



# **12<sup>th</sup> National Parliament Election Process Tracking**

## **Executive Summary**

**17 January 2024**

## 12<sup>th</sup> National Parliament Election Process Tracking

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## Background and Rationale of the Study

- A free, fair, and impartial for all, transparent, participatory and competitive with level playing field for election is a prerequisite for an effectively functional parliamentary democratic system.
- The government and political parties have undertaken various institutional and political reforms since the 1990s to hold acceptable elections.
- To make the electoral system more participatory and robust, amendments of relevant laws, including the reform of the Election Commission, had been taken place from time to time.
- Irregularities, violations of election code of conducts and the controversial role of stakeholders in conducting previous parliamentary elections have led to various challenges in organising acceptable elections to all. (TIB 2007, 2009, 2018)
- There were various challenges in creating an environment for elections, including ensuring the participation of opposition parties in the national elections.
- Public concerns about the election due to weaknesses in the electoral system, including repeated controversial amendments to the Representation of the People's Order (RPO), controversy over the registration of political parties and observers.
- As part of continuation of previous studies on the election commission and electoral system, TIB conducted the study.
- There is a research need to track the 12<sup>th</sup> National Parliament election process, including the participation of major political parties, assessing the role of relevant stakeholders, the compliance to the laws and election code of conducts by the contesting candidates.

## Main Objective of the Study

To track the extent to which the electoral process of the 12<sup>th</sup> National Parliament Election is free, fair, and impartial for all, transparent, participatory and competitive with level playing field.

### Specific Objectives

- To assess the role of key stakeholders in ensuring free, fair, and impartial for all, transparent, participatory and competitive with level playing field for the candidates
- To review the compliance of election laws and code of conducts by the participants in the electoral process; and
- To analyse the election campaign expenses of the candidates participating in the elections.

## Methods, Data Source and Sampling

- A mixed method approach is applied where both qualitative and quantitative data and information is collected and analysed
- Data is collected from both primary and secondary sources.

**Source of primary data:** The data is collected on the election-related activities of the candidates contesting for the parliamentary seats within the selected constituencies of the study.

**Key Informant Interview (KII):** Candidates, political party activists, law enforcers, returning officers and other election officials including Electoral Tribunal Officials, local journalists, election observers, and voters in the sample constituencies

- Survey on electoral experience of civil society representatives in the sample constituency

#### **Selection of sample constituencies**

- Randomly selected 50 constituencies out of 300. Data is collected on three leading competing candidates and related stakeholders in each selected constituency.

**Secondary data sources:** Analysis of relevant laws and regulations, research reports, news reports, and articles published in newspapers and websites

**Tracking of Print Media:** Compilation of data and information from two highest circulated Bangla and English newspapers

**Tracking Prime News of Television:** Tracking news broadcasted in prime time (8 pm) of the state-owned channel BTV, and two other private television channels, considering the highest number of followers in social media.

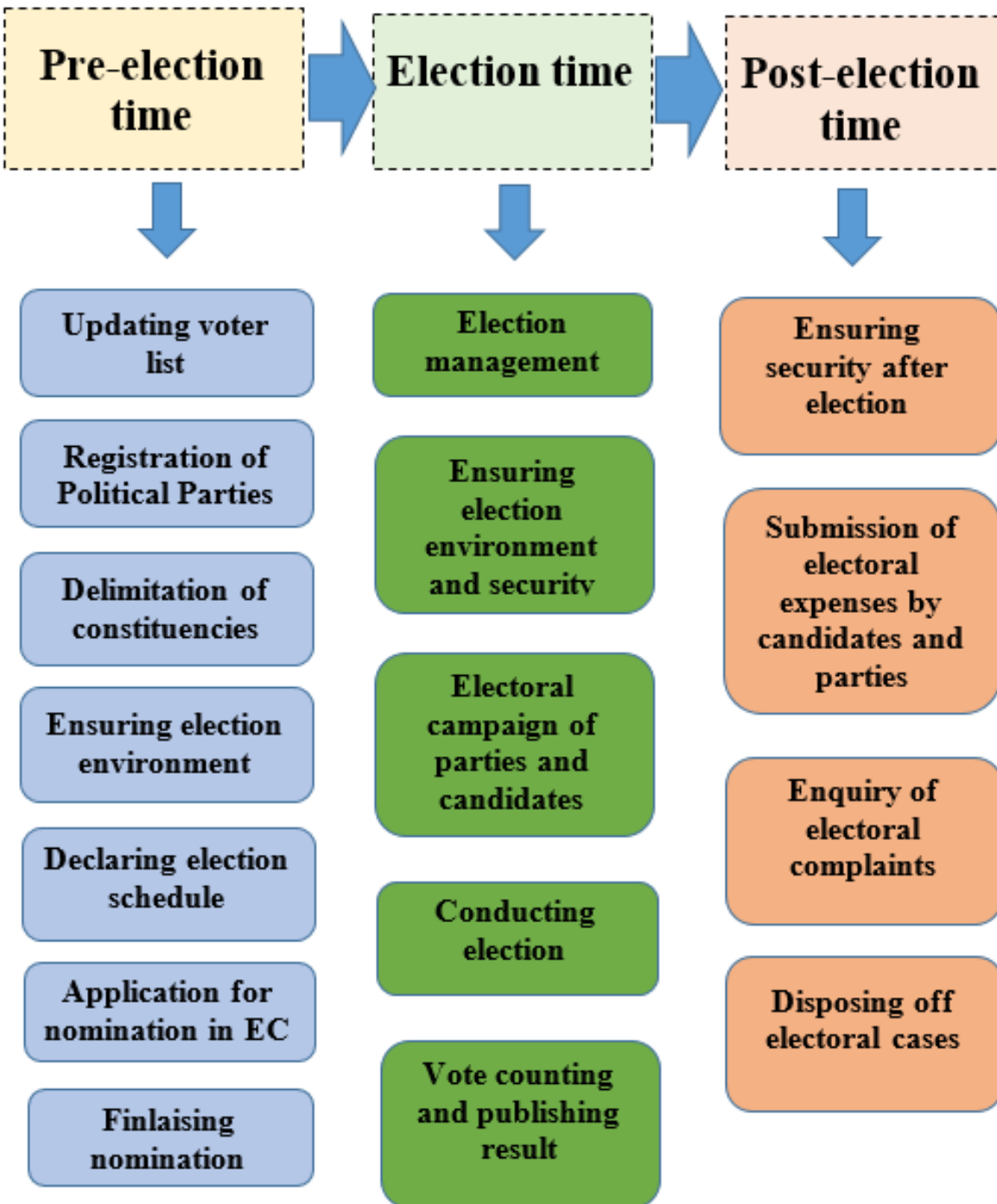
#### **Scope of the Study**

- Observation and analysis of pre and post-election events (activities of Election Commission, political parties and other stakeholders in election-related affairs)
- Collection and analysis of data on the conduct and roles of political parties and candidates since the announcement of the schedule of the 12th Parliamentary Election
- Observation and analysis of the post-election events for one month until the submission of the election expenditure returns of the candidates (ongoing).

#### **Study Period**

Field level data collection, analysis and drafting of the research report is completed during June 2023 to January 2024.

