Monitoring Report of the 9th Parliamentary Election 2008 in Bangladesh



7 Circuit House Road Ramna, Dhaka – 1000. Tel: 8802 9344 225-6, 8802 9330 405 Fax: 8802 8315 807

E-mail: dwatch@bangla.net Web: www.dwatch-bd.org

Published by:

Taleya Rehman
Executive Director Democracywatch
7 Circuit House Road
Ramna, Dhaka 1000
Tel: 8802 9344 225-6, 8802 9330 405
Fax # 8802-8315807
E-mail: dwatch@bangla.net
Web: www.dwatch-bd.org

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Foreword

Democracywatch played an important role in the 9th parliamentary elections in Bangladesh which was held in December 29, 2008. We hope our work contributed what has been acclaimed as the most free and fair elections to date.

Although most of our work concentrated on the Election Day itself, there were several projects to increase voter awareness leading up to the election that we carried out with considerable success.

However it was the election and the Election Working Group that was our greatest success. The EWG comprised of 32 members from all areas of Bangladesh with different social and political backgrounds.

As part of the EWG we placed 11658 observers throughout the country on Election Day. We carried out all this work, from recruiting the observers, to training them, producing training manuals and ensuring they carried out their duties efficiently on the day. Out of these observers were recruited 18 constituency coordinators who carried out most of the training and managed all payments and papers. At our headquarters in Dhaka we maintained a 24-hour control center where many of our volunteers worked tirelessly to collect the thousands of reports.

There were many problems. Due to different rules between returning officers we had great difficulty obtaining accreditation for all our observers. But our observers still managed to phone or fax their reports through.

Our election team at Democracywatch consisted of ten permanent workers who were joined on Election Day by an additional 15 people. They worked very hard and without sleep for about a fortnight and I wish to convey my heartiest thanks to them.

I would like to thank the Election Commission for carrying out a superlative election; the other members of EWG for their help and assistance, the Asia Foundation, the NGO Bureau, all returning officers and all the local and international observers who helped Bangladesh enjoy rather than fear Election Day.

I would finally like to thank the almost 11658 observers who came together from all backgrounds and areas, disregarding personal politics and often personal safety, working for little payment, who joined us in making this Election Day the most successful ever.

Taleya Rehman Executive Director Democracywatch

INTRODUCTION

1.1 Background

Democracywatch, a non-partisan, research, development and election monitoring organization with financial assistance of The Asia Foundation and under the umbrella of Election Working Group (EWG), a coalition of 32 civil society, development, and research organization, conducted a comprehensive nationwide program to monitor the 2008 parliamentary election. Democracywatch deployed 11658 stationary observers with the help of its 15 partner organization and well-wisher organization in 18 constituencies around the country on the Election Day.

On December 29, 2008, the 9th National Parliamentary Election 2008 was held. This was the 3rd general election under a caretaker government headed by Dr. Fakruddin Ahmed, former Governor of Bangladesh Bank of Bangladesh. For many reasons this election was very important. Firstly, the 2008 election took place amidst a wide range of violence and terrorism throughout the country. Secondly around 81 million voters including 20 million new voters cast their vote in this election, which was the largest in Bangladesh's history. Also due to the extreme polarization of Bangladeshi politics many people were expecting extreme violence during and after the election. To ensure therefore that this election was fair around 180000 local and 500 foreign observers were asked to monitor this election.

Unlike any other elections the electoral atmosphere and campaigns was quite different this year. The people of the country had witnessed the performances of the two major political parties in the last two parliaments. So during this election the voters had an opportunity to decide based on past performances of the major political parties. Political polarizations in this election were also very apparent. The recently outgoing party Awami League and Jatiya Party, Workers party and JSD were a Great alliance and BNP, Jamat-e-Islami, Islami Oykkyo Jote and BJP formed four Party alliances.

The 9th Parliamentary Election had a challenge as many political watchdogs were apprehending that the election might not be fairly contested and the possibility of large-scale violence was great. The domestic and international monitoring groups played an important role during the elections to restore public confidence on the electoral process that was established in 1991 and further consolidated in 1996.

Under the present political context where less than 10-12 percent swing votes favoring a major party to make a government, domestic election observers had a significant role to play during the elections by encouraging citizen's participation in the electoral process and monitoring, deterring and exposing electoral irregularities and fraud, should they occur.

1.2 Political and Electoral Environment in Bangladesh

Bangladesh politics is traditionally marked by a lack of tolerance and respect. Polarization and deep mistrust among politicians of the main political parties are its glaring features. The ruling and opposition parties pursue confrontational politics. Political parties do not practice inner party democracy; instead it is built around personalities rather than policies and lacks transparency. Given the discretionary powers of the leadership to award party nominations and the tough anti-defection law, the party leadership has strong control over its members.

Parliament as an institution has not functioned well since 1991 due to the opposition boycotts of the parliament for much of the time during the last two terms. The culture of parliament boycott remains despite the fact that the parties switched their places between opposition and the government. Although the parliament is not functioning well, the committees have been conducting business with full participation of the opposition party legislators.

Elections in Bangladesh have historically been disrupted by political interference, including intimidation and violence at the polling stations, vote rigging, undue influence and manipulation. The 1991

parliamentary election marked a significant departure from this, which was further cemented by the parliamentary election of June 1996. Conducted by a neutral caretaker administration, these elections were widely acknowledged as free, fair, and credible. Local and international monitoring groups made important contributions to the credibility of the 1991 and 1996 elections.

The 9th General Election was a critical test of political and public participation in resolving the tradition of parliamentary stalemate. Under the present political context less then 5 per cent swing votes favoring a major party can form a government. That is why this election was crucial. In addition many political observers had predicted that the 2008 election would be different from those of 2001 and 1996 as the country was undergoing a terrible cycle of social and political degradation. Democracywatch undertook the election monitoring observation program in this background.

1.3 The Role of the Caretaker Government

The preliminary responsibility of the caretaker government was to hold free, fair and meaningful elections in Bangladesh. They started on the right track by revamping the election administration. The other area that the caretaker government focused on was the recovery of illegal arms for restoration of law and order situation that would assist the EC to hold free and fair elections in a peaceful manner. The caretaker government also brought some changes into not only the secretariat but also at the district levels, which came under criticism from the former ruling party—The Awami League. Finally, they fulfilled their duties and responsibilities by holding a free and fair election and handing power over to the new administration.

