

BANGLADESH

Challenges in Management of Electoral Rolls

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Electoral rolls are at the center of election management system. The rolls are expected to be prepared strictly on the basis of eligibility criteria set under the law of the land and, after finalization, become sole determinants for recognition of voters. The importance of electoral rolls is highlighted by the fact that the Constitution of the Republic of Bangladesh specifically mentions the preparation, maintenance and periodic updating of electoral rolls as one of the four mandated responsibilities of the Bangladesh Election Commission (BEC).

The constitution and other laws provide that there shall be one electoral roll for each constituency or electoral area for the purpose of election to the Parliament and other local bodies. Every citizen of Bangladesh of and above the age of 18 is entitled to be a voter irrespective of his religion, race, caste or sex. Till 2008, relevant laws permitted any of the following three methods of voter registration: fresh enumeration, update and review. These alternatives signified the following:

- Fresh Enumeration--- a new electoral roll is created by sending enumerators to every household and listing all eligible voters. The list of voters is then aggregated by voter area and constituency.
- Update--- an existing electoral roll is updated by sending enumerators to every household. Enumerators check the existing roll against the eligible voters in each household and note changes, additions, and deletions to the list.
- Review—a fresh enumeration process is conducted within a specific electoral area.

The fresh enumeration approach has been followed to prepare the electoral roll for each parliamentary election with the exception of the June 1996 election and the deferred January 2007 election.

One of the main reasons for the deferment of the January 2007 election was a faulty and grossly inaccurate voter list that was not acceptable to the opposition parties. Several civil society groups, local and foreign NGOs and prominent citizens of the country also pointed to innumerable anomalies relating to the process of updating the voter list and its final outcome. A Pre-Election Assessment Mission of the National Democratic Institute conducted a statistically rigorous survey of the 2006 electoral roll (Updated 2001 electoral roll + supplemental list) in October, 2006 and found that approximately 12.2 million names on the voter list are either in error or are duplicates. This figure comes roughly to 13% of the total number of voters and

exceeds the traditional 5% margin of error. The major source of error on the updated electoral roll is migration and rural centers are more prone to such error. Another study by Brotee, a local NGO who had undertaken a door to door enumeration of voters in 28 constituencies also found 17.3% excess voter in the electoral roll prepared under the supervision of the Commission. These events deeply eroded people's confidence in the authenticity of electoral roll and led to a very strong demand for initiating action towards preparing a credible one.

Till the election to the eighth Parliament, electoral roll has been prepared by following methodologies that have been in practice for more than a century. Under this system, a large number of enumerators are deployed to collect data on eligible voters in the prescribed form through door to door visits. Each statement is verified by a supervisor who has to certify to the effect that the entries have been verified or corrected after house to house visit. A draft electoral roll is thereafter prepared on the basis of the statements and published by the Registration Officer after verification of entries to the extent of at least ten percent through house to house visit by an authorized officer together with a notice inviting claims or objections. After disposing of the claims and objections, the Registration Officer publishes the final electoral roll in the prescribed manner.

This system, however, has always been suspect of many malpractices. The enumerators and their supervisors are paid very meager remuneration for a rather arduous task. There are allegations that they visit only a few houses and generally compromise their responsibility by accepting list of voters from influential people of the locality or by collecting names from people congregating at important public places. This resulted in undesirable omission and commission of names in the electoral roll. There is also a widespread practice of voters to register at more than one place, generally at their current work places and at their home addresses, though the legal provisions strictly prohibit registration in more than one place. Even if the registration authorities showed some determination to minimize this, poor supervision and control system coupled with absence of any modern technologies to detect multiple entries virtually negated such efforts. All these factors had a negative impact on the authenticity, quality and coverage of the electoral roll and the demand for replacing it with a more credible one had become a generally acceptable proposition by late 2006.

