



SOUTH ASIA REGIONAL CONFERENCE

on

The Use of Money in Politics
and its Effects on People's Representation

New Delhi, December 15-16, 2015





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FOREWORD

Mr. Yves Leterme Secretary General, International IDEA

As Secretary-General for International Institute of Democracy and Electoral Assistance (IDEA), it is an honor to co-present this report with our partners, the Election Commission of India and the India International Institute of Democracy and Election Management (IIIDEM). As part of a successful global series of regional conferences, the gathering of experts and distinguished officials at the conference in New Delhi re-emphasized how important it is to counter money's unwanted influence over political processes.

While many countries in South Asia face similar challenges in relation to the phenomenon of money's influence on political processes, making generalizations for South Asia is particularly difficult because of the region's great diversity in terms of history, culture and politics. Nevertheless, the Conference helped to illustrate how some problems are especially relevant for South Asia, particularly the South Asian Association for Regional Cooperation (SAARC) countries.

Conference participants for example discussed the region's spiraling costs of election campaigns. When donations from the extremely wealthy or big corporations finance campaigns, political parties and candidates become dependent on these donors. In turn, democracies start representing special interests rather than ordinary citizens. Next, while many South Asian nations perform well on having disclosure requirements in place for political actors' financial activities, the resulting information is often incomplete, inaccurate, not presented in a user-friendly fashion, or filed late. This in turn is part of a broader regional problem with the compliance and enforcement of legislation. Finally, vast sums of never-reported money ("black money") have made their way into South Asian politics, increasing the influence of illegal and criminal networks over legitimate politics.

Despite these challenges, the Conference concluded with a major accomplishment when it unanimously adopted the "New Delhi Declaration 2015 on Political Finance Regulation in South East Asia." The Declaration emphasizes various key measures: improving the enforcement of existing regulations; setting realistic ceilings on political finance activities (to reduce corruption); and making potential public funding of South Asian political parties contingent on reforms and parties' commitment to accountability, transparency and gender equality. With these practical guidelines, the Declaration can serve as an inspiration for other regions across the world.

As such, South Asian democracies are newly empowered in their fight against Money in Politics. The region now has an ambitious Declaration in place, and the Conference also provided some much-welcomed media attention for the main issues. This can hopefully be the start of broader public debate on the problems of Money in Politics.

To ensure this momentum is carried forward, International IDEA would like to map out the next steps in its journey to safeguard the integrity and future advancement of democracy in South Asia.

Firstly, we encourage all Conference participants to further disseminate the Declaration, contemplate its contents and act upon its recommendations. While the international community may provide assistance, following up on the Declaration is a defining moment for national actors. It is now their turn to rise and make South Asia a world leader in tackling the challenges associated with money in politics.





FOREWORD

Secondly, because of their different political finance situations, SAARC member countries are invited to take their own, country-specific measures. In this, regional cooperation platforms can help to exchange experiences and agree on joint principles. Finally, International IDEA recommends that a broader set of actors is included in addressing the abovementioned challenges. Not just political parties should join the conversation, but also private sector actors, large corporations and civil society actors.

International IDEA would like to once more thank all the Conference participants for their constructive input into the discussions. We are pleased that this event provoked genuine debate about the ways to free South Asian politics from the adverse influence of money.



Mr. Yves Leterme
Secretary-General
International IDEA



PREFACE

Dr. Nasim Zaidi
Chief Election Commissioner, India

Election Commission of India hosted the Regional Conference on “the Use of Money in Politics and its Effects on Peoples’ Representation” along with the India International Institute of Democracy and Election Management (IIIDEM) and International Institute for Democracy and Electoral Assistance (IDEA). This Conference was the culmination of three earlier conferences held elsewhere in the world and was by itself an exceptional landmark for the South-Asian region.

It is true that an electoral democracy cannot function without adequate resources including finance. As a result, political finance has emerged as an important electoral discourse over the last few decades amidst concerns that voters’ choice can be influenced in exchange for cash, goods and services. The conference resulted in the “New Delhi – Declaration 2015” and rightly emphasized on the need for effective oversight, sound principles and practical regulations and guidelines to control the adverse impact of money in electoral politics.

The basis of electoral democracy is a free and fair electoral process. This means every voter has the fundamental right to cast his/her vote without any fear and a level playing field is maintained for all the candidates and political parties. Also, no political parties should be in a position to derive undue and asymmetrical advantages by resorting to illegal methods of persuading and enticing voters. Thus, there is a need to bring in stringent reforms in controlling Political Finance in those countries which face the problem of unaccounted money in politics.

Most countries in South Asia and beyond face common set of problems such as improper auditing of political finance, unregulated donations by corporate and other donors, bribery or ‘freebies’ to buy votes, and the wrong doers hardly find any penalties under the legal regime. India is also facing serious challenges of under reporting by candidates within ceiling limit laid down by law and political parties often escape the scrutiny of law. In order to check the unrestrained flow of money in politics, South Asia should have an effective regime.

It is high time that every country in South Asia followed guidelines that strengthen the democratic processes in respective countries and restore faith of every citizen in the dignity and credibility of electoral politics. I commend all the distinguished delegates and senior officials who participated in the Regional Conference and enriched the proceedings by sharing their experiences, insights and recommendations. I am optimistic that the outcome of the Conference – **the “New Delhi - Declaration 2015 on Political Finance Regulation in South Asia”** – will serve as a felicitous guide for all concerned Election Management Bodies (EMBs).



Nasim Zaidi

Dr. Nasim Zaidi
Chief Election Commissioner of India

MESSAGE

Mr. A. K. Joti Election Commissioner of India

It was our privilege to co-host the important South Asian Regional Conference on use of Money Power in Politics and its effects on people's representation. Reducing the cost of electoral politics and improving transparency and accountability are universal concerns all over the world, particularly in democracies both young and old. The Indian Election Commission has been grappling with this menace for quite some time with limited success. It is still work in progress as the challenges are many.



In this context, the Regional Conference provided an excellent opportunity for exchange of ideas among the participant countries and stakeholders on how to encounter this challenge and take the bull by the horns. Since unregulated and unaccounted money compromises the quality of politics and representative democracy in a country, the issue begs for urgent finance continues to be an under researched area, as not much reliable data on actual expenditure incurred by candidates and parties is available. Election expenses officially declared by candidates through affidavits do not provide the full picture.

In this context, the New Delhi Declaration on Political Finance in South Asia unanimously adopted by all the stakeholders is a major step forward. It not only reinforces the International Covenant on Civil and Political Rights but also carries forward the underlying principles behind Article 21 of the Universal Declaration of Human Rights of the citizen in a democracy. Further, Election Management Bodies (EMBs) have to ensure that economically weaker candidates without reasonable resources do not lose out to the affluent ones and get excluded from the process. The United Nations Convention against Corruption urges the Member countries to 'enhance transparency in the funding of candidates for elected public office and, when applicable, the funding of political parties'.

I take this opportunity to commend the International IDEA and IIIDEM for successfully organizing this Conference with an achievable road map.

Mr. A.K. Joti
Election Commissioner of India

MESSAGE

Mr. O. P. Rawat Election Commissioner of India

The money factor in democratic elections has now leaped centre stage with billionaires buying and billing political campaigns in different parts of the world. Consequently, democracies have been steadily sliding towards becoming oligarchies. Election Management Bodies (EMBs) have no role in curtailing avenues for making illegal money through political power or oblige funding sources by quid-pro-quo tweaking of government policy/decisions. Therefore, we have to focus on reforming the process of elections so as to curtail the role of money and muscle it can buy, to affect electoral outcomes and make such elected representatives hostages to the funding sources. In this context, the South Asia Regional Conference on the use of money in politics has not come a day soon.



It is an open secret that money is needed to run a political party, to meet campaign expenses and to get the candidates elected. Yet, the disturbing factor is the commercialization of the political arena with ever rising cost of campaigning to access power structures and occupy positions. The Election Commission of India, with its constitutional mandate of superintendence, direction and control of the conduct of elections, has been dealing with the scourge of money power for a long time with its own innovative ways. Regulations and disclosure processes have been introduced in order to control the adverse influence of money in politics. However, even with these systems, political parties have been openly saying that ceilings on election expenditure are flouted more than adhered to. At the same time, in the recent times due to efforts at effectively implementing expenditure monitoring, a shift in using money elsewhere are slowly but surely becoming apparent and must ring the warning bells.

In view of this, the Regional Conference with presentations, ideas, interaction and experience sharing by important stakeholders of the regions was a very useful learning exercise. I am sure the commonly agreed principles and guidelines that emerged from the Conference would further stimulate creative thinking and positive action plans on political finance. Let me also record my appreciation for the role played by International IDEA and IIIDEM in hosting this significant event.

Mr. O.P. Rawat
Election Commissioner of India

ACKNOWLEDGEMENT

Mr. Sudeep Jain
Director General, IIIDEM

At the India International Institute of Democracy and Election Management (IIIDEM), it is also our endeavour to conduct global events on a variety of challenges faced by the global electoral community and develop a holistic approach in managing and addressing these issues. With this view, IIIDEM along with IDEA organized a two day conference to discuss issues and solutions on political finance regulation at South Asia level.



We have been very fortunate to have a large group of well-known experts and distinguished participants in their respective fields participate in the Conference. I would like to thank Mr Yves Leterme, Secretary General, International IDEA and Former Prime Minister of Belgium for gracing the inaugural session and setting the tone for the discussions on political finance. I would like to thank all the speakers, representatives from civil society organizations, media, academia, International Foundation for Electoral Systems (IFES) and guests from South Asia and South East Asia for participating in the Conference. These meaningful contributions have resulted in the successful culmination of the Conference and the subsequent adoption of the New Delhi 2015 – Declaration on Political Finance Regulation in South Asia.

I am glad to note that the envisaged objective of the Conference was achieved and IIIDEM is committed to organizing more such conferences in future and continue to look forward to a deeper engagement within the South Asian region and the rest of the world.

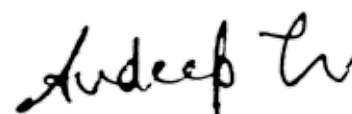
Along with the Declaration, we have brought out this compendium of conference proceedings as a report on political finance challenges in South Asia. I hope that this report will be a useful reference for all participants, Election Management Bodies, media, political parties, researchers and scholars among other stakeholders in South Asia and across the globe in the study and practice of election management.

I would like to take this opportunity to thank the Chief Election Commissioner Dr. Nasim Zaidi, Election Commissioners Mr. A. K. Joti and Mr. O. P. Rawat along with other officials and staff of ECI in supporting this endeavour of IIIDEM. A word of acknowledgement to the immense efforts taken by International IDEA and its officials – Ms. Lina Rikkila Tamang, International IDEA's Regional Director for Asia and the Pacific, Mr. Adhy Aman, IDEA Senior Programme Officer, Asia & the Pacific and Mr. Samuel Jones, Political Parties and Representation Team, Global Programmes in successful organization of the conference and moderating the group discussions. I would also like to thank our former Chief Election Commissioners – Mr. Navin Chawla, Dr. S Y Quraishi, Mr. V. S. Sampath and Mr. H. S. Brahma for gracing the occasion and providing valuable inputs. The success of the conference is incomplete without mentioning the participation of the political party representatives – Mr. Om Pathak and Ms. Vijaya Rahatkar from BJP, Mr. Atul Kumar Anjaan and Mr. K Narayana from CPI, Mr. Nilotpal Basu from CPI (M), Mr. C.P Joshi and Mr. Ajoy Kumar from INC and Ms. Sofia de Roa Verdugo, researcher, Podemos Party, Spain. Their contributions to various discussions and plenary session have shaped the outcomes of the conference and enriched this report.



