

*Parliamentary elections are scheduled to take place on January 22, 2007 to elect 300 members to the 9<sup>th</sup> Jatiya Sangsad (National Parliament) for a five year term. The five-year tenure of the Bangladesh National Party (BNP)-led four party alliance ceased at midnight on 27<sup>th</sup> October and was marked by two days of intensive violence between party activists from the four party alliance and the main opposition party, the Awami League. On 29<sup>th</sup> October, the President, Dr Professor Iajuddin Ahmed, was sworn in as Chief Advisor of the Caretaker Government and 10 Advisors were sworn in on the evening of 31<sup>st</sup> October. The Awami League did not attend the Swearing- In ceremony of the Chief Advisor. Party President, Sheikh Hasina said the Awami League would neither accept nor reject the appointment of the President and would wait and see if he addressed their concerns.*

### **Controversy surrounding the Chief Election Commissioner and the Bangladesh Election Commission**

The Election Commission became a priority for the Caretaker Government as public confidence in the Chief Election Commissioner, Justice MA Aziz, eroded. Many civil society activists and opposition party leaders asked Justice Aziz to stand down as he no longer enjoyed public support. The BNP and Jamaat-e-Islami (which appointed him), resisted all attempts to remove Justice Aziz.

Pressure mounted on Justice Aziz to step down and he was persuaded to take three months leave. The President addressed the nation on the issue, stating that he would appoint two additional Election Commissioners who would be acceptable to both major political parties.

After the departure of Justice Aziz one of the election commissioners appointed by the BNP government in January, Justice Mahfuzur Rahman, 'appointed' himself as Acting Chief Election Commissioner on the basis that he was now the most senior Election Commissioner. Three days after his 'self-appointment' and before the two additional election commissioners were appointed, the Election Commission announced the election schedule with polling to take place on January 21, 2007. The final day for nominations was set at December 10, 2006 with the final day for withdrawal of nominations set for December 19, 2006. The Awami League immediately rejected this schedule saying it was impossible to hold an election with the voters list in its current form.

The same day, after the announcement of the election schedule, the two additional Commissioners were sworn in; however, the Awami League also rejected their appointments due to their alleged affiliations with the BNP. One of the commissioners, Mr. Modabbir Hossain Chowdhury, had sought a nomination to run for parliament from the BNP.

Following consultations with the parties, the election schedule was changed with Election Day scheduled for January 23, 2007. The last day for filing nominations was moved to December 21, 2006 with December 28 set as the last day for withdrawal of nominations. However, as January 23 is a Hindu Puja (religious festival), election day has been changed again to January 22, 2007.

As part of the package agreed with the Awami League, it was decided that two election commissioners who were unacceptable to the Awami League, Mr. S.M. Zacharia and Mr. Mudabbir Hossain Chowdhury, would also take

'leave of absence' from the Election Commission. Mr Zacharia went on leave on December 21, 2006.

### **Correction of the Voters List**

In early December, NDI announced the findings of its second survey of the voters list. The survey found that there were 13 million extra names on the Voters List but that the main source of error was migration. The concern, however, is that 13 million extra ballot papers would be available on election day and that this number of extra ballots could favor one side or the other.

NDI, in the company of the American Ambassador, presented its findings to the Election Commission, which immediately rejected it and said there would be no further work carried out on the voters list. However, in the face of mounting pressure both domestically and internationally, the Election Commission agreed to correct the voters list with the assistance of NDI in identifying the erroneous names. This work which was initially to take place from December 8 to 10, 2006 was extended by an extra three days to facilitate the volume of work. December 17, 2006, the date set for the printers to publish the Voters List, has not been met.

### **Writ Petition to the Legality of the appointment of the Present as Chief Advisor**

A number of parties, including the Awami League and the Liberal Democratic Party, challenged the appointment of the President as Chief Advisor, citing that the Constitutional provisions for the appointment to the position were not followed. A ruling on this petition was due on November 30. However, in the afternoon the Chief Justice directed the High Court Judges hearing the case to cease with immediate effect. This led to protests by the Awami League lawyers and violent scenes at the Supreme Court Building. A number of senior lawyers, including Dr Kamal Hossain, Barrister Rokonuddin Mahmud, President of the Supreme Court Bar Association and Barrister Amir ul-Islam have

been charged with sedition arising out of the violence at the Supreme Court.

### **Emergence of Liberal Democratic Party**

In late October a split formed in the BNP. Former MP Col Oli Ahmed, who had become a vocal critic of Prime Minister Khaleda Zia and her son and advisor Tareque Rahman, joined forces with former President Badrudozza Chowdhury and his BDP Party to form a new political party called the Liberal Democratic Party (LDP). A number of senior former BNP MP's and activists joined this party. The homes and businesses of these people were attacked by BNP activists.

### **Fall-out from decision to deploy the Army**

On the night of December 9, 2006, the President/Chief Advisor decided to deploy the army to assist the civil administration. All 10 of the Advisors opposed the Presidents decision. The Advisors said that this was a unilateral decision of the President which had not been discussed during a meeting earlier in the day. Four of the Advisor's subsequently resigned in protest at the President/Chief Advisors decision and also for what they felt was non-cooperation by the President with the Caretaker Government. Four new Advisors were appointed. However, it has been alleged that the four have links with the BNP-Jamaat Alliance. It was widely reported also that they were told they could not differ with the President/Chief Advisor's opinion or decision.