## Date Analysis Framework



## Post 1991 National Parliamentary Elections: Political Perspective

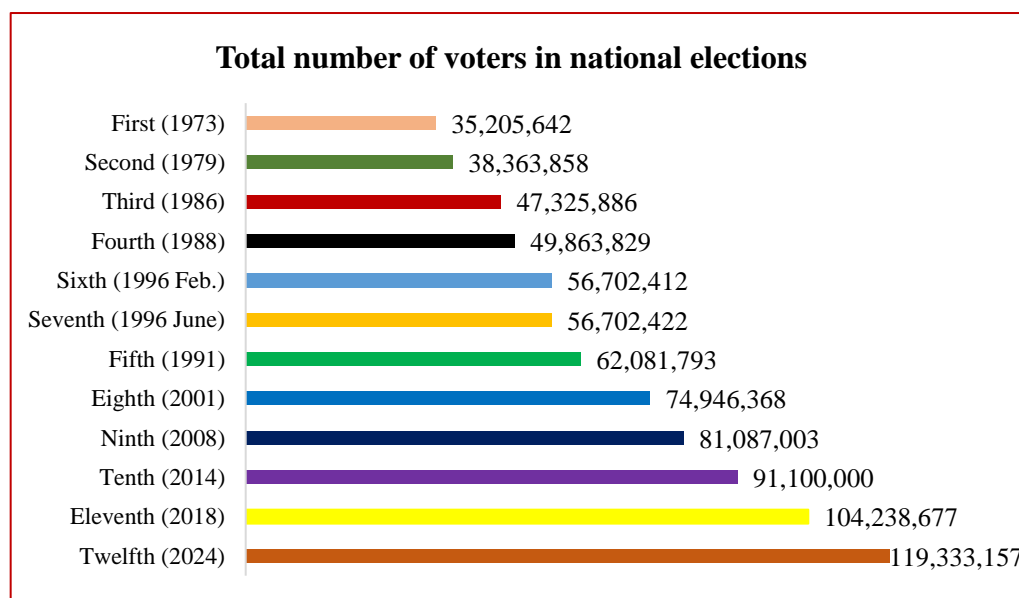
Year	Positions and contradictions of the main political parties on the electoral system
1996	Awami League's movement to include the caretaker government system in the Constitution; Sixth National Election held despite opposition by Awami League; inclusion of Caretaker Government System by BNP-led government through Thirteenth Amendment of Constitution; the last retired Chief Justice was made the head of the caretaker government for holding Seventh National Election
2001	BNP-led Government amended constitution with the intension to get party-loyal head of caretaker government and increased the service age of judges of the Supreme Court; Awami League's started movement against the amendment; political crisis in 2006, including questionable voter list
2007-2008	President was appointed as the head of caretaker government during political crisis and subsequently resigned in the face of strong opposition; A military-backed caretaker government was formed and was in power for two years; reform of electoral system, preparation of voter list with photograph; initiation of dialogues by Election Commission with political parties; elections in 2008 with the participation of all political parties
2011	Question about the cartaker government system; Initiatives taken by Awami League led-government to annul caretaker government system mentioning conflict with the constitution; Repeal of the Thirteenth Amendment relating to caretaker government from constitution; Provision for holding parliamentary elections under a party-led government within 90 days before the expiry of the incumbent parliament; counter stance from opposition political parties, including BNP.

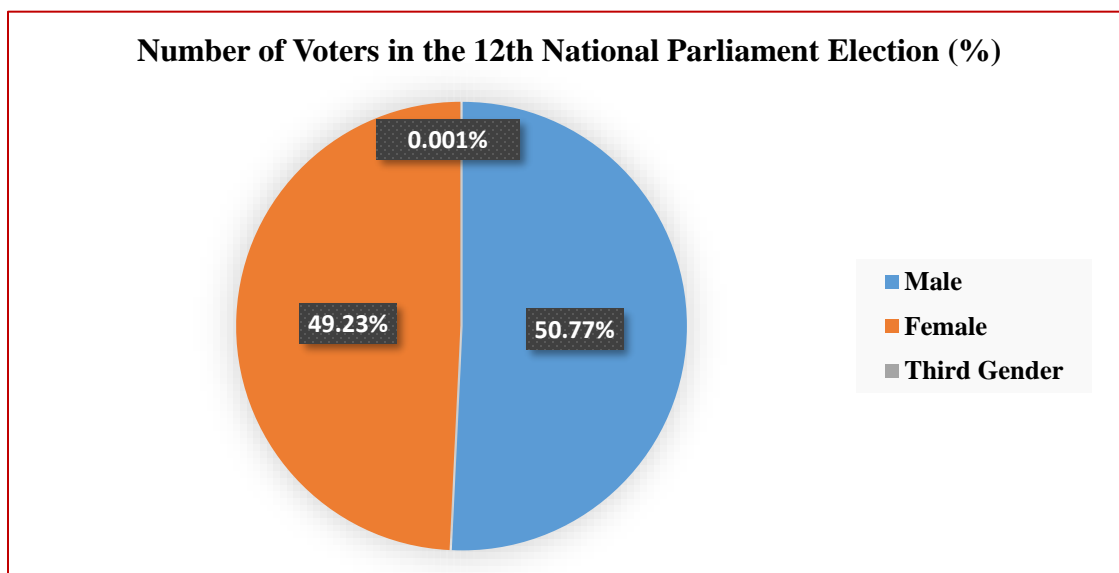
Position of the main political parties on electoral system, and role of the Election Commission			
Year	BNP	Awami League	Election Commission
2014	Movement demanding election under a neutral and non-partisan caretaker government; Declare not to participate in elections under the political party-led government; boycott of election; Nationwide strike-blockade-violence	Formation of interim government led by the head of the Government, and Election under Awami League-led government without participation of main opposition; won in 153 constituencies without voting	No arrangment of dialogue; taking supportive position of the ruling party; holding elections amidst strike-blockade-violence; failure to hold participatory and competitive election; no opposition party in election
2018	Participated in Election under the Awami League-led government; won 6 seats; No confidence on the Election Commission and declaration of not	Position to hold the election under the political party-led goverment to adhere with the constitutional obligation; Election	Organising dialogues and brought major opposition parties to the election; RPO amendments and controversy on the use of Electronic voting machines (EVMs); Failure to ensure the level playing field for all parties; Allegations of

Year	BNP	Awami League	Election Commission
	attending any election under the commission	victory and government formation	irregularities, vote rigging and ballot box stuffing at night before the polling day
2024	Position taken to participate in dialogue and election if only the government resigns, forms a neutral caretaker government and agrees to hold election under a non-partisan government	No compromise and no dialogue with political opponents; taking stance to organise election under Awami League-led government; allowing independent candidates in all constituencies from own party in addition to party nominated candidates	Holding dialogues with political parties without any agenda-rejection of 18 parties to attend the dialogue, including BNP; Taking a supportive position by the election commission saying that the commission has nothing to do to bring the opposition to the election, which includes not proposing constitutional changes to government for possible law reforms to ensure a neutral and conflict-free role of the Election Commission and election time government during the election period

## Pre-election Time: Role of Election Commission

- On May 19, 2022, work on updating the voter list began; according to the latest voter list, the total number of voters across the country is 11 Crore 93 lakh 33 thousand 157
  - an increase of 1 crore 54 lakh 52 thousand 956 voters in five years
  - Controversy on the increasing percentage of voters by two-times compared to 11<sup>th</sup> National Election





## Pre-election Time: Role of Election Commission

### Re-demarcating the constituencies

- The boundaries were re-demarcated before the last three national elections starting from 2018, considering population density. However, the boundaries of most constituencies were kept unchanged considering administrative and geographical integrity before the 12<sup>th</sup> Parliamentary Election.