ACKNOWLEDGEMENT

Finally, I want to thank our team at IIIDEM – Mr. Vivek Khare, Mr. S. B Joshi and Mr. Preetam Sengupta, for organizing and managing such a large event successfully, coordinating with all our local and international partners and participants in troubleshooting all their concerns before and during the conference. I would also like to thank our editorial team – Dr. Bhagbanprakash, Dr. Noor Mohammad and Mr. Saket Ambarkhane for writing the outcomes of each session and Ms. Asha Venugopalan, Ms. Bhavana Rao and Ms. Komal Sharma for providing support in compiling this report to bring forth the essence of valuable and fruitful discussions and outcomes during the conference.



Mr. Sudeep Jain
Director General, IIIDEM



ABBREVIATIONS AND ACRONYMS

ADR: Association for Democratic Reforms

BJP: Bharatiya Janata Party

BDT: Bangladeshi Taka

CEC: Chief Election Commissioner of India

CEO: Chief Electoral Officer

CPI: Communist Party of India

CPM: Communist Party of India (Marxist)

CSO: Civil Society Organization

CSR: Corporate Social Responsibility

DG: Director General

EC: Election Commissioner

ECI: Election Commission of India

EMB: Electoral Management Body

EWG: Election Watch Group

FEMBOSA: Forum for Election Management Bodies of South Asia

ICAI: Institute of Chartered Accountants of India

IFES: International Foundation for Electoral Systems

IIIDEM: India International Institute of Democracy and Election Management

INC: Indian National Congress

INR: Indian National Rupee

International IDEA: International Institute of Democracy and Electoral Assistance

MP: Member of Parliament

NGO: Non Governmental Organization

RTI: Right to Information

SAARC: South Asian Association of Regional Cooperation

UK: United Kingdom

UN: United Nations

USA: United States of America

USD: United States Dollar

Sarpanch: An elected village head in India



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EXECUTIVE SUMMARY

A two day conference on ‘The Use of Money Power in Politics and its effect on Peoples’ Representation’ in the South Asia Regional Consultation was organized jointly by the International Institute for Democracy and Electoral Assistance (IDEA) and India International Institute for Democracy and Election Management (IIIDEM). It was held in New Delhi for two days on 15th & 16th of December, 2015. There were three thematic and issue based sessions and a special session on Regional efforts, namely- (i) How to Reduce the Cost of Electoral politics (ii) How to improve transparency of Party/Candidate funding/for Elections and expenditure and (iii) The Influence of the Wealthy Few and its Effects in Representing the People. In addition to these topics, there was a special session on regional efforts. The executive summary and session-wise outcome of the Conference are given below.

The **inaugural session** began with Mr. Sudeep Jain, Director General, IIIDEM welcoming the dignitaries and all present at the conference. He spoke of the association between IIIDEM and International IDEA with the purpose of sharing information along with best practices and future plans on political finance. Mr. Yves Leterme, Secretary General International IDEA, stressed on the importance of people’s participation in curbing wrong practices and strong implementation, enforcement and monitoring mechanisms to check how money seeps into the political process at many levels. Mr. Sanjay V. Gathia, gave a brief summary of Asia-Africa conference on election practitioners. Dr. S.Y Quraishi, Former Chief Election Commissioner, India and Member, Board of Advisors, International IDEA briefed the delegates about the outcomes of three different conferences held earlier on political finance. Dr. Nasim Zaidi, Chief Election Commissioner, India in his inaugural address, pointed out that campaign expenditure by candidates is regularly underreported and that there was a need to improve regulations.

Session 1 on how to reduce the cost of Electoral Politics, started with Dr. Magnus Ohman, senior advisor on political finance of IFES, who discussed electoral expenditure and funding in detail. He said that we don’t know if spending on election campaigns is increasing worldwide. He said that there is no point in having spending limits if these are not combined with at least a reasonably well organised reporting and oversight system. He encouraged all reformers to carefully consider indirect public funding, which can also include free or subsidized use of public buildings for campaign events or even campaign offices, subsidized postage for sending out campaign materials and even free use of public transport. Prof. Arun Kumar, JNU said that democracy as a process needs to be understood by its nature which can either weaken or strengthen this process. Dasho Kunzang Wangdi, the first CEC of Bhutan presented his paper titled “No place for money and Muscle in Bhutan’s Democracy”. He said that for a Bhutanese party or candidate, the standard to take part in politics is set very high. He spoke of the role played by money in Bhutan’s electoral politics as being very limited and said that in Bhutan, the Public Campaign Fund is provided statutorily so that there is no need for aggressive fund raising which leads to collection of unlimited funds. Mr. Navin Chawla, former CEC of India, spoke of the growing disconnect between those who are governed and those who are elected through muscle power. Elections Commissions therefore set statutory limits of spending and actual expenditure levels exceed many times. Raising the monetary ceiling, Mr. Chawla said, will not be the answer.

Mr. A.K. Joti, Election Commissioner of India gave the concluding remarks. He highlighted the important points mentioned in Session 1 and he stressed on the need for reforms and gave the example of Bhutan which has ensured that commercialization of politics does not take place. The session ended with discussion on whether it was appropriate to introduce educational qualifications for candidates as barriers for contesting elections in the South Asian context and if it deprived a vast majority of population from exercising their right to contest elections.



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Key discussion points and Outcome were:

- Solid Legal Regulations should be adopted to local conditions
- Balancing Private and Public funding
- Need for Community Participation for representative democracy
- Curbing the expense limits of candidates through legislative sanctions
- Access to media as an indirect funding for campaigning
- Focus on effective implementation mechanisms.
- Dispute Settlement through a robust Dispute Settlement System (DSS)
- Uphold the rule of law, at any cost to enhance credibility.
- A radical rethinking for campaign finance rules
- Involvement of Civil Society in creating an enabling environment.

Session 2 on how to improve transparency of party/candidate funding for elections and expenditure started with Mr. PK Dash, Former DG, ECI, who pointed out the types of political finance and types of expenditure incurred by candidates during elections in India. After that Mr. Dash graphically showed the total expenditure incurred and funds collected by National Parties during 2014 Lok Sabha Elections and a compared it with 2004 and 2009 Lok Sabha Elections.

Mr. Ahmed Bilal Mehboob, President, Pakistan Institute of Legislative Development and Transparency (PILDAT), Pakistan spoke about elaborate disclosures in electoral laws i.e., a candidate has to submit his statement of assets and liabilities, taxes paid in previous years for securing nomination and after that the candidates as well as the political parties have to submit yearly audited statements of assets and liabilities in the context of Pakistan. He also talked about the key challenges faced by the Election Commission of Pakistan. Mr. Samuel Jones, Programme Officer of Intl. IDEA, spoke on digital solutions for political finance transparency. He said that financial disclosure procedures should be user-friendly, accessible, searchable, comparable, downloadable, timely and detailed.

Mr. Hari Shankar Brahma, former CEC of India, then said that money compromises and impacts politics of a country. He highlighted the use of information technology as one of the most useful guiding principal of transparency for electoral management bodies across the nations.

Key discussion points and Outcomes were:

- A model which is customized to the local conditions
- Development of the principles and guidelines
- Ceiling of political as well as campaign finance
- E-filing/ Reporting to make the process more efficient.
- Laws and rules which are more of a penal nature
- Establishment of *think tanks* for reform in Politics
- Civil Society Organizations be involved



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- Effective Complaint monitoring to minimize trust deficit.
- Clear IT infrastructure(web based/Software based reporting for example)
- Make both parties and donors accountable, as well as disclosure of candidate credentials
- Banking Regulations need to be revisited.

Special session on Regional Efforts to curb the adverse effects of money on politics started with Dr. E Sridharan, Academic Director, University of Pennsylvania Institute for the advanced study of India. He gave an overview of political finance in South Asia. He tracked the history and changes in political finance regimes from 1970s and 1980s to 2015 and concluded that there were a large number of unknown or anonymous sources of funds of political parties.

Dr. S.Y Quraishi, spoke of the need for regional cooperation to counter the effects of money in politics. He said there was a need for increased sharing of experiences among all stakeholders related to elections and the need to build peer networks and support systems for curbing illegal use of political finance in South Asia.

Key discussion points and Outcomes were:

- Sharing of experience with stakeholders.
- Establishment and consequent development of inter-regional bodies
- Establishment of centres of research on electoral issues.
- Conducting regional seminars with focus on emerging challenges.
- Curbing inter-border terrorist/criminal influence during and after elections
- Joint initiative imperative for better coordination and synergy.
- Consolidate on the gains already made
- Building of peer networks and support systems

Session 3 on the influence of the wealthy few and its effects in representing those people began with Dr. Abdul Alim highlighting the need for transparency in political finance. He spoke of how political parties are funded in Bangladesh, its sources, ban and limits in Bangladesh. Prof. Jagdeep S. Chhokar of ADR said that transparency in the financial affairs of political parties and internal democracy in the functioning of political parties should be the priorities and both of these should be required by law. He said that broadly speaking, politics in India is a rich person's game. Data for the last ten years shows this. There is no reliable data on actual expenditure by candidates and election expenses declared by candidates in their election expenditure affidavits do not make it clear. He also said that the proportion of women in politics in India is very small. Mr Yusmadi Yusoff, a former MP from Malaysia spoke in the session with the example of a case study. He said that while money does play an important role on the political process, a person can win elections without much money. He asked the audience to deliberate about the tools which could be used to improve the monitoring methodologies.

Mr. O. P. Rawat, Election Commissioner of India emphasized that the national emblem says truth only prevails. But every candidate starts by lying through an affidavit regarding conformity to the ceiling on election expenditure. Citing examples of USA states of Maine and Arizona, it was said that giving choices of public funding and corporate funding seems to be an emerging global alternative. This was followed



EXECUTIVE SUMMARY

by a discussion on behaviour of political parties and methods of funding; both illegal and legal. There was overall agreement on increasing transparency.

Key discussion points and Outcomes were:

- Money is necessary in politics, but one should think of making use of money to strengthen democracies.
- Many Political Parties and candidates are backed by wealthy people and business houses.
- Wealthy individuals do not generally enter politics directly but rather back parties and candidates.
- Nomination processes are frequently influenced by business people.
- Women are left behind due to lack of resources in their command and largely due to economic exclusion of women, lack of access to property, paternalism and societal constraints and gender insensitive values.
- Legal shortcomings to be addressed with better enforcement mechanisms.
- A case study from Malaysia exemplifies the struggles faced by candidates with limited financial means.
- If there is public funding, this problem can be taken care of as people will then seek allegiance to political parties with a sense of “owning up”.
- The political parties come into power for the purpose of “Governance” and this should be the only reason money should be used.
- Consider deregistration of political parties which are ‘not’ active for a certain period.
- Need for collaborative efforts by key stakeholders to curb negative impact of money power.
- Challenges of eliminating non-serious parties and dummy candidates.
- How a democratic system can protect itself, its dignity and integrity?