1.4 The Role of the Election Commission

The Election Commission is a constitutional body created under article 118 (1) of the constitution to conduct the election. It consists of a Chief Election Commissioner (CEC) and a number of Election Commissioners appointed by the President. The Commissioners administrates the elections through Returning Officers at district levels, Assistant Presiding Officers at Thana levels and Presiding Officers at polling station levels. The commission circulated a guideline for observers, which was very effective. Using this guideline Democracywatch monitored the general election effectively and to the rules.

Law and Ordinance the Election Commission for free, fair and credible election

The main legal acts governing the election in Bangladesh are the constituency of the People's Republic of Bangladesh of 1972 and the Representation of the people order (RPO) of 1972 (as amended 2008)

The constitution of Bangladesh and the RPO meet the terms for voting rights as stipulated in the article 25 of the International Covenant on civil and political rights (ICCPR). This implies periodic, universal election with equal suffrage to be held by secret ballot and guaranteeing the free expression of the will of the elector.

The Constitution also includes the necessary elements for genuine election freedom of the movement, of assembly , of association and of thought and conscience. These Fundamental human rights were suspended with the proclamation of the state of Emergency 11 January 2007. In preparation for the parliamentary election and to make possible a regular campaign period the caretaker government relaxed on 3 November 2008 the restrictions on meetings, demonstration and freedoms of expression. The complete lifting of emergency took place on 17 December 2008.

The Constitution has been amended fourteen times and the newly-elected government with a necessary two third parliament majority has already announced a revision of the constitution.

Article 70 of the constitution says that a member of the parliament has to resign if she/he votes against her/his party. This article has been debated as it my give any political party leadership in the parliament undue influence over its parliamentary members.

Article 66 of the constitution describes the criteria for being eligible to stand for election to parliament and the requirement are also reflected in the RPO and the EPR. The article, notably section 2(d) and 2(dd) has, during the candidate nomination process been criticized for ambiguity.

Section 2 (d) states that a candidate shall be disqualified if convicted "for a criminal offence involving moral turpitude, sentenced to imprisonment for a term not less than two years unless a period of five years has elapsed since the release" the main Issue was if anyone convicted could contest election if an appeal remained pending at the supreme Court Appellate Division. At the end November 2008 the high Court finally decide that a convict cold not contest the parliamentary election ruling that the state of emergency must be lifted before the scrutiny of candidate nomination papers. Although the scrutiny was finalized before the lifting of the state of emergency, convicted candidate were, after appeals had been filed at the Appellate Division, permitted to be the contest the election.

Section 2 (dd) disqualifies candidates holding "any office of profit in this service of the Republic" The election commission took the position that, among others mayors in local administration could not contest as candidates. Mayors filing writ petitions at the Supreme Court had their petitions accepted and could at a late stage in the process enter the polls as candidates. It should be noted that these Supreme Court decision were temporary awaiting a final decision after new hearing.

Shortly after the Caretaker Government took office it initiates an electoral reform programme, partly in response to international recommendations. As a result the election legal frameworks were substantially amended during 2007 and 2008. The amendments were promulgated as ordinances or auxiliary statutory regulatory order (S.R.O) All ordinances were presented at the first meeting of the new parliament and must be accepted or rejected within a month after the first parliament sitting. A special committee was established to evaluate the ordinances before parliament's decision.

The election related legal acts that were presented before the parliament are the recent amendments to the RPO and the entire Election Rolls Ordinance (Ordinance No 18/2007). The Election Rolls Rules (S.R.O No 31/2008) is link to the Election Rolls Ordinance and dose not need to be submitted to the parliament as a separate act. The Code of Conduct for the Political Parties and the candidates (S.R.O. No 269/2008), the Conducted of election Rules (S.R.O. No 286/2008) and political party Registration Rules (S.R.O No 25/2008) are other important and recently amended acts. The most recent amendments are all connected to the previous version of the RPO before the emergency period and the acts will not pass before parliament.

The RPO itself has been amended several times since 1972 and the result is a fragmented structure of detailed instruction mixed with general directives. The RPO contains a meticulous description of campaign irregularities and election offences. While the provision for consolidation of the election results lacks of comprehensible explanation of the process.

Article 91E in the RPO has been criticized as it grants the BEC wide-ranging powers to exclude a contesting candidate. It gives the BEC the possibility of excluding candidates after scrutiny of nomination papers and enables the BEC to initiate investigation based on information from any source or any verbal or written report. The article was criticized by the BNP alleging that the BEC could make subjective decision against parties of their participation in the polls. The BEC argued that this power is vested with most election administration and would remain intact. Transparency International Bangladesh favored the position of BEC and called the article indispensable.

Legal employees at the BEC admitted that article 91E has entrusted the BEC with wide-ranging powers but regarded article 91E as a necessary tool for the time being to safeguard against abusive activities commonplace during previous election.

A decision made by the BEC based on 91E can only be challenged at the High Court with reference to Article 102 in the constitution. Despite the criticisms no petition was filed by BNP or any other stakeholder.

Political party registration has for the first time been a requirement and is described in the political party registration Rules (S.R.O. No 25/2008) and as an amendment in the RPO other improvements are obligatory and extensive financial disclosure for the candidate nomination process. Campaign spending is regulated and booth contesting candidates and political parties have to declare campaign expenditures within a stipulated timeframe.

There are still shortcomings in areas such as election media coverage, which is largely unregulated, and ambiguity exists with regard to disqualification criteria for candidates, as well as in the procedure for allocating political party symbols to candidates.

The election commission's rigorous adherence to the amended procedures for nomination of candidates resulted in a process that was lengthy, demanding and had a considerable impact on other elements of the election process. In many cases candidates rejected by the ROs and the BEC filed a writ petition at the supreme Court which, at a late stage, reinstated some candidates. The timing of these decisions were highly disruptive to the election process as ballots had to be reprinted a short time before election day. Nomination procedures should be amended to ensure there is sufficient time for the entire process to conclude will in advance of the elections, including any appeals to the Supreme Court.

The supreme Court had a significant role in the election process as Article 102 of the Constitution gives the right to any person to file writ petition to the high court challenging any decision by any authority. This possibility was frequently used by candidates during the nomination process.

The process of candidate nomination was conducted in a transparent way and there was no apparent favour given to any of the candidates. However, the transparency does not extend to the documentation of the process. The BEC has not been forthcoming in providing information with regard to the number of appeals against rejection, the content of the appeals or the decisions made by the BEC.

