now appears from all international and domestic observer reports that the elections were relatively peaceful and they were conducted in accordance with international standards”. These reports run counter to public statements attributed to Sheikh Hassina and the Awami League of massive rigging. Any complaints should follow normal legal channels of appeal rather than a complete refusal to recognize the legitimacy of the electoral process and the election.