This session was followed by a round of group discussions held to finalize the draft declaration. The groups then reassembled to present their inputs on the draft declaration with recommendations at the plenary session. This session was chaired by Dr. Nasim Zaidi, CEC of India in the presence of Mr. AK Joti, and Mr. OP Rawat, Election Commissioners of India and Dr. S.Y Quraishi, former CEC of India along with representatives of International IDEA and EMBs of South Asia. As proposed by Dr. Zaidi, the New Delhi declaration was placed in the plenary and adopted with changes recommended by the delegates.





*South Asia Conference on the use of money in
Politics and its Effects on People's
Representation*

Summary of Proceedings





INTRODUCTION

A two day Regional Conference on ‘The Use of Money in Politics and Its Effects on People’s Representation’ was held on 16th December 2015, in New Delhi. It was chaired by the Hon’ble CEC of India Dr. Nasim Zaidi along with Mr. Yves Leterme, Secretary General, International IDEA and Ms. Leena Rikkila Tamang, Regional Director for Asia and the Pacific, Intl. IDEA.

A first time for stakeholders to discuss issues and solutions on political finance regulation at a regional level, the Conference was attended by nearly 100 participants, across the region. It included representation by Mr. Ahmad Sulaiman Chairman, Maldives Election Commission, Dr. Ayodhi Prasad Yadav, Chief Election Commissioner of Nepal, Dasho Kunzang Wangdi former Chief Election Commissioner of Bhutan, Mr. Ahmad Bilal Mehboob President Pakistan Institute of Legislative Development and Transparency (PILDAT), Mr. Ibrahim Ghafoori Director, Democracy & Human Rights, SAARC Secretariat, Nepal, and Dr. Samuel Ratnajeewan Herbert Hoole, Member, Election Commission of Sri Lanka. Other participants included representatives of recognized national political parties of India namely Bharatiya Janata Party (BJP), Communist Party of India (CPI), Communist Party of India-Marxist (CPI-M), and Indian National Congress (INC), civil society organizations, academicians, journalists (from the rest of Asia, in particular from Bangladesh, Malaysia, Maldives, as well as from Europe) representatives of election management bodies of South Asia and former Chief Election Commissioners of India Mr. Navin Chawla, Dr. S.Y. Quraishi, Mr. V.S Sampath, Mr. H.S. Brahma.

A New Delhi Declaration on Political Finance Regulation in South Asia, 2015, was unanimously adopted by the house in response to the needs for strengthening the regulation of political finance (uneven access or use of money) across the South Asian region and elsewhere in the world. This declaration adequately ensures a level playing field among all political parties and ultimately serves the welfare of public rather than special interests.

It contains nine overarching principles including adoption of a holistic approach to regulation, comprehensive coverage, closing of monitoring gaps, coordinates efforts with stakeholders and agencies along with facilitating participation of women in electoral democracy. The declaration also had nine regulations and implementing guidelines on maintaining reasonable levels of spending, regulation of private contributions, and provision of public funding for political parties, prevention of abuse of state resources public disclosure of political finance, the regulatory authority, compliance, and enforcement among others.





BACKGROUND

We live in the age of democracy and the right to choose an individual who represents us via elections. Every citizen has a right to participate in the government through fair and free elections. Article 21 of the Universal Declaration of Human Rights (UN General Assembly Resolution 217A (III), adopted on 10 December 1948) recognizes the electoral rights of the citizen in a democracy.

The International Covenant on Civil and Political Rights and regional charters such as the African Charter on Human and People's rights, the American Convention on Human Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms also guarantee these rights.

Evolution of democracy in South Asia Elections has a chequered history although support for it is fairly widespread. The region has been undergoing profound transformation ignited by forces of popular nationalism. Coincidentally, the largest democracy of the world is also located in South Asia. Each country of the region offers important lessons to be learnt. And elections in a vast democracy like India with such a varied set of systems, practices, cultures and languages entail a variety of challenges. Over the past few years, abuse of money to influence electoral outcomes has emerged as one of the key issues in the electoral processes in India. There are instances across the region wherein candidates and political parties have used various sources of funding for elections. This leads to questionable accountability of the candidates and the parties involved.

Many a times the funding of elections involves a lot of corrupt practices when certain parties favour a particular legislation to sail through or for implementing certain policies. The accounts' statements by candidates and political parties continue to evade the truth about the actual expenditure on elections. Experts feel that unless there is a proper mechanism for curbing such practices, democracy will die a slow death.

Many Asian countries are experiencing a commercialization of politics which translates into rising overall costs for campaigning. State funding is often marginal (or even non-existent) and candidates without sufficient resources at their disposal find it hard to compete, since their political parties often do not finance candidates' campaigns. As a consequence, private donations – often from corporations or wealthy individuals – play an important role in financing election campaigns. The direction of public policies and governance may therefore move away from the economic and social well-being of the many to the benefit of the few, which ultimately affects sustainable economic growth. Today there is, however, also an increased awareness in the region of the threats posed by the influence of big business and the commercialization of politics, and there are strong forces within Asian societies demanding changes. Various types of electoral reforms are suggested to streamline party funding and expenditure and curb/prevent electoral malpractices and promote public scrutiny and accountability.

Robust frameworks are necessary as a starting point since they may not yet exist in a given country. Implementation would need to be monitored and the country's rule of law should promote it. Constraints put in place by strong political finance laws and regulations tend to favor level playing fields, but competition for big money provides incentives to break them. Political finance rules are bound to be broken, therefore robust legal frameworks will need to be accompanied by strong rule of law.

The region of South Asia, one of the fastest growing in the world is a large democratic region with all of its nations being an electoral democracy, albeit tumultuous at times. South Asia also makes up almost a quarter of the world's population. Countries in South Asia, particularly members of the South Asian Association for Regional Cooperation (SAARC), share many similarities in terms of cultural heritage and legal tradition. It is a region with many commonalities among the countries and great diversity in terms





BACKGROUND

of religion, economic prosperity, and governance structures exist. However, there is lack of regional guidelines, like that in Europe and the Americas that would set parameters towards principles upheld in the region.

In many parts of the world, politics has become an expensive affair, to the extent that money is feared to have threatened the foundations of democratic institutions. The large demand for money in political processes may bring about excessive influence of oligarchs or corporations over democracy, and in some cases, even penetration of illicit funds into political parties, electoral campaigns and other political activities.

The current laws and policies lack effective strategies to push broader partaking in the political practice by general public. Contribution limits alone could be unsuccessful at eliminating special interests wanting to spend large amounts of money to support or defeat candidates. Therefore this Declaration will serve as a guiding text for future policy makers and legislatures, and the Election Management Bodies of the South Asian Region.

Election is a process where the voters elect their representatives as law and policy makers. These representatives take part in the election either independently or through a political party. It has been however observed and realized that in these times, elections have become very hi-tech and expensive which need innovative solutions and alternatives.





PARTICIPANTS AND PROCESS

The conference elicited enthusiastic response from a wide range of countries like Afghanistan, Nepal, Bhutan, Bangladesh, Malaysia, Pakistan, Maldives, Sri Lanka, Spain, Indonesia, and India in addition to representatives from Intl. IDEA, IFES, and SAARC Secretariat among others. The total number of participants was around 110 including ECI officials, academics from universities, election watch and civil society organizations as well as representatives of political parties. List of participants is enclosed at Annexure.

The conference was divided into sessions chaired by various representatives from the South Asia and South East Asian region. The conference held on 15th and 16 of December 2015 in New Delhi, culminated with the drafting of Principles and Guidelines in the form of a document. The outcome of discussions held in three sessions on day one and two sessions on day two of this historic conference resulted into the drafting of the Declaration of Principles on Political Finance Regulation, which will be called the New Delhi Declaration. The issues discussed during the conference are as follows:

How to reduce the cost of electoral politics?

This led to discussions over reducing financial needs of political parties and candidates, altering spending behavior and identifying spending that is driven by legitimate reasons, (such as campaign costs) and constituency relations, or by unfair practices, such as vote buying and negative campaigns over mainstream media.

How to improve transparency on funding for elections and expenditure by political parties and candidates?

This session brought forth data on sources of income, legal requirements of income reporting and compliance issues thereof. The data showed that there are problems of transparency, regulatory, compliance or enforcement and prompted discussions over solutions. This discussion also focused on the abuse of state resources, which is an acute problem in Asia. Lastly, public funding as an alternative to fundraising was also discussed, since South Asia is among the regions with low public funding in elections.

Regional efforts to counter adverse effects of money in politics

This session led to in-depth discussions on the regional efforts to address the adverse effects of money on politics and ways forward. Relation between various donors or donor agencies and candidates or political parties was explored while effective cooperation between various regional players at the level of EMBs was suggested to counter the adverse effects of money in politics.

The influence of the wealthy few and its effects in representing the people

The session discussed through brainstorming and experience sharing about the high proportion of anonymous donations, corporate donations, donations by oligarchs, illicit funding of politics and lack of transparency as indications of big money being donated to political parties by the wealthy few. It was presumed that such influence often trumps policies that should bring benefits to common people. Discussions led towards thinking of solutions in the realm of legislation, monitoring, compliance, adjudication and enforcement that could minimize the adverse effects.





GOAL AND OBJECTIVES

The Conference aimed at achieving the following objectives:

- *Consolidate and build on the gains achieved in the chain of conferences held so far on the issue and convert these into guidelines and action points.*
- *Draw comparisons and share learning points both within and across the regions, as well as discuss recommendations for reform.*
- *Stimulate and encourage political finance reforms of the participating countries, through identifying the main challenges, proposing ways of tackling them and exchanging country experiences.*



INAUGURAL SESSION

- **Panel:** - Mr. Yves Leterme, Secretary-General, International IDEA,
- Dr. Nasim Zaidi, Chief Election Commissioner of India
- Mr. Sanjay V. Gathia, Special Rapporteur of the Meeting
- Dr. S.Y. Quraishi, former Chief Election Commissioner of India and Member of the Board of Advisers, International IDEA

The inaugural session began with welcome address and outlining of the agenda of the conference. Speakers pointed out the variety of challenges in the area of political finance regulations and ways to deal with these challenges.



Mr. Sudeep Jain, Director General of India International Institute of Democracy and Election Management (IIIDEM), welcomed all the dignitaries in the “Conference on the use of money in politics and its effects on people’s representation”, organized jointly by IIIDEM and International Institute of Democracy and Electoral Assistance (Intl. IDEA).

He talked about the Memorandum of Understanding (MoU) on Mutual Co-operation signed in December, 2012 by the training institute of ECI known as IIIDEM with Intl. IDEA. The main objective of this MoU was to share knowledge and information along with best practices and future plans on the issue of political finance. He highlighted the importance of policies and strategies for regulating campaign finance and money in politics.

