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Bangladesh: The Election Commission Should not Get Politicised:

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The 11th Jatiya Sangsad Elections are due to take place by the end of this year. This was the general impression. But the Election Commission declared that it is yet to fix the dates and announce the poll schedule. Yet the elections are not far off and the political parties are seen to be getting ready for the polls.

One of the members of the Election Commission Mahbub Talukder is reported to have said that the duty of the Election Commission to hold the election in a free and fair and in an inclusive manner. While conducting the polls in a free and fair manner is indeed the duty of the Election Commission, it looks that the Commission is certainly exceeding its brief in engaging various political parties to join the elections and demanding to be a part of any such meeting that takes place between the Government and the Political Parties.

The case in point is that of the EC member Talukder who walked out a recent meeting of the Commission on the ground that he was not allowed to place forward his proposals as to how to hold the 11th Parliamentary elections in a free, fair and in an inclusive manner. What is worse, Talukder has leaked a copy of his proposals to the Press thus undermining the credibility of a constitutionally formed Commission to conduct a free and fair elections. The leaked proposals are briefly

1. Except for three political parties, all the rest are for deployment of the Army. Since the Army has been excluded from law enforcement agencies, now a determination should be made how the Army could function and their jurisdiction defined.
2. The EC should take suitable initiative for the participation of all political parties and should sit in talks directly with the political parties.

3. The EC should ensure a level playing field and this would depend on the activities of the Government and not that of EC alone.
4. Though by law the EC has enough powers, in practice those involved in the last city elections expressed their unwillingness to obey the Election Commission. The responsibility for Public Administration and the Home Ministry in the run up to the Elections should come under the Election Commission.
5. There should be a dialogue with the government on Government Policies.
6. In the end the Election Commission must achieve confidence of the people. Strict implementation of the electoral rules and adopting stern measures in case of violation of conduct can help to gain confidence.

Some of the measures proposed are noteworthy and would enhance the credibility of the Election Commission. What is not acceptable is the Election Commission taking over the role of the Government in Public Administration and the Home Ministry as otherwise there is no need for a caretaker Government at all! It is the duty of the EC to ensure a level playing field and it cannot be delegated to the Government. What is ironic is that by airing such grievances in public against the Chief Election Commissioner, the member does not realise that the people will lose confidence in the Election Commission itself!

But there is need for the Chief Election Commissioner to change his style of working. There is a general complaint from the other four members that the CEC takes unilateral decisions and does not even inform other members. This 'go alone' policy of the CEC without taking other members into confidence and keeping them in the dark is affecting the functioning of the Commission itself, it is said. The CEC K.M.Nurul Huda appears to be aware of the problem and had tried to patch up things by having a separate tea party for the members. This has not worked.

The danger is that the growing differences between the CEC and some of the members may end up in politicising a Constitutional Institution that needs to be neutral and maintain its integrity and dignity.

When the member Talukder talks of an "inclusive" election, he perhaps wants the BNP to participate in the elections. He need not worry about it as all indicators are that no matter whether Khaleda is in jail or not, no matter whether there is "non partisan government" or not the BNP is definitely going to participate in the next election notwithstanding their continued posturing over these issues.

On 30th September, the BNP held a major rally in Dhaka where all the leaders had assembled. An empty chair was kept in the centre as a symbolic reminder of the absence of Khaleda Zia. The leaders made a seven-point demand that included unconditional release of Khaleda.

Khaleda's case is in court and the Government has nothing to do with it. But what is more important- as a prelude to their electioneering

they declared the party's goals in 12 points that included good governance, rule of law, checks and balances, modernising the armed forces, freeing the anti corruption Commission of any political influence etc. These are actually promises of BNP in case they come to power. Though they did not fail to mouth the usual demand of a non partisan interim government, it looked that the party is going ahead to participate in the elections. They also managed to rope in Dr. Kamal Hossein and his party along with two other parties JSD and Nagarik Oikya, while still maintaining its close relationship with the JEI.

Airing of grievances publicly by some of the members of the Election Commission undermines the very trust and confidence, the Commission needs from the people and the political parties!

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