National Elections	Considerations in re-demarcating the constituencies	Number of re-demarcated Constituencies
<b>Ninth</b>	Population density	133
<b>Tenth</b>	Population density	40
<b>Eleventh</b>	Population density	25
<b>Twelfth</b>	Administrative and Geographical Integrity	10

- To resolve complications, the Election Commission was given unimpeded power to determine the boundaries of constituencies through passing the ‘Delimitation of Constituencies Bill in 2021- no opportunity to question the demarcation related matters before court or any other authority in the country
- 198 constituencies were re-demarcated in the last three national elections, creating political controversy followed by lawsuits and legal complications by local people
- 186 applications (60 to upheld and 126 with objections) came to the Election Commission against its proposal to re-demarcating 38 constituencies in 2023- finally re-demarcated only 10 constituencies controversially, leaving a large difference in population across the constituencies



- According to internationally accepted guidelines, the criterion for demarcation is 5 percent more or less of the average population of a district. However, the demarcation is done in Bangladesh keeping it 26 to 88 percent. Consequently, some constituencies can represent a large population (more than 8 lakhs) by MPs, while other constituencies in the same district have smaller populations (3 lakhs) represented by MPs
- Due to the large population gap, there are complications in constituency-wise electoral expenditure and other activities.

### **Registration of New Political Parties**

- Applications for registration of new political parties were invited in May 2022; 93 political parties applied for registration. Out of them, 18 applications were recommended for cancellation, and 2 were withdrawn; 77 parties were given 15 days' notice to submit detailed documents. Primarily, 12 parties were selected. 10 parties were not given registration based on invalid field level information.
- Registration of 2 new political parties- known as "King's Party"- are given in favour of Bangladesh Nationalist Movement (BNM) and Bangladesh Supreme Party (BSP)
  - Questions raised about the eligibility and fulfilment of the registration conditions
  - Allegedly inadequate field-level information is collected for verification, while the parties do not have local offices
  - On the other hand, there are allegations of not providing registration to some political parties despite meeting the registration conditions. Questions raised about the commission's impartiality regarding the registration of new political parties.

### **Build Confidences on Election Commission**

- Announcement of roadmap for the 12<sup>th</sup> National Parliament Elections by the Election Commission on September 14, 2022 – a total 14 challenges were identified to organise a free, fair and participatory election
- Commissions proposal to amend the RPO on the grounds of making the Act more explicit; taking position in favor of the government's decision despite curtailing the commissions power
  - The amendment of section 91 of RPO replacing the word “elections” with “polls”
  - Addition of new sub-section under section 91 (inclusion of sub-section curtailing the power of election commission to suspend or cancel the results of the entire constituencies)
  - Losing the power to suspend or cancel the full results of a particular constituencies and retaining only the power to cancel the vote of the concerned center on the ground of irregularity
  - Increasing the opportunity of participation of bill and loan defaulters in the election; allowing candidates to submit copies of bank loan and service bill payments till the day before the submission of nomination papers and encouraging bill and loan defaulters to participate in the election

- Not using the power or mandate of Article 126 of the Constitution to resolve the political crisis given to the Commission to make elections participatory and fair
  - Playing inactive role in arrest, remand, denial of bail etc. in new and old political cases against opposition party leaders and workers
  - Sending invitation letter in locked central office of BNP for dialogue before the announcement of election schedule
- Providing controversial, self-contradictory, alike statement of ruling party and evasive statements by Election Commission and Commission officials
  - “Election environment does not prevail, however holding the elections for constitutional obligation”
  - “The pressure stemming from 2014 and 2018 election is on EC”
  - “Arrest polling agents 6 months before or after election”
  - “Receiving all kinds of help from the government for fair elections” "Participation of voter means participatory" “the election will be legally valid if one percent vote is casted”
- Initiation of campaign three weeks before the authorised campaign period breaching the electoral code of conduct by the ruling political party
  - Holding rallies by potential candidates, showdowns, meetings and use posters-banners before the authorised campaign period; no effective action taken by election commission. Evading responsibility by Election Commission stating that "those who violated electoral code of conduct are not final candidates"

*‘If the potential polling agents are arrested after giving the list to the Election Commission, then it would be understood that it is done for a special purpose..... We will repeatedly tell the government that if they have to arrest the polling agents, arrest them six months before the election or after it.’ - Chief Election Commissioner regarding the arrest of political leaders of the opposition party*

### **Reluctance to consider the recommendations received in the dialogue**

- Initiating no measures or playing no roles by commission to put forward the agenda, related to constitutional changes, for discussion with political parties to ensure the participation of all political parties in the election
- Sending 17 articles related to the RPO to the Law Ministry for amendment by the commission chief on its own initiative. Not including and forwarding the political and constitution-related recommendations received during the dialogue with political parties and eminent citizens
- According to Article 126 of the Constitution, all executive authorities are advised to assist the commission related to election issues- initiating no formal process by Election Commission informing government about the necessary political and constitutional reforms
- Organising dialogues with political parties without a specific agenda - boycotting dialogues by 18 political parties, including BNP

- Lack of significant steps by the commission to ensure the participation of political parties that boycotted the election dialogues - no action by the commission to discuss issues on bringing the neutral election time government, taking ministries under the commission jurisdiction during election period, stopping political harassment cases against the opposition leaders, installation of cameras in polling stations, and so on.
- Allegations of not implementing the decision to install CC cameras in polling booths under the pressure of ruling party MPs
- The Commission's controversial and counter stance on the use and purchase of EVMs in national elections
- Disregarding suggestions and recommendations made in dialogue with prominent citizens

### **Election Observers' Registration**

- Lack of transparency in registration process
- Registration of 96 national organisations for observing 12<sup>th</sup> National Parliamentary Election- not verifying the experience of most observers
- Enlisting organisations with no observer experience and enlisting organisations of individual associated with partisan politics
- Controversy on the qualification of foreign observers; evading responsibility by Commission claiming that the Ministry of Foreign Affairs is responsible for checking the observers' credential.