INAUGURAL SESSION

Mr. Yves Leterme, Secretary General, Intl. IDEA spoke of the role played by money in politics. He addressed three main issues of political finance.

Figure 1: Main issues of political finance



He said that bad money seeps into the political process on many levels, tainting everything from party financing to campaign donations and candidate expenses. Problems include incumbents abusing state funds, criminal money influencing decision-makers and small groups of oligarchs, wealthy individuals or large corporations ‘hijacking’ politics via donations. The result is a less democratic society where, ultimately, the special interests of the wealthy few take priority over the general wellbeing of ordinary citizens.



He stressed on the importance of understanding how money seeps into the political process at many levels. He said the three aspects of bad money seeping in politics were criminal money, hijacking of politics and less democratic society. He said that global media are rife with reports on the practice. From the spiralling costs of the US election campaign to multibillion dollar scandals involving ruling Prime Ministers, he was of the opinion that no single solution exists to check misuse of money in politics.

The rising cost for running for office in Asia calls for social and legal regulations adapted to the local conditions. This issue is compounded by a second problem, namely the absence of public funding for political parties in most parts of Asia. Without state financing, candidates are forced to privately raise large sums of money. This creates uneven political competition, as the best fundraisers, rather than the best candidates, win the race. However, the provision of public funding will have a limited effect in reducing overall campaign costs if not combined with other measures.

He further said that with these regulations, proper implementation along with monitoring and evaluation is also required. Regulations in campaign donations, balancing of public and private funding, calling for conditional public funding and transparency along with a holistic approach taking into account all sectors was essential to curb the negative effects of money on politics.

He said that regional networks need to be developed to share good practices. In Asia and the Pacific, International IDEA aims to create and disseminate a comparative electronic knowledge resource on political finance regulation compliance and disclosure including a focus on gender. There are legal and social barriers to the participation of female candidates. There is an absence of public funding in many countries which dissuades many prospective candidates from getting involved.

INAUGURAL SESSION

Mr. Sanjay Gathia gave a brief summary of Asian-African Practitioners' Meeting on Political Finance Regulation and Corruption Eradication. He said, as per the report, there was a power relationship between a giver and a taker of money as, elections are now social events. Due to legal loopholes there are instances of those having criminal records and/or ongoing cases joining politics until proven guilty by court. Politics therefore is either as a means of income generation, gaining political clout, policy influencing or using public office for their own benefits. This sometimes marginalizes and puts off those who intend to join politics for contributing to the greater good for strengthening and promoting participatory democracy.



He said that democracy and elections are understood to be the best “money making business” as it is one of the least regulated and widely used method to get high returns on investments. There is a clear resistance to political reforms. There are geopolitical business investments devoid of political accountability. Corporate Social Responsibility (CSR) is on the rise but some corporates are politically inclined and CSR is being used of peddling illegal money of politicians. Many legal frameworks are either inadequate or out dated in defining political finance, its extent, and related factors influencing political finance. The resource challenges faced by various countries across Asia and Africa are matters of concern.

Figure 2: Resource Challenges



He further said that the executive, the legislature and the judiciary are often being influenced by political factors. He stressed on the need for human resource development to train officials for tracking political finance as there is a shortage of technically skilled people. There is a need for strengthening of both international and national laws.



INAUGURAL SESSION

Mr. Gathia, referred to the cross cutting recommendations in the conference held at Mexico in September 2015 which showed the links between political finance and industries. Different business interests have entered the political sphere and therefore political finance needs to be critically looked into both as incentives and CSR practices. He was of the opinion that an in-depth study needs to be conducted and all facts should be documented. Cross institutional workshops need to be organized so that collaborations between different institutions can be facilitated. Personal gains and political gains should be reviewed before and after elections. Enforcement agencies also need to be strengthened. Adherence to the international and national policy measures to ensure tracking of illicit money is essential. Money parked outside the country also needs to be tracked both during and after elections. He suggested that engaging NGOs and civil society in the electoral process is also important for monitoring the election process. The legal systems may be in place but in the absence of awareness and active participation of people, such framework would have a limited impact.



Dr. S. Y. Quraishi started with the idea that all nations of the world are facing the same problem of illicit money from various sources being used for political finance. He informed the audience that a series of conferences to find long term and comprehensive solution to this problem were held recently. He gave his perspective of three such conferences, which he attended. He highlighted the outcome of the Paris Conference of December 2014, which largely discussed compliance and enforcement, incentives for compliance, and the legislative loopholes. A holistic approach was needed to overcome the challenge of illicit money in political finance (like exploring public procurement as an alternative option).

He then referred to the highlights of the International Conference on Campaign Financing and Democracy, held at Brasília on 11th June 2015. The conference focused on electoral financing, transparency, control mechanisms and corruption. Particular attention was paid to controlling or banning corporate donations. National experiences of money in politics from Latin America were exchanged during this conference.

He then informed the audience about the Global Conference on Money in Politics at Mexico City held between 3rd and 5th September, 2015. Topics addressed included: links between business and politics, the tools available to prevent policy capture, the effectiveness of public funding in minimizing corruption, impact of official & citizen monitoring of political finance, the role of international cooperation in the enforcement of political finance rules and the means to counter the political finance gender gap.

Dr. Quraishi laid emphasis on best practices and practical solutions. Based on sharing of country-level experience, the global community needs to coordinate efforts and effectively deploy available (and scarce) resources to promote political finance reform. Next he presented in brief the deliberations during the conference titled “Regulating Campaign Finance: Ensuring Free and Fair Elections” organized by FEMBOSA, in Kathmandu on 29-30 November 2014. He highlighted the resolutions of FEMBOSA which recognize that campaign finance is now embedded in FEMBOSA’s work and it will endeavor to build on this theme by conducting a study on the current status of campaign finance. FEMBOSA would organize a regional seminar on the subject and also establish a research network on campaign finance which is an aspirational common minimum requirement for South Asian Region.



INAUGURAL SESSION

Following objectives of the conference on Regulating Campaign Finance organized by FEMBOSA were highlighted by Dr. Quraishi:

Figure 3: Objectives of the conference on Regulating Campaign Finance organized by FEMBOSA

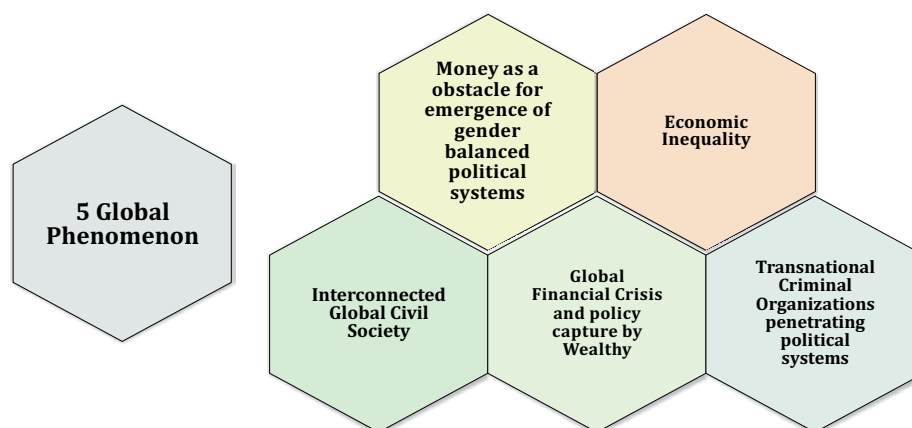
To take stock of Political Finance/ its regulations globally

To identify knowledge gaps and its possible solutions

To facilitate worldwide networks of stakeholders to pursue necessary reform

FEMBoSA recognized that financial indiscipline, if left unchecked or poorly regulated, can seriously threaten core values of democracy, like political equality, electoral fairness and integrity. Dr. Quraishi pointed out that five new phenomena have emerged globally in the context of political finance.

Figure 4: New Phenomena

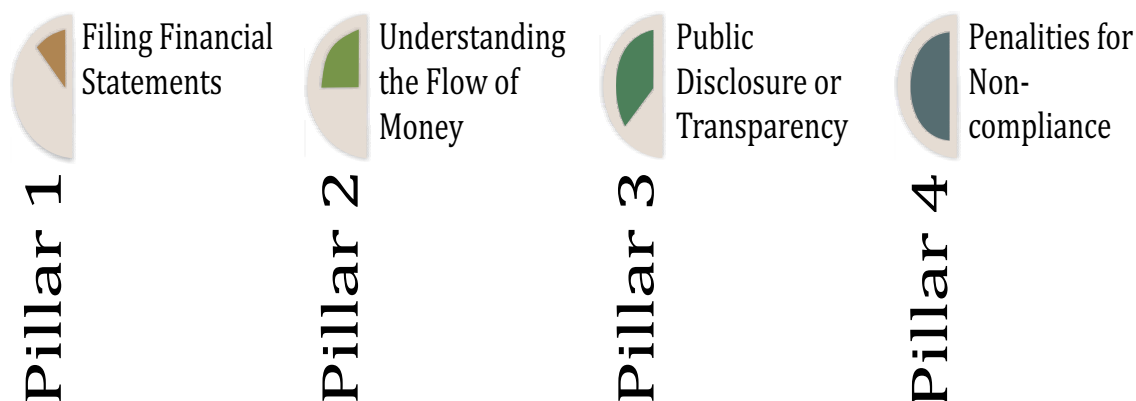


Finally he said that it was important to take the debate forward and evolve and build consensus on guiding principles.

Dr. Nasim Zaidi began his **inaugural address** by explaining the importance of money power and stated that public morality and trust is being compromised due to involvement of illicit money in politics. He emphasised on the need to ensure that every voter was able to cast his/her vote freely, that a level playing field existed and curb on inducement to voters is practiced. He said there was a need to improve regulations. While acknowledging that money is important for contesting elections, he quoted the time when a person could win elections in India in 1940s even without backing of money or influential people. That was the case of Mr. Mehta who ran for the Bombay Provincial elections when Gandhiji categorically stated that he could only offer his name for support during elections but he would not spend a single penny on it. Mr. Mehta won the elections, without spending money. Dr. Zaidi said that an effective regime should rest on the four important pillars:

INAUGURAL SESSION

Figure 5: Four important pillars



He informed that there exists a law for expenditure reporting but no law for funding in India. Spending limits are often violated and paid news cases have been detected. Under reporting of funds received by candidates who want to escape legal scrutiny is rampant. There is an expense limit on candidates which becomes meaningless when political parties spend to promote their agenda as there are no restrictions on expenses by political parties. Political parties can raise any amount of resources and can spend any amount in relation to election propaganda.



As per law, political parties do not have to report on donations under INR 20,000. This loophole has been heavily exploited by political parties. Data collected in this regard suggests that of the total funds collected by political parties in India, 80 percent funds fall under this category of below Rs. 20,000.

Dr. Nasim Zaidi said that, as per the guidelines, political parties have to file their contribution reports with ECI. He said that the only penalty against exploitation of this loophole was denial of tax relief which was not enough. There is a growing demand that political party expenses should be limited but chances are that under reporting and overspending could again become the norm here. Another development has come in the form of establishments of

electoral trusts by corporate houses. These trusts can receive any amount of money and no laws regulate electoral trusts. Therefore the Election Commission of India suggested regulations for electoral trust in 2014. All 15 electoral trusts have furnished the donations received and it was published. However, our penalty regime is only against candidates and not against political parties and trusts.

