

# Legal and Institutional Reform of Election Commission for Attaining SDG-16 in Bangladesh

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## Abstract

*The attainment of Sustainable Development Goals (SDGs) solely depends on social peace and inclusiveness that can be afforded by transforming people's choice through free and fair elections into legitimate government. Of the 17 SDGs, the SDG-16 ask for promoting peaceful and inclusive societies, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Since periodical, the inclusive and participatory election is marked as an unbending prerequisite of effective people's participation in building an inclusive peaceful society. A legally and structurally strong election commission, meaning free from all sorts of interceptions and influences, is also a must. In Bangladesh, after the 15<sup>th</sup> amendment of the Constitution, the new reality demands more power and freedom for the Election Commission Bangladesh (EC) in terms of legal and institutional power for holding fair and credible elections. The 10<sup>th</sup> Parliamentary Elections held on January 5, 2014, under the ruling regime has raised apprehension that without inclusive elections the transformation of Bangladesh into the peaceful and accountable state would be unviable. An independent, accountable and stronger election commission can successfully lead the country towards peaceful and inclusive society what we observed many times since the reintroduction of parliamentary democracy in 1991. So, how the EC could ensure participatory, free, fair and inclusive election has been an issue of intense discussion, debate and academic endeavors. This paper analyzes what types of challenges the EC faced under political regimes in holding inclusive elections and the legal and institutional setbacks that plunged the EC for which fair elections were unimaginable. The paper suggests for which length of legal and institutional reforms are needed to get a capable and effective EC for holding inclusive and participatory elections aiming at attaining the SDG-16 in Bangladesh.*

Key terms: Election Commission (EC) Bangladesh; SDG-16; democracy; elections; Bangladesh politics

## Introduction

Reform of the Election Commission Bangladesh (EC) came in limelight since the 15<sup>th</sup> Amendment of the Constitution in 2011 and the demand becomes bolstered from civil society members, political parties, academics and even from the ordinary citizens after

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holding the most rigged non-participatory, better saying voter-less, parliamentary election on January 5, 2014, that triggered conflict, coercion, and violence. For attaining the goals and targets of SDGs, particularly, SDG-16, that begins from the first day of 2016 and will end in 2030, most of the political institutions of the country need to be reformed and democratized and the EC is not an isolated one. Bangladesh's success in attaining Millennium Development Goals (MDGs), expired in 2015, beams challenge to be an excellent achiever in SDGs but some bottlenecks, most of political and institutional in nature, set obstacles in the development.

Officially known as "Transforming our world: the 2030 Agenda for Sustainable Development" is a set of 17 global goals with 169 targets between them. Spearheaded by the United Nations (UN), through a deliberative process involving its 194 Member States, as well as global civil society, the goals were adopted on 25 September 2015 (UNGA, 2015). Bangladesh also committed to implementing the SDGs taking into accounts the national realities, capabilities, and level of development. Of the 17 goals, the SDG-16 that underscores peace, inclusiveness, justice, and effective and accountable institutions are the means and ways to attaining sustainable development. Without democracy, a peaceful and inclusive society, where citizens enjoy equal rights and government remains accountable to citizens, could not be possible and therefore, the ultimate guarantor of social peace is robust democratic institutions such as elections.

The Constitution of Bangladesh and the Representation of the People Order (RPO), 1972 established the EC and bestowed the responsibility of conducting elections and electoral process on it. For fulfilling its job, Article 126 assigns all executive authorities as their duty to assist the EC in discharging its duty. After reverting to parliamentary democracy in 1991, despite many inadequacies, the EC had then gained confidence among citizens in holding acceptable parliamentary elections under the non-party caretaker government (CTG), in which political parties have no influence. As the political government was in executive power, unlike CTG, the EC failed in holding fair and credible elections in February 1996 and January 2014.

