



Public Review of the EU Election Observation Mission Final Report on the 2026 Parliamentary Elections in Bangladesh

South Asia Democratic Forum (SADF)

Background

On 28 April 2026, the European Union Election Observation Mission (EU EOM) published its [Final Report](#) on the 12 February 2026 parliamentary elections in Bangladesh¹, describing the elections as “credible and competently managed” and a “pivotal step toward restoring democratic governance and the rule of law”. While acknowledging certain procedural improvements and technical efficiencies, the South Asia Democratic Forum (SADF) considers that the report’s substantive assessment departs from established European democratic norms and jurisprudence. In particular, the report fails to engage with core violations of political pluralism, freedom of association, and inclusivity that fundamentally undermine the democratic character of the 2026 elections.

Violation of Freedom of Association and Political Pluralism

At the centre of SADF’s concern is the EU EOM’s omission of any meaningful assessment of the [ban](#) on the Awami League² and the systematic persecution of its leaders, activists, and supporters on the basis of political belief. Freedom of association, enshrined in Article 11 of the European Convention on Human Rights,

¹ European Union Election Observation Mission to Bangladesh, ‘EU EOM Bangladesh presents its final report with 19 recommendations: EU stands ready to support Bangladesh in implementing them’, https://www.eeas.europa.eu/eom-bangladesh-2026/eu-eom-bangladesh-presents-its-final-report-19-recommendations-eu-stands-ready-support-bangladesh_en?s=410527 accessed 4 May 2026.

² Anadolu Agency, ‘Bangladeshi lawmakers vote to keep ban on ousted Hasina’s party’ (4 May 2026) <https://www.aa.com.tr/en/asia-pacific/bangladeshi-lawmakers-vote-to-keep-ban-on-ousted-hasina-s-party/3897693> accessed 4 May 2026; see also Al Jazeera, noting that the Yunus-led interim government initially banned the party’s activities in 2025: Al Jazeera, ‘Bangladesh bans activities of Awami League, the party of ousted PM Hasina’ (11 May 2025) <https://www.aljazeera.com/news/2025/5/11/bangladesh-bans-activities-of-awami-league-the-party-of-ousted-pm-hasina> accessed 4 May 2026.



protects not only the right to form political parties but also the right of those parties to participate effectively in public life. The European Court of Human Rights (ECHR) has consistently held that political pluralism is “at the very heart of the concept of a democratic society” and that restrictions on political parties require the most exacting scrutiny (*United Communist Party of Turkey and Others v. Turkey*³; *Socialist Party and Others v. Turkey*⁴).

The EU EOM’s failure to address the exclusion of a major political party contradicts established ECHR case law, which holds that banning or suppressing opposition forces, even under the guise of public order, is incompatible with democratic standards unless strictly necessary and proportionate (*Yazar and Others v. Turkey*⁵; *HADEP and Demir v. Turkey*⁶). Without the participation of the Awami League, one of Bangladesh’s principal political actors with a substantial support base, the 2026 election lacked genuine political competition and cannot credibly be described as inclusive. This omission also sits uneasily with Article 3 of Protocol No. 1 to the ECHR, which guarantees free elections that ensure the free expression of the people’s opinion in the choice of the legislature, a provision the ECHR has interpreted as inseparable from pluralistic participation (*Mathieu-Mohin and Clerfayt v. Belgium*⁷).

Selective Interpretation of Inclusion and Civic Space

Although the EU EOM report notes deficiencies relating to women’s participation and campaign finance oversight, it adopts an unduly narrow understanding of “inclusion” by treating it primarily as a technical or demographic issue. Inclusion, under European human rights standards, is inseparable from the ability of political actors and civil society to operate without fear of repression. The period following the 5 August 2024 uprising has been marked by documented intimidation and violence

³ App no 19392/92 (ECHR, 30 January 1998) para 43.

⁴ App no 21237/93 (ECHR, 25 May 1998) para 41.

⁵ App nos 22723/93, 22724/93 and 22725/93 (ECHR, 9 April 2002) para 51.

⁶ App no 28003/95 (ECHR, 14 December 2010) para 44.

⁷ App no 9267/81 (ECHR, 2 March 1987) para 47.



against minorities, journalists, and secular activists, including arbitrary arrests, prolonged pre-trial detention, and the misuse of national security laws. The report's silence on these issues stands in contrast to EU institutions' own human rights commentaries and Council decisions affirming that democratic elections cannot be meaningfully assessed in isolation from the broader human rights environment (EU Strategic Framework on Human Rights and Democracy).

Disregard of UN and Judicial Interventions

SADF is particularly concerned by the report's disregard for authoritative international and judicial interventions. The United Nations Working Group on Arbitrary Detention (UN-WGAD) has issued [an opinion](#) finding the arrest and detention of Shahriar Kabir to be arbitrary under international law⁸, linked directly to the exercise of freedom of expression and political opinion. Similarly, [a formal letter from the Committee to Protect Journalists \(CPJ\)](#) to the Bangladesh Government urging the withdrawal of charges against persecuted journalists underscores the gravity of judicial concern over due process violations and abuse of prosecutorial power.⁹ The EU EOM's omission of these developments undermines its claim to provide a holistic assessment of the electoral context and departs from the EU's stated commitment to multilateralism and respect for UN human rights mechanisms.

Implications for Democratic Stability and Security

By endorsing an electoral process that excluded a major political force and overlooked systematic repression, the EU EOM report risks contributing to long-term democratic

⁸ UN Human Rights Council, 'Opinions adopted by the Working Group on Arbitrary Detention at its 103rd session, 31 March – 4 April 2025: Opinion No. 40/2025 concerning Bangladesh' (2025) UN Doc A/HRC/WGAD/2025/40,

<https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session103/a-hrc-wg-ad-2025-40-bangladesh-aev.pdf>, accessed 4 May 2026.

⁹ Committee to Protect Journalists, 'CPJ urges new Bangladesh government to fulfill poll promise and release imprisoned journalists' (22 April 2026)

<https://cpj.org/2026/04/cpj-urges-new-bangladesh-government-to-fulfill-poll-promise-and-release-imprisoned-journalists/> accessed 4 May 2026.



erosion. ECHR jurisprudence recognises that pluralistic democracy serves as a safeguard against extremism, while the suppression of legitimate political opposition creates conditions in which radical and violent actors can gain prominence (*Refah Partisi (The Welfare Party) and Others v. Turkey*¹⁰, dissenting and majority reasoning taken together). The post-election environment in Bangladesh, marked by the growing visibility of right-wing Islamist extremist groups, underscores the danger of legitimising a constrained political space under the banner of procedural credibility.

Recommendations

SADF urges the European Union to align future election observation assessments with the normative framework of the European Convention of Human Rights, ECHR jurisprudence, and EU human rights commitments. Election observation should explicitly assess bans on political parties, mass prosecutions of opposition actors, and the broader climate of fear affecting participation. The EU should publicly call for the lifting of politically motivated prohibitions, the cessation of persecution based on political belief, and the implementation of UN-WGAD opinions and judicial communications concerning detained journalists and activists. Finally, EU institutions should recognise that democratic inclusivity requires not only orderly election administration but also the unimpeded participation of all political forces, minorities, and critical voices, without which elections risk serving as instruments of exclusion rather than expressions of popular sovereignty.

¹⁰ App nos 41340/98, 41342/98, 41343/98 and 41344/98 (ECHR [GC], 13 February 2003) paras 86–89.