### **Political Party Updates**

#### **Awami League**

At a rally at Paltan Maidan in Dhaka, the Awami League, the LDP and the Jatiya Party launched their formal alliance for the election. The rally was addressed by the leaders of the three parties. The Alliance announced a dawn to dusk *hartal* (strike) for December 21, 2006 which was set as the final date for filing nominations and called for President Iajuddin to step down as Chief Advisor. The Alliance called for the elections to be postponed for an extra 45 days to ensure that the voters list was corrected properly. Barrister

Rokanuddin Mahmud, President of the Supreme Court Bar Association, formally joined the Awami League at this rally.

#### **Four Party Alliance**

The BNP-led four party alliance also held a rally at Paltan Maidan in Dhaka at which the former Prime Minister, Begum Khaleda Zia, said it was not possible to hold the elections beyond the constitutionally stipulated 90 day period and expressed her full support for President Iajuddin Ahmed. At this rally, there were minor scuffles between activists from the BNP and the Jamaat-e-Islami over sitting at the historic Paltan ground. The Parliamentary Affairs Advisors to the former Prime Minister, Salah Uddin Qader Chowdhury, his brother and another BNP activist submit nominations to contest the same constituency in Chittagong.

#### **Jatiya Party**

Hossain Mohammad (H.M.) Ershad, the President of the Jatiya Party had his appeal to The High Court rejected in connection with a corruption case and was sentenced to two years imprisonment. The Supreme Court has given Ershad leave to appeal the decision. GM Quader, Ershad's younger brother, who was earlier expelled from the party by Ershad, has been now readmitted.

#### **Supreme Court Ruling on Candidate Information**

The Supreme Court placed a three month stay on a former High Court Ruling directing the Election Commission to collect information on candidates contesting the parliamentary elections, including their academic qualifications, professions, sources of income and any criminal records. The Supreme Court Ruling also directed the Election Commission to accept the nomination papers of the candidates without these details included.

#### **Election Schedule**

As of December 21, 2006 the election schedule is as follows:

Sun. 12/24	Final day for Nominations
Tues. 12/26	Final day for Scrutiny of Nominations
Wed. 1/3/07	Final day for Withdrawal of Nominations
Mon. 1/22	Election Day

#### **NDI Activities**

##### **a. Pre-Election Assessment Mission**

During 8-11 September, 2006, NDI conducted a Pre-Election Assessment Mission. NDI's Bangladesh delegation was led by Tom Daschle, former Majority and Minority Leader of the US Senate and included Mike Moore, former Prime Minister of New Zealand and former Director General of the World Trade Organization and Mu Sochua, a former Minister for Women's and Veteran's Affairs from Cambodia. The delegation was assisted by Tom Barry, Deputy Director for Asia Programs, Owen Lippert, Country Director, NDI Bangladesh, and Deborah Healy, NDI's resident Senior Program Manager. During this mission, the delegation met with representatives of the political parties, civil society, members of the diplomatic community and NGO representatives.<sup>1</sup>

##### **b. Long Term Observation Mission**

Kevin Colbourne, arrived in Dhaka in early December to manage the coordination of NDI's Long Term Election Observation Mission. Thirteen of the expected 20 LTO's arrived in Dhaka on December 10 and after a four day orientation in NDI's Dhaka office, deployed to places outside the capital. Teams of two deployed to Chittagong (to cover the northern part of the Division), Comilla (also in Chittagong Division), Rajshahi (NorthWest), and Sylhet (NorthEast). The LTO's will meet with representatives of the political parties, the civil administration, law & order agencies, election officials, NGO's and civil society in their respective locations. The remaining 6

<sup>1</sup> A copy of the delegations full report can be found on the ndi website at [www.ndi.org](http://www.ndi.org)

LTO's will arrive in Bangladesh between December 24 and December 31, 2006, and will be deployed to Rangpur, Chittagong South, and the Tangail/Gazipur areas.

**c. Short Term Observation Mission**

To promote the integrity of the 2007 parliamentary elections, NDI will deploy an international delegation—comprised of election and regional experts, elected officials, political party leaders and civic activists—to observe the elections. The delegation will arrive in Dhaka in mid January for approximately 10 days. NDI staff will assist in the delegation efforts by: coordinating logistics; supporting program work; providing regional expertise; and serving as election observers. The delegation will observe final election preparations, balloting, counting and tallying of the results.

On election day, the deployed teams will visit polling sites to monitor the opening of the polls and the balloting and counting processes at various polling stations around the country. Additionally, the observers will follow the counting process at the constituency level. Following the election, the delegates will reconvene in Dhaka to share their findings with fellow NDI observers. The work of the observer delegation will result in a preliminary statement, which will be prepared after the delegation debriefings and released two days after election day. The statement will be based on the delegation's observations, the findings of the pre-election mission and the long-term observers, and reports from domestic monitors and other international observers.