Following the 15th Amendment of the Constitution in 2011 which empowered ruling government to form the election-time interim government and under such government when the EC arranged the 10th Parliamentary Elections on January 5, 2014, major opposition parties did not participate accusing the EC of failing in forming a level playing field. The elections what ruling party termed "a constitutional obligation" turned into a voter-less and rigged (Hashmi, 2014), bizarre election (NYT, 2014), non-election (Anam, 2014), and most disappointing (Daily Star, 2014) to the citizens, civil society, and the Western media. As the 11th parliamentary election is anticipated to be

held in 2019 and the EC has already been constructed, by explaining and analyzing the performance of the EC in holding the parliamentary polls since 1991, this study suggests to what extent the EC needs to be reformed in the context of abolished CTG for holding fair and credible elections. As elections play a significant role in ensuring peace processes since they are widely considered to be the main method of achieving a peaceful resolution to political controversies (UNSSC, 2011), the EC is the main tool to achieve the peace (UNDP, 2006) and inclusive society. Therefore, the study suggests necessary reform in the relevant acts, laws and procedures and institutional reform aiming at holding fair, participatory, and inclusive elections for metamorphosing sustainable development.

This is a qualitative study. Necessary data and information for the study have been collected both from primary and secondary sources using various qualitative techniques. The study is based on several UN resolutions, national and international newspapers, columns, scholarly articles, periodicals, reports of different NGOs, INGOs, working papers, thesis and other available data. The article considers the UN, UNDP and other international rights groups' explanation of fair and inclusive elections while Constitution of Bangladesh, RPO 1972, and EC's gazette notification provide the statutory structure of the study.

### **SDG-16**

The SDG-16 reads "promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels" (UN-SDG, 2015). The UN General Assembly adopted that "sustainable development cannot be realized without peace and security, and peace and security will be at risk without sustainable development" (UNGA, 2015). The SDG-16 sets 10 targets and two additional targets for attaining the goal. Of the targets, the sixth asks for "develop effective, accountable and transparent institutions at all levels" and seventh to "ensure responsive, inclusive, participatory and representative decision-making at all levels" (UN-SDG, 2015). Generally, the SDG-16 asks for promoting peaceful and inclusive societies, justice for all and effective, accountable and inclusive institutions which could be attained in an egalitarian society. As democracy is fundamental for an inclusive society, the election is the key component in that pursuit of the democracy which enhances citizens' participation in governance, ensure government accountability and encourage political competition. The significance of elections for building peaceful, inclusive and democratic society underpins the electoral process and electoral management.

### **Election for Peaceful and Inclusive Society**

When successful, electoral processes offer a means of channeling social conflict into the respectful and constructive debate and common rules for choosing authoritative

representatives of the people who can serve in executive, legislative, and other institutions. While credible, fairly conducted, inclusive and participatory elections transform social conflict into a peaceful, integrated and inclusive society, incredible and non-participatory elections can be the catalyst for conflict (UNDP, 2009). The UNDP (2009) stated how to credible and fairly conducted elections help manage and process social and political conflict into peace and inclusive society in the following ways:

- i. **Generating legitimacy:** When electoral processes are credible, approaching the ideal of free and fair, and when they are inclusive of all elements of society through a well-considered law of citizenship and of voter registration, the 'mandate' given by the people to victorious candidates and political parties imbues governance with legitimacy. Legitimate governments are more likely to manage conflict positively than illegitimate ones.
- ii. **Reflecting the will of the people:** Derrick Marco of the Institute for Democracy in Southern Africa states that credible elections must be understood as elections where the will of the people has been expressed in an environment that is free of intimidation, violence, coercion, fully participatory, and enabling for the voters to exercise their right to vote. The term credible provides a much broader framework for measurement including the environment in which the elections occurred than terms such as free and fair and legitimate. It also leaves the responsibility of declaring an election free and fair to the electoral management body i.e. Election Commission that is legally bound to make the final declaration on the outcome of the results and the elections generally.
- iii. **Choosing representatives:** Good electoral processes do not pre-judge the nature of society and who should represent whom; indeed, electoral processes are about defining what is meant by 'representation'. That is, a good electoral process will allow society on its own to determine the nature of its similarities and differences (Ellis, 2006).
- iv. **Agenda-setting:** Electoral processes help establish what issues are before the community. They help define which are priority issues and present various options to respond to those challenges. Campaigns thus set agendas with candidates articulating their priority issues.
- v. **Voice and education:** Electoral processes give voice to the citizens, ideally, in that they provide an opportunity for each individual in the political community to 'speak' on polling day as political equals as they cast their vote. Each vote and each person's voice or view is heard equally on that day. At the same time, in considering how they will vote, voters are 'educated' on policy issues by candidates. Ideally, voters learn about what political leaders think what the key issues are, and they learn through debate and discourse about the range of possible public policy options and costs, consequences, and considerations for

each.