### **Ensuring the Presence of Foreign Observer**

- Failed to ensure the presence of foreign observers from the maximum number of countries and organisations
- Only 9 countries decided to send official observers
- Not sending full observer team by the European Union due to the ambiguity in fulfilling the necessary terms and election conditions, based on the recommendation of the pre-election observation team
- Decision by a number of countries, including the United Nations, the United States, the United Kingdom and Canada not to send observers officially

National Elections	Number of Local Election Observer Organisations	Deployed Representatives by the observer Organisations	Total Number of Foreign Observers
2001 (Eighth)	69	2,18,000	225
2008 (Ninth)	138 (observed by 75 observer organisations)	1,59,113	593
2014 (Tenth)*	-	-	-
2018 (Eleventh)	81	25,900	169
2024 (Twelfth)	96 (observed by 84 observer organisations)	20773	127

### Pre-Election Period: Role of Ruling Party

- Adopting strategies to create obstacles in political activities of opposition parties to keep away them from election
- Providing various conditions in meetings and gathering, arrest opposition leaders and workers and filing cases to politically harassment
- Accelerating juridical process by holding nighttime hearings in the court and rushing to finish trials of cases against opposition members before the election
- According to BNP's complaint, 1 lakh 38 thousand 71 cases against leaders and activists till July 2023; 40 lakhs accused, and 27 thousand leaders and activists arrested from July-December 2023, 11 thousand cases and 98 thousand 953 accused
- Allegation of arresting and sentencing the potential election candidates cum leaders from opposition party in new and old cases using the state institutions before the announcement of the election schedule
- Information related to tactics used to bring opposition party leaders to election by applying pressure and offering release from prison

### Pre-election Period: Role of Other Stakeholders and Political Parties

#### Creation of New Political Parties

- Formation of new parties to demonstrate participatory elections; forming new parties under the leadership of leaders splitted from opposition party, and allowing some small parties to participate in elections
- Alleged formation of two new parties ('King's Party') with the help of the government with the leaders and workers of the opposition parties boycotting the elections
- After the announcement of the schedule, the small-scale headquarters of one kind of parties suddenly moved to a large-scale luxury building in the elite area of the capital; Ambiguities and questions regarding the costing and operation of local level temporary offices
- Enticing opposition leaders with financial and other benefits to join newly registered parties, even intimidating and arrest in some of the cases; release of audio, in some cases, tarnishing characters of the leaders refusing to join newly registered parties

- Meeting between ruling party leaders and leaders of newly formed parties and expressing satisfaction by newly formed parties with the government's assistance in the elections
- Lack of own leaders and workers and offering the opportunity of other political parties to participate in the elections by accepting nominations from these two parties
- Boycotting the election by the opposition parties including BNP- announcing a strike-blockade program calling for voters not to go to the polling stations and abstain from voting

#### Pre-Election Period: Announcement of Election Schedule

S.L	Various Stages of 12th Parliamentary Election	Deadline	Number/Parties/Candidates/ Days
1.	Registered political parties participated in the election		29 Parties
2.	Announcement of election schedule	15 November 2023	
3.	Deadline for nomination submission	30 November 2023	2716
4.	Nomination papers scrutiny	1-4 December 2023	
5.	Cancellation of nomination*	"	731
6.	Time for appeals	6-15 December 2023	561
7.	Candidacy returned upon court verdict	"	76
8.	Deadline for withdrawal of nomination and withdrawal	17 December 2023	457
9.	Number of valid nominations	"	1979
10.	Number of candidates nominated by political parties	"	1533
11.	Independent candidate	"	446
12.	Allocation of symbols	18 December 2023	
13.	Time for campaign	18 December 2023 to 5 January 2024	18 Days
14.	Polling day	7 January 2024	

## **Pre-Election Period: Application and Verification**

### **Verification of candidate's affidavit information**

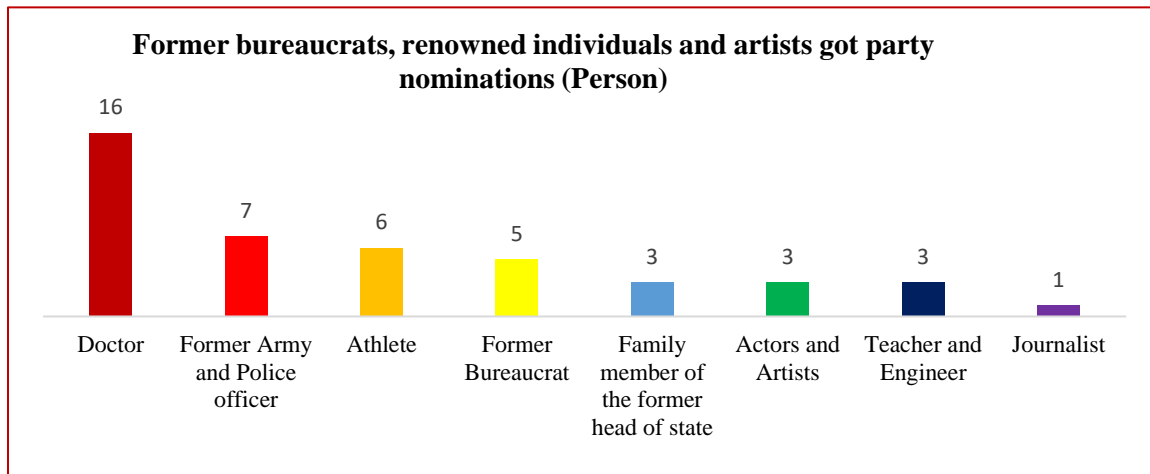
- According to the information given by the candidates in the affidavit in the 12th National Parliamentary Election
  - Number of total valid candidates 1979, of which over 22 percent were independent candidates (446)
  - Significant number of business man (57 percent) and millionaires (164) participated as electoral candidates
  - Abnormal growth in intangible assets of many candidates over a span of 15 years
  - Significant increase in the number of millionaires candidates - 18 candidates who own hundreds of crores of taka
  - A significant majority of the candidate owns land more than the legal limit (33 acres) (maximum 813 acres)
  - About 27 percent of the candidates have debts or liabilities
  - Currently there are cases in the name of 170 candidates
- According to the law, the nomination should be cancelled if wrong or false information is given in the affidavit. Still, the election commission did not properly verify the information provided in the affidavit by the candidates within a short period after submitting the nomination papers.
- EC failed to verify the adequacy of other information, including income-expenditure, assets, debt, and liability statements given in the affidavit of the candidates and the extent to which the income and assets were acquired through legitimate means

### **Reason for Rejecting Nominations**

- The majority of the nominations were rejected in the primary selection phase, and appeals from the rival candidates invalidated a few more
- Causes of rejection included - defaulting on loans and pending bills, filing incomplete nomination papers, concealment of information in affidavits, furnishing of false information, disputes with party committees, false signatures of independent candidates in one percent voter list, dual citizenship etc.

## Pre-Election Period: Nominations

- Party nominations are given to professionals, celebrities, former government officials, and their family members



- Awami League announces a diverse slate of 40 nominees, drawing from a pool of 150 nominations of former government officials, including doctors, army and police officers, bureaucrats, and individuals who previously helmed crucial state responsibilities and their family members, for upcoming elections
  - Former government officials such as doctors, army and police officers, bureaucrats, former state officials, and 150 members of their families have applied for nominations from the Awami League. So far, 40 people have been given party nominations
  - Celebrity cricketers, actors, and artists have been nominated
  - The nomination process based on local-level committee recommendations was not followed. All candidates' nominations had been decided through interviews at the central level
- In the context of the absence and denial of 15 registered parties, including the BNP, to increase voter turnout in the election and show it participatory, competitive, and festive, various strategies were taken by the ruling party
  - Seat sharing and agreement made between the ruling party, Awami League, with the main opposition in the parliament, Jatiya Party, and some coalition parties
    - Strategies taken to keep loyalists in the opposition from independent candidates and contested coalition parties
    - Awami League withdrew its candidates from 32 constituencies, including 26 for the Jatiya Party, by writing an official letter to the Election Commission even though they were not part of the alliance led by Awami League.