Other Legal Issues

Bangladesh has acceded to and is legally bound the most important election-related treatise, Such as the International Covenant on civil and political rights (ICCPR), International Convention on the Elimination of all forms of Racial Discrimination (CERD) and Convention on the Elimination Of all Forms of Discrimination against Women (CEDAW).

The state of emergency suspended the basic fundamental rights described in the above mentioned treaties. During the period the caretaker Government took steps to enhance participation, transparency, and accountability, of the election process. New election legal acts were adopted and amendment to exciting acts were promulgated. The current Legislation fulfills the basic requirements as describe in the treaties.

Notably, the creation of a new voters list improved voter's confidence in the process and added to the high turnout. Minority groups previously not registered as voters were included and efforts made to protect minorities from intimidation and harassments that were commonplace in past election. As well as the inclusive voters list. General policies introduced to improve the participation of women in public life . Also contributed to the unprecedented high turnout of female voters.

Requirements for candidates to present financial disclosure documents during the nomination process and through scrutiny by the BEC of the demands added to the transparency and accountability of the process.

A legislative shortcoming in a society with a fast growing media industry is the absence of regulatory legislation to guarantee a plurality of voices iv the media and the possibility to challenge distorted or partial reporting.

The Election System

The Bangladesh National Parliament consist of a single legislative chamber with 300 members directly elected by simple majority vote in single-member constituencies to serve 5- years terms. Additionally, 45 reserved seats are allocated to women in proportion to the parties overall share of the votes.

The president must be at least thirty five years of age and is elected by parliament to serve a 5- year term. A member of the parliament is appointed by the president as prime minister. The Prime minister selects the minister to serve in the government.

The Constitution of Bangladesh stats that to be qualified to vote you must be a citizen of Bangladesh and not less than 18 years of age.

To be qualified to state for election for must be a citizen of Bangladesh and at least twenty five years of age

Voter Registration

Under Article 122 of the Constituency, there are four criteria for voter eligibility.

- Bangladeshi citizenship
- · Being not less than 18 years of age
- Not being declared to be of unsound mind by a competent court
- Being or being deemed by law to be a resident of the constituency in question.
- A resident is simply defined as someone who "ordinarily" resides in that electoral area.

Voter List :

For the cancelled election of January 2007, the BEC had compiled an entirely new voter list containing 91.4 million voters. This resulted in widespread allegations of inflation and substantial omissions (including selective omissions of opposition supporters and minorities) and also deeply weakened the credibility and public and political confidence in the BEC and led to boycotting of the election by AL in 2006/07.

A new voter registration process, based on a door-to-door enumeration campaign, was designed and carried out from August 2007 to early July 2008. It was largely successful exercise, leading to the production of a high quality voter list with photograph with 81058698 voters, of which 41236149 are female (50.9 per cent) and 39822549 male (49.1 per cent).

The new Final Voter List (FVL) was much more accurate and inclusive than the 2001 and 2006 voter lists thanks to the absence of millions of duplicates or erroneous entries. As well as the registration of young voters and some marginalized segment of society. The data collected for the voter list was used to

institute a national identity card scheme. The voter registration exercise ended in October 2008, with the delivery of the last ID cards to eligible voters. 17 month after the design of the campaign started in May 2007 and 11 months since its inception

Political parties and candidates standing for election obtained an electronic copy of the FVL without the photograph and were allowed to print the list for the use of their agent on Election Day.

Key Political Actors

Thirty-eight registered political parties' participant in the elections which were held in 299 single-member constituencies. The two main electoral alliances were led, respectively, by the AL and the BNP. Since the restoration of democratic government in the 1090s, BNP had won two parliamentary election in 1991 and 2001 and AL in 1991. Their respective leaders, Sheikh Hasina from AL and Begum Khalida Zia from BNP, had both served as prime Minister in the past.

AL allied itself with the Jatiya Party (JP) of former army chief and President Hussain Mohammed Ershad and several smaller leftist parties. BNP continued its alliance from the 2001 election with Jamaat-e-Islami (Jel), led by Motiur Rahman Nizami, and a number of smaller parties. Five mostly new parties formed a third alliance called "Jatiya Jukta Front" (National United Front). The remaining parties contested the election independently. In addition to party candidates there were 148 independent candidates, some of whom had failed to secure a party nomination and decided to run on their own.

The electoral alliances concluded internal agreements for the allocation of constituencies to the component parties. The state aim of each alliance to be represented by a single candidate in every constituency was not completely achieved. BNP and Jel fielded concurrent candidates in six constituencies while AL and JP candidates competed against each other in 19 constituencies. Both these alliances were represented country-wide. The parties of the Jatiya Jukta Front fielded close to two hundred candidates, many of whom were overlapping, particularly in the main urban areas.

Voter Education

The Bangladesh Election Commission (BEC) is legally responsible for voter information (VI) and civic education (CE). The BEC published a Manual for voters. With detailed information on voting rights and civic responsibilities. The BEC also designed CE and VI message that were published and broadcast periodically by state owned and private television channels, Radio stations and newspapers. However it delegated the rest of its CE and VI activities to civil society organization (EWG) which conducted them with funding from the international community (TAF)

The Citizen's Alliance for promoting Transparency and Accountability (CAPTA), under the umbrella of election Working Group (EWG) carried out an ambition country –wide program of civic voter education, targeting women, youth and minorities. There was a particular emphasis on prevention of election violence, democratic representation and accountability, first time voters, women participation in election and political affaires and the electoral rights of persons with disabilities as well as ethnic and religious minorities. EWG published five (5) types leaflet ten (10) types poster.

Election Administration

A, Structure and composition of the Election Administration

Article 118 of the Constitution lays down that "the Election Commission shall be independent in the exercise of its functions and subject only to this Commission. The Election Commission is mandated to hold presidential, parliamentary Elections and local elections to delimit constituencies and to prepare voter lists. he constitution does not require consultation on the appointment of election Commissioners with political parties or other election stakeholders. Commissioners are appointed by the President for a five year term and can only be removed according to the procedures for removal of supreme Court Judges. The BEC was reconstituted in February 2007 by the Caretaker Government.

The BEC has extensive responsibilities and power. As well as managing poling and the result process, It is mandated to conduct voter education , voter registration , party and candidate registration , constituency delimitation and is responsible for managing election related complaints , including those related to campaign and media regulations.

