

Voting Right of Non-Resident Bangladeshis: A Critical Review

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Like most people of the world, Bangladeshis have joined the world trend of human mobility across continents and countries. Already Bangladeshi immigrant communities in the UK, the USA, Australia and New Zealand are well-established. The immigrant communities are contributing a lion's share to our revenue earnings and the forex reserve. Perhaps analysing this reality, the interim government is seriously considering ensuring their voting right in the new context of our political realm. However, I am not sure, whether the government as well as the Election Commission have done sufficient homework on the implications of such a crucial decision. This article tries to capture some possible detrimental consequences of providing voting rights to Non-Resident Bangladeshis (NRB).

By NRB we mean the Bangladeshi immigrant communities who have settled abroad either temporarily or permanently. NRB are classified into following groups:

(A) Bangladeshi citizens those are settled in foreign countries temporarily: People under this category have opted to settle in a foreign country temporarily for various reasons. (e.g. many Bangladeshis are staying abroad for employment, business, study or just to stay with their spouses or families) but have not received any citizenship from their host countries.

(B) Bangladeshi citizens those are settled permanently in foreign countries but have not yet received citizenship from the host countries. (e.g. many Bangladeshis settlers are residing for years after years in the Middle Eastern countries including Saudi Arabia but the immigration laws of those countries have no provision for awarding citizenship to foreigners.)

(C) Bangladeshi citizens those are settled permanently in foreign countries and have received citizenship from the host countries. (e.g. many Bangladeshis have received citizenship of UK, USA, New Zealand and also of many other countries.)

(D) Many Bangladeshis have illegally migrated to and settled in foreign countries following the popular trend of migration. This group can also be termed as undocumented NRB.

Non-Resident Bangladeshis (of prescribed age to be voters according to Election Commission) those fall under the category (A) stated above should have essentially the right to be voters of Bangladesh as the state either legally or morally can not curtail this natural right. However, whether their names will be registered in the voters list in their absence or whether they can apply their franchise right from abroad is a policy matter of the state. But whether the NRB of categories (B), (C) and (D) should have the voting right or not raises multitude of questions in the context of present complex global socio-economic environment.

Whether the immigrant people who have received the citizenship of the host country should have voting right in their respective country of origin is one of the socio-political discourses of present time. Many have argued that the globalisation encourages the concept of dual or multiple citizenship and a person's citizenship should not be restricted to a single nation state only. Based on this philosophy, intermingled with the innovation of the state of the art technology, especially in the field of communication, the contemporary world has witnessed the formation process of

different Diasporas or trans-national communities. In fact, the modern technology has effectively and efficiently squeezed the time and space barriers, which in turn, speed up the human mobility and the emergence of different Diasporas. So, we have observed that since the closing decade of the last century Chinese, Indian, Bangladeshis, Pakistanis and many other Diasporas have been changing the old regional socio-political orders by introducing a new global socio-political fabric of the world. The rapid development of this Diaspora based world acts as a rationale behind the increased demand for the dual or multiple citizenship around the world. The dual citizenship should provide simultaneous voting right for two or more countries as this is one of the essential elements of citizenship and a critical part of belonging to a political community. It reflects and gives voice to one's stake in the community, while at the same time symbolizes one's membership in it. Idealistically such a demand sounds very positive as well as logical and one may expect that eventually this will lead us to the concept of the global citizenship.

But in reality the concept of dual or multiple citizenship is a romantic and overambitious dream to be realised at least for the present world set up. A survey has revealed that at present less than a dozen of countries of the world allow dual citizenship. Even many of these countries have not yet formulated appropriate policies to provide the people with a full fledged dual citizenship. For, instance, though Philippine is the pioneer in Asia to allow its citizens to embrace dual citizenship, yet the proper policy for providing voting right for the Non-resident Filipinos is yet to be formulated there. In this context the senatorial candidate Aquilino Pimentel III in April this year has cited the need to correct legal flaws in the Overseas Absentee Voting Law that prevent or discourage overseas Filipinos from availing of the right to vote for national government officials of their homeland. Nigeria has provided its mono-citizens (those have not received any citizenship of other countries) living abroad with voting right. But there is a constitutional debate there whether it should give voting right to the people who have the dual or multiple citizenship. According to the electoral code of Republic of Armenia prior to the amendment of February 2007, the Armenian who travel or reside in foreign lands could exercise their voting right through diplomatic and consular missions abroad. Besides, the citizen of Armenia could hold multiple citizenships in true sense. But February 2007 amendment has imposed restrictions in various forms on multiple citizenships and voting right of non-resident Armenians assessing the harsh realities.

The constitution of India does not allow Indian citizenship and citizenship of a foreign country at the same time. However, since December 2005 India has been considering dual citizenship in restricted form. Instead of dual citizenship India terms it as 'Overseas Citizen of India' for the people of Indian origin belonging to, or having citizenship of other countries subject to certain conditions. The Overseas citizenship of India (OCI) commonly known as dual citizenship is granted to persons who migrated from India and acquired citizenship of a foreign country other than Pakistan and Bangladesh. They are eligible to get OCI as long as their home countries allow dual citizenship in some form or the other under their local laws. However persons registered as OCI shall not have any voting right and right for public employment. In the sub-continent other countries like Pakistan, Bangladesh and Sri Lanka though allow their citizens to accept dual or multiple citizenship, do not allow voting right for such citizen groups yet now.