Given the level of mistrust and lack of confidence in the authenticity of the 2006 electoral roll (Updated 2001 electoral roll + supplemental list), revising it in the existing mode was not an option. From the mood of the agitating public and the political leaders, it was apparent that even if a list is prepared afresh with highest level of accuracy (5% margin of error), it will not be acceptable to the public in general and the political parties, in particular. The minimum that seemed acceptable would be to develop a system whereby an electoral roll with photograph is prepared after collecting the raw data through the enumerators following house to house visits. Of the many options considered by the BEC, one option consisted of generating a computer-based database with photograph and fingerprints. It further transpired that

this option would also enable the Commission to produce National ID cards at little extra cost. The final version of the methodology made a fusion of door to door visit for enumeration with data entry and storage under a computerized system. In this design, there shall be a provision for collecting data by enumerators through door to door visits after which voters would be required to report to a registration center for giving their photographs and fingerprints. The Commission took full responsibility of enumeration while all activities relating to data entry and printing of ID cards and electoral rolls were outsourced to the Armed Forces. It was a huge challenge to prepare an electoral roll with photographs of more than 80 million voters in a digitized format within an eighteen-month time-frame. It necessitated laying out of an operational plan that involved procurement of 10,000 laptops, web cameras and finger print scanners along with other equipment and accessories that are not available off the shelf. It also involved mobilizing, motivating and training thousands of data collectors, data entry operators, and a significant number of supervisors, technical managers and proof readers. As the concerted efforts of all concerned with the enterprise and good luck would have it, the task of preparing the electoral roll, as projected, was accomplished on time and the ninth parliamentary elections were held as per announcement by the Commission. By all accounts and comments by local and international observers, the 2008 parliamentary polls have, by far, been the most credible and fair to be held in the country.

For the BEC, preparing an electoral roll with photographs prior to the ninth parliamentary polls was a measure of short-term survival. A focus on the short-term had become essential in the face of tremendous pressure on the Commission to hold an acceptable election at the quickest possible time. As a first step towards restoring confidence of the people, a credible electoral roll was an imperative. Completing the enrolment of more than 80 million voters was thus linked with both confidence-building and holding an early election. In the process of achieving this objective, many procedural deficiencies and quality issues were ignored. Now that the elections have been held, the Commission has the time to focus on the long term. Holding of an election under very adverse circumstances required certain skills, but continuing the electoral process on the course already set through institutional strengthening and development would provide the true test of leadership of the Commission.

Management of electoral rolls essentially involves four kinds of activities, namely, (i) Registration, (ii) periodic updating through inclusion of new voters and deletion of deceased ones, (iii) transfer of voters from one electoral area to another, and (iv) its preservation and use. In all these dimensions, management is intricately associated with behavioral aspects of the voters and the technologies associated with the system. The four issues mentioned above are discussed below in the order in which these are mentioned above.

Registration

The final voter registration methodology turned to be a "mixed" system that combined BEC's traditional door to door enumeration procedures with the new

approach of visit to voter registration centers. Up to this time, Bangladesh had used a "passive" system of voter registration, under which the authorities bore the responsibility of ensuring that all eligible voters were duly registered. The shift to an "active" system that requires each voter to be physically present at the registration center was a change with far-reaching implications. It involved the risks that many citizens would either not take the trouble to appear at registration centers or not understand the necessity of going to those places for registration. Minority groups, women, first-time voters and other disadvantaged people posed the possibility of being left out. Serious doubts were expressed by knowledgeable quarters if the females, particularly the purdah-observing ones, would at all be willing to give their photographs. Although most political parties generally favored in principle the creation of voter lists with photographs, they had reservations about the process, and in some cases believed that it was being conducted to delay elections. In particular, many parties were unhappy that an extended registration process would delay the election date far beyond their preferred timeframe. Some had even expressed their doubts as to whether people will at all visit the centers for final registration. And finally, creating an electoral roll of 81 million people involved monumental challenges of design and development, organization, logistics, procedures, training, civic education and, not the least, financing.

The BEC sought to overcome some of these difficulties by developing an effective partnership of all relevant stakeholders. The voter registration process required the close cooperation of the BEC, the Armed Forces, the Caretaker Government (CTG), citizens, international donors including the UNDP, civil society and the private sector. The BEC assumed the overall responsibility for the supervision and implementation of the voter registration process having full control over the enumeration process. It made the crucial policy decisions and was responsible for the procurement of the required project materials and financial resources. It mobilized its own staff to recruit, train and manage enumerators, to constitute committees that verified voter's identities at registration centers and to publish the draft voter lists and finalize them. The Armed Forces, on the other hand, managed the complex operational and logistical aspects of voter registration, including the development of the required software with local software developers. It developed the operational plan for voter registration, organized and managed the registration centers, provided valuable assistance in managing the supply chain, managed the electronic data flow and printing of the voter lists and national ID cards and recruited and trained the technical staff for data entry. It also managed the process of identifying duplicate registration through fingerprint and photograph matching across voter registration areas. The effective partnership arrangement between the BEC and the Armed Forces has been hailed as a prime example of civil-military partnership.