In order to deal with such challenges, there is need for comprehensive capacity building programmes for all stakeholders. ECI has received considerable support from Courts in dealing with these challenges. We have developed a comprehensive financial regulatory framework and Law Commission of India endorsed our reforms and added a few more suggestions. We need a definite roadmap and a holistic electoral finance reforms and ethical voting campaign should be brought forth to deal with this challenge.

He hoped that the conference will delve upon problems in its totality and offer concrete recommendations to check the menace of bad money in politics.

SESSION ONE

Session 1: How to reduce the cost of electoral politics?

- **Chair:** - Mr. A. K. Joti, Election Commissioner of India
- **Panel:** - Dr. Magnus Ohman, Senior Adviser on Political Finance, IFES
 - Prof. (Retired) Arun Kumar, Centre for Economic Studies and Planning School of Social Sciences, Jawaharlal Nehru University (JNU)
 - Dasho Kunzang Wangdi, the first Chief Election Commissioner of Bhutan (TBC)
 - Mr. Navin Chawla, Former Chief Election Commissioner of India

This session led to in-depth discussions over containing financial expenses of political parties and candidates, and altering the spending behaviour. Issues like spending driven by legitimate reasons, such as rising campaign costs and constituency development, or by unfair practices, such as vote buying and negative campaigns in mainstream media were also discussed.



The session started with **Dr. Magnus Ohman**, Senior Advisor on Political Finance to IFES, who said that there is no way of knowing whether spending on election campaigns is increasing worldwide. There is a lot of anecdotal information, and in some cases even evidence that spending is increasing. However, in most countries no data is available. There are also some cases where spending is stable or even decreasing. For instance, in the UK spending increased in 2005 in comparison to 2001, but then fell back to nearly 2001 levels in the 2010 elections. Even where spending is not increasing, it was relevant to discuss if the level is reasonable. Public confidence in political parties and candidates is low and falling in most parts of the world. The view that election campaigns are excessively expensive dissuades middle classes from contesting elections and hence reducing spending could help in increasing public trust.

Dr. Ohman favoured indirect public funding in the context of reducing campaign expenditure over direct public funding. In particular, this relates to the provision of access to media. Giving political parties and candidates access to the media can help them provide exposure to the electorate at no cost, and if this is combined with limitations (as in the Philippines) or a complete ban (as in the UK) on paid broadcast advertising, it can lead to lower campaign spending without jeopardizing the vibrancy of the election

SESSION ONE

campaign. One problem in this regard which he discussed was whether access to the media can only be assured in publically owned media. He said that this would have been sufficient a couple of decades ago, but in the changing media climate in most regions, with an increasing number of private media outlets, sometimes with ties to particular parties or candidates, this is becoming much more complicated.

He encouraged all reformers to carefully consider indirect public funding. Indirect public funding is generally cheaper than direct public funding, and it is much easier to ensure that it is used in the way intended, rather than having tax payers money squandered, which is likely to reduce public confidence even further.

Dr. Magnus Ohman then said that there are no simple solutions to the issue of campaign spending. There is a tendency to look for a quick fix, and the first one considered is often spending limits. 30% of the countries around the world use spending limits for political parties, while 46% use them for candidates. They are especially common in Central and Southern Europe. In South Asia, some countries use spending limits for candidates, while for political parties they are only used in Bhutan and Nepal. He emphasized that the level of spending limits vary significantly. He said that the right level depends on what one is trying to achieve. If the purpose is to reduce spending from its current level, logically, the limit would need to be lower than the current level of spending (though not so low that candidates cannot respect them and still run the type of engaging campaign needed for democracy). He said that there is no point in having spending limits if they are not combined with a reasonably well organised reporting and oversight system.



He also pointed out that there was a need to consider unintended consequences of reforms. Introducing spending limits without more effective enforcement is likely to decrease transparency and public trust in politicians, without actually lowering campaign spending. “Enforcement” is the key, and IFES works closely with public institutions that have a legal mandate to oversee political finance regulations, including through our Training in Detection and Enforcement (TID) curriculum.

Dr. Ohman said that formal campaign finance regulations are unlikely to have a significant impact on a very large share of campaign spending, which is sometimes referred to as “dark money”. It is exceptionally difficult to get reliable data on this, but he believes that in many countries we are not far off if we assume that on top of the amounts spent on formal campaigning such as advertising, events and entertainment, the same amount again is spent on vote buying, abuse of state resources. In some cases, this illegal spending may well exceed the legal spending.

There were some innovative rules used in controlling how public funds can be spent in relation to election campaigns in some countries like India. It was suggested that countries should consider the value of these types of regulations such as the rules that were recently introduced in Montenegro in Europe).

In a larger sense, however, it seems doubtful, he said, that hidden donations, abuse of state resources and vote buying can be effectively counteracted by legal provisions. A lesson for South Asia from other parts of the world is that an active civil society and media is essential for effective oversight over issues of this kind. Unless awareness can be raised among the electorate about the detrimental impact that vote buying and similar activities have on democracy, it is unlikely that anything will change drastically.

SESSION ONE

Next, **Prof. Arun Kumar** retired academic from Jawaharlal Nehru University spoke on legal and illegal aspects of election financing in India. He said that while the true purpose of elections was to represent people, it is increasingly seen as a means to get power, resulting in representation being formalistic. Promises made by political parties are not kept and in a highly divided society that is getting polarized, it is easy to sideline minority interests.

Political parties release manifestos before elections as policy measures the party intended to implement once it came to power along with its solutions for present-day problems and covered multiple issues facing the electorate. However this has lost all meaning and the abuse of money in politics has led to aggrandizement of members of parliament, as evident by their declared wealth growing by leaps. Consequently, public has become alienated from political process of representation.

Prof. Kumar said that democracy as a process needs to be understood by its nature which can either weaken or strengthen this process. Politicians want to capture power to serve their vested interests. Their programme is often subterranean and not open or transparent. Democracy is a process and not an end product. There are policies and actions to strengthen or weaken it. Often institutions that strengthen it are weakened – like judiciary, bureaucracy and police – become hand maidens of people with vested interests.

Prof. Kumar presented some interesting information on black economy as listed below:



Figure 6: Interesting information on black economy

- 1 • 'Triad' of corrupt businessmen, politicians and executive working to foster illegality
- 2 • Share of black economy increased from 4 to 5% in 1955 to 62% at present
- 3 • Criminal entered the nexus in 1983 - growing criminalization of business and politics

Breakdown of trust leaves little choice for the public. The solutions are that election expenditure should be counted for the political party and not separate for candidate and political party. Disqualification of party/candidate for violations of expenditure limit should be made and candidates linked to media and bias of media houses should be checked. Election watchdog bodies of independent people in each constituency should be encouraged and public should be encouraged to report anonymously on malpractices. Once public becomes conscious, less regulation would be required.

SESSION ONE

Then **Dasho Kunzang Wangdi**, the first CEC of Bhutan presented his paper titled “No place for money and Muscle in Bhutan’s Democracy”. He said that for a Bhutanese political party or candidate to take part in politics, a very high standard is set. Any party, which intends to govern the Nation, must display that it has the experience and capacity to better the service record of The King as the Head of Government. The Nation that rose from nothing to one that stands shoulder to shoulder in the comity of sovereign nations wants to forge forward and never ever to regress.

Dasho Wangdi spoke of the role played by money in Bhutan’s electoral politics as being very limited and said that in Bhutan, the Public Campaign Fund is provided statutorily so that there is no need for aggressive fund raising which leads to collection of unlimited funds, sometimes compelling the voters to donate against their will. Besides, prohibiting political parties from accepting funding from external sources, the political parties can mobilize only those registered members who adhere to the prescribed ceilings. This, made clear from the very beginning of the transition to a parliamentary democracy, ensured that the role of money in Bhutanese polity is limited.

He said he has had the privilege to be associated in drafting of the Constitution of Bhutan, working on three election laws, rules and procedures, conduct of nationwide mock elections, formation of political parties, training of voters and electoral officers, conduct of two parliamentary elections and one local government elections, besides many by-elections. There are effective dispute settlement systems for all election related disputes in Bhutan. Accounts are scrutinized and funds are reimbursed. Any change would need a national referendum. Public campaign fund is provided statutorily. He spoke of the constitutional safeguards which make the process of elections successful.



Mr. Navin Chawla, Former CEC of India, spoke of the growing disconnect between those who are governed and those who are elected through money power. Election Commissions therefore set statutory limits of spending and often these levels are exceeded many times. ECI deploys, for example, two thousand officers as field level observers but spending limits have been reported to have exceeded. Raising the monetary ceiling could not be the answer. Paid news and candidates with criminal background are rampant. Before 1980s, the criminals helped politicians, and now they themselves contest elections. More powers to Election Commission under the supervision of the Supreme Court could be the answer. He referred to Ms. Monika Gonsalves from Latin America who wondered if democracy could be limited to voting alone. He opined

that politics of exclusion is practiced everywhere. There should be change in priorities to enable a new and wholesome democracy.

SESSION ONE



Then, **Mr. AK Joti**, Election Commissioner of India gave the concluding remarks. He summarized the information shared by the speakers and highlighted the key issues and challenges raised by each speaker. He emphasized important suggestions mentioned in Session One and stressed on the need for electoral reforms. He said that Bhutan has ensured that commercialization of politics does not take place using various methods and it can serve as learning for other member countries in South Asia. Then he appealed to all the EMBs that if transparency could be achieved from the political party then the EMB's should also be equally responsible for easier, faster and efficient communication.

He said money in politics has two aspects. On one side, campaign spending is a right in itself which is very important for political parties to engage with voters. On the other side due to misuse, it becomes a hindrance to the level playing field in a democracy. A framework needs to be developed which regulates and balances out both the sides, along with an upward thrust to protect the national interests.

Discussion Round:

The session was then opened for discussion. It started with a suggestion from Bangladesh representative who referred to the importance of plan, programme, peace, person and elimination of gender gap among the key concepts to be considered in an election process. Then Mr. Ahmed Bilal Mehboob from Pakistan questioned whether or not setting educational qualifications as barriers to contest elections would penalize the masses for a fault of the State which has not provided basic education to all those who are being governed. He said he was shocked at this trend. Mr. K Narayana of CPI then asked if honest people are being left out as money is playing a big part in politics. Mr. C.P.Joshi General Secretary of INC referred to Indian context and mentioned that the *Sarpanch* who is to be elected has to have some educational qualifications now in some states of India, and this was debated by the house. Professor Jagdeep Chhokar of ADR then said that the focus should be on solutions. The problem lies elsewhere, that is internal dichotomy and disconnect among the political parties. The functioning of the political parties need to be corrected if things have to improve. He referred to bringing all political parties under the ambit of the RTI Act and how political parties refuse to see themselves as public entities ready for scrutiny.