▪ **Independent Candidates of Awami League in Each constituency**

- In addition to seat sharing and agreement Awami League's independent candidates are placed in each constituency- By breaking the party's organizational framework and discipline, those deprived of their party's nomination are given the opportunity to participate in the election as independent candidates
- There are more independent candidates than party candidates of Awami League - 269 independent candidates against 266 party candidates
- In addition to seat sharing and agreement, Awami League's independent candidates were placed in each constituency- By breaking the party's organizational framework and discipline, those deprived of their party's nomination can participate in the election as independent candidates
- Candidates of Awami League and Awami League-led alliance antagonized regarding the flexibility of keeping independent candidates from their party in the election- Violence between party nominated and independent candidates during the campaign stage, and people lost their lives

**Election Period: Campaigning and Election Code of Conduct**

▪ **Emphasis on ensuring at least 50 percent voter turnout by the ruling party**

- Those involved in the election duties, including the Ansar VDP members, are instructed to ensure the presence of their family members at the polling stations during the election day

▪ **Threatening cancellation of benefits of public services and social safety net programmes for marginalized and underprivileged people, including the general voters**

- Threatened to omit the names from the list of beneficiaries of allowances under social safety net schemes if they miss attending the electoral meetings and campaigns of the ruling party and vote for a specific symbol
- Local government institutions, Union Parishad, Upazila and City Council officials threatened to stop various services to the people, including blocking electricity, water and gas connections if they do not vote for the designated symbol (Boat)
- Identification of the beneficiaries and seizure of beneficiary cards of food-related safety net programmes
- Threatening opposition party supporters including, BNP, to remove their names from the list of beneficiaries of the social safety net programmes if they miss going polling stations
- Unethical pressure imposed on ordinary voters to go to polling stations and vote



## **Election Period: Campaigning and Electoral Code of Conduct**

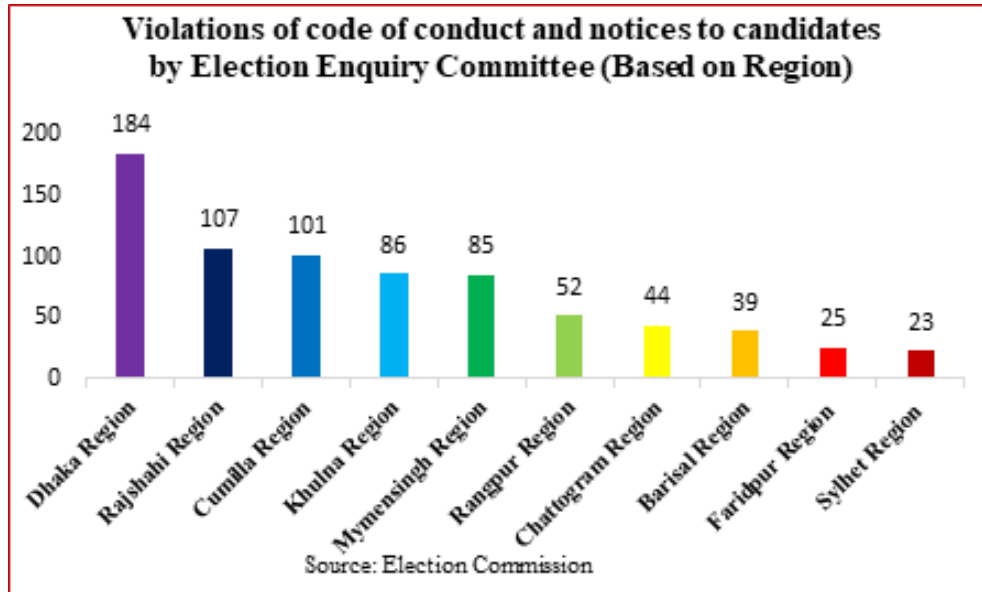
### **Compliance with service rules and electoral code of conduct for government officials**

- Loyalty to the ruling party and partisan activities by government officials, making various comments in support of the ruling party and their candidates; City Corporation Councilors are urged by the police to take initiatives to bring voters to the polling stations
- Participating in campaigns in support of ruling party candidates violating the service rules- Returning officers, polling officers, officers from law and enforcement and administration participating in electoral activities in support of the ruling party candidates and urges for vote
- Direct participation of government officials and employees in the campaign in favor of former bureaucrats and officials who are participating in the elections including ministers, MPs
  - Use of government facilities and resources in elections and campaigns; Dissemination of election news to Public Relations Officers of Ministry on behalf of some Minister
  - At the district-upazila level, the officials and employees of the government offices participated in various activities, including campaigning, sending election related news
- Violation of Government service rules and no disciplinary action by the Ministry for government officials and employees engaging in election activities on behalf of candidates of the ruling party
  - Flexibility of Election Commission in view of violation of election code of conduct
- Subject to the permission of the Commission, the use of transfer opportunities of government employees- transfer of government officials including Deputy Commissioner, appointment of Assistant Upazila/Assistant Thana Election Officer by the Commission

## **Election period: Campaign and Electoral Code of Conduct**

### **Candidate's compliance to Code of Conduct in Election Campaign**

- Violation of various codes of conduct by Ministers, MPs, party nominees and independent candidates - Election campaigning before announcement of schedule, submission of nominations by showdowns, participation in civic receptions, canvassing for votes at street meetings using mike
- Among the Awami League nominees, more code of conduct violations by sitting MPs
  - According to Election Commissions data, issue of 746 show-cause notices by Election Inquiry Committee for alleged violation of code of conduct- among them, 91 Awami League nominated candidates; 52 sitting MPs and Ministers and 153 independents and other candidates.
- The Election Inquiry Committee consisting of Judicial Magistrates has no jurisdiction to inquire into violations of the Code of Conduct - Committee can only make recommendations to the Commission
- Considering the electoral crime, first-class judicial magistrate ran summary trials and settled sixty-one cases by awarding various punishments.



### **Compliance with the election campaign-related code of conduct by the candidates**

- Violence concerning election between Awami League nominees and independent candidates (Awami League) - worker of an independent candidate was hack to death, attacking houses of workers and supporters, firing and burning, attacking on convoys, attacking on camps, resisting campaigning, tearing of posters, vandalism of vehicles - total of three deaths during the election campaigning.
- Shootings and attacking independent candidate along with women candidates and the business institution of the worker of the candidate
- Allegation of using local administration by the member of the Parliament from Awami League party
- Allegations against the police along with the administration for working on behalf of a particular candidate
- Complaints of independent and other candidates and their workers-supporters are ignored; allegation of not accepting the case at the police station

### **Control of money and muscle power**

- Illegal money transactions by candidates in different constituencies, intimidation of journalists and opposing candidates; complaints of illegal money transactions including vote buying in some constituencies by MPs and candidates of the ruling party
- Allegations of lacking level playing field and failure to withstand against money power of the opposition candidate- withdrawal from the election of alliance and independent candidates
- Indifference to curbing illicit money and muscle power and stopping violence; Limited operation in confiscating fire arms

