

Bangladesh Election Commission

Election Commission Secretariat
Nirbachon Bhaban, Agargaon, Dhaka.
Website: www.ecs.gov.bd

GUIDELINES FOR INTERNATIONAL ELECTION OBSERVERS AND FOREIGN MEDIA

In pursuance of the provisions of Article 91C of the Representation of the People Order, 1972 (P.O. No. 155 of 1972), Bangladesh Election Commission is pleased to make and promulgate the following Guidelines for International Election Observers and Foreign Media-

Chapter-I **Preliminary**

1.1 Short Title- These guidelines may be called the **Guidelines for International Election Observers and Foreign Media.**

1.2 Commencement- It shall come into force at once.

1.3. Definitions:

In these guidelines, unless there is anything repugnant in the subject or context, the following terms and definitions shall apply:

- a. “**Constitution**” means Constitution of the People’s Republic of Bangladesh;
- b. “**Commission**” means the Bangladesh Election Commission within the meaning of the Constitution of the People’s Republic of Bangladesh;
- c. “**Electoral process**” means all aspects of the election process and all election technologies including, but not limited to, nomination of candidates, campaigning, polling, counting, and announcing results;
- d. “**International Election Observer**” or “**Observer Organization**” means a foreign national or an organization permitted in writing by the Commission or by any person authorized by the Commission to observe the process of conduct of election under the Representation of the People Order, 1972 or any other Act conducted by Bangladesh Election Commission;
- e. “**EC Secretariat**” means Bangladesh Election Commission Secretariat as set up under section 3 of the Election Commission Secretariat Act, 2009;
- f. “**Order**” means Representation of the People Order, 1972.

Chapter-II

International Election Observer or Observer Organization

2.1. General Information:

2.1.1 No person shall be allowed to observe the process of conduct of election if he/she is not accredited as an observer by the Commission.

2.1.2 Article 91C of the Representation of the People Order, 1972 lays down the provisions regarding observations of parliamentary election by national or foreign observers. Election observers shall follow the provisions of Article 91C* of the Order. For quick reference and better understanding of the relevant legal provisions, Article 91C of the said Order has been reproduced as follows:

[*91C. (1) The Commission may permit in writing any person, whether national or foreign, as an election observer who is in no way associated with or affiliated to, any political party or contesting candidate and who is not known for his sympathy, direct or indirect, for any particular political ideology, creed or cause or for any manifesto, program, aims or object of any political party or contesting candidate.

(2) An election observer may, in accordance with the guidelines issued by the Commission, observe any poll by staying, nearabout any polling station or entering into, with the permission of the Presiding Officer, any polling booth or polling station or by being present at the counting of votes or consolidation of the results of the count.

(3) No election observer shall be allowed to observe the poll as aforesaid, unless he displays the permit of the Commission bearing his name, nationality and photograph attested by the Commission.

(4) An election observer may be asked by any Returning Officer or Presiding Officer to leave any constituency or polling station, if he is found indulging in any activities not befitting any neutral election observer or interfering with the polling process or with the work of the election authorities in any manner.

(5) Any action taken under clause (4) shall be reported to the Commission forthwith.

(6) An election observer may submit a report to the Commission or the Returning Officer on his observation about the fairness or otherwise of the poll, discipline and situation inside and outside the polling station, counting of votes, consolidation of the results of the count, compliance with the provisions of this Order or the rules or the Code of Conduct, or on any other matter relating to election.

(7) Notwithstanding anything contained in this Order, the Commission or the Returning Officer, as the case may be, may consider the report of an election observer along with any other report submitted or sent to it or him under this Order at the time of taking any decision under any provision of this Order in respect of any matter on which the report of the observer has any bearing]

2.2. Relevant Laws and Rules Applicable to Election Observations:

2.2.1 The following laws and rules related to parliamentary election might be useful in case of election observations-

- a) The Constitution of the People's Republic of Bangladesh, 1972 (Article 118-126)

- b) The Representation of People Order, 1972
- c) The Conduct of Election Rules, 2008
- d) The Code of Conduct for Political Parties and Candidates, 2008
- e) The Election Officials (Special Provisions) Act, 1991
- f) Election Observations Policy, 2017 (For Local Observers)
- g) The Delimitation of Constituencies Act, 2021
- h) Electronic Voting Machine (EVM) Rules, 2018
- i) Registration of Political Party Rules, 2008
- j) Electoral Rolls Act, 2009
- k) Electoral Rolls Rules, 2012

2.3. Call for Observation:

The Commission may publish a notice, calling applications from International Election Observer or Observer Organization in the format given in **Annexure-A**, providing at least 30 (Thirty) days of timeframe for such application. The notification for application will be published online on the website of the Commission.