Prof. Arun Kumar then emphasized that the causation runs from black economy to politics and not vice versa. Therefore the black economy should be addressed before anything is done to reform the system. Dr Quraishi said that the dignity of politics needs to be restored. Mr. Atul Kumar Anjaan from CPI spoke of the solution in the form of proportional representation in order for faith in the political system to be restored. He said that his party is a victim of money power.

Mr. H. S. Brahma said that there is no model which can be followed for a system of democracy. A minimalist position calls for identifying country or countries which serve as a model for a democracy. He emphasized that transparency is being compromised. It remains the duty of the citizens to remain vocal. A representative from Nepal said that elections are a festive event in Nepal. He also said that use of technology and maximum participation of stakeholders in a political process with a proper code of conduct is important. Mr. Om Pathak of BJP said that there are two sides to this discussion; one who conducts the election i.e. the returning officer and one who contests the election i.e. candidates and political parties. Law makers these days want executive power while judiciary is involved in implementing policies. Corporate money is being invested and unlawful activities are rampant. Party workers have to



SESSION ONE

be paid for the work that s/he does. Solutions therefore are not only within the Election Commissions, but also outside. Everybody has to work in tandem.

Ms. Vijaya Rahatkar, National President, Mahila Morcha of BJP emphasized the need to improve the representation of women in politics. She said that lack of financial support is restricting women from entering politics. Mr. Ajoy Kumar from INC said that one of the ways of curbing polling station level expenditure of candidates and political parties is to ban the presence of political parties and candidate's supporters (except for appointed polling agents) from the premises of the polling station. Mr. S.D Sharma, former State Election Commissioner for the State of Jharkhand in India then spoke of how the state has managed low cost elections. Many States have no legislations for expenditure control. These States say that the moment there is legislation, there will be legitimate financial contributions.

The session ended here with a wrap up by the chair highlighting the points of discussion and the notes made by the speakers.

SESSION TWO

Session 2: How to improve transparency of party/candidate funding for election expenditure?

- **Chair:** - Ms. Leena Rikkila Tamang, Regional Director for Asia and the Pacific, International IDEA
- **Panel:** - Mr. P. K. Dash, Additional Secretary and Financial Advisor, Ministry of Environment, Forest and Climate Change, Government of India {Former Director-General (Election Expenditure Monitoring), Election Commission of India}
 - Mr. Ahmed Bilal Mehboob, President, Pakistan Institute of Legislative Development and Transparency (PILDAT), Pakistan
 - Mr. Samuel Jones, Programme Officer, International IDEA

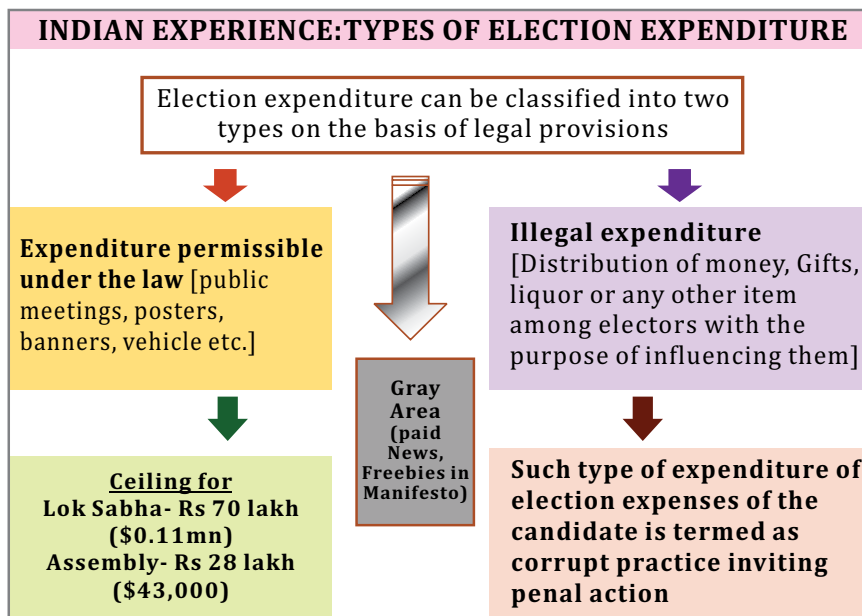
This session addressed various methods to improve transparency of party/candidate funding for elections and expenditure. Speakers enlisted different means to improve and ensure transparency within their countries and deliberated upon disclosure regime in South Asia and the world.



Mr. P.K.Dash, Additional Secretary and Financial Advisor, Ministry of Environment, Forest and Climate change, Government of India and Former Director-General (Election Expenditure Monitoring), ECI started the presentation by defining political finance. He said that political finance is of two types i.e., Party Finance which is related to political parties and not to the election and Campaign Finance, which is related to election finance of party and candidates. After that he classified the election expenditure on the basis of legal provisions into two types i.e., the expenditure which is permissible under the law such as public meetings, posters, banners, vehicles and the Illegal Expenditure such as distribution of money, gifts, liquor etc. and the grey area i.e. paid news, freebies etc.

SESSION TWO

Figure 7: Indian Experience on types of Expenditure



Mr. Dash showed graphically the total expenditure incurred and funds collected by National Parties during 2014 Lok Sabha Elections and a comparison with 2004 and 2009 Lok Sabha Elections. He talked about the Indian constitutional laws and regulations for raising funds by political parties, prohibition and regulatory measures. He also spoke about measures for the parties adopted by ECI. After that he talked about candidates' funding and expenses, regulations of ECI, laws on corrupt practices and unlawful acts, plenary powers of Commission under Constitution (Art.324), and the preventive measures.

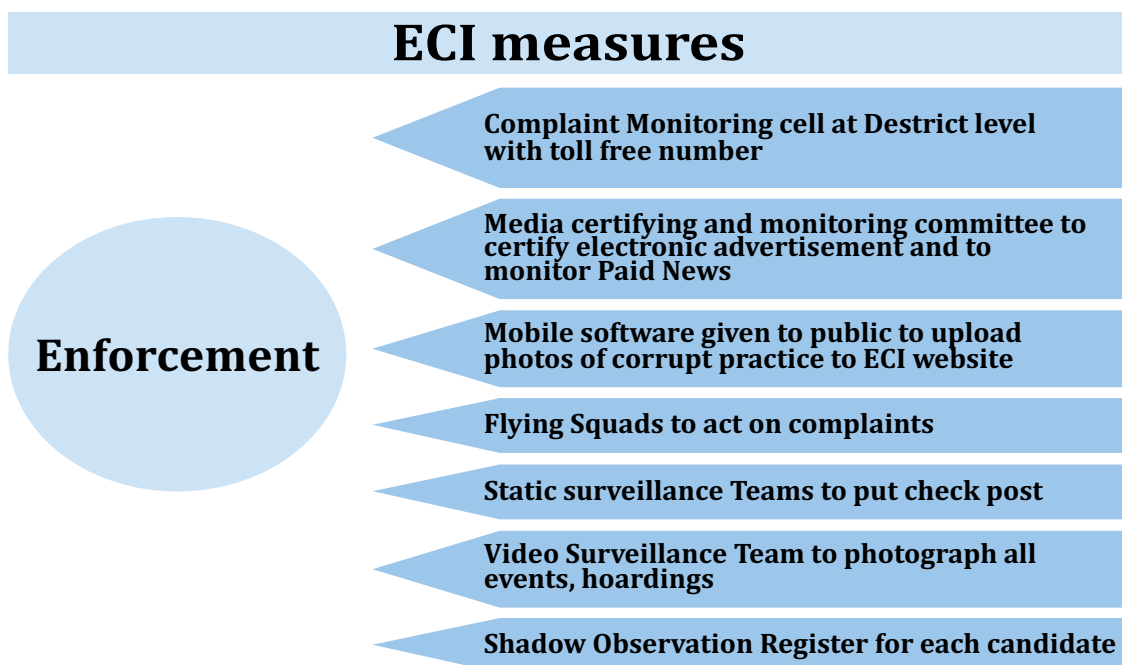


Mr. P. K. Dash spoke about the measures taken by the ECI for transparency, enforcement and its results. He brought to the notice of the house that ECI uploads contribution reports, annual audited accounts and election expense reports on its website for public viewing and the contribution reports of political parties are sent to Income Tax department, Home Ministry and Ministry of Corporate Affairs for verification. He said that ECI sends the election expense accounts of political parties to the Chief Election Officers of states to verify with the shadow register maintained during election and the audited accounts of parties are sent to ICAI for verification.

He said ECI captures video footage of political rallies and campaign materials, monitoring of helicopter or aircraft expenses, media expenses of candidates and parties and tallies with expenses mentioned in the statements. Candidates are asked to open a separate bank account for election expenses and the independent expenditure observers are appointed to inspect accounts of candidates for upload on the website.

SESSION TWO

Figure 8: ECI Measures



As a result of the above measures, a huge amount of cash, liquor and drugs have been seized due to various raids conducted during election period in 2014.

Mr. Dash concluded his presentation by highlighting the measures which still need to be taken for improving transparency. He said that third-party campaigners and threshold for registration with ECI should be defined. Reporting obligations and expenditure limits for third-party campaigners should be set. Certain sources of funds/ contributions for third-party campaigners should be prohibited. Accounts of Party and candidates should be compulsorily e-filed. Separate bank account need to be opened for Campaign expense of the Political Party during election period. Disclosure of funds received during election period by Political Parties needs to be made compulsory. State funding should be limited to leverage transparency and lastly, anonymous donations received by parties as well as by candidates during election period needs to be banned.

Mr. Ahmed Bilal Mehboob, President, Pakistan Institute of Legislative Development and Transparency (PILDAT) divided his presentation into four broad sections i.e., The Context, The Challenges, The Role of Civil Society and Media and the Way Forward.



He said that in Pakistan, elaborate disclosure measures were put in place in electoral laws i.e., a candidate has to submit his/her statement of assets and liabilities, taxes paid in previous years for securing nomination and the political parties have to submit yearly audited statements of assets and liabilities. He said that there is a spending limit on election campaign by law in Pakistan and there is neither state funding nor private funding available. The candidate has to procure the funds from his/her own sources. He said that the Election Commission of Pakistan (ECP) is the oversight entity.

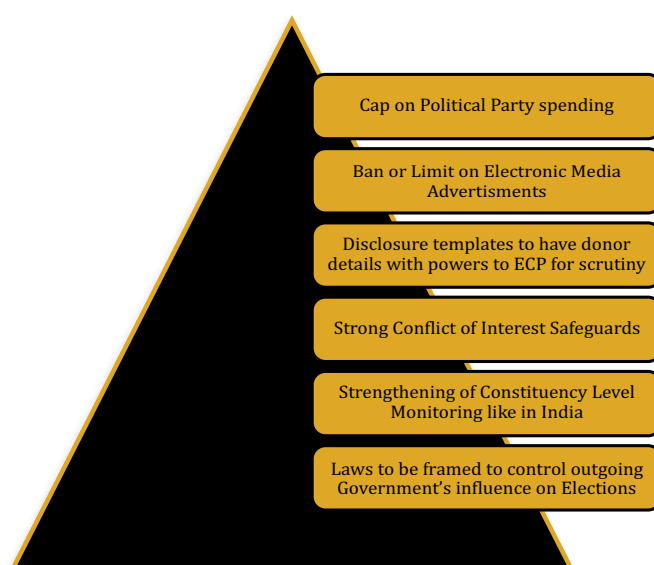
After that he talked about the key challenges faced by the ECP. He said that

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there was a weak rule of law and the disclosures given by parties and candidates were not uploaded on the website. He said that rich legislators/ candidates feared kidnapping and ransom demands by criminals and hence were not keen on disclosures. ECP had no authority or capacity to either protect them or enforce disclosure. The disclosure forms were also too technical. He also spoke about the role of civil society and media and said that transparency has not improved the accountability and general conduct. The role of media is also critical in raising public awareness. The efforts of PILDAT also drew criticism but raised awareness.