Whether any given electoral process fulfills all of the functions mentioned above is a consequence of its overall quality, often described in terms of an election being either 'free and fair' or not. Reynolds argues "the election is either good or it is bad, or when a fudge [qualification] is required, it is substantially free and fair" (Elklit & Reynolds, 2005).

### **What is Free, Fair and Credible Election?**

The free, fair and credible election is one of the basic and crucial prerequisites and elements of democratic government and governance (Huntington, 1991; Mesfin, 2008). Here 'free' is about participation and choice; 'fair' is about equality of participation and of the vote, and about impartiality and non-discrimination; together, they imply respect for human rights at large and the absence of coercion (Goodwin-gill, 2006). The election would be credible when rules, regulations, and laws governing the electoral process will be followed by and ultimately, the credible candidate will be freely and fairly elected to represent the electorate (Udu, Nkwede, & A., 2015). According to Diamond (2002), free and fair elections have four major components --- (i) independent political parties will compete in electoral process in freely and fairly; (ii) individual must be free to participate in politics and election process based on their own choice; (iii) election process would be free and fair so that every adult franchise can apply their voting right equally with equal weight; and (iv) finally, outcome of the election or counting vote would be accurate and legitimate. Thus, when all the four components mentioned above will be available in the process, conduct, and outcome of an election, that election could be considered to be free, fair and credible.

### **Framework of Election Commission Bangladesh**

As the success of an election depends largely on the independence, capacity, and impartiality of the election management body the Constitution of Bangladesh in Part VII (Articles 118-126) has entrusted the responsibility of conducting the elections and election-related duties on the EC. Besides, the RPO, 1972, Delimitation of Constituencies Ordinance (1976); Election Roll Ordinance (2007); Election Roll Rules (2008) and Code of Conduct for Political Parties and Candidates (2008) have empowered the Commission with the necessary power in conducting fair and credible elections.

**Composition, power and function of EC:** Article 118 of the Constitution provides for the establishment of an EC in Bangladesh. The EC consists of a Chief Election Commissioner (CEC) and not more than four election commissioners. The

appointment of the CEC and other election commissioners is conducted by the president [Art. 118(1)]. Under the Constitution, the term of office of any election commissioner is five years from the date on which s/he enters upon office. A commissioner shall not be removed from office except on the ground of gross misconduct like judges of Supreme Court as per Article 118(5) of Bangladesh Constitution.

Articles 118(4) and 126 of the Constitution, read with Article 4 of the RPO, 1972, the EC is an independent constitutional body in the exercise of its functions and subject only to the Constitution and any other law. Article 126 of the Constitution and Articles 4 and 5 of the RPO, 1972 provide that it shall be the duty of all executive authorities to assist the EC in the discharge of its functions. Article 119(1) describes the function of the EC as the superintendence, direction, and control of the preparation of the electoral rolls for elections to the office of President and to Parliament and the conduct of such elections shall vest in the EC which shall, in accordance with this Constitution and any other law --- (a) hold elections to the office of President; (b) hold elections of members of Parliament; (c) delimit the constituencies for the purpose of elections to Parliament ; and (d) prepare electoral rolls for the purpose of elections to the office of President and to Parliament.

Apart from the above-mentioned powers and functions, the RPO, 1972 outlines the elaborate powers of the EC. It is empowered to:

- Regulate and monitor the registration of the political parties;
- Make Rules for carrying out the purpose of the RPO;
- Prepare electoral codes of conducts ;
- Regulates its own procedures;
- Fixation of the date of submission of nomination papers, scrutiny of nomination and withdrawal of nomination paper and date of the poll;
- Permit neutral election observers;
- Decides Electoral Disputes;
- Regulates the transfer of judicial officers below the District judge, Deputy Commissioner, Superintendent of police etc. during the election days;
- Form and control the electoral Enquiry Committee with powers of a civil court;
- Appointment and recruiting officers to supervise all work in district level in connection with the conduct of elections and superintend, direct and control the recruiting officers;
- Prescribe the principles and guidelines regarding the broadcast and telecast in the national media during the general election to the parliament;
- Cancel candidature in appropriate cases;
- Withdraw any officer performing any duty in connection with an election, or any other public functionary or any other law enforcing personnel who obstructs or

prevents or attempts to obstruct or prevent the conduct of the fair and impartial poll; and

- Design and approve the ballot boxes.