2.4. Eligibility:

Each applicant, individual or organization, should meet the following requirements for accreditation:

- a. Applicant, individual or organization, should have a working experience of good governance, election, democracy, peace building and human rights;
- b. Applicant organization should produce evidence of registration with the relevant authority of its own country;
- c. Applicant, individual or organization, shall comply with the election laws of Bangladesh;
- d. No application for accreditation as an observer by a person who has been convicted of any electoral offence or any other offence involving fraudulence or dishonesty will be considered by the Commission.

2.5 Submission of Required Documents:

2.5.1 International Election Observer shall submit the following documents along with the application for accreditation:

- a) Curriculum Vitae along with the proof of relevant working experience;
- b) A copy of the valid passport;
- c) Duly signed Declaration and Pledge in the format given in **Annexure-B**;

2.5.2 The application form submitted must have a cover page on the observer organization's letter head with a listing of the name of each observer and his/her nationality in the sequence in which the completed forms are enclosed.

2.5.3 International Election Observers may hire services of Bangladeshi interpreters, if required. However, they shall provide all necessary details of these interpreters while applying for accreditation card. These interpreters also need to undergo the due process of accreditation.

2.6 Accreditation Procedure for International Election Observer or Observer Organization:

The following procedures shall be followed for accreditation of the International Election Observers:

- a) International election observer or such organization intending to observe any election shall apply to the Commission in the prescribed form in **Annexure-A** to these Guidelines.
- b) Filled out form may be sent to the Commission through e-mail: secretary@ecs.gov.bd or by fax +880255007515.
- c) Observer Organization may also forward the application directly to the Commission through their diplomatic mission based in Bangladesh.
- d) Application for accreditation must be submitted within 30 (Thirty) days of notification/call for application.
- e) Received applications shall be scrutinized by the EC Secretariat and forwarded to the Public Security Division, Ministry of Home Affairs of Bangladesh for clearance with a simultaneous copy to the Ministry of Foreign Affairs of Bangladesh. The Public Security Division, Ministry of Home Affairs shall convey its clearance within 07 (seven) days directly to the Ministry of Foreign Affairs and also send an intimation to the Commission.

2.7 Issuance of Accreditation Card and Relevant Issues:

- a) The Commission will decide upon the applications for accreditation after getting clearance from the Ministry of Home Affairs.
- b) EC Secretariat will issue accreditation card along with vehicle sticker to each international observer on the basis of decisions of the Commission.
- c) International Election Observer will collect accreditation card and vehicle sticker from the EC Secretariat.
- d) The election observer should always carry the accreditation card while he/she is performing his/her functions/duties as an election observer.
- e) After receiving the accreditation from the Commission, the Observer Organization shall submit the following additional documents to the EC Secretariat:
 - i) Authorization Form for the Contact Person as per the format given in **Annexure-C**,

- ii) Observer's Information and Deployment Details in the format given in **Annexure-D**,
- f) EC Secretariat might provide a copy of the election manual to election observers.
- g) EC Secretariat might arrange briefing or orientation for election observers about electoral process and electoral laws of Bangladesh.

2.8 . Responsibilities of International Election Observers:

The responsibilities of International Election Observers shall be as follows:

- 2.8.1 International Election Observers have to submit election observation reports within 30 (thirty) days from the date of the polling day by email or hard copy addressing the Secretary of the EC Secretariat. The reports should be prepared based on the information of pre-poll, poll-day and post-poll observations.
- 2.8.2 Every election observer or, as the case may be, organization may submit a report to the Commission highlighting the electoral irregularities which were noticed during observation relating to conduct of election with recommendations, if any.
- 2.8.3 International Election Observers shall ensure that their observations and reporting are impartial, objective and depict the highest standards of accuracy.
- 2.8.4 Every observer organization can nominate only one person during counting of votes or consolidating of results.
- 2.8.5 No election observer shall engage in any illegal or corrupt practices in the electoral process as defined in the Order.
- 2.8.6 International Election Observers shall not conduct or participate in any activity that may generate an impression of favoring or opposing any political party or a candidate.
- 2.8.7 International Election Observers will not obstruct directly or indirectly in any pre-election, election and post-election process.
- 2.8.8 As far as practicable, the guidelines applicable to local election observers shall also be followed by an International Election Observer and Observer Organization.