Then, concluding his presentation, he highlighted the way forward for ECP.

Figure 9: Ways forward for Election Commission of Pakistan (ECP) according to Mr. Mehboob



He said there was a need for a cap on campaign spending, media advertisements needed to be discontinued or a limit be imposed, an authority be set up for scrutiny and a constituency-level monitoring system be setup like in India. The laws should be framed to control incumbent Government's influence in elections.

Thereafter, **Mr. Samuel Jones**, Programme Officer of International IDEA, talked about digital solutions for political finance transparency. He said that one of the main findings of IDEA's 2014 Handbook on Political Finance was gap between the *de jure* regulations on paper and the *de facto* practice. He said that this is also the case more specifically with reporting and disclosure. The Money, Politics and Transparency research project came to the same conclusion that there was a gap between the letter of the regulation and its implementation on the ground and this undermined public trust in political parties and candidates. There is an urgent need to look at digital solutions in order to save time (both on reporting and disclosure side), reduce human error, save money, store, file and archive data instantly. This will assist EMBs and oversight agencies in their efforts to verify data which is submitted.



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Figure 10: Benefits of opting for digital solutions for better reporting and disclosure



Technology reaches a large number of people and can enable compliance regime in a user-friendly way. A complete picture of submitted data through digital solution can enable a greater control over political parties and candidates. He spoke of the existing systems of Software based and Web based systems around the world. He also showed screenshots of reports submitted digitally in countries like the UK.

Figure 11: Disclosure Principles



He suggested seven 'Disclosure Principles' (Figure 11) which will ensure complete transparency in political finance reporting. According to the principles, information on the finances of the political parties should be easily accessible in forms that allow citizens to search, to compare between political parties and/or candidates and to download. Furthermore, the information should be constantly updated and well-detailed.

Mr. Hari Shankar Brahma, former CEC of India, then greeted the delegates and guests from SAARC Countries and IIIDEM and International IDEA. He said that the most important and a universally accepted issue is that money influences and compromises politics and political process. He emphasised that there was a need to know to what extent it impacts a nation. He talked about the way forward and then focused on team building.

He highlighted the gaps between the younger generation and the political process, and said that the younger generation wants to achieve things at a faster pace. There was need for EMBs to move faster and cater to the aspirations of the younger generation. He also spoke on the use of information technology as one of the most useful guiding principal of transparency for EMBs across the nations. The political

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parties, their functioning, reporting etc., and the entire the process of transparency should be faster, simpler and done in an intelligent manner.

Concluding his speech, **Mr. H. S. Brahma** appealed to IDEA to be more active in raising such issues, arranging more conferences on such an international platform and ushering in the reforms in political finance so that EMBs and other stakeholders are active during election times and also during non-election or normal times. He also said that more 'think tanks' should be set up to study the processes of elections.



Discussion Round

Prof. Chhokar pointed out that while he agreed with Mr. Dash on the laws regulating donations by foreign companies was not clear, but the Delhi High Court has found two major political parties guilty in violation of the Foreign Exchange Regulation Act as they had accepted donations from a trust which was set up by firms registered in the United Kingdom. Though the Representation of People's act might not be clear on this matter but there is precedent set by the High Court. He also mentioned that the transparency guidelines are largely followed by most political parties. There is no penalty clause for not complying with the guidelines therefore lack of penal provisions is inhibiting transparency. He also said that while ECI has taken several steps to improve transparency like sharing information with Income Tax Department and Ministry of Corporate Affairs, follow up action with these government agencies for enforcement and compliance is required.

He agreed with Mr. Mehboob that political parties started as movements and became establishments and hence they don't have volunteers but paid workers now. He therefore insisted on the need of internal democracy within political parties. He said that there was a disconnect between the leadership of political parties and the rank and file of those parties and there were many such examples across the globe. He pointed that out with an example from UK where he said Mr. Jeremy Corbyn was elected the leader of the Labour Party because the rank and file of the party wanted him as their leader while the national leadership was not so keen. He said that political parties required that connect. This restores public trust and public interest in political parties.

Mr. Atul Kumar Anjaan from CPI said that there was a need for collegium system in selection of Election Commissioners. Transparency cannot be defined on the wishes and whims of a certain group of people. Mr. Om Pathak from BJP said that certain regulations suggested by ECI are compelling political parties to invent ingenious ways to transfer money. By over monitoring the expenditure methods of political parties, ECI is compelling them to find ways to counter these laws by covert means. The focus should be on collection of funds and whether those sources are legitimate, illegitimate, anonymous or corporate and not on monitoring expenditure as this will not bring in transparency in the system.

Ms Sofia De Roa Verdugo from Podemos party Spain, who worked on improving transparency in her political party said that her party in Spain did not allow donations over 10,000 Euros even if the law permitted it. Names of donors were regularly published if they donate over 5000 Euros. Large banks and corporate firms were not allowed to fund elections and donations were asked from individuals using crowd funding. She said that the party financed the political campaign using micro credit. They also published a quarterly journal detailing disclosures of accounts with every single invoice.

SPECIAL SESSION

Special Session: Regional Efforts to Counter Adverse Effects of Money in Politics

- **Chair:** - *Dr. Ayodhi Prasad Yadav, Officiating Chief Election Commissioner of Nepal and Chair of Forum of EMBs in South Asia (FEMBOSA)*
- **Panel:** - *Dr. E. Sridharan, Academic Director, University of Pennsylvania Institute for the Advanced Study of India.*
 - *Dr. S.Y. Quraishi, former Chief Election Commissioner of India and Member of Board of Advisors, International IDEA*

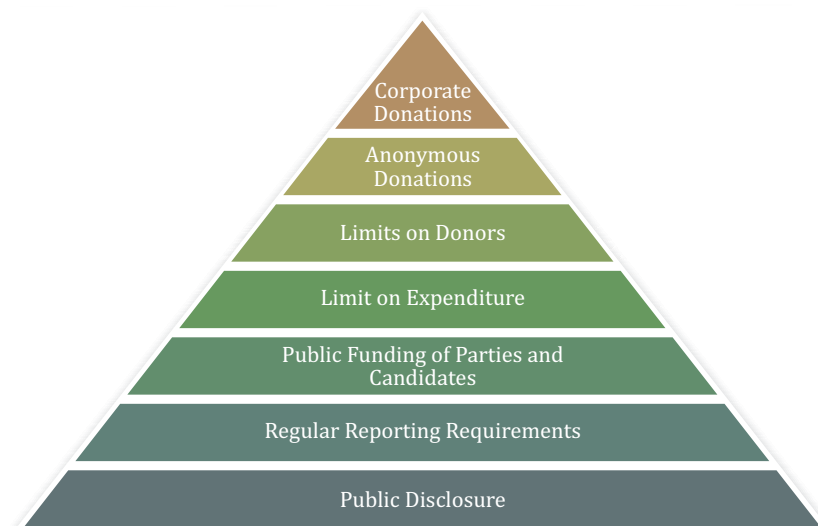
This session led to in-depth discussions on the regional efforts to address the adverse effects of money on politics and ways forward. Relation between various donors or donor agencies and candidates or political parties was explored while effective cooperation between various regional players at the level of EMBs was suggested to counter the adverse effects of money in politics.



The session began with **Dr. E Sridharan** who, while giving a brief history of changes in the political finance regimes of India, also gave an overview of political finance in South Asia. He compared political funding in seven South Asian countries which are members of SAARC and highlighted seven indicators which were common among them. These indicators are as shown:

SPECIAL SESSION

Figure 12: Indicators of Political Finance



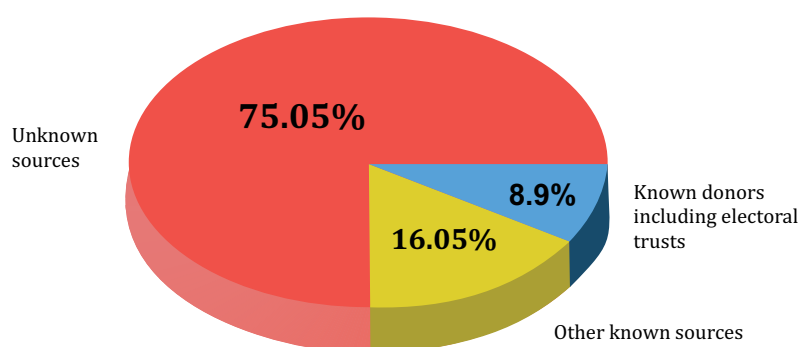
He said that the first five indicators were common in most of the South Asian countries. India and Nepal are fairly similar in terms of no ban on corporate and anonymous donations, no limit on donors, some limit on expenditure but only on candidates and not on political parties. Pakistan and Bangladesh are similar in terms of limit on corporate and anonymous donations to parties and lack of public funding. Sri Lanka is somewhat different as there is some form of public funding along with no corporate or anonymous donation ban and no limit on expenditure. Maldives and Bhutan are quite different in this respect. Bhutan has public funding of elections, limits on corporate funding and anonymous donors, along with limits on donors and expenditure. Bhutan, he said, is a fairly regulated system.

Across South Asia, he said that one can argue there are no effective limits on corporate, anonymous or trade union donations either for a political party or candidates although there may be some nominal caps. There is no system of total public funding of election except for Bhutan or Sri Lanka. Limits on expenditure are not effective. Across South Asia, it is a very unregulated free for all virtual arms races among political parties and candidates across South Asia.

All countries adhere to the last two indicators in a formal sense. However, political parties exploit the loophole of the small donations and the bulk of party incomes are from the undisclosed sources, particularly in India, which is from the 'under Rs. 20,000' category. This is common all over South Asia and hence there is a lot of scope to learn from each other to regulate and monitor.

Figure 13: Sources of Funds of National Political Parties in India according to Dr. E Sridharan

From where the six national political parties got their funds:



SPECIAL SESSION

Dr. Sridharan also spoke of the crucial moment in the regulatory framework when ban on corporate donations in India was effective between 1969 and 1985. During this period, if public funding was introduced in some way, it could have transformed the way elections are held in India and it would coincide with the wave of public funding of elections in Europe. Since corporate funding was banned during this period and it was not substituted with public funding, with no large scale legal source of funding, the political finance regime was pushed towards the illegal and black economy sources of funding and dubious transactions. We are still living with the long term consequences of those events. Since 2003, however, there has been some change in the disclosure regime after the introduction of the assets and liability disclosures and after 2005, using RTI act, income tax records of political parties have also been made public in India.