## Use of Information Technology in Election Campaigns

- The campaign of various development activities of the government through SMS on mobile
- Advertisements of the candidature on Facebook and social media along with digital campaign - advertisement of the candidates of some constituencies on Facebook
- Uninterrupted election campaign through social media even after the end of the campaign time
- Use of artificial intelligence (AI) in elections and information for misleading voters through deep fakes – no legal action taken
- RPO does not contain any specific restrictions regarding election campaign in social media along with Facebook and the relevant expenses
- Use of laminated plastic posters - Disobeying special instructions given by the Commission not to use such posters

## Election Phase: Election Management and Expenditure

- A total of 9 lacs 9 thousand 529 personnel from public, private employees and administration and 7 lacs 47 thousand 322 personnel from law enforcement forces are engaged in election management
- 1,455 Executive Magistrates and First-Class Judicial Magistrates and 300 Election Inquiry Committees were responsible for monitoring and managing complaints
- Poll Centre: 42,024 polling centers and 2 lacs 61 thousand 565 polling booths across the country; among them 10,300 centers (24.4%) were found risky (most important)
- Election Expenditure: Although the total budget is Tk 1445 Crores, it has increased to Tk 2276 Crores as reported the media; the expenditure was 700 Crores in 2018, 300 Crore in 2014, 200 Crore in 2008
  - Three-fold increase in cost compared to previous national election - experts opined as "costliest election so far"
  - In the previous elections, officials performing polling duties were given a day's honorarium, whereas in the 12th National Election, polling officers were given two days' honorarium, magistrates and officers of equivalent positions were given five days' honorarium and law enforcement officers were given 13 days' honorarium.
  - There is no clear explanation of spending more than half (54 per cent) of the total election budget on law-and-order enforcement
  - Dissatisfaction among officers over the disparity of honorarium in carrying out electoral duties

## Election Phase: Campaign and Electoral Code of Conduct

- From December 5, 2023, to January 5, 2024, the total time spent on election-related news on BTV at 8 pm is 493 minutes and 27 seconds and the estimated total financial value is 4 crore 44 lakh 10 thousand 500 taka

Person/ Institution	Time spent before the approved election campaign period (5 Dec, 2023 - 17 Dec, 2023)	Time spent during allowed election campaign period (18 Dec 2023 - 5 Jan 2024)	Total time spent	Estimate d* total cost (BDT)	Percentage of estimated total cost (%)
	(1)	(2)	(1+2)		
Prime Minister	17 minutes 55 seconds	89 minutes 25 seconds	107 minutes 20 seconds	96,60,000	21.8
Minister, Road Transport and Bridges Ministry	50 minutes 16 seconds	65 minutes 35 seconds	115 minutes 51 seconds	1,04,26,50 0	23.6
Minister, Ministry of Information and Broadcasting	43 minutes 14 seconds	63 minutes 56 seconds	107 minutes 10 seconds	96,45,000	21.8
Election Commission	9 minutes 48 seconds	33 minutes 51 seconds	43 minutes 39 seconds	39,28,500	8.9
Election Campaign (Other)**	4 minutes 35 seconds	95 minutes 20 seconds	99 minutes 55 seconds	89,92,500	20.3
Other political party related news	1 minute	16 minutes 22 seconds	17 minutes 22 seconds	15,63,500	3.5
<b>Total</b>	<b>122 minutes 27 seconds</b>	<b>371 minutes or 6 hours 11 minutes</b>	<b>493 minutes 27 seconds</b>	<b>4,42,15,50 0</b>	<b>100.0</b>

\* As per Terrestrial Broadcast Advertising Rates published on BTV website, considering per 10 seconds of 'Spot Advertisement' category aired between 'Peak Time' News.

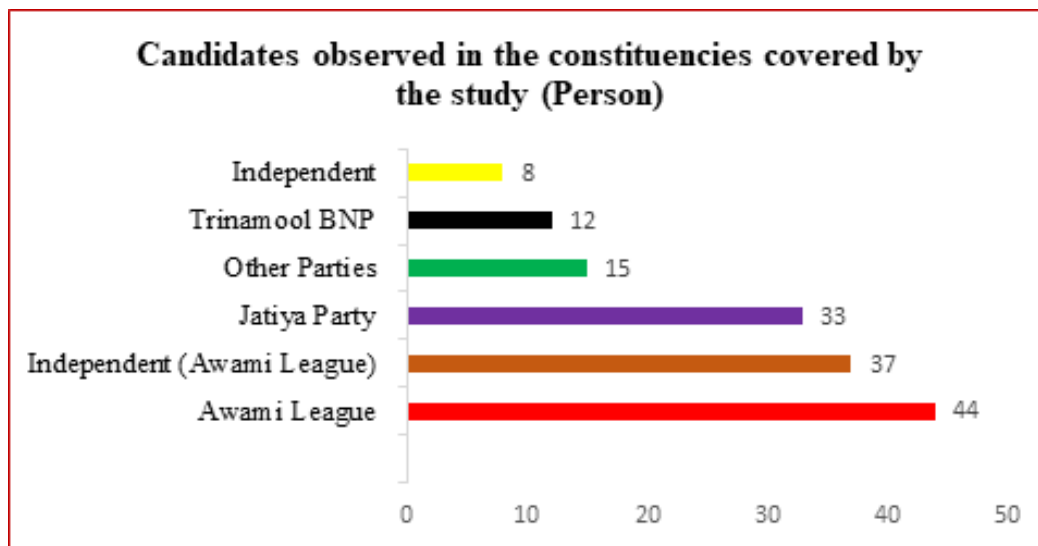
\*\* Awami League candidates got a dominant coverage in campaign footage

- Exclusive use of state-owned broadcasting channel (BTV) by the ruling party in elections**
  - Broadcasting news of the ruling party's campaigns and meetings
  - Widespread media coverage of government development activities within the assigned campaign time limit
  - Dissemination of information of the Election Commission as 'autonomous institution' and its eligibility to hold fair and participatory elections

- **Private Broadcasting Channels generally adopted favorable news frame to supplement ruling party's stance on national election**
  - Covering news of strike-blockade-fire and election boycott by BNP and identifying certain political party is a threat to democracy
  - Promotion of the government's development activities and campaigning of Awami League nominated and independent candidates (Awami League) in the elections
  - Portraying a competitive, participatory and festive electoral environment; Widespread coverage of celebrity candidates' campaigns
  - Focusing on the Election Commission's ability to hold free, fair and participatory elections

**Scenario of 50 sample constituencies included in the study**

- Data collection on 149 candidates of total 50 sample constituencies included in the study
- The candidates included in the study have an average of 30 years of involvement in politics (a minimum of 1 and a maximum of 57 years)
- Some criminal cases against 18 candidates - all Awami League candidates
- 54 percent of candidates have not participated in any national elections before



### Election Phase: Code of Conduct violation in 50 constituencies included in the study

- 100 percent of the candidates nominated by the Awami League violated the election code of conduct
- The majority of the independent (Awami League), independent, and other parties have violated the election code of conduct
- Among the code of conduct violated are-
  - Plastering posters on walls, poles, vehicles etc.
  - Processions including vehicles, rallies by torchlight, public gatherings, and showdowns
  - Submission of nomination papers with more than five supporters
  - Starting campaign before the scheduled time

Political Parties	Violation of electoral code of conduct at least once (%)
<b>Awami League</b>	100.0
<b>Independent (Awami League)</b>	97.3
<b>Independent</b>	87.5
<b>Jatiya Party</b>	84.9
<b>Other Parties</b>	80.0
<b>Trinamool BNP</b>	75.0

