



**DACCA INSTITUTE
OF RESEARCH AND
ANALYTICS**

TOWARDS DEMOCRATIC RESILIENCE: REFORMING ELECTORAL PROCESSES IN BANGLADESH

DRAFT REPORT

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Introduction

The integrity and effectiveness of Bangladesh’s electoral system have been under scrutiny for decades. Despite periodic democratic transitions, recurring issues such as voter distrust, electoral violence, and systemic imbalances in party representation have hindered the consolidation of democracy. These challenges have undermined public confidence and contributed to political instability.

This report identifies key problems in Bangladesh’s electoral system, analyzes their underlying causes, and provides actionable recommendations based on best practices from countries with robust electoral frameworks. The aim is to contribute to the establishment of a transparent, inclusive, and fair electoral process in Bangladesh.

Background

Bangladesh’s electoral system has historically been shaped by a winner-takes-all approach, entrenched political rivalries, and a lack of institutional independence. The abolition of the caretaker government system, the dominance of major parties, and the absence of effective electoral oversight mechanisms have further compounded the challenges.

The Representation of the People Order (RPO) and Articles 118–126 of the Constitution provide the legal framework for elections but fall short in addressing issues such as campaign financing, voter security, and the equitable representation of small parties. Informed by international examples and the specific context of Bangladesh, this report proposes solutions to these challenges.

Methodology

This report is based on a combination of:

- **Document Analysis:** Reviewing Bangladesh’s constitutional provisions, electoral laws, and relevant policy documents.
- **Comparative Study:** Examining successful electoral practices in countries such as Germany, India, and New Zealand.
- **Expert Consultation:** Drawing insights from electoral reform experts, political scientists, and reports from organizations like International IDEA and Transparency International.

Identified Challenges and Recommendations

Focus	Causes	Relevant Articles/Laws	Recommendations
Bicameral Parliament Proposal	Concentration of power in a unicameral system	Current single-chamber parliamentary structure	- Establish a bicameral parliament to provide checks and balances. - Ensure the upper house represents diverse regional and minority interests.

<p>Party Nomination</p>	<p>Influence of wealth and patronage in party politics</p>	<p>Lack of explicit regulation in the Representation of the People Order (RPO). Article 44B of the Representation of the People Order (RPO), 1972, outlines certain provisions for election expenses but lacks comprehensive regulations for party nomination financing. Article 91B refers to the Election Commission's powers to ensure fair elections, but it does not specifically regulate financial transparency in the nomination process.</p>	<ol style="list-style-type: none"> 1. <i>Introduce Campaign Finance Transparency:</i> Drawing inspiration from Germany's Political Parties Act, Section 24, which mandates political parties to maintain comprehensive financial records and publish them annually, we argue that the parties of Bangladesh will maintain and publish their financial records and these reports will be made publicly available. Through these financial records, the party will declare amounts received through donations, contributions, and expenses. <ul style="list-style-type: none"> ● Amend the RPO to require political parties to maintain detailed financial records, including nomination fees and donations. ● Mandate public audits of these finances, ensuring they are accessible to citizens and stakeholders via an online platform or an official gazette. 2. <i>Mandatory Public Disclosure of Finances:</i> Similar to Germany's practice, political parties should not only audit their finances but also publish them for public scrutiny. This step ensures transparency and builds public trust in the nomination process.
<p>Limited Small-Party Representation</p>	<p>First-Past-The-Post (FPTP) system disadvantages smaller parties</p>	<p>Article 70 and Representation of the People Order (RPO)</p>	<ul style="list-style-type: none"> - Adopt Mixed Electoral System (FPTP + PR). - 1. At first there will be FPTP by direct election for the lower chamber.

			<p>2.1. In case of electing members of the upper chamber, the seats will be distributed based on the percentage of votes received by the political parties in national elections (lower chamber votes).</p> <p>2.2. In the upper chamber, once the seats are distributed among the political parties, they will select 80 percent members from the open list shared earlier. The remaining 20 percent will be non-partisan members selected from the following categories.</p> <ul style="list-style-type: none"> - Professionals (Doctors, Engineers, Teachers etc.) - Women - Small Ethnic Groups - Religious Minorities - Labor - Farmers - Cultural Activists - PWD - Other groups identified through consultation with the political parties <p>Political parties will give this list to the election commission before the election.</p> <p>2.3. For getting a seat in the upper house a party must get 1% vote. But for the smaller parties they can make a coalition and get a sit in the upper house.</p>
<p>Weak Election Commission</p>	<p>Dependence on the executive for funding and appointments</p>	<p>Articles 118–126 of the Constitution of Bangladesh</p>	<ul style="list-style-type: none"> - Provide the Election Commission financial and administrative independence. - Appoint commissioners through an independent selection committee. -The appointment of Returning Officers and Presiding Officers shall be made from among qualified government officials. Such officials must not be residents of the jurisdiction/district in which they are assigned, nor have been employed

			<p>within that jurisdiction/district within the past three to five years.</p> <ul style="list-style-type: none"> - District Election Officer should hold supreme authority of his area's jurisdiction/ district. -Every District Election Officer will turn in their thorough and publicly available report to the Election Commission and the parliamentary standing committee, that report must include details of every action taken by the actors of the elections, such as DC, UNO, SP, OC.. - The chief election commissioner can transfer any officials during his election tenure (DC, UNO, SP, OC) from the announcement of the schedule of election to the end of the election.
Caretaker Government System	Political disputes over election-time governance	Abolition of the caretaker system in the 15th Amendment	<ul style="list-style-type: none"> - Reintroduce a neutral caretaker government during election periods to ensure fairness. - Define clear guidelines and limitations for the caretaker government's role.
Internal Party Democracy	Lack of transparency and inclusivity in party structures	No specific regulation or requirement for internal party democracy	<ul style="list-style-type: none"> - Amendment of the RPO and in revised RPO • Political parties must elect all members of their central committee, including the President, General Secretary, Joint Secretaries, Vice Presidents, and other members, through a democratic electoral process. No member of a political party's central committee shall concurrently hold the position of Prime Minister or

			<p>any other position within the cabinet/ government..</p> <ul style="list-style-type: none"> • Noone can hold the position of Party president and General Secretary position for more than two terms in a row.
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Conclusion

Reforming Bangladesh’s electoral system is imperative to ensuring a robust democratic framework. The recommendations outlined in this report are rooted in both the local context and international best practices. By addressing systemic flaws and promoting transparency, inclusivity, and fairness, Bangladesh can build an electoral system that reflects the will of its people and strengthens democratic governance.

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