

Introduction

The elections to the Seventh Jatiya Sangsad (Parliament) in Bangladesh followed a prolonged period of political crisis. An earlier poll on 15 February 1996, boycotted by the Opposition parties, did nothing to resolve this. Consequently, a neutral 11-member Caretaker Government was installed, in accordance with the provisions of the Constitution (Thirteenth Amendment) Act, 1996, following the resignation of the BNP (Bangladesh Nationalist Party) Government at the end of March 1996. A newly appointed Election Commission announced on 27 April 1996 that Polling Day would be 12 June 1996.

On 9 May 1996 the Commonwealth Secretary-General announced that the Government of Bangladesh had asked the Commonwealth to observe the elections. In accordance with established practice, the Secretary-General sent a planning mission to Bangladesh to consult with the representatives of the main political parties and other interested groups. The planning mission confirmed that there was broad support for the Commonwealth to observe the June 1996 elections.

The context for the Secretary-General's positive response was set by:

- Commonwealth commitment to the promotion of fundamental political values set out in the 1991 Harare Commonwealth Declaration and reinforced by Commonwealth Heads of Government in their Millbrook Action Programme adopted in New Zealand in 1995, including 'democracy, democratic processes and institutions which reflect national circumstances, fundamental human rights, the rule of law and just and honest government';
- previous Commonwealth involvement in Bangladesh, including observation of the February 1991 elections and subsequently, a good offices role in an effort to facilitate a settlement of the political crisis.

Composition and Terms of Reference of the Observer Group

A Commonwealth Observer Group was subsequently constituted by the Secretary-General in accordance with the Commonwealth Guidelines for the establishment of election observer groups. A full list of the members of the Observer Group and the Commonwealth Secretariat support team is at *Annex I*.

The terms of reference for the Observer Group as set out by the Commonwealth Secretary-General in his letter to us were as follows:

The Group is established by the Commonwealth Secretary-General at the request of the Government of Bangladesh and supported by the political parties. It is to observe relevant aspects of the organisation and conduct of the election in accordance with the law of Bangladesh. It is to consider the various factors impinging on the credibility of the electoral process as a whole and to determine in its own judgment whether the conditions exist for a free expression of will by the electors and if the result of the election reflects the wishes of the people.

The Group is to act impartially and independently. It has no executive role; its function is not to supervise but to observe the process as a whole and to form a judgment accordingly. It would also be free to propose to the authorities concerned such action on institutional, procedural and other matters as would assist the holding of the election.

Within these terms of reference the Group was asked to form an independent judgment which would in no way represent either the views of any government or of the office of the Secretary-General.

A press release announcing our mission was issued in London on 31 May 1996 (*Annex II*).

Method of Work

Our Group assembled in London on 3 June 1996 and was briefed by the Commonwealth Secretary-General. We arrived in Dhaka on 4 June 1996 and established our headquarters at the Dhaka Sheraton Hotel. Three Secretariat support staff had preceded us to put in place logistical arrangements and to make appointments for our meetings. We issued an Arrival Statement on 5 June (*Annex III*) at a press conference and began a series of meetings.

Our first meeting was with Mr Ashfaqur Rahman, Chief Co-ordinator of the Cell for International Election Observers established by the Ministry of Foreign Affairs, and Mr Sajedul Karim of the Election Commission. We were subsequently briefed by the Chief Election Commissioner, Mr Mohammad Abu Hena.

Prior to our deployment to the various regions on 8 June 1996, we met with Chief Adviser Justice (Retd) Habibur Rahman, representatives of the main political parties contesting the elections, non-governmental organisations (NGOs), Commonwealth diplomats and representatives of other international and domestic observer groups. Following deployment the Chairperson and a member of our group met with President Abdur Rahman Biswas and the Chairperson, accompanied by members of the Secretariat support team, also met the leaders of the two main political parties. A full schedule of our engagements prior to deployment is at *Annex IV*.

On Saturday 8 June 1996, the Group divided into nine teams of two which were deployed to the six Divisions of the country (see *Annex V*). On 8-9 June, the Chairperson, accompanied by two Secretariat officers, visited the Chittagong Division to obtain a first-hand impression of the general state of preparedness for the elections, to meet with senior election officials there and to assess the atmosphere in the run-up to the poll.

During the remaining days before polling began the teams travelled extensively throughout the country, consulting Divisional Commissioners, Deputy Commissioners, senior police and army officers, election officials, political parties and candidates, community representatives, local NGOs, domestic election observers and voters. We also met with the Electoral Enquiry Committees and members of the news media and worked in close co-operation with other international observer groups. Our aim was to assess the level of preparedness for the elections, familiarise ourselves with local conditions and observe the last days of the campaign. At the end of each day all teams transmitted reports to the Chairperson in Dhaka.

On Polling Day, Wednesday 12 June 1996, our teams witnessed the opening and closing of polling centres and the conduct of the poll and the count in a cross-section of polling centres around the country. Throughout our deployment we were guided by Observation Notes and on Polling Day used Check Lists, which are reproduced at *Annex VI*. Our findings were reported to headquarters in Dhaka, thus enabling the Chairperson to issue an Interim Statement (see *Annex VII*), which was widely covered in the media.

Our teams returned to Dhaka on 13 June 1996 and began an extensive debriefing in preparation for the writing of our Report.

Before leaving Dhaka, having finalised our Report, we issued a Departure Statement on 21 June 1996 (see *Annex VIII*).