Perhaps, the oldest and matured democratic country the UK is the most flexible to provide dual citizenship to its citizens. Especially, in case of voting right the UK shows extraordinarily lenient attitude. Even any commonwealth citizen (who is not British citizen) residing in the UK can exercise voting right for its national election. The non-resident British citizens can register as

overseas electors and apply their voting right through post or by appointing someone who lives in the UK as proxy to vote on behalf of her/him. The USA and Canada also provide the option for dual citizenship in a restricted form and their citizens living abroad can also apply their voting right.

From the above investigation it has been surfaced that most of the countries in the world are not yet ready to provide full-fledged dual citizenship ensuring voting right for more than one countries to their citizens. In the context of such world scenario it is amazing to justify why the present interim government is planning to provide the voting right to NRBs.

So far, it has been learnt that the government has been planning to implement the scheme of providing voting right to the NRBs in the UK first as the largest Bangladeshi immigrant community is living there. But before initiating this scheme, I fervently urge the government on behalf of many of the members of the UK Bangladeshi community to reconsider this venture as this may have adverse impact on the community as a whole. The arguments of such lines of thinking have been outlined below:

a. Bangladeshi National Politics versus Social Segregation : UK Bangladeshis are a relatively homogeneous ethnic group and the vast majority of these settlers (probably about 90%) came from Sylhet division. So, naturally it is expected that the members of this community should have strong unity. But in reality, the community are divided into many groups based on the 'imported' national politics of Bangladesh. So, in different towns in the UK it has been observed that this community has been segmented into different fragments based on AL, BNP, JP or Jamat politics of Bangladesh. Other communities living in Britain do not have their political parties 'imported' from their countries, and that is one reason why they are more united and organized in Britain. Shabir Choudhry, the Director of the Institute of Kashmir affairs, UK assessing the UK Indian community has commented that, "...the Indian Community in Britain, they don't have any political parties imported from India, and they can concentrate their energies on other things that help them to establish themselves in Britain". It is evident that the Indian community in Britain is doing better than the Bangladeshi community. This is partly because they did not waste their resources on the politics of India, rather they worked hard to get into higher echelons of the British society.

Imported political based segregation of the Bangladeshi community has already destroyed the image of Bangladesh. Just as in Bangladesh, in the UK also rival groups (e.g. AL, BNP, Jamat) centering trifling issues engage themselves in quarrel and even sometime the police has to intervene to control the situation.

As a minority community UK Bangladeshi community should be united together so that they can work for the common interest with a view to establishing themselves in better positions and combat the prevailing racial discrimination in the European society. It has been speculated that if the Bangladesh government provides the voting right to the NRB then the segregation among Bangladeshi community will be accelerated, which in turn, will act as a negative factor for the overall advancement of the community.

b. Bangladeshi National Politics versus Social Integration: For the better advancement of any immigrant community in any country proper integration with the main flow of politics is a must. The UK Bangladeshi community is getting older and now second and even the third generations

of this community are coming up. These new generations should involve in the politics of the UK rather than the politics in Bangladesh for their proper integration with the mainstream of the society. Doing politics of AL, BNP or Jamat staying in the UK will decelerate the social integration process of this community. Instead of granting voting right to this community, the Bangladesh government should chalk out a policy to ban the overseas wings of Bangladesh political parties.

- c. **Impact on undocumented NRB (category D of NRB):** There are many undocumented Bangladeshis living in the UK. Though to the eye of the law their migration process is illegal, still they are contributing much both to the host and their home countries in different ways. For obvious reasons, the undocumented will not take interest to be registered in the voters' list. But it can be speculated that in future the voters' list of NRB (to be implemented) may be used as an instrument to nab this undocumented group.
- d. **Complex identification process of eligible voters:** At present, estimated about 5,00,000 Bangladeshis are living in the UK. Among them many (especially from the second and third generations) do not hold the Bangladeshi passport and have not taken the privilege of dual citizenship. Then what will be the identifying criteria? Will all the Bangladeshi origin people in the UK be registered as voters? Even the Bangladesh High Commission in the UK has no formal procedure in recording information on the UK Bangladeshi Community. Will they be active (those who can participate in the election as candidates) or passive (who can only vote but have no right to be participate as candidate) voters? Before planning for granting voting right to NRBs, these issues should have been resolved properly.
- e. **Requires huge budget:** The implementation of the scheme for granting voting right to the NRBs requires huge money. Especially, preparing voters' list, setting up an office of the EC and conducting election will involve huge amount of revenues of the country. We have already seen that apart from the developed country like UK, USA or Canada most of the countries of the world have not yet granted the voting right to their respective overseas citizens. Considering this, it would be very unwise to take decision for granting voting right to NRB, especially for the poor country like ours.

In conclusion it may be said that for establishing a true democracy in the country the EC has to go a long way. During this crucial transition period it should not be involved in any new debatable effort which may have adverse impact on the NRBs. Rather, the government should address the real problems of NRBs who are one of the major stakeholders of the country.

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