The BEC has a permanent Secretariat. Before January 2007 the election commission secretariat was staffed and financed by the prime minister office but since that date the secretariat has been linked to the ministry of law and Parliamentary Affairs ,with financial and administrative autonomy. The Secretariat has permanent representation across Bangladesh. The country's administrative organization is used as a basis, but there is some variation, the BEC has nice regional offices, each headed by a Deputy Election Commissioner (DEC). It also has 83 District Offices, headed by District Election Officers (DEOs). This means that some of the country's 64 district have more than one District Office.

Permanent sub-district election offices have been established. Called in metropolitan areas "Thana Election Offices" (26) and in rural areas "Upazila Election Offices" (481). As there are 300 constituencies, many will have more than one Upazila or Thana Election Office. During the election period other local government structure become responsible for administrating the election and the aggregating the result. In particular, Deputy Commissioners (DCs) become Returning Officers (ROs) and therefore responsible for the candidate nomination, election administration and the results process. During this period they also retain responsibility for their other duties .Including control of magistrates and therefore law enforcing agencies . There are 66 DCs /ROs (at least one for each district). Under the ROs , there are Upazila Nirbahi Officer (UNOs) in rural areas , and thana Nirbahi Officeers (TNOs) in the metropolitan locations, who serve as Assistant Returning Officers.

The BEC has stated that the final number of polling centres was 35368 and there were 177836 poliing booths open to serve 81058698 voters in the 300 constituencies. However, due to the death of one candidate the election in one constituency was postponed and only 35263 Polling centre and 177277 polling booths were in Election Day to serve 80811291 voters in 2999 constituencies with on average 5 Polling booths per Polling Centre. On 12 January 2009, 105 Polling Centre grouping 599 Polling booth were opened to Process the 247407 voters of the Noakhali-1 Constituency.

The Polling Centres were staffed by one Presiding Officer responsible for the whole PC, with one Assistant Presiding officer and two Polling Officers for each Polling booth in a Polling Centrer. Athough, the BEC hired over 700000 temporary staff for 29 December 2008 elections, most of women were teachers and civil servants with pervious electoral experience whenever possible. On average Polling Centres accommodated 2500 voters with 600 voters per male Polling booth and 500 voters per female Polling Booth.

1.5 Justification of Election Monitoring in the Prevailing Political Context

Non-partisan election monitoring serves a variety of functions in promoting free and fair elections. The presence of monitors at polling stations discourages election fraud and builds confidence amongst the citizens who might otherwise be hesitant to vote out of fear for their personal safety. Domestic observation efforts contribute to a more genuine electoral process by encouraging fair campaign practices and a more informed electorate, as well as by reducing the possibility of fraud and irregularities on Election Day. Monitoring also provides an independent assessment of procedural, security, or other safeguards introduced by election administrators, and practical recommendations for further reforms. Finally, the interaction between observers, candidates, election officials, and citizens, improves understanding of election issues and the evaluation of higher public expectations regarding the integrity of the electoral process.

The caretaker government is a non-political and non-partisan government. People drawn from various disciplines act as advisers to the Chief Adviser and their tasks are highly political and technical in nature, which is acceptable in holding free, fair and credible elections both domestically and internationally. For a totally non-political government with a politicized civil bureaucracy and less organized police force citizens was expecting too much of a caretaker government to do this huge task alone during their short tenure. In such a critical situation the civil society and civil society organizations like Democracywatch have an important role to play by monitoring the elections to ensure their success.

PRE-ELECTION ACTIVITIES

2.1 Democracywatch Voter and civic education Program for the 9th parliamentary election

Election Working Group designed and implemented a voter education program whose national and local-level components aimed to enhance voter knowledge, oversight, and engagement with candidates and elected officials, and to promote greater understanding of the roles and responsibilities of elected representatives and of candidate and political party perspectives on issues of priority interest to voters.

The national-level voter and civic education program included:

- Production and distribution of 9 million copies of four parliamentary Voter Guides on the role and responsibilities of Members of Parliament as national policy makers and lawmakers, women's electoral participation, issues of interest to first-time voters (youth vote), and the election manifestos of major political parties.
- Production of four public service announcements (PSAs) for television and radio broadcast on the themes of independent voter choice, accountability of elected representatives, the importance of women's participation in elections, and the role and expectations of first-time voters.

The local-level voter and civic education initiative included:

- Establishment of Citizen's Alliances for Promoting Transparency and Accountability (CAPTAs or accountability committees) at the upazila level. The CAPTA committees of respected business persons, school principals and teachers, women's leaders, religious leaders, and other community members) contributed to the planning and implementation of local voter and civic education activities.
- Local program activities included candidate meetings, rallies, cultural performances, and other
 activities on the themes of accountability, election violence prevention, women and youth issues, and
 the electoral rights and participation of religious and ethnic minorities and disabled persons.

2.2 Pre-election Observation: Nationwide

In the run-up to the parliamentary elections, EWG has conducted a series of surveys to gauge the attitudes of the public to various aspects of the political and electoral processes, as well as issues of importance to them.

Since February 2007 EWG has conducted monthly national public perception studies that focus on national issues such as citizen confidence in the Caretaker Government, security concerns, election preparations, and the economy. In October 2008, EWG conducted a national survey to explore citizen knowledge and awareness about the roles of different levels of government—in particular the role of Member of Parliament and upazila officials. With a special focus on issues of concern to women and youth, the survey results informed the design and implementation of voter and civic education materials and program activities. Survey findings highlighted weaknesses in citizen understanding of the roles and responsibilities of different levels of government—a matter that EWG wished to address in its voter and civic education materials. It also highlighted which issues were of most concern to both women and youth voters. The findings were included in separate voter guides for women and youth.

Finally, EWG implemented two pre-election environment assessment surveys. Conducted by district coordinators in all districts of the country, the surveys brought interesting data to the public's attention concerning developments and trends in the election environment, including security concerns, confidence in election officials and observers, and awareness of EWG voter and civic education materials and program activities.

2.3 Media Monitoring (Print and Electronic)

Apprehending the importance of media coverage, Democracywatch has been involved in Mediawatch on politics and election related news, reports and other related programs from 1 December 2008. During the tenure of the caretaker government the Mediawatch unit delivered daily press releases with its findings. The Mediawatch reports were regularly published in a number of national dailies and weeklies. Some eminent writers also quoted the reports in their column, which were published in the newspapers. As a result of regular Mediawatch reports and analyses the question of biased media coverage for different political parties and radio channels were highlighted. Alongside the issue of government control over media the issue of the media's biased coverage was also gradually moderated. In this context it is worth mentioning that before the launching of this venture there was an increasing public debate on media's bias toward either the government or the opposition.