The articles of the Constitution, the RPO (1972), and other relevant statutes comprehend that the EC is authorized to exercise its powers independently to discharge its functions in holding elections. But political circumstances on the ground and pressure of executive power in most transitory democratic countries like Bangladesh set different obstacles that disallow the EC to exercise its authority for holding fair and free elections. The parliamentary elections in Bangladesh since its inception, in general, and the elections after 1991, in particular, are analyzed below to understand why the EC could not come out successfully in holding fair elections in some cases circumstances.

### **Election-time Govt. and Fair Elections: A Historical Anatomy**

Since independence in 1971, 10 national elections were held in Bangladesh under various regimes. These are March 1973, February 1979, May 1986, March 1988, January 1991, February 1996, June 1996, October 2001, December 2008 and January 2014. Of the polls, elections failed to change regimes until 1991 and the ruling party, whatever that be, gained a landslide victory in those elections termed by scholars flawed, unfair, rigged, and thus mostly incredible. How many elections under political government were flawed Hakim (1993) stated, as "[In the fourth parliamentary elections] the Election Commission claimed a voter turnout 54.93 percent. But the opposition ridiculed the official figure and claimed that not more than 1 percent voted in the March 1988 elections. With 68.44 percent of the votes cast the JP [Jatiya Party] won 251 seats." The scenario of other polls until 1991 was almost the same.

### **5<sup>th</sup> Parliamentary Elections:**

Following four-point *modus operandi* between two rival political forces in 1990, Ershad handed over power to the then Chief Justice Shahabuddin Ahmed who later became Acting President and led *ad hoc* non-party caretaker government. The government took several measures to reestablish people's confidence in the electoral process. In response to a long-standing demand of the political parties, the EC was reconstituted with three sitting judges to ensure free, fair and impartial polls. The EC was empowered to suspend Returning and Presiding officers. Employees deployed for election work duties were placed under the jurisdiction of the EC that later marked the painstaking of electoral management. Local and foreign observers found the election most peaceful, free and fair in the 20-year history of independent Bangladesh (Hakim, 1993). In the election, BNP won the majority and formed the government.

### **6<sup>th</sup> Parliamentary Elections:**

The BNP government's alleged maneuvering in the Magura by-election in 1994 and opposition parties, including Awami League (AL) and Jamaat-e-Islami, continuous demand for the non-party caretaker government as transitory government triggered political violence and conflict. BNP government arranged the sixth parliamentary elections in February 1996 wherein BNP claimed majority seats but the poll was flawed and non-participatory, and hence suffered from illegality. As the elections were non-participatory in nature it had failed to provide legitimacy both to the legislature and the executive. The "dubiously elected MP" (Jahan, 2005) met only once to pass the 13<sup>th</sup> Constitutional amendment authorizing future parliamentary elections under CTG. Later, three parliamentary elections were held in June 1996 (seventh), October 2001 (eighth) and December 2008 (ninth) under different CTGs and were lauded fair with some exceptions.

### **7<sup>th</sup> Parliamentary Elections:**

As the 13th Amendment Act 1996 inserted Chapter IIA in Part IV of the Constitution that established Non-party Caretaker Government, a seemingly permanent solution was upheld for holding fair parliamentary elections. Justice Habibur Rahman took over the responsibility as the head of the CTG and arranged the general elections in June 1996 in which AL become the victor. The election was very competitive, free, fair and credible according to national and international election observers (Mollah, 2016). In this election, the voter turnout was uncommonly high, where 75 percent of qualified voters cast their ballots. Though BNP complained of vote rigging, the party accepted the elections result and power was transferred smoothly to AL (Jahan, 2005).

### **8<sup>th</sup> Parliamentary Elections:**

Like the past two elections, the eighth parliamentary election was held under CTG, led by Justice Latifur Rahman, in October 2001. The result of the October 1<sup>st</sup> election saw a reversal of fortune for AL. The regime had changed again and BNP-led alliance became a winner in the race where voter turnout was 75.5 percent (EC website). As far as the free and reasonable election, it was acknowledged and increased in value by the national and global election observers and media. The AL alleged 'blunt' rigging in the polls and initially stated that they would not sit in the parliament but on October 24, 2001, they took their oath (Jahan, 2005).