### Election Phase: Violation of Code of Conduct in 50 constituencies included in the study

Violation of electoral code of conduct	Awami League (%)	Independent (Awami League) (%)	Jatiya Party (%)	Trinamool BNP (%)	Other Parties* (%)	Independent (%)	Overall Candidates (%)
Posters plastered on wall, pillar, vehicles	79.6	75.7	54.6	42.0	47.0	62.5	66.0
Procession (motorcade, torch relay, showdown etc.)	88.6	73.0	39.4	25.0	27.0	37.5	60.0
Filling of nomination paper accompanying more than five people	79.6	64.9	36.4	17.0	20.0	50.0	54.0
Campaign three weeks before the polling day	65.9	70.3	42.4	33.0	27.0	25.0	53.0
Procession or showdown during filling of nomination paper	72.7	59.5	33.3	0	20.0	37.5	48.0

<b>Violation of electoral code of conduct</b>	<b>Awami League (%)</b>	<b>Independent (Awami League) (%)</b>	<b>Jatiya Party (%)</b>	<b>Trinamool BNP (%)</b>	<b>Other Parties* (%)</b>	<b>Independent (%)</b>	<b>Overall Candidates (%)</b>
Posters without the name of printers, address and date	50.0	27.0	33.3	25.0	40.0	75.0	39.0
Campaign using microphone beyond the allowed period of 2 pm to 8 pm	50.0	43.2	30.3	08.3	20.0	25.0	36.0
Campaigning in worshipping places	50.0	46.0	18.2	08.3	13.0	37.5	34.5
Disrupting public movement through organising street meeting or building stages	59.1	37.8	15.2	0	0	37.5	32.0
Setting up more than one camp/office in a Union/ Ward in Municipality or City Corporation areas	48.8	43.2	12.1	0	06.7	50.0	31.0
Use of force or bribery to influence voters	40.9	48.7	12.1	0	0	25.0	28.0
Construction of Pandal bigger than 400 square feet and Lighting	54.6	24.3	12.1	0	06.7	37.5	28.0
Using shirts, jackets, waistcoats, in favor of candidate in campaign, or displaying the candidate's image or symbol	47.7	13.9	06.25	0	06.7	25.0	21.0
Install gates, arches or enclosures	53.5	16.2	03.03	0	06.7	0	21.0
Participation of government official or individuals enjoying public facilities in electoral campaign or campaign related activities	45.5	18.9	0	0	0	12.5	19.0
Giving or promising any kind of contributions or grants to any institution,	25.0	27.0	12.1	0	0	12.5	17.0

Violation of electoral code of conduct	Awami League (%)	Independent (Awami League) (%)	Jatiya Party (%)	Trinamool BNP (%)	Other Parties* (%)	Independent (%)	Overall Candidates (%)
openly or secretly, before the election							
Electoral symbol bigger than three meters in length, width or height	45.5	10.8	03.03	0	0	12.5	17.0
Giving speech that tarnishes personal image, provocative or hate speech that harm gender or communal harmony or religious feelings	20.5	24.3	06.06	08.3	13.0	37.5	17.0
Obstructing opponents' campaigns, meetings or gatherings	38.6	16.7	0	0	0	25.0	17.0
Install election camps on roads obstructing public movement	30.2	13.5	12.1	0	0	0	15.0

\*Multiple answers

### Election Day irregularities in 50 constituencies included in the study

- Multiple incidents of irregularities were occurred in hundred percent of the seats included in the study

Type of irregularity*	Percentage of seats
Inaction by administration and law enforcement to prevent violations of electoral rules, laws, order, and irregularities	85.7
Not providing equal protection to leaders, workers and candidates from all parties	85.7
Communication and information flow impediments	77.6
Not allowing the polling agent of the opposition to enter the vote center	75.5
Allegation of biased proceedings against Returning Officer or Assistant Returning Officer	65.3
Barring election observers and journalists from covering the election	61.2
Forcing voters to vote for particular electoral Party	55.1
Grabbing booths, publicly sealing ballots, casting fake votes	51.0
Neglecting investigating at opposing candidates' claims of irregularities in the election	51.0
Threatening opposition voters and not allowing them to enter polling stations	49.0
Fraud in vote counting	42.9
Purchase of votes (Cash payment, transportation spend and supply of food)	38.8
Others	24.5



## **Election Phase: Election Day**

- Polling held in 299 constituencies; election postponed in one seat due to death of a candidate
- The election commission reported that 26.37 percent of the votes were counted till three in the afternoon on the day of the election; A total of 41.8 percent of votes were declared with another 15.43 percent in the next hour; Controversy over the declared rate of voting
- Voting of 42 candidates in 13 constituencies; Out of these, 5 constituencies of the Jatiya Party and 5 constituencies of independent candidates are boycotted
- Fires in 21 centers in 14 districts on the night before the election; Violence and 1 person killed in 6 districts on election day; Polling in 21 centers of 9 constituencies is temporarily suspended
- Results suspended due to irregularities in a center of a seat; Later re-voting was taken in the said center
- Allegations of election rigging and irregularities by 4 Awami League candidates, 15 independent Awami League party candidates, 2 candidates from alliance parties and 25 Jatiya Party (Japa) candidates who participated with the boat symbol
- The main opposition party, BNP, announced a strike on election day, boycotted the election, and encouraged voters not to go to polling stations
- Despite efforts to show the election competitive and participatory, the elections were not competitive in most of the constituencies even though the independent candidate related to political party took part in the election. According to media reports, there were as such no competition in 241 constituencies
- Analysis based on the vote casted during the election shows:
  - In 299 constituencies, the average vote difference between the winner and the closest competitor was 82,593
  - In 241 constituencies, the average vote difference between the winner and the closest competitor was 100,314 where the minimum difference was 19,066 and the maximum difference was 293,780
  - In 241 constituencies, comparative analysis on the casted vote and vote difference between the winner and the closest competitor shows that the vote difference is 57% of the casted vote
- Absence of polling agents for candidates of parties other than Awami League and independent candidates in most centers across the country; Information to prevent agents of opposing candidates from entering the Center through threats
- Awami League, coalition and independent candidates complained of various irregularities including low turnout and creation of dummy lines, sending out agents of other candidates in various constituencies, sealing of ballots before voting, public sealing during voting.
- According to observers from several countries including Japan, Russia, China and India, the election system was transparent and orderly
- On the other hand, various countries including the United States, the United Kingdom and the United Nations and some international organizations and media criticized the election process

**Average Expenditure (Estimated) of candidates covered in the study from pre-announcement of schedule to election**

Sl.	Political Party	Average expenditure till announcement of election schedule (BDT)	Average expenditure (BDT) from announcement of election schedule to finalisation of nomination	Average expenditure from finalisation of nomination to polling day (BDT)	Total average expenditure of candidates on campaign from pre-announcement of schedule to polling day (BDT)*
1.	Awami League	1,67,80,102 (36)	10,15,179 (44)	1,38,78,988 (44)	2,86,23,341 (44)
2.	Independent (Awami League)	12,98,298 (33)	6,54,981 (37)	1,82,67,119 (36)	1,95,86,336 (37)
3.	Jatiya Party	36,04,016 (22)	3,83,512 (32)	42,26,439 (33)	70,01,007 (33)
4.	Trinamool BNP	2,09,750 (4)	65, 083 (12)	7,01,829 (12)	8,36,829 (12)
5.	Other Parties**	98,250 (8)	89,166 (15)	22,29,213 (15)	23,70,780 (15)
6.	Independent	4,24,000 (5)	3,24,187 (8)	89,26,363 (8)	95,15,550 (8)
	<b>Overall</b>	<b>67,58,897 (108)</b>	<b>5,80,314 (148)</b>	<b>1,02,77,265 (148)</b>	<b>1,56,83,777 (149)</b>

**Note:** Election campaign expenditure for all candidates was unavailable at all stages. The number of samples for the estimated mean is given in the first parenthesis.