These reports created awareness amongst the political parties including the BNP, Awami league, media and other walks of the society. Observers both in the country and elsewhere also discussed this issue.

In holding a free and fair election the reports played a significant role. The allegations, which were raised against the media about their biasness towards some political parties, were published and discussed widely at the beginning of the Mediawatch project. These accusations began diminishing from the fifth week and exposure reached more or less a balanced status by the seventh and eighth week.

Actually two type of monitoring were done under the media monitoring project; Print and Electronic. Seven electronic media were covered under the monitoring e.g. BTV, NTV, Channel I, ATN Bangl. Under the print media seven national dailies were monitored which are: Ittefaq, Prothom Alo, Jugantar, Samakal, Amer desh, Naya Diganto and Daily Star.

2.4.1 Objectives of Mediawatch

- i. Ascertaining people's right to information about election
- ii. Equal access to the electronic media by all major and relatively smaller parties.
- iii. Media role of Election awareness and activities.

2.4.2 Daily Monitoring of Electronic Media

Mediawatch included all political and election-based news, views, and programs in conjunction with BTV's news at 8:00pm and 10:00 pm. NTV's news at 7:30 pm and 10:30 pm, ATN's news 7:00pm and 10:00pm and Channel-I 7:00 pm and 10:30 pm.

We were given support for four Inters including a Coordinator in this project. Later, it was observed that for better monitoring another Computer Operator and a Technician would be appropriate.

Five staff monitored the media in 2 shifts. Daily TV news was recorded and preserved in case of any challenge to these reports. A number of such challenges were dealt with successfully.

ELECTION MONITORING AND DEMOCRACYWATCH

3.1 Objectives of Democracywatch Election Monitoring Program

The specific objectives of Democracywatch Election Monitoring was to ensure the fairness of the electoral process including electoral laws and regulations, voter campaigning, voting process, vote counting. The organizations biggest goal was to build public confidence in the integrity of the electoral process and to legitimize the result of a competitive election. Democracywatch monitored the 2008 parliamentary elections to achieve the following objectives.

- To encourage large-scale participation of voters in the election by building confidence on the electoral process.
- To detect election fraud, manipulation and irregularities
- Deter irregularities, intimidation and undue influence in election.
- Ensure people's all-out participation, especially women and new voters in the electoral process.
- Ensure free, fair, meaningful, and participatory election.

3.2 Organizational Structure for Election Monitoring

Democracywatch is a non-partisan and credible organization to all levels. The election observation network involved a young and efficient monitoring group supported by the national secretariat located in Dhaka.

The network involves 15 partner organizations and Democracywatch representatives. The organization recruited 18-constituency coordinators who were fully responsible in their own constituencies. They also recruited 310 union coordinators for the sake of smooth operation. Similarly 15 staffs from the national secretariat involved seriously in this operation. The constituency coordinators were also disseminated election materials and manual to observers.

3.3 Democracywatch Election Observation Plan

Democracywatch election observation program envisaged among others, recruitment, training and mobilizing of 11230 volunteers for observing all polling stations set up for the Election Day. It undertook civic voter programs through the dissemination of posters during the election period and monitored the election campaign and the media. The program involved implementation through its countrywide network of non-partisan citizens.

Similarly 15 other partner organizations had been directly involved as associates of Democracywatch for election monitoring. The partner organizations were TUS, JNDP and DEEP in Mymensingh, CRS in Jamalpur, TUSA and WTM in Tangail, Shield, APPB and Agrodut in Dhaka, Pradip in Manikgonj, SEBA in Habigonj, Vorsa in Brammanbari and Rac and Sad Bangladesh in Kishoregonj and Democracywatch.

Democracywatch directly recruited 11658 observers in 18 constituencies of 8 districts in all over the country. Among them there were 310 union coordinators, 150 mobile observers. Around 15 staff and volunteers of Dhaka National Office were involved in monitoring.

3.4 Relation with EWG

With the objective of monitoring the parliamentary elections 2008, 32 organizations formed an association entitled the Election Working Group (EWG). Over a nine-month period EWG deployed observers and designed the methodology and capacity to undertake election observations activities with the direct help of Democracywatch. Over 1, 50,000 observers, both stationary and mobile, were involved on the Election Day covering all constituencies across the Country. Respective activities of the participating organizations were coordinated under the umbrella of EWG. Democracywatch - a partner of this coalition co-operated with them satisfactorily including organizing the press conferences, releasing a series of press releases and coordinating the media.

3.5 Democracywatch Activities on Election Monitoring

3.5.1 Public Awareness and Voter Education

The Democracywatch activities plan included a public awareness strategy that had been implemented throughout the project period. This included voters meet, motivational meetings to highlight the non-partisan role of election observer discouraging electoral fraud and promoting a friendly environment in all the polling stations. The organization produced and distributed 6 kinds of posters and 4 kinds of voter guide line in 18 constituencies.

3.5.2 Training

Democracywatch took comprehensive election Monitoring training program in all over the country. The organization produced a training manual to reinforce the information communicated during the training program. This training manual assisted the partner organization, trainees and observers. This manual describes the vote, duties and responsibilities of election monitors. It also designed checklists or other forms, in which the monitors recorded their observations accompanied by an explanation of how to properly complete a checklist of election monitoring.

In this manual some important things were included which are as follows:

- An introduction, which briefly describes the formation of the organization and its principal goals.
- A concise historical perspective, which explains the significance of the election.
- A overview on the evolution of nonpartisan election monitoring efforts.
- A description of the responsibilities of various election officials.
- A code of conduct for observers.
- A description of the activities undertaken by observers before and during the Election Day and the details involved in election manuals.
- Election data and information collection system of Democracywatch.

On the basis of this manual Democracywatch conducted 3 Constituency Coordinator and 18 union coordinator training programs for trainers (TOT) in 3 divisions. Training was conducted on 18 constituency coordinators and 310 union coordinators participated in the training programs.

Similarly Democracywatch conducted 195 observers' training in all over the country.11658 volunteers took part in the training programs. Local elites, election officials, NGO leaders, journalists were also present in these training programs.

MONITORING PROCESS

4.1 Observation Methodology

This report is based on the observation of Democracywatch observers (11658) supported by 15 volunteers of National office, 310 union coordinators, 18 Constituency Coordinators in all 18 constituencies. In addition over 150 mobile observers comprising of Coordinators, Programme Officers, Internees and Volunteers of Democracywatch were deployed to supervise and coordinate the whole activities. The Executive Director of Democracywatch supervised and monitored the daily works regularly.

4.2 Observation Checklist

The Democracywatch stationary observers used six checklists to record their observation. One checklist used by the booth wise stationary observers was comprised of 24 questions. Form A1 is booth wise, A2 is centre wise compiling form, A2 District coordinator compiling form, Form B is result counting and BEC Supply form EO4-A and EO4-B. Mobile observers used 3 checklists to record their observation. Form C is centre wise observation form and C1 is compiling form and EO4-C is BEC form. The stationary observers sent their checklists to the union coordinators. Union coordinators used another consolidated checklist and sent it to constituency coordinators. Finally District coordinators collected all the union consolidated checklists and used another consolidated checklist for constituency wise results. They sent it to the EWG Secretariat office.

4.3 Accreditation of Democracywatch Observers

Permitted by the Election Commission, Democracywatch had received accreditation cards for both stationary and mobile observers in each polling station of the country. Earlier Democracywatch approached the district Returning Officers to have these cards. Some of the Returning Officers did not allocate the maximum number of cards. Democracywatch Stationary observer demand Accreditation 11658 but Democracywatch received nearly 11658 cards across the 18 Constituencies. Democracywatch observers were able to enter any polling stations in all over the country. They observed the opening of the poll, the complete voting process and the counting process. There are some instances where Democracywatch volunteers were not allowed to enter the polling station in spite of having proper accreditation cards.

Given the fact that nationwide election observation effort was undertaken in Bangladesh under the EWG banner where 32 organizations worked. Democracywatch, as a partner of this group felt proud to be part of a milestone in promoting transparency and accountability of the electoral process.

29 December 2008 Election Day Scenario

5.1 Security Arrangements

The security arrangement of each polling station generally striking force, police BDR, Ansar and VDP a huge number of security forces were involved in maintaining security at the polling stations. The adequate number of security forces enabled the polling to proceed peacefully and ensure a large number of voter participation in all over the country.

5.2 Physical Arrangements

Physical arrangements of conducting the poll were generally satisfactory but in some cases it was inadequate to meet an unprecedented rush of voters early in the day. At the beginning of the polls the polling officials took some time to settle down. Some voters had to wait for a long time in many cases. Some polling stations where more than one booth was setup in one small room, created confusion among officials, polling agents, observers and even voters. In some polling stations there were not adequate arrangements for secret voting. Some polling stations were situated in river locked areas such as Kishoregonj, Mymensingh, Habigonj, Barmmanbaria and Jamalpur District etc. A lot of voters faced difficulties in casting their vote properly. Election Commission should take appropriate measure in this regard.

5.3 Polling Stations and Officials

According to the Democracywatch observers most of the polling stations opened in timely with a few exceptions (see interim report). In most polling stations all over the Country the Presiding Officers and polling officials were present and approached their tasks diligently although a lack of training was sometimes apparent while discharging their duties. In most cases they appeared to perform their tasks with pride and seriousness. In dealing with local and International observers the Presiding Officers were cooperative and willing to help. In a few instances the Presiding Officers did not allow our observers to oversee the voting and counting process (see the constituency wise report), but the overall situation was satisfactory and significant.

5.4 Polling Materials

Democracywatch volunteers observed that polling materials were available in almost all the polling stations. The ballot papers, transference ballot boxes and other materials related to elections were adequate. Most of the Presiding Officers informed us that they kept one extra ballot box for their polling stations.

5.5 Election Camps

The election camps established by the candidates to help general voters with their voter serial numbers and identifying polling stations/booths were seen around most polling stations. Particularly they played a vital role, which was very helpful for the polling officials to process the voters. There were seen a large number of election camps, which were setup by different political parties around the country.

5.6 Polling Agents

Democracywatch observers reported the presence of considerable number of polling agents appointed by the candidates but not all of them were to witness opening of the poll. Some party agents appeared to have been untrained and deficient in knowing what they were supposed to

do. These agents often lacked reporting forms and did not understand the complaints procedure but some were certainly brilliant. Others made up for their lack of skills by their enthusiasm.

5.7 Voter Turnout

The Election Day witnessed a record number of voters and a high turnout of 87.16%. Long queues were seen in most polling stations all over the country even before the polling began at 8 am. Large numbers of female voters also came out eagerly early in the morning to cast their vote. The voters were peaceful and disciplined in spite of long queues. In a few polling stations there was some indiscipline in the long queues. Actually polling officials could not manage the queues properly due to inadequate training. The presence of such a large number of voters indicated that the Election Day was like a festival. In many polling stations all over the country the voters' turnout was high and there was visibly high number of women voters were quite satisfactory regarding the turnout of voters.

5.8 Voters' Roll

The voters' roll caused occasionally difficulties because of some mistakes in the names and other particulars. Democracywatch observers reported that disorder was found in the voters' Due to confusion in voter number and National ID card number some voters could not vote. In Vularjhum and Kalikapur Government Primary School center at Chunarughat Upazila in Hobianj-4, the first time and women voters were seen to move around with ballot paper not knowing what to do. A political worker tried to influence the voters inside the center at Hamidpur Government Primary School in the municipal area of Jamalpur -5. There was fist fight and dispute among the supporters of the candidates at Vanga municipal area in Faridpur-4. This incident created panic among the voters. The voter list was generally accurate with a few exceptions.

5.9 International Observers

There were a large number of international observers to monitor the 9th parliamentary elections. The European Union, the Commonwealth, NDI, and the groups of Japan and Canada observed the elections in all over the country especially in Dhaka city. Some of Democracywatch observers helped and accompanied them during the observation. International observers remarked that the 9th general election was free, fair and meaningful.

5.10 Counting Process

At the end of the polls, the counting process began which was open and transparent. The polling officers in the presence of different party agents completed the counting. In some polling stations Democracywatch observers were permitted to observe the counting process along with the polling officials. But in most of the polling stations they were not allowed to oversee the counting process. For the sake of democracy this process should be more open and transparent.

5.11 General Comments

The election was free, fair, credible, meaningful and participatory. As has been reported earlier there were a few minor incidents and irregularities, which could not hamper the smooth mining of the process. This election is a milestone towards a long journey in nation building and strengthening the democratic institutions and culture of Bangladesh. The most important challenge the new government and the opposition will face is the restoration of confidence of the people in the integrity of the democratic processes. This can be done through co-operation among the political parties and general people of the country.