The CTG created and maintained an overall enabling environment for the massive task while the task of awareness building was largely conducted by the Election Working Group, a conglomerate of 30 local NGOs under the co-ordination of the Asia Foundation. The Group's activities included public announcements with microphones, community meetings, street theatre, public service announcements

broadcast through radio and television and the distribution of leaflets and posters. International donors supplemented funds provided by the Bangladesh Government for voter registration and procurement of equipment and accessories under the coordination of the UNDP. Eight private companies also donated 1050 laptop computers to start up the voter registration process prior to procurement of equipments by the BEC.

Another pragmatic step taken by the BEC was to conduct a pilot testing of the final methodology to see the efficacy of the system. This was done at a small municipal town near Dhaka city and the results were definitive in favor of the methodology. It was proven conclusively that the voters have no hesitation in the two stage registration process and women and other disadvantaged voters had no difficulty or reservation in going through the process. An important factor in getting such a positive public response to the registration effort was its linkage with the national ID cards. A large majority of registered voters considered NID as a valuable possession and a source of their empowerment. The pilot registration set at rest all controversies relating to registration and since then the process has never again been questioned by any body.

Implementation of voter registration was done as per schedule but it had to face many challenges. Some of these were:

- a) **Identification issues:** Establishing the identity of a citizen in terms of his real name, age, address and occupation has been the most daunting challenge in preparing an authentic electoral roll. This issue has become all the more crucial due to the fact that on the basis of this database national ID cards are also issued that entitle him to a number of services provided by the Government and other service delivery organizations. The main problem in establishing identity emanates from the prevalence of malpractices in various public sector agencies responsible for issuing certificates on citizenship, residence, birth and death, occupation and other matters. The Commission, with the help of the Armed Forces, had established a checking mechanism for detecting frauds and malpractices and this worked. But the system is vulnerable to the activities of miscreants and gangsters.
- b) **Procurement issues:** Preparation of electoral roll with photographs required huge number of equipment and other accessories. Public Procurement Regulations of the Government are very stringent. Moreover, most of the required items were not available off the shelf. The problem was resolved by procurement through the UNDP. However, this was a very extraordinary step and this can not be a solution for procurement for the future. The equipment currently in use will wear out after a few runs and would need replacement.
- c) **Social challenges:** BEC had raised a vigorous awareness building campaign to motivate the women, first-time and disadvantaged voters. Their apathy

towards registration is a continual problem and poses a challenge every time the BEC will run a fresh registration or updating program.

- d) **Registering some categories of urban voters:** In major metropolitan cities, frequent in-and -out migration, lack of residential address and their non-availability during home visits pose serious problems for the poor and disadvantaged people to register as voters. Sometimes owners of various industries, shops and establishments do not allow time to their employees to get registered. During the last drive, the BEC had to negotiate with Employers Associations and individual owners to grant their employees leave for registration purposes. This will also continue to be a major problem and the BEC will have to take special care to cover these people.
- e) **Supply chain management:** A large quantity of very valuable inventory is received at the Headquarters of the BEC that need to be transferred quickly to the field. This inventory has to be warehoused, guarded and transported to support the registration schedule. Any breakdown in the supply chain is a potential risk factor.
- f) **Human resources issue:** Lack of technical capacity of some data entry operators affects the quality of the output and slows the speed of disposal. Female data entry operators are crucial to the registration process but they are not always found in sufficient numbers.
- g) **Registration at hard-to-reach places:** About one-fourth areas in Bangladesh are highly inaccessible due to their location in the coastal belt, haor or hilly areas of the country with little or no communication facilities. Special transport arrangements are to be made with the assistance of the Armed Forces to reach those places.
- h) **Capturing fingerprints:** Difficulties are experienced in capturing the fingerprints of certain categories of people due to fading of their finger lines while doing arduous manual work.
- i) **Managing records:** Sorting, indexing and storing hard copies of the Registration Forms for future reference have always posed considerable problem due to lack of proper storage and adequate manpower.

Updating

Until the 2008 elections, voter registration, for the most part, has been conducted as a seasonal affair. Corresponding with the parliamentary election cycle, registration process generally started one year prior to the anticipated date of the polls. In this process, the required enumeration staff are mobilized and they are given a strict time-frame to complete the task by following the mandatory legal provisions. This practice has many

deficiencies. Strict time-frame allows limited time for citizens of electoral areas to register. Due to very strict requirements for subsequent enrollment, chances of being left out are greater for persons missing out the schedule than being included. The worst sufferers are the poor day laborers, female workers and other marginal groups who may not be present at their living places during visit by the enumerators. Moreover, time constraint compels the registration authorities to concentrate more on the fulfillment of legal requirements than maximizing enrollment.

The Electoral Rolls Act, 2009 provide for annual updating between January 2 and 31 by including the names of citizens who turn 18 years of age and by excluding the names of those who have died since the last update. BEC has since completed the annual update process. However, it had decided to do the updating for the year 2010 also along with 2009. While undertaking the operation, it was estimated that the new addition of voters in every update would hover around 3-4% of the original database. The total addition of voters a year is expected to be around 3.5 million across the country. The door to door operation is massive while the output is very small. The Commission, therefore, decided to cover two years in a single operation with very little incremental cost. The draft electoral roll covering 2009 and 2010 shows an increase of 5.7% voters.

Experience with the updating process has convinced the BEC that though annual updating is decidedly better than a quick five-yearly fresh enumeration or update, it suffers from the same maladies that bedeviled the latter. In a strict time-bound program, some citizens would definitely miss the schedule for various reasons and they will perhaps be left out eventually. The annual update is an improvement over the previous one, but only by degree. It is the responsibility of the Commission to enable all eligible citizens to be voters and it must find out a mechanism to do so.

Inspired by this goal, the Commission is now planning to amend the Electoral Roll Act to institute a two track system. The first track, which will be more or less similar to the existing annual updating, will carry on registration work for a month on dates notified by the Commission. This would be a Commission-induced operation covering the entire country and follow the two stage process of door to door enumeration and visit to registration center. In track two, the BEC would create the necessary facilities so that citizens can easily go to his own upazila (sub-district) election office and register at any time during office hours except for the period when first track operation would be on or an election schedule has come into effect for any election.

There are two major challenges facing the BEC in its updating program. The first is the lack of proper physical infrastructures. In order to reach the citizens at upazila levels, it will be necessary to make the services available. That would be possible only when server stations would be set up with required number of laptop computers, web cameras, scanners and other accessories and connectivity established with the district and central server stations. BEC is currently executing a project to construct 562 units of server stations at central, regional, district and upazila/ thana levels. The project is now in full swing and is expected to be completed by 2011.

The second major challenge faced by the BEC is shortage of skilled manpower. The 2009-2010 update was conducted by the BEC with its own staff. This shift has required it to train its own staff in the use of computer system and develop the capacity to implement the management aspects of electronic registration. The process has begun but it is going to take several years before it attains full capacity. Till then, the BEC will have to depend on outside help to run the programs.

The updating program is encumbered by almost the same challenges as were encountered during the 2007-2008 fresh voter registration program. During the original operation, the country was under the cover of an emergency rule. Miscreants were on the run and people did not dare to take recourse to any malpractice during registration. With the return of democracy, some of the old ills have started resurfacing. These developments have made the identification problem a little worse than what had been previously. Investigation by the Commission of more than 10% new registration in 12 upazilas during the recent update process revealed that the Rohingya refugees from Myanmar managed to find the loopholes and got registered as voters. The Commission had to cancel these registrations and order fresh ones on the basis of much stricter scrutiny of their antecedents. This episode only shows the vulnerability of the system to the manipulations of ineligible persons. Eternal vigilance, strict adherence to the procedures laid down by law, professionalism and commitment of the staff engaged in the registration process can ensure a flawless and authentic electoral roll.