Dr. E. Sridharan then discussed the way forward. He said one possible alternative was public funding, subject to internal democracy, transparency and accountability of funds. Second, was small contribution from mass based cadre, if possible, like European countries to negate the effects of non-disclosure. He however also conceded that it was not feasible in small income countries. He also said that only political parties cannot be blamed for not following guidelines specified by the CEC of India on disclosing donor identities. Even donors are unwilling to do so. Political fundraisers have suggested that they were willing to disclose the names of their donors but were seriously worried that this might result in a panic from the donor end and lead to drying up of donations. A lot of focus exists on parties and disclosure but the donor side is not

addressed. Donor resistance to disclosure is due to highly regulated economy. Business fortunes depend on contacts with governments and banking system is under state control. Hence exposing yourself to support anyone could have possible backlash, particularly if they are a diversified business group with assets or businesses in various states with different political parties in power in the states and the federal structure.

Dr. SY Quraishi pointed out the need for regional efforts to curb misuse of political finance. He referred to the experience sharing of various EMBs during the diamond jubilee celebrations of the creation of ECI along with the trainings conducted by IIIDEM where election officials from more than 60 countries have already participated. Hence an institutional framework is already available to ensure regional efforts. Similarly FEMBOSA is also equally important. In 2015, a Kathmandu conference was held with the theme of political finance. A document presented in the Kathmandu conference made him realise that many things he was trying to achieve in India was already being done by Nepal. Hence joint efforts through FEMBOSA were required to address electoral issues common to all SAARC nations. He further elaborated the details of the three conferences held on political finance in the past. He referred to the increasing need of using ICT and technology based tools to deal with enforcement and compliance regimes while dealing with political finance.

He talked about the role of media in elections and that it needs to be strengthened to help EMBs in better monitoring of political finance. Media can be an ally as we have seen at various instances. Whether it is highlighting the rags to riches stories of politicians who have amassed wealth disproportionate to their income sources during their tenure or the case of bypassing laws which enforce compliance like in India's case of filing of affidavits with the returning officer detailing the assets and liabilities of each candidate contesting elections; the media is always helpful. In cases of violation of model code of conduct during

SPECIAL SESSION

elections like bribing voters or using undue influence too media has played an active role in identifying such cases in the SAARC region. He also stressed on a need to study the lack of gender equality in political systems and the role money power has played in dissuading women from contesting elections.

Dr. Ayodhi Prasad Yadav, Chief Election Commissioner of Nepal and Chair of FEMBOSA began by saying that political parties work from the cities to small villages and have a huge network of volunteers and members. It will need money to function. He said that EMBs are aware of the unholy nexus between the donors and receivers of funding but the laws are ineffective to deal with them sternly. He said that in Nepal, there was a political parties registration act, but there was no clarity on 'dos and don'ts' as far as political finance goes. He said they are now in the process of drafting a comprehensive legislation. As the chair of the session, he complemented the two speakers on their thoughts on the regional efforts to counter adverse effects of money on politics.



Discussion round

Dr. Quraishi started the discussion by stating that Dr. Sridharan was partly right in suggesting that donors are averse to disclosure of funding details to political parties and candidates. However, the real reason was that they as well as the political parties feared public backlash of the effects of lobbying in favor of a particular policy as a kickback – a *quid pro quo*. A different model like electoral trusts where the donors can get tax concessions needs to be thought of. CSR can be effectively also used for this purpose where corporate donations can be made valid as a part of CSR activities.

Mr. Hoole from Sri Lanka wondered why Dr. Sridharan did not think that in a large country like India, small contributions from citizens for political parties were not feasible. Mr. Yusmadi Yousoff from Malaysia asked how such discussions can be extended to inter regional dialogue for instance between South Asia and South East Asia. Member from Transparency International detailed out the political finance regime in Maldives. He said that Maldives had public funding of elections for political parties but not for candidates. They get funds from the public exchequer based on the size of their membership annually. There are also limitations on voters donations; the limit has been placed at US \$100 per candidate. Candidates have to submit campaign finance reports and political parties have to submit their annual reports. However, these reports are not made public hence there is no scrutiny. The major problem in Maldives is lack of enforcement.

Member from SAARC secretariat made an important point that there are no existing links between members SAARC countries and FEMBOSA in addressing the issue of legal transactions and income sources of candidates and political parties for elections. SAARC has a mechanism for Home Ministries and Interior Ministries to tackle issues like cross border transport of drugs and human trafficking. He proposed a mechanism to counter illegal transaction of money crossing border within South Asian region like maintaining hotlines etc. Periodic meetings were also suggested between FEMBOSA members for experience sharing. Mr. PK Dash addressed the issue of donor aversion to disclosure raised by Dr. Sridharan and pointed out that the corporate donors were averse to disclosure because corporate funds are given to the political parties and candidates in the form of the illegal and black money through legal loopholes that they have created. He also said that the aversion is due to the possibility of exposure through identification of nexus as a part of kickbacks in form of favourable policies, schemes, licenses etc.



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Members from political parties like Mr. Atul Kumar Anjaan from CPI said that donations from international, transnational and multinational organizations have to be curbed as they could be used to influence sections of the society. Prof. Chhokar said that if both the corporates and the political parties were guilty of aversion to the disclosure regime because both benefit out of the opaqueness, it is unfair to only blame one or the other. Finally he pointed out that though there is this unholy nexus of corporates, bureaucrats and politicians, the corporates are governed by the Companies Act and the shareholders, bureaucrats are shielded by the Constitution. However political parties and candidates are accountable to the people and therefore greater onus lies on them for accountability.

SESSION THREE

Session 3: The influence of the wealthy few and its effects in representing the people

- **Chair:** - Mr. O. P. Rawat, Election Commissioner of India
- **Panel:** - Mr. Yusmadi Yusoff, former Member of Parliament, Malaysia
 - Professor Jagdeep S. Chhokar, Founder and Trustee, Association for Democratic Reforms, India
 - Dr. Abdul Alim, Director, Election Watch Group, Bangladesh

This session focused on influence of the wealthy few and its effects in representing the people. High proportion of anonymous donations, corporate donations, donations by oligarchs, illicit funding of politics and lack of transparency are indications of big money being donated to political parties by the wealthy few. The speakers discussed that such influence often trumps policies that should bring benefits to common people. Discussions were held on finding solutions in the realm of legislation, monitoring, compliance, adjudication and enforcement that could minimize the adverse effects.



The first speaker from the panel was **Dr. Abdul Alim**, from the Election Watch Group of Bangladesh. He spoke of how money is considered the 'mother's milk' for politics and how parties cannot survive without it, however, money is also a great concern for politics. Absence of transparency is a great problem for the EMBs to address. He argued that when compared to many other South Asian countries, the legal framework in Bangladesh was better; however, still reforms were needed. The expenditure made by party chief must be brought under a mechanism which ensures accountability, he said.


He opined that yearly income and expenditure reports must be made public and there should be provision of state funding. There is weak enforcement by the election management body of Bangladesh. It does not verify the authenticity of the reports submitted by the parties and candidates. Although legal provisions clearly mention the need to maintain a record of the name, address and amount donated, these details are not mentioned by the political parties. No punishment is specified against the parties/candidates for violating laws and regulations.

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Dr. Abdul Alim then spoke of how political party funding is done in Bangladesh, its sources, ban and limits. He said there is no provision of state funding and parties can collect donations from any candidates or any persons seeking nomination or from any other source. Political parties cannot receive any 'gifts, donations, grants or money from any other country, or NGO assisted by foreign aid or from any person who is not a Bangladeshi by birth or any organization established or maintained by such person'. The limit of donations in Bangladesh is BDT 1,000,000 (Approx. USD 12,500) from a person and BDT 5,000,000 (Approx. USD 62,500) from a company or organization in a calendar year. All registered parties have to submit yearly income-expenditure report to the EMB.

Figure 14: Political Party Funding in Bangladesh



Political party funding in Bangladesh: Disclosure on non-election funding

- All registered parties have to submit yearly income-expenditure report to the EMB
- The report has to be audited by a registered chartered accounting firm
- There is no specific format for submitting such reports - hence the reports are not comprehensive ones
- Whatever is submitted to the EMB is accepted; in general, EMB does not ask for any explanation/ query
- There is no provision of third party scrutiny
- Registration might be cancelled if a party fails to submit such reports for three consecutive years
- The audit reports are not published either by the parties or by the EMB

He argued that the legal framework allows the party chief to spend unlimited amount of money for travelling to various constituencies for the purpose of election campaign. The source of this money is not specified in the law and there is no provision of keeping record of donor and amount of donation. This money is not included in the expenditure incurred by the party. The law does not have any provision for disclosure of expenditure by the party chief.



Then **Prof. Jagdeep S. Chhokar** of Association for Democratic Reforms (ADR) said that he wanted to address five important questions that this conference posed. First question was, whether politics in India was a rich person's game? He said that broadly speaking, politics in India was indeed a rich person's game. Data on expenses of candidates for elections held over the last ten years showed that the chance of winning the election went up by 66% for those candidates who spent more than INR 1,00,000. Next question he addressed was the extent to which electoral candidates in India draw on their personal wealth to finance their campaign. He said that there was no reliable data on actual expenditure. Election expenses declared by candidates in their affidavits do not make it clear. It depends on the candidate

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and just a few very rich candidates draw on their own personal finances to finance their campaigns. Most raise money from other sources. Some get money from their party. Some raise it from rich people in their area, e.g. industrialists, businesses, under the garb of donations, often undeclared “friends” and “relatives”. Some donations are from general public.

Figure 15: Five questions on role of wealthy in politics



The next question he answered was how widespread is the phenomenon of electoral candidates in India having to borrow or receive large donations from wealthy individuals or businesses, which then expect preferential treatment in return, i.e. *quid pro quo* deals. He said that once again, there is no reliable data but the phenomenon is believed to be widespread and there is lot of anecdotal evidence.

Next he discussed the role of money in women's participation in Indian politics. He said that the proportion of women in politics in India is very small. In the last ten years, out of a total of 5061 MPs or MLAs elected, only 466 were women. Role of money, however, does not appear to be very significant and is no different to that in the participation of men. Paternalism, he noted, was a critical factor and those women who were somehow related to some male leader, perceived as powerful or famous, had higher chances of winning elections.

The next question deliberated upon by him was on the priorities in tackling the influence of the wealthy few in India. He recommended that transparency in the financial affairs of political parties and internal democracy in the functioning of political parties should be the priorities and both of these should be mandated by law.

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Mr. Yusmadi Yusoff, a former MP from Malaysia spoke in the session with his own example as a case study. He said that money does play an important role in the political process. However, a person can win elections without much money. He said that he misunderstood the relationship between politics and money and asked the audience about the tools which could be used to improve monitoring methodologies. He said that when he contested elections from his constituency, he was nominated by a football coach and there were no wealthy few behind him. He won the elections in March 2008. This challenged the perceived nexus between politics and money. However, he also insisted on protection of democracy from negative influence of money power.

Then **Mr. O. P. Rawat**, the chair of the session gave his concluding remarks. He emphasized that India's national emblem says '*satyamev jayate*' or truth only prevails but almost every candidate starts the process of becