



# 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 on the Election Day and another 5 observers to monitor pre and post election situation of Bhola-3 By-election.

### **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 election fraud, manipulation and irregularities
3. Ensure free, fair and meaningful election

### **Organizational structure of election monitoring**

Democracywatch is a non-partisan and credible organization at all levels. The election observation network involved a 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.

## Bhola-3 By-election: A brief overview

The By-Election of Bhola-3 constituency amid high tension and tight security generated much hot in the country's politics since the by-election appeared to be a crucial test for the Election Commission as well as the 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, in the wake 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.

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

It should be mentionable that The Supreme Court recently upheld a High Court ruling that declared Jashim' Uddin Ahmed's candidacy (Former MP of Bhola-3) unlawful following a petition by his closest rival in the election, Hafizuddin Ahmed.

Jashim contested the general election violating a restriction 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. Jashimuddin was forced to retire from the army on Aug 31 2006, and contested the general election in December 2008.

## **Democracywatch 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)

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

## Pre-Election Monitoring

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. A group of Democracywatch observers monitored the pre-election scenario of Bhola-3 By-election.

The Democracywatch observers said that the situation was not so disturbing in the past week although political leaders were engaged in mud-slinging.

It said both the candidates were conducting their campaigns centering Lalmohan Alia Madrasha ground and none of them was using government installations like circuit house and government rest house.

It also observed that 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.

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.

## Democracywatch monitoring report on Election Day

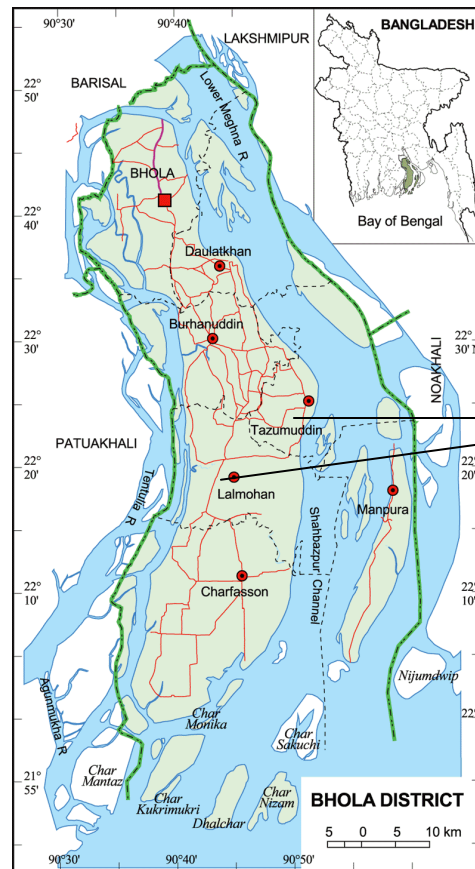
Democracywatch, a leading election monitoring organization in Bangladesh monitored Bhola-3 by-election on 24<sup>th</sup> April on a mobile basis. The organization monitored voting in 30 of 86 polling centers with three mobile teams comprised of eight trained observers. According to Democracywatch observers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



## Area Coverage

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  
Election Monitoring  
Area



## 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. Only 5 women voters were seen at Ponchopolli High School center at 9:05 am during the polling day. 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, Democracywatch observers seen similar at that time. Same scenario was also found at Chandpur Government Primary School.



## Lack of management of votes

Democracywatch observers observed mismanagement in almost all polling stations. 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. On the other hand in Keyamullah Government Primary School, four booths were set up in one small room. In Aralia Governemnt School, in one booth, women and male voters cast their vote in same line. There were insufficient light in all the polling stations. The management of secret polling booths was not good at all. A polling officer himself complained in Lalmohon Public Library and Women's College that polling is being slow due to mismanagement of votes.

## **Absence of polling agent**

In some voting 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 put undue influence on voters in Keyamullah Cyclone Center.

## **Intimidation**

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. A women voter was forced to leave from the voters queue at Fazilatunnesa Government Girls High School Center by a local AL leader.

## **Election Material**

The Election material was adequate in all polling centers. But the quality of indelible ink was not up to the mark-according to voters.

## **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 cerotic situation occurred for a few minutes. After that police came and resolve the dispute.

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

There are number of incidents happened where at least 21 people were injured due to different clashes.

## **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 phase. The DW observers talked to BNP candidate Major (ret) Hafizuddin Ahmed after the Election Day. The objective of the conversation was to determine the present position of loosing party. Mr. Hafiz alleged that present government has a deep rooted plan to eliminate BNP's support in this area within next three years. At present most of the BNP supporters in this area received threat directly or from unknown mobile on a regular basis. He alleged that the terrorist of AL 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 gave 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 Forasong union a group of AL activists packed down 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 being normal now.

## Some Recommendation by Democracywatch to hold free and fair election in the future

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 recommended enacting this law for well-built election monitoring.
2. Democracywatch feels that Comprehensive training should be provided for election officials.

3. Lack of voter education seen in almost all the polling centre's. NGO and other concerned group should come forward to work in this regard.
4. Comprehensive training should be needed for election observers.
5. Democracywatch strongly suggest that the number of polling booths for women should be increased.
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**

<b>Constituency</b>	<b>Name of Upazila</b>	<b>Name of UP</b>	<b>Name of Center</b>
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 Redcrisent Cyclone center
			29. Pancho Palli High School
		Shamvhu Pur UP	30. Badlipur Gov.primary School