\* In calculating the total average expenditure (in BDT) of the candidates, the campaign expenditure is considered as 'zero' for candidates whose campaign expenditure was not found at any particular stage of campaign.

\*\* Other parties include Jatiya Samajtantrik Dal, Zaker Party, Bangladesh Kalyan Party, Islami Oikya Jote, Bangladesh Congress, Bangladesh Nationalist Movement, Bangladesh Workers Party, Bangladesh Sanskritic Muktiyot

- 65.77 (98) percent of the candidates spent more than the set limit of the expenditure in the constituencies included in the study from before the announcement of the schedule to the election
  - Awami League candidates spent the most (11.45 times more on average)
  - The winning candidates spent an average of Tk. 3,09,56,438 (maximum Tk. 38,77,10,144, minimum Tk. 16,45,000)
  - A total of 149 candidates spent an average of Tk 1,02,77,265 (maximum Tk 18,15,50,800, minimum Tk 44,800) in the constituencies included in the study from the time the nomination was finalized to the election

- Overall, the average expenditure of the candidates from before the announcement of the schedule to the election is Tk 1,56,83,777 (maximum Tk 38,7710,144, minimum Tk 70,000), Which is six times more than the expenditure limit set by the Election Commission (maximum Tk 25 lakh per candidate)
- Significant areas of expenditure are posters, election camps, public meetings, and expenditure on workers
- Violation of the election expenditure limit has increased significantly

National Election	Election Expenditure Limit (BDT)	Average Expenditure of Candidates (BDT)	Overspending of the Allotted Amount (percentage/times)
Eleventh	25 lakh	77 lakh 65 thousand	310.6 (3 times)
Twelfth	25 lakh	1 crore 56 lakh 83 thousand 777	627.4 (6 times)

## Overall Observations and Comments

- The Twelfth Parliament Election was one-sided and a crafted Competition. It was unfree and non-inclusive. The overall experience including gains and losses are ominous for the future of Bangladesh's democracy and democratic election, which are contradictory to the spirit and dreams of the glorious liberation war and independence.
- The election was not free and inclusive due to mutually contradictory and intransigent positions of the two largest political parties. The state of hostage of the future of democracy to this contradictory agenda and intransigence-driven conflict has been further exacerbated.
- The agenda to ensure continued stay in power through one-sided election has been successfully achieved, the legality of which may not be challenged, or may not hold if challenged. But in terms of political integrity, democratic and moral values this success will remain ever debatable.
- The key elements of the concept of democratic election and national international good practices like free, inclusive and above all, the precondition of a level playing field for free, open and unrestricted competition were not met.
- The Election Commission, sometimes by compulsion in the name of Constitutional and legal compulsion and on occasions by design, played the role of a key catalyst for the realization of the agenda of the one-sided election. Other state institutions, especially law enforcement agencies and administration were also used to play, or played the same role in similar ways.
- It has once again been proved that the zero-sum game of electoral politics in the country has no relevance to political ideology. Despite being an election without any meaningful political opponent, where fabricated competitions were staged between the ruling party nominated candidates and against its own 'independents' and those of other protégé parties, violations of electoral code of conduct have been pervasive including unhealthy rivalries and violent hostilities which had nothing to do with political ideology or public interest.
- As a by-product of the fabricated competition in all constituencies except a handful, a sample-mapping has taken place of the conflicts within the ruling party. The only silver lining in this is that allegations of irregularities, corruption and other illegalities that are usually summarily rejected have been validated by their own mutual accusations and counter-accusations.
- The monopolistic control of the political space and governance structure has been pushed to the extreme form of institutionalization, while the scope of unaccountable use of the absolute power has been further widened. The strongest ever dominance of the business representation in the Parliament and the Cabinet has expanded the scope of conflict of interest and policy capture in state affairs.
- Compared to interest in success or failure of the Government's fourth successive term, the question of public trust and acceptability in terms of integrity and moral footing of the Government will remain much more relevant. At the same time, concerns over the future of democracy and democratic election will continue to deepen further.

- Finally, as ominous the experience around the Twelfth Parliament Election is for democratic future of Bangladesh, it is going to be a test case of lessons on what countries and peoples around the world with democratic aspirations would need to do and avoid, especially in terms of democratic backsliding and related electoral strategies and innovations.

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## Annex 1: Sample constituencies covered in the study

	Division	Name of Parliamentary Constituencies
1	Rangpur	Dinajpur-2, Nilphamari-2, Rangpur-1, Rangpur-4, Kurigram-3, Gaibandha-4
2	Rajshahi	Bogura-6, Nagaon-2, Rajshahi-3, Natore-1, Natore-4, Sirajganj-6
3	Khulna	Kushtia-1, Jhenaidah-4, Jashore-1, Bagerhat-1, Khulna-3, Satkhira-4
4	Barishal	Barguna-1, Bhola-3, Barishal-3, Pirojpur-3
5	Mymensingh	Jamalpur-2, Mymensingh-3, Mymensingh-8, Netrokona-5
6	Dhaka	Tangail-2, Munshiganj-3, Dhaka-6, Dhaka-10, Dhaka-12, Dhaka-18, Gazipur-3, Narayanganj-4, Rajbari-1, Faridpur-4, Gopalganj-2
7	Sylhet	Sunamganj-3, Sylhet-4, Moulvibazar-3
8	Chattogram	Brahmanbaria-3, Cumilla-3, Cumilla-5, Chandpur-3, Lakshmipur-4, Chattogram-5, Chattogram-7, Chattogram-11, Cox's Bazar-3, Bandarban

- 50 constituencies spread throughout 8 divisions and 41 districts

## Annex 2: Roadmap to Elections

The Election Commission identified 14 challenges during the Fair and Participatory 12th National Elections-

1. Building confidence in the government and the Election Commission among political parties.
2. Impartial performance of duties by police and administration officials.
3. Build confidence in EVMs
4. Control of money and muscle power
5. Maintain law and order / Maintain the rule of law and order
6. Election code of conduct followed by all political parties
7. During a systematic or orderly campaigning, there should be no obstacles for opponents, contesting candidates, supporters, or the police administration
8. Prevention of fake voting/polling station encroachment/ballot hijacking
9. Free access of candidates/agent and voters to polling stations
10. Creating an opportunity to vote for the candidate according to choice
11. Training of election officials
12. Deployment of adequate law enforcement personnel
13. Adequate deployment of executive magistrates
14. Engagement of neutral domestic/foreign observer

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