



Democracywatch monitoring report on Bhola-3 By-election

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Introduction

Democracywatch has been observing all national and local elections, by-elections and re-elections from its inception in 1995. In this connection the organization observed Bhola-3 By-election, which was held on 24 April, 2010. The organization recruited 8 mobile observers with the authorization of BEC on the Election Day and another 5 observers to monitor pre and post election situation of Bhola-3 Constituency.

Objective of Democracywatch election monitoring

The specific objective of Democracywatch election monitoring program was to ensure the fairness of the electoral process and to build public confidence in the elections.

The organization monitored the by-election to achieve the following objectives

1. To encourage large-scale participation of voters in the election by building confidence on the electoral process.
2. To detect violation of electoral rules and regulations, election fraud, manipulation, irregularities and violence
3. Ensure free, fair and meaningful election

Organizational structure of election monitoring

Democracywatch is a non-partisan and neutral organization working to strengthen democratic process at all levels. The election observation network involve young, educated and trained group supported by the National Secretariat located in Dhaka. The network also involved local partners who have been doing this work for a long time with Democracywatch.

Bhola-3 By-election: A brief overview

Introduction

Bhola-3 By-election had to be held because the defeated BNP candidate Mr. Hafizuddin Ahmed filled a petition against the incumbent MP Mr. Jashimuddin Ahmed legal status as a candidate. His candidacy was declared unlawful by the High Court and later was upheld by the Supreme Court.

The By-Election of Bhola-3 constituency amid high tension and tight security generated much heat in the country's politics since the by-election appeared to be a crucial test for the Election Commission as well as the two main political parties Awami League and BNP.

Over 2.34 lakh electorates in the constituency exercised their franchise on 24 April, 2010, in the duel between the AL and BNP again after December 29, 2008 parliamentary election.

Both the major political parties' camps were frantic to win the election and Election Commission was on a tight rope to maintain its credibility by holding the election in a free, fair and credible manner.

The high command of Bangladesh Nationalist Party planned to wage a wave of anti-government agitations, whatever the result, with the issue of serious crises of power, water and gas and soaring prices of essentials. The BNP also declared that it will launch a movement against the government just as the incumbent ruling AL did after the controversial Magura by-election during the rule of BNP in 1994.

On the other hand, by defeating its rival candidate in the constituency the AL wanted to prove its popularity as reflected in the ninth parliamentary elections of 2008.

Given the magnitude of the Bhola-3 by-election, the EC took some innovative measures, including use of video cameras, deployment of "silent observers", setting up check posts at launch and bus terminals to prevent outsiders from entering the constituency, to ensure a credible and meaningful election.

BNP nominated Major (ret) Hafizuddin Ahmed and Awami League nominated Nurun Nabi Chowdhury Saon for contesting this by-election.

Mr. Jashim Uddin contested the general election violating an electoral law that bars a retired army officer from running in a general election before expiration of the proper waiting period.

Bangladesh electoral law stipulates that none can contest the national election within three years from the date of retirement and within five years after forced retirement from any public office. Mr. Jashimuddin was forced to retire from the army on Aug 31 2006, and contested the

general election in December 2008.

Fact Sheet
Bhola-3 By-Election, Constituency No-117

Date of By-Election	: 24 April 2010
Last date of submission of nomination paper	: 29 March 2010
Scrutiny date of Nomination paper	: 31 March 2010
Last date of withdrawal	: 8 April 2010
Number of Upazila	: 2 (Lalmohan and Tojumuddin)
Number of Union	: 16
Number of Municipality	: 1(Lalmohan)
Total Candidates	: 2
Total Voters	: 234928
Male Voters	: 114880
Female Voters	: 120048
Total Polling Center	: 86
Total Polling Booth	: 547
Presiding Officers	: 86
Polling Officers	: 1094
Number of Risky Centre	: 37 (Lalmohan-19 & Tojumuddin-18)
Name of Returning Officer	: Nurunzzaman Talukder

Fact Sheet

Election Results of Bhola-3 Constituency

Result of 2010 by-Election			
Name of Candidate	Name Of Party	Symbol	Vote
Nur-Nabi Chowdhury Shawon	Bangladesh Awami league	Nouka	93,209
Major (Rtd) Hafizuddin	Bangladesh Nationalist Party (BNP)	Dhaner Shish	41,489
Result of 2008 National Election			
Name of Candidate	Party	Symbol	Vote
Major (Rtd) Jashim Uddin	Bangladesh Awami league	Nouka	96,034
Major (Rtd) Hafizuddin	Bangladesh Nationalist Party (BNP)	Dhaner Shish	83,123
Result of 2001 National Election			
Name of Candidate	Party	Symbol	Vote
Major (Rtd) Hafizuddin	Bangladesh Nationalist Party (BNP)	Dhaner Shish	98,656
Tofail Ahmed	Bangladesh Awami league	Nouka	52,489
Result of 1996 National Election			
Name of Candidate	Party	Symbol	Vote
Major (Rtd) Hafizuddin	Bangladesh Nationalist Party (BNP)	Dhaner Shish	70,843
Principal Nazrul Islam	Bangladesh Awami league	Nouka	44,007

Pre-Election Monitoring

A group of election observer's consisting five members monitored the pre-election situation, based on the pre-election monitoring form designed by Democracywatch election monitoring team. Their observations were as follows:

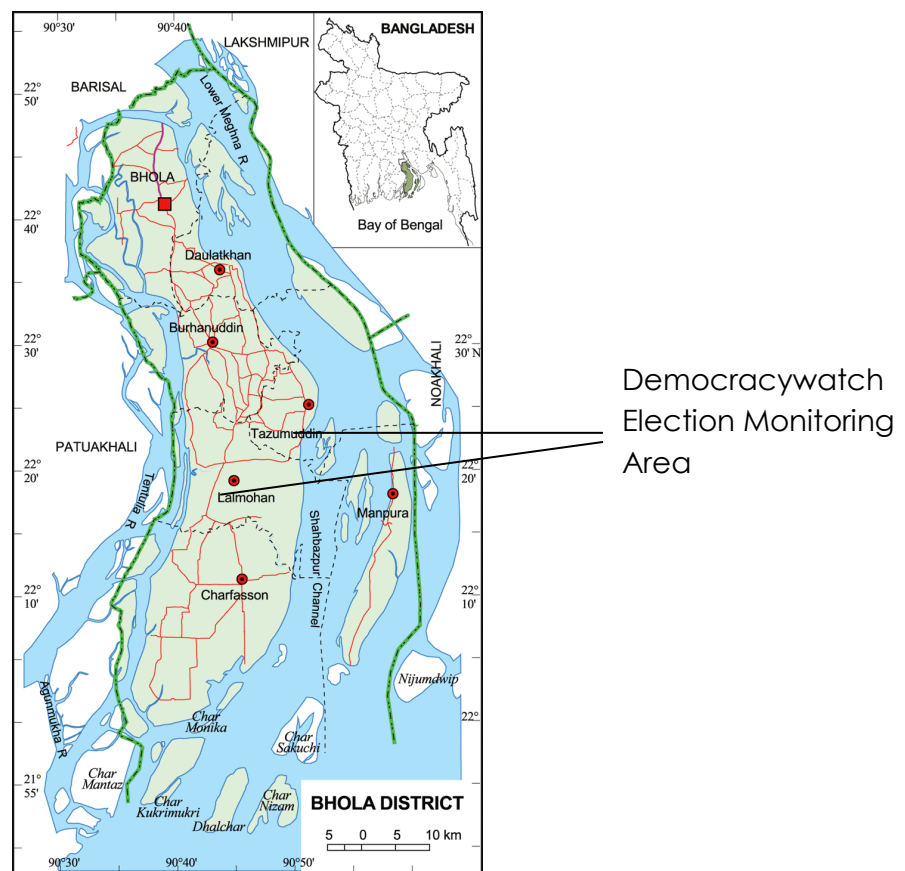
- Voters in Bhola-3 By-election were in dilemma whether the election scheduled for April 24 would be fair or not in view of violence and presence of outsiders in the area.
- The situation was not so disturbing in the past week although political leaders were engaged in mud-slinging.
- The candidates were conducting their campaigns centering Lalmohan Alia Madrasha ground and none of them was using government building like circuit house and government rest house.
- The government officials were not participating in any campaign in favor of any political parties or any candidate.

Voters in the constituency told Democracywatch observers that intensified vigilance by law enforcement agencies presence of local and foreign observers, restraint behavior of political leaders and free flow of information would help wipe out their dilemma over holding of a free and fair election in Bhola-3 constituency. (Annexed pre-election monitoring checklist of Democracywatch)

Area Coverage of Democracywatch

Democracywatch team covered 1 union of Tojumuddin and 4 unions and 1 municipality of Lalmohan Upazilla. Two teams observed 30 polling centers in total (See list of polling station monitored by DW) Annex-1).