### **9<sup>th</sup> Parliamentary Elections:**

Centering the 14<sup>th</sup> amendment of the Constitution endorsed by BNP government that extended the retirement age of judges stringed political turmoil after 2004. After expiring the five-year tenure of the BNP-led government, the then President Iajuddin



Ahmed took over the responsibility of CTG's chief following the Constitution (CoB, 2006) Article 58C (6) on 28 October 2016. But the political vendetta between the BNP and AL tents was becoming worse and the holding election the slated on 22 January 2007 felt in uncertainty. In this backdrop, On January 11, 2007, armed forces forced the President to proclaim Emergency and leave the Chief Advisor post. The following day, a second "caretaker" government, under the administration of Dr. Fakhruddin Ahmed, a former central bank governor, was constituted who reconstructed the EC for holding fair elections (Jahan, 2008). The CTG-turned-interim government conducted elections on 29 December 2008 in which AL-led alliance won and formed the government. The electoral process was appreciated by local and international media and observers as the election was competitive, participatory, free, fair and credible. However, BNP alliance claimed that the administration and CTG work in favor of AL alliance (Ahmed, 2014).

### **10<sup>th</sup> Parliamentary Elections:**

Following a partial verdict of the Supreme Court, AL-majority parliament in 2011 abolished the CTG system by amending the Constitution (CoB, 2011), which itself is a product of AL's triumph 14 years back, triggered political uncertainty again about election time government. Like the elections held in 1973-1990 and February 1996, the 10th Parliamentary Elections held under political government on January 5, 2014, was non-participatory and highly rigged. In the polls for the first time, 153 candidates, more than half of parliament seats, were won uncontested. The election is the worst in our recent history where less than 25 percent people voted against 87 percent in the previous elections held in 2009. The election was also the most violent and catalyzed political conflict as post-election violence and failed to transform the society towards inclusive and peaceful one.

### **Attainment of SDG-16 and Role of EC**

Undoubtedly, the Constitution of Bangladesh and RPO, 1972 bestowed all powers and responsibilities to EC for holding free and fair elections. But till 1991 none of the elections were free and fair despite the EC was constitutionally independent. On the other hand, the elections that were "supervised by caretaker governments, were enthusiastically contested by all political parties, had massive voter turnouts, were certified as relatively free and fair by impartial election monitors, and the results were not strongly or persistently disputed by the losing parties as in the days of authoritarian rule" (Zafrullah & Akhter, 2003). Since 1991, two parliamentary elections --- in February 1996 and January 2014 - held under the political regime in a hazardous political atmosphere, were boycotted by the major opposition forces, were ignored by the electorate, and were manipulated by the ruling party. In 1990, when distrust and disunity among political parties made a unique consensus over the election-time

government, after 26 years of that Bangladesh is seemingly more divided in political line but trusted CTG system has been abolished unwisely. Since the adoption of Constitution and RPO in 1972, no basic amendment was made that empowered the EC, although some elections were fair and some were unfair for the type of election time government. It is proved that without empowering the EC, legally and institutionally, fair election without CTG and under political government is not practical in Bangladesh.

### **Why Reform?**

While successive CTGs, except the last, have generally served the purposes for which they were created, the concept cannot be a permanent arrangement because it casts doubt on the ability of an elected representative government to protect the institution of free elections. For not only the CTG provision been abolished, CTG undervalues the credibility of a democratic government to uphold democratic values and points to the failure of the political community (Zafrullah & Akhter, 2003), CTG ought to be abolished in near future.

In the context of January 5 unprecedentedly rigged elections failed to consolidate democratic development and peaceful society, reform of the EC jurisdictionally and institutionally is imperative, so that the EC can conduct fair elections. It is noted that there was a transitory government during 2014 polls, but they failed to ensure fair vote and voting turnout as the head of the transitory government was unchanged. In this backdrop, academicians, civil society, mass media, and citizens, in general, are eyeing for reforming the EC that they can adjudicate any dispute and allegation even it goes against the commission or ruling regime.

The reform of EC not only includes some laws but also the people who are trusted and responsible for holding fair elections. Civil Society members asked for bringing reform to the EC by making appropriate laws to recruit honest, skilled, courageous people into the Commission (Daily Star, 2016) and to come out of this situation we need to reform the election system Kalimullah (2014). As Kazi Rakibuddin-led EC made the constitutional institution untrustworthy during and after 2014 parliamentary elections for the partisan and inept role and the CTG provision is unlikely to restore, reform of EC to the extent that can independently and truly conduct fair elections like many other democratic countries.