Chapter-III

Foreign Media

3.1. Accreditation and Relevant Information for Foreign Media:

- 3.1.1 The Foreign Media intending to cover and report the election related news shall follow the same accreditation procedures for accreditation as far as practicable as in the case of the international election observers.
- 3.1.2 The accredited foreign journalists will be granted ‘J’ category visa following the same procedures as in the case of International Election Observers. The validity of visa shall follow the existing Visa Policy of Bangladesh Government.
- 3.1.3 Ministry of Information and Broadcasting will open a Media Center with all modern facilities for transmitting news and messages by the foreign journalists.
- 3.1.4 Upon arrival at the airport, the Airport Help Desk will arrange to establish their contact with the Media Centre which will coordinate with the EC Secretariat for providing them with accreditation cards and stickers for vehicles and other necessary documents.
- 3.1.5 Policies regarding reporting and coverage of election related news by Domestic Mass-media, 2023 issued by the Commission will be, as far as practicable, applicable to foreign media outlets and foreign journalists.

Chapter-IV

Code of Conduct

4.1. Code of Conduct for International Election Observers and Foreign Media:

- 4.1.1 Any person observing or reporting the electoral process as an individual or as a member of an Observer Organization or Foreign Media must read, understand and adhere to this Code of Conduct and shall sign a declaration and pledge as described in the ANNEXURE-B to these Guidelines.
- 4.1.2 In order to provide an impartial and accurate assessment of the nature of election process and for ensuring the integrity of international election observation, international election observers and foreign media shall-
- a) Respect sovereignty of the country and international human rights;
 - b) Respect the laws of the country and the authority of electoral bodies;
 - c) Respect the integrity of the international election observation mission;
 - d) Maintain strict political impartiality;
 - e) Provide appropriate identification;
 - f) Maintain accuracy of the observations and professionalism in drawing conclusions;
 - g) Refrain from making comments to the public or the media before the mission speaks;
 - h) Cooperate with other election observers;
 - i) Maintain proper personal behavior;
 - j) Always display accreditation cards provided by Bangladesh Election Commission Secretariat;
 - k) Meet the presiding officer first in the polling station;
 - l) Follow the lawful directions of the presiding officer;
 - m) While counting votes, only one observer of each observer mission can be present in the counting room;
 - n) Must not enter the place reserved for marking ballot papers;
 - o) Must not obstruct election processes;
 - p) Should avoid live telecast/air or live on Facebook/X or any other social media in a polling center;
 - q) Every observer in the election observation mission must sign a pledge to follow it.

4.2. Violation of Code of Conduct:

- 4.2.1. In case of violation of this Code of Conduct and Declaration and Pledge, the Commission reserves the right to cancel or withdraw the accreditation of an individual observer or Observer Organization or foreign media. The authority to determine the violation also rests with the Election Commission of Bangladesh.

Chapter-V

Miscellaneous

5.1 Grant of Visa:

- 5.1.1 Accredited international election observers shall obtain prior visas from the concerned Bangladesh Missions abroad. In exceptional cases, Visa on Arrival may be issued subject to prior clearance from the Security Services Division, Ministry of Home Affairs of Bangladesh.
- 5.1.2 Application (along with a copy of the valid passport) for prior concurrence for Visa on Arrival shall be submitted to the Ministry of Foreign Affairs of Bangladesh through the concerned Bangladesh Mission abroad.
- 5.1.3 Ministry of Foreign Affairs will facilitate International Election Observers and Foreign Media personnel in getting visas from Bangladesh Missions abroad.
- 5.1.4 International election observers will be granted ‘T’ category visa. The validity of visa shall follow the existing Visa Policy of Bangladesh Government.
- 5.1.5 No International Election Observer or foreign media person shall stay in Bangladesh beyond the duration of granted visa.
- 5.1.6 Immigration officials at the Hazrat Shahjalal International Airport, Dhaka would mark the ‘Election Observer’ seal on the passports of the observers.

5.2 Airport Help Desk:

- 5.2.1 An Airport Help Desk would be set up at the Hazrat Shahjalal International Airport by Airport Immigration Authority 10 (ten) days prior to the actual date of polling for reception and assistance to incoming International Election Observers and foreign journalists.

5.3 Security

- 5.3.1 Observer Organization will provide the list of observers and the places of their deployment as in the format given in **Annexure-D**. EC Secretariat will send this list to the Ministry of Home Affairs and Returning Officer concerned for necessary support and security of election observers.
- 5.3.2 Public Security Division of the Ministry of Home Affairs will instruct the concerned Deputy Commissioners and Superintendents of Police concerned to provide necessary security to the International Election Observers and foreign journalists during their visits to different polling stations of the country.
- 5.3.3 The concerned diplomatic missions or sponsoring organizations of the International Election Observers and foreign journalists, as applicable, must provide their itinerary of visits well ahead to the Public Security Division of the Ministry of Home Affairs for ensuring required services.

5.4 Import or Carriage of Equipment and Materials by International Election Observer:

- 5.4.1 International Election Observers may temporarily import or carry necessary equipment and materials relating to election observation subject to the customs law of Bangladesh. National Board of Revenue (NBR) will facilitate International Election Observers regarding carriage or import of equipment and materials relating to their Election Observation.
- 5.4.2 In order to enjoy the benefits of customs duty exemption, if entitled, International Election Observer or such organization should apply to the National Board of Revenue (NBR) through the Ministry of Foreign Affairs, with required documents including the name of the observer, copy of the valid passport, particulars of the equipment and materials, and name of the carrier or importer concerned. These equipment and materials shall only be used for the purposes of election observation.
- 5.4.3 International Election Observer may get these equipment and materials returned with them to their home country.

5.5 Repeal of previous Guidelines:

Upon commencement of these guidelines, the Guidelines for Election Observation (For International Observers), 2018 is hereby repealed.

ANNEXURE- A

Bangladesh Election Commission

Election Commission Secretariat

Nirbachon Bhabon.

Agargoan, Dhaka

www.ecs.gov.bd

Application Form for International Election Observer/Foreign Media Accreditation

1. Name:
2. Date of Birth:
3. Name of delegation/Organization/Foreign Government:
4. Profession:
5. Experience as an election observer (if any):
International :.....
Domestic :.....
6. Passport Details:
Number:
Date of expiry:.....
7. Nationality:
8. Address in Bangladesh.....
9. E-mail:
10. Phone:
11. Attachments:
 - a. Recent photograph
 - b. Duly signed Pledge Form
 - c. Copy of the valid passport (Information page)
 - d. Curriculum Vitae

By signing this application, I hereby confirm that I will abide by the Guidelines for International Election Observers and Foreign Media, 2023 issued by Bangladesh Election Commission. And I confirm that the Commission reserves the right to withdraw my accreditation in the appropriate cases.

Date :

Seal and Signature of the Applicant

ANNEXURE-B

DECLARATION AND PLEDGE

I hereby pledge that I will follow the Code of Conduct and that all of my activities as an election observer will be conducted completely in accordance with it. I have no conflicts of interest - political, economic or other - that will interfere with my ability to be an impartial election observer and to follow the Code of Conduct.

I will maintain strict political impartiality all the time. I will make my judgments based on the highest standard of accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence, and I will base all of my conclusions on factual and verifiable evidence.

I will not obstruct or interfere in the election process. I will fully respect national laws and the authority of election officials and will maintain a respectful attitude toward electoral and other national authorities. I will respect and promote the human rights and fundamental freedoms of the people of Bangladesh. I will maintain proper personal behaviour and respect others, including exhibiting sensitivity for Bangladeshi cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct all the time, including leisure time.

I will protect the integrity of the international election observation mission and will follow the instructions of the observation mission. I will attend all briefings, training and debriefings required by the election observation mission and will cooperate in the production of its statements and reports as requested. I will refrain from making personal comments, observations or conclusions to the news media or the public before the election observation mission makes a statement, unless specifically authorized by the observation mission's leadership.

Signature

Name

Organisation
.....

Date

ANNEXURE-C

Bangladesh Election Commission
Election Commission Secretariat
Nirbachon Bhabon.
Agargoan, Dhaka
www.ecs.gov.bd

Authorization Form for the Contact Person

The contact person will be the sole point of communication between the EC Secretariat and the Observer Organization. Please submit this form with complete contact details, as well as a passport sized photograph and a copy of the passport.

Name of Observer Organization:

Personal Detail of Contact Person:

Name:

Gender:

Nationality:

Office Location in Bangladesh:

Mobile No.:

Telephone No.:

Fax No.:

Email:

I, the Head of the Observer Organization, hereby authorize the contact person to perform the following tasks:

- a. Sign all necessary documentation on behalf of the Observer Organization.
- b. Receive/submit all documents and materials to/from the observer organization and the EC Secretariat.

Signature of Contact Person:

Place and Date:

Seal and Signature of the Head of the Observer Organizations:

ANNEXURE-D

Observer's Information and Deployment Details

Name of Observer Organization:

Address:

| S.N. | Name of the Observer | Age | Gender | Nationality | Passport No. | Contact Number | E-mail | Proposed Deployment | |
|------|----------------------|-----|--------|-------------|--------------|----------------|--------|---------------------|--------------|
| | | | | | | | | District | Constituency |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

Name of the Head of Organization/Contact Person:

Signature:.....

Seal of Observer Organization:

Date:.....