Transfer of Voters

In Bangladesh, candidates contest for membership in parliament or local bodies elections from constituencies or electoral areas delimited for the purpose. Voters can only vote in constituencies or areas against which they are registered. The Electoral Rolls Act, 2009 has prescribed that an eligible voter can register at a place where he ordinarily resides or where he has his permanent residence or property. Voters normally register at places they ordinarily reside. However, for a variety of reasons, voters change their place of residence and since elections are constituency or voter area based, it becomes necessary for them to transfer from the previous place to the new one. Demand for transfer is quite significant and would constitute roughly 4% of the original database. It is anticipated that as the economy is more diversified and administration is more decentralized, the demand for transfer would increase further.

BEC does not see much problem in conducting this job as a necessary routine. The only thing that is hampering this work at the moment is the absence of the necessary facilities, the networking, the physical infrastructures and the needed manpower. All these issues have been addressed and appropriate measures are ongoing. It is hoped that by the end 2010, the system would be operational in most of the Upazilas with full coverage expected by end of 2011.

One thing the BEC would have to control is the tendency by a few voters to change frequently to be able to vote in the parliamentary elections in constituencies covering their current workplace and then changing to his permanent address to vote in the local

elections. Culturally, urban blue collar workers maintain very close contact with their village home and society and very much like to be part of the political process in the areas of their interest. This problem could have been solved had there been a system of dual registration for voting separately in the national and local bodies elections. Our Constitution, however, does not provide for this latitude.

Maintenance and use of the electoral roll

Electoral roll is the most important instrument in the hands of any Election Commission towards conducting a free and fair election. For this reason, it is not simply enough to be able to prepare an electoral roll and conduct a good election as a one-time phenomenon. The challenge of the task is to create and sustain those conditions that would allow repetition of such success at every other occasion in the future. This approach is consistent with the mission of the Commission which is reproduced below:

The mission of the Bangladesh Election Commission is to conduct every election honestly, fairly, transparently and in accordance with the Constitution and laws of the country.

To develop long run strategies for realizing its goals, the Commission has set its vision in the following terms:

The vision of the Bangladesh Election Commission is to stand firmly as an independent, impartial, credible, accountable and well-resourced professional institution promoting conditions conducive to free and fair elections and conducting them with fairness and transparency.

During 2007-09, the Commission succeeded in achieving a number of short term measures that led to the successful holding of a free and fair parliamentary and upazila polls. The challenge now is not only to maintain the standard that has been set for conducting the elections but to further improve it by continually reviewing and improving the election management system. It would be a serious mistake to leave the solid achievements made so far without ensuring proper consolidation and institutionalization of the gains made so far.

The centerpiece of the electoral reforms, installing electoral roll with photographs and production of national ID cards, were carried out during 2007-2008 under great time pressure. The huge database created already needs to be cleansed as innumerable errors had crept in due to rush of work and the Commission had overlooked them in the interest of holding the elections on time. These must be corrected along with procurement of hardware and software for setting up the system of computerized database, networking, providing service to various public and private agencies, processing, printing and delivering National ID Cards and capacity development of the permanent staff of the Commission. For developing the network, the first priority would be to complete the Commission's headquarters complex along with the Electoral Training Institute (ETI)

building for setting up the central server station and laying out a comprehensive training program for all election related staff.

The database was also prepared with the assistance of the Armed Forces and international and local consultants. The in-house capacity of the Commission at staff level had been highly inadequate in terms of both physical and technical support. Moreover, the Commission was able to complete the difficult task of doing all the preparatory work and holding of both the parliamentary and upazila elections through strict central control. This is not a desirable state of affairs and necessary steps are needed to be taken to facilitate the internalization of the database by the staff of the Commission as part of their routine. The delivery of service also needs to be decentralized at the upazila level so that voters and other stakeholders do not have to come to Dhaka for every little thing they need. Lack of physical infrastructure at different levels of administrative units was identified as a major bottleneck towards developing communication network for smooth transfer and exchange of data and decentralization of services. The Commission will need to pursue a vigorous program for capacity development of its own as well as other supporting staff by developing suitable training modules and overall strengthening of the ETI. Last but not the least, Commission will have to carry on experiments and pilot testing of many innovative ideas and procedures followed in other countries for holding fair elections. Pilot testing of electronic voting machines (EVMs) in a couple of polling centers in different elections for its eventual universal adoption is an example of exploring new frontiers of technology for better election management.