### **Suggestion for Legal and Institutional Reform of EC**

A credible electoral process leads to the peaceful transfer of power and establishes citizens' governance; electoral management authority is a pivotal force. The success of an election depends, to a large extent on the independence, capacity, and impartiality

of the Election Management Body of a particular country (Elklit et al, 2001; Pastor, 1999). In order to strengthen the EC, the study offers some recommendations under legal and institutional reform agenda for strengthening and capacity building the constitutional institution.

**Legal reforms:**

For having a more powerful, accountable and inclusive EC that can successfully conduct fair elections in the light of the 15<sup>th</sup> amended constitution some of the existing laws and Acts should be reformed. The suggestions are given here:

1. Article 118(1) states that appointment of the Chief Election Commissioner and other Election Commissioners shall be made by President while Article 48(3) says that the President shall act in accordance with the advice of the Prime Minister. The appointment of Chief Election Commissioner and other commissioners should be made by President independently;
2. In case of posting and transfer of the offices of Cabinet Division, Home, Public Administration, Local Government and other concerned ministries, the approval of the EC should be made mandatory (TIB, 2013);
3. Designated officers against whom election-related complaints have been lodged should be retained under the EC for an additional three months following the announcement of election results;
4. The authority of the EC should be increased with regard to cancellation of candidature, cancellation of membership of the Parliament, decision to use EVM or any other voting method;
5. Nomination of candidates from amongst those proposed by the local committee for contesting in national elections should be made mandatory;
6. Verification of return of election expenditure of the candidate should be included in the laws;
7. A clause should be included regarding the disclosure of financial statements of political parties;
8. Inconsistencies in the law relating to the punishment for the violation of the Code of Conduct should be removed;
9. The election tribunal must resolve complaints, including appeal, within next six months;
10. The inter-relationship between the EC and the EC Secretariat should be clearly defined; and
11. After all, amendments should be made to the electoral law in the light of the amended Constitution.

**Institutional reforms:**

Legally empowered EC cannot hold fair elections unless the leadership of the EC would be competent, honest, patriotic and committed to citizens and Constitution instead of executive force and ruling regime. Besides, the structure of the EC and its activities should be reformed to do the optimum level of integrity in holding fair elections. In this regard some suggestions are given here:

1. To gain trust of all political parties and to establish its neutrality, the EC should not take controversial initiatives which may disempower it; rather, to make it strong and effective, positive initiatives should be taken with the involvement of different stakeholders;
2. The EC must ensure that the application of electoral laws and rules is free from partisan influence;
3. The EC should create space for all political parties to engage and contribute to its reform initiatives and salient activities with respect to conduct an election, and inter alia, it should ensure a level-playing field for all actors;
4. The EC should increase its own capacity in terms of empowering staff and developing infrastructural and logistical strength, so that its dependence on bureaucracy may be reduced;
5. EC's own manpower should be used to conduct parliamentary elections. Officers of the EC should be appointed as Returning Officers. Measures should be taken, if necessary, to increase the number and skill of its manpower for this purpose;
6. The EC must be financially independent. There should be separate allocations in the national budget for the EC;
7. Projects implemented by the EC have to be designed and developed incorporating monitoring and evaluation activities;
8. All financial documents including yearly audit reports, detail budget, annual statement must be made public;
9. Election Commissioners and other officials should be accountable to the people and their annual performance report should be published; and
10. An enabling environment should be ensured to increase the participation of women, minorities, and persons with disabilities in national elections and in political parties.

**Conclusion**

Election Commission is not all in all in holding free and fair elections as there are many domestic and external stakeholders. But the role of EC is irreplaceable in holding a fair and credible election following the statutes. As elections cater a pivotal role in transforming peaceful and inclusive society and if continue lead and develop a nation towards more accountable and consolidated democracy. Like many UN member states, Bangladesh's success in SDGs attainment solely depends on the attainment of

SDG-16 that can be achieved by transforming society into democratic, peaceful, accountable and inclusive where access to justice is equally applicable to all and for that elections are the carrier and the EC is the means to attain the goals and targets. In the reality of post- CTG provision abolishment from the Constitution and infeasibility to restore it, legal and institutional reforms of the EC can buttress the attainment of SDG-16 in Bangladesh through holding free, fair and credible national election under the political government.

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