Such high numbers of participation clearly indicates that all countries should take lessons from this historic election. The Bangladeshi people have once again showed their firm commitment to the Democratic process.

Constituency-Wise Incidents Reports of Observers by Democracywatch

SL. #	Constituency	Specific Incidents Reported
1	Dhaka-1	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
2	Dhaka-9	Due to small booth size in Nandipara Baby Education Home, Goran Sunrise Kindergarten, Maniknagar Dipshikha Pre-Cadet High school and Moghbazar Nazrul Shikhkhaloy slow moving queue of voters were observed, but polling was held peacefully in the rest of the centers. Security environment at polling centers was significantly improved from previous parliamentary elections.
3	Dhaka-19	Tendered votes were casting Dhaka -19 in Joy Para High School in Savar Municipality in Dhaka District, but Polling held peacefully.
4	Kishoregonj-1	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
5	Kishoregonj-5	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
6	Kishoregonj-6	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections
7	Mymensingh-3	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
8	Mymensingh-4	Observers could not observe the electoral process in Gusta Kandapara Government Primary School at Dapunia Union of Mymensingh-4. the observers saw lots of posters in Constituency.
9	Mymensingh-5	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
10	Mymensingh-6	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
11	Mymensingh-11	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
12	B.Baria – 6	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.
13	Habigonj-4	In Vularjhum and Kalikapur Government Primary School center at Chunarughat Upazila in Hobianj-4, the first time and women voters were seen to move around with ballot paper not knowing what to do. One case of a voter not being marked with permanent ink in Chunarughat Upazila at Habigonj-4.

14	A political worker tried to influence the voters inside the center at Hamidpur Government Primary School in the municipal area of Jamalpur -5.			
15	No incident was reported. Polling held peacefully. Total security environmen polling centers was improved from previous any elections.			
16	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.			
17	No incident was reported. Polling held peacefully. Total security environment at polling centers was improved from previous any elections.			
18	Ten observers were evicted from Shatish High School center of Gazipur-2. 10 observer were denied entry to booths in Satish Uccho Biddalay in Tongi Pauroshova			

INTERIM REPORT ON

Democracywatch's Observation 9th Parliamentary Election carried out in apt and peaceful environment

Democracywatch deployed 11658 observers in 18 constituencies of 9 districts all over Bangladesh to monitor the Eighth National Parliamentary Election. Among them there were 310 Union Coordinators, and 150 Mobile Observers. In addition to these, around 15 staff and volunteers of the Dhaka National Office were involved with monitoring.

7.1 Reports from Observers

In the National Parliamentary Election, Democracywatch, under Election Working Group, deployed eleven thousand six hundred and fifty eight stationary observers in 18 constituencies and one hundred and fifty mobile observers in thirty constituencies. Democracywatch believes that a credible and peaceful election has been made possible in Bangladesh by the collaborative effort of all concerned bodies. However, the following irregularities have been noticed by Democracywatch in the following centers:

- Due to small booth size in Nandipara Baby Education Home, Goran Sunrise Kindergarten, Maniknagar Dipshikha Pre-Cadet High school and Moghbazar Nazrul Shikhkhaloy slow moving queue of voters were observed.
- There was no special arrangement for disabled and aged persons. Instead, they were seen to climb or being taken upstairs to cast their votes.
- Due to confusion in voter number and National ID card number some voters could not vote.
- In Vularjhum and Kalikapur Government Primary School center at Chunarughat Upazila in Hobianj-4, the first time and women voters were seen to move around with ballot paper not knowing what to do.
- A political worker tried to influence the voters inside the center at Hamidpur Government Primary School in the municipal area of Jamalpur -5.
- There was fist fight and dispute among the supporters of the candidates at Vanga municipal area in Faridpur-4. This incident created panic among the voters.
- Voting process did not start at Khilgaon High School in Dhaka-9 at 8 am.

Observers of Democracywatch faced obstructions in performing their duties in the following areas

- In Nandipara Baby Education Home, Goran Sunrise Kindergarten and Maniknagar Dipshikha Pre-Cadet High School of Dhaka-9.
- Observers could not observe the electoral process in Gusta Kandapara Government Primary School at Dapunia Union of Mymensingh-4.
- Ten observers were evicted from Shatish High School center of Gazipur-2.
- Observers were prohibited to perform their duty in Muktagasa Ramkrishna and Montala High School centers of Mymensingh-5. The reason for this problem was that the Returning Officer did not inform the Presiding Officers about the stationary observers. Thus the observers were obstructed in performing their duties in the said centers.

Candidates code of conduct and other observations:

The new code of conduct drawn up by Election Commission kept candidates quite disciplined this time. There were no writing on the walls and candidates used black and white posters. Deployment of army in election areas kept the election environment violence free. Materials for election were sufficient. Law enforcing agencies were found performing their duties properly. There were polling agents of the major parties. Overall the environment was festive.

7.2 Summary

Apart from these very few incidents the 9th Parliamentary Election 2008 was held in a free, fair and peaceful environment. In all the polling centers including Dhaka, voters seemed to vote enthusiastically. The numbers of women voters in the voters' queues were remarkable and the overall turnout of voters was high. The irregularities that have so far been reported are very minor and do not affect the overall election results throughout the country. Democracywatch expects all political parties will accept the results and build an authentic democratic culture in Bangladesh by showing tolerance and lead the nation towards prosperity.

This is an interim Election Monitoring report by Democracywatch. A final report will be published when all the observer reports arrive.

ELECTION 2008: SOME FACTS AND FEAGURES

8.1 Some Key Information on Election 2008: At a Glance

Number of constituencies	299
Number of polling stations	35,216
Number of polling booths	1,77107
Total number of voters	8,11,30,973
Total number of male voters	3,98,86,153
Total number of female voters	4,12,44,820
Number of Returning Officers	68
Number of Assistant Returning Officers	481
Number of Presiding Officers	35216
Number of Assistant Presiding Officers	1,77107
Number of Polling officers	354214
Number of divisions	6
Total number of district	64
Number of Political parties	37
Total number of contesting candidates	1555
Total number of female contesting candidates	59
Number of International Observers	500
Number of domestic observers (approx.)	181000

8.2 A Numeric Observations of Election Results

As soon as the election ends different calculation, debate, and analysis are being discussed everywhere. A number of numeric analyses are presented in the following list:

• According to the election results Bangladesh Awami League (BAL) received 49.02 percent vote, which is 16.08 percent more than Bangladesh Nationalist Party (BNP) 32.94 percent. In comparison to 2001 elections both the BNP and Awami League (AL) received more votes in this election. Individually AL's vote increased up to around 40.21 percent while BNP added around 40.86 percent. (See Table 1).