The name of the union observed by Democracywatch is Chandpur Union of Tojumuddin Upazilla and Bodorpur, Dholigourinogor, Lalmohan and Farhasganj Union and Lalmohan municipality of Lalmohan Upazilla.



Democracywatch monitoring report on Election Day

Democracywatch, a leading election monitoring organization in Bangladesh monitored Bhola-3 by-election on 24th April on a mobile basis. The organization monitored polling in 30 of 86 polling centers with three mobile teams comprised of eight trained observers. According to Democracywatch observers Bhola-3 by-election had been marred by violence, intimidation, lack of management and poor turnout of voters. The participation of general voters in this election was not enthusiastic.



Voter's participation

According to observers report Voter turnout at the polling stations was around 55 percent in this by-election. The general voters were not very enthusiastic. At 9:05 only 5 women voters were seen at Ponchopalli High School center. There were only 10 women voters seen in front of booth number 5 at same polling station. DW observers didn't find any male voter at Dr. Azharuddin School and College at 11:00 am. During this time only 3 to 4 women voters were seen at this polling station. Lalmohan High School had 11 booths, but few voters were seen at 11:30 am. Same scenario was found at Lalmohon Islamia Kamil Madrasah and Daori Hat High School. In Golokpur government high school, Same scenario was also found at Chandpur Government Primary School. But at Chandpur Government High School Center Democracywatch observer found good turnout of voters at 11:00 am.



Some Management Deficiencies

Democracywatch observers observed since mismanagement in almost all polling stations observed.

- Three polling booths were set up in one small room at Fulkuri Regi Primary School, so voters faced difficulties to cast their vote in privacy.
- Same situation was found at Aralia Government Primary School. There was only one door for entrance so voters faced difficulties to cast their vote.
- In Keyamullah Government Primary School, four booths were set up in one small room which was causing confusing
- In Aralia Government School, in one booth, women and male voters cast their vote in same line
- There were insufficient light in all the polling stations.
- A polling officer himself complained in Lalmohon Public Library and Women's College that polling is being slow due to mismanagement of election officials
- The management of secret polling booth had some lacking in different polling centers

Absence of polling agent

In some polling centers the polling agents of the BNP candidate were not found. The centers are Lalomohon Public Library and annexed Women College (booth- 5 & 6), Daori Hat High School (booth no-6), Lalmohon Islamia Kamil Madrasha (Booth no-5). One polling agent of Awami League put undue influence on voters in Keyamullah Cyclone Center.

Incidences of Intimidation

At Fulkuri Regi Primary School, Rasheda Begum, Kohinoor, Jannat and a group of women voters in Fulkuri Regi Primary School, complained that they were intimidated by others during polling day. At Fazilatunnesa Government Girls High School Center, A women voter was forced to

leave from the voters queue by a local AL leader.

Election Material

The Election material (i.e. Ballot Paper, Ballot Box, Stamp and pad, Ink, pen etc) was adequate in all polling centers. But some voters remarked that the quality of indelible ink was not up to the mark.

Electoral Violence during the day

In polling station Atalia Government Primary School under Tojumuddin Upazilla, Chief election coordinator of BNP candidate Amanullah Aman tried to enter into the polling station at 11:30 am, at that time local AL leader obstructed him and a tense situation occurred for a few minutes. After that police came and resolved the dispute.

Democracywatch has seen at least three injured supporters of the BNP candidate were taken by Rickshaw and Vans in front of Kishorganj Government Primary School and Dourihat Primary School Center.

A number of other incidents happened where at least 21 people were injured due to clashes. Meanwhile The Election Commission suspended polling at nine centers because of allegations that ballot boxes had been stuffed and other anomalies.

The nine centers where voting was suspended are Lalmohan Public Library and its adjacent Mohila College, Doctor Azhar Uddin Registered Primary School, Vedurua Shirajia Senior Madrasa, Satani Government Primary and Secondary School, Kishorganj Government Primary School, Moheskhali Ashrafia Government Primary School, Lord Harding Fazil

Madrasa, Uttar Annoda Prasad Government Primary School, and Syedabad Forkania Madrasa.

Performance of Law Enforcing Agency

The performance of law enforcing agency was satisfactory. Adequate police, battalion Ansar and VDP were assigned in all the polling centers. In addition Police, RAB and Magistrate were seen on mobile duty in the polling area.

Post Election Monitoring

A group of Democracywatch observers also monitored post election period. The DW observers talked to BNP candidate Major (ret) Hafizuddin Ahmed after the Election Day. The objective of the conversation was to determine the position of losing party. Mr. Hafiz alleged that present government has a deep rooted plan to eliminate BNP's support in this area within next three years. Most of the BNP supporters in this area received direct threat from local AL activists. He alleged that the terrorist of AL were even involved in heinous crime like rape.

Post Election Clashes -1

On 24 April at 2:00 am, AL terrorists Siraj (30), Saiful (35), Sohag (25) and Abdul (30) entered into the house of Sapu, a supporter of BNP and violated Beauty Begum and Shahnaj Begum –Sapus mother and daughter. He alleged that the terrorist also looted money and belongings from his house.

But MP Nurun Nabi Saon along with local Upazilla chairman and police came to his house and requested him to file a case against the so called AL terrorists. Mr. Sapu filed a case (Case number-7, dated 26.04.2010) on 26 April, 2010 at Lalmohan Police station. Still the terrorist put pressure on them to withdraw the case. The police officer of Lalmohon Upazilla told our observers that they are trying to find out the miscreants.

Post Election Clashes-2

In Moheskhali village of Forasang union a group of AL activists attacked at least five people in the same family. The name of the injured supporters of BNP are Sultan Ahmed (70), Abul Kasem (45),

Yanur Begum (40), Masud (30) and Hafez.

Post Election Clashes-3

On 24 April, AL terrorist entered in to the house of Nannu Member and looted belonging, they also burnt his fishnet. Nannu is an activist of BNP.

However after the election the situation of Bhola-3 is because normal.

Conclusion

In conclusion Bhola-3 By-election was held amidst high tension created by intermittent

Clashes and mistrust between the two candidates of the major political parties.

Lack of enthusiasm among the electorate was noticeable. In spite of this Bhola-3 election was accepted by the Bangladesh Election Commission to free and fair.

Some Recommendation by Democracywatch towards free and fair election

1. Different observers groups monitoring the election at this moment. But EC doesn't provide any provision in law to protect them on the eve of election monitoring. Democracywatch strongly recommend enacting a law to promote safe and secured election monitoring activity.
2. Democracywatch feels that Comprehensive training should be provided for election officials.
3. Lack of voter education seen in almost all the polling centres. NGO and other concerned group should come forward to work in this regard.
4. Comprehensive training is needed for election observers.
5. Democracywatch strongly suggest that the number of polling booths for women should be increased as they take longer to cast their voter which create long queues.
6. The election officials, members of the law enforcing agencies related to electoral process could not cast their votes. EC should take this matter into their consideration.

Annex-1 List of polling station monitored by DW

Constituency	Name of Upazila	Name of UP	Name of Center
Bhola -3	Lalmohon	Lalmohon Municipality	1. Lalmohon Near Public Library Girls college (Lalmohon)
			2. Lalmohon Near Public Library Girls college (Meherganj)
			3. Lalmohon Boys High School (Mahergonj)
			4. Lalmohon Boys High School (Munshir Haola)
			5. Lalmohon Islamia Kamil Madrassa (Mahergonj)
			6. Lalmohon Islamia Kamil Madrassa (Peshkar Haola)
		Badarpur UP	7. Bogirchar Reg. primary School
			8. Purbo Chartitia Harli Bari Madrassa
			9. Pashchim Chartitia Gov.Praumary School
			10. Dokkhin Chartitia Harli Bari Madrassa
		Dholi NagarUP	11. Vaduria Sherazia Senior Madrassa
			12. Dholigouri nagar High School
			13. Purbo Dholigouri nagar Reg. Praimary School
		Kalma UP	14. DaourHat High School
			15. Dhakhin Kalma Gov. Primary School
			16. Dr. AzharUddin Reg. Primary School
		Lalmohon UP	17. 2 lalmohon Gov. Primary School
			18. Fulbagicha Gov. Primary School
			19. Fulbagicha High School
		Forashgonj UP	20. Kishorganj Gov. Primary School
			21. Dr AzharUddin School & College

	Tojumuddin	Chadpur UP	22. Moddho Chadpur Gov. Primary School
			23. Fulkuri Reg. Primary School
			24. Fazilatinnasa Gov. Girls School
			25. Chadpur Gov. High School
			26. Dasher Hat Vobani Reg. Primary School
			27. Aralia Gov. primary School
			28. Keyamullah Redcriscent Cyclone center
			29. Pancho Palli High School
		Shamvhu Pur UP	30. Badlipur Gov. primary School