Table 1
Comparisons: Election 2008 and 2001

Party	2008				2001			
	*Vote obtained	%	Seats obtain ed	% Seats obtained	Vote obtained	%	Seats obtained	% Seats obtained
Awami League	34564068	49.02	230	76.67	22360194	40.21	62	20.81
BNP	23086460	32.94	29	10	22717548	40.86	191	64.09
Jatiya Party (Ershad)	4690166	6.65	27	9	4037992	7.26	14	4.70
Jamaat-e- Islami	3209226	4.55	2	0.67	2385907	4.29	17	5.70
Jatiya Party (Naziur)			1	0	621515	1.12	4	1.34
Islami Oikya Jote			0	0	375980	0.68	2	0.67
JSD			3	0	0		0	0
Independent			4	0	2086151	3.75	6	2.02
Workers Party			2	0				
Other Parties	4963546	7.04		3.67	1019961	1.83	2	0.67
LDP			1				0	
Total	70513466	100.0	299	100.0	55605248	100.0	298	100.0

Valid Vote cast: 87.16%

^{*} From the results published in the newspapers, may be changed

^{* 299} officially declared seats

Table 2
Election 2008: Where Awami League and BNP were Head-to-Head

Party	*Vote obtained	%
Awami League	34564068	49.02
BNP	23086460	32.74
Jatiya Party (Ershad)	4690166	6.65
Jamaat-e-Islami	3209226	4.55
Others Party (Workers Party, JSD, LDP, BJP and Independent)	4964250	7.04
Total	705114170	100.00

^{*} From the results published in the newspapers, may be changed

Table 3
Comparisons Vote Casting National Election: 1973-2008 in Bangladesh

Name Of Election	Year	%
1 st Parliament Election	1973	55.61
2 nd Parliament Election	1979	51.29
3 rd Parliament Election	1986	66.31
4 th Parliament Election	1988	51.81
5 th Parliament Election	1991	55.45
6 th Parliament Election	1996	26.54
7 th Parliament Election	1996	74.96
8 th Parliament Election	2001	74.14
9 th parliament Election	2008	87.16

• Source of Bangladesh Election Commission

^{*} Naokhali-1(Stopped in Election for Nurul Islam dead)

RECOMMENDATIONS

Democracywatch observers made some recommendations on the basis of the observation of the 9th Parliamentary Election 2008. To make the electoral process more transparent and for holding free and fair elections in the country we recommended the Election Commission to take the following steps immediately. Recommendations are:

Recommendations by Democracywatch for a free and fair made in our report to BEC

Although the election was quite free and fair but a few more steps would make it perfect

- Democracywatch believes that Election Commission and local administration should maintain close coordination in conducting an election.
- If the numbers of women's booths are increased in each center, the voting process would be easier, as women take longer time to cast vote.
- About 1.4 million people engaged in voting process and 68 thousand prisoners were unable to cast their vote. Participation of these people should be ensured in the next election by introducing postal ballot.
- Election Commission should arrange long term training for the presiding officers and polling officers.
- Confusion in providing accreditation card to the observers should be resolved and observers' acceptable age should be reviewed.
- Special booths for disabled and aged should be set up in the centers preferably on the ground floor.
- Booth directions should be printed in bigger font so that voters get clear idea of their voting booths which would reduce confusion.
- More information to the voters to be given at the centers.
- The local observers should be allowed to observe all aspects of the elections without any hindrance.
- Arrangements for secret voting booths should be improved.
- Polling stations should be located closer to the voters.
- The polling officials should take adequate training to run their activities smoothly.
- Given the importance of the political party agents' roles in the polling stations and lack of skill and understanding, it is strongly suggested that they must be well trained on their role and activities on Election Day.

Annexure 1

List of the Partner Organization working with Democracywatch

Md. Enamul Haque	Khadaker Faruque Ahmed
Executive Director	Executive Director
Centre for Rural Service (CRS)	Trinomool unanyan Sangstha (TUS)
Monirazpur, Jamalpur	Uthura Ladge
Mobile: 01911-174297	61 DB Road, Mymensing
	Phone: 01712- 990173
Pandit Golam Mostafa	ABM A Razzak
Executive Director	Executive Director
World Tourist Mission (WTM)	Trinomul Unnayan Sangstha (TUSA)
Madhupur, Tangail	Main Road Ghatail, Tangail
Mobile: 01716-680304	Mob: 01715-374758
Mohammad Ali Kusru	Shahadat Islam Chowdhury
Executive Director	Executive Director
Jalal Nagar Develoipment Program	PRADIP
Muktagacha, Mymensingh	106/8 MonipuriPara, Tejgoan, Dhaka.
Mobile: 01716-185239	Mobile: 01711-159906
Md. Atiar Rahamna	M. Motiur Rahman Sagor
Executive Director	Executive Director
Development of Endemic Poor Program (DEEP)	SAD- Bangladesh
Mymensingh	Kamalpur (Amlapar) Bhairab-2350, Kishorgonj.
Mobile:01199-118865	Mob:01714-090232
Md. Ebadur Rahman Badal	Md. Alamgir Talukder
Executive Director	Executive Director
RAC-Bangladesh	VORSA
Bashantapur, Bajitpur, Kishoregonj	597 Fulbaria, B.Baria
Mobile: 01713-013244	Mob: 01711- 978989
Ms. Tanjina Khanom	K Z Naim
Executive Director	Executive Director
Social Welfare Advancement Brilliant	Samajik Unnayan Sangstha (SUS) Sharif Monzil
Association (SEBA)	Mymensingh Road, Gazipur
Mirashi – 3320, Chunarughat, Habigonj	Mobile: 01711-645550
Mobile: 01715-683030	
Md Delwer Hossain	Nur Hasanul Habib Liton
Chairman	Executive Director Assistant for Poor People of Bangladesh (APPB)
Agrodut	148/9/D, Shahali Garden Shahbagh
G-4/1 Bank Colony, Savar	Mirpur, Dhaka-1216
Dhaka	Mobile: 01552377570
Mob: 01715-94 08 47	WOUNIE. 013323/73/0
Md Mahbub Alam Feroz	
Executive Director	
SHIELD	
98 Janata Housing Shaha Ali Bagh,	
Mirpur-01, Dhaka-1216	
Mob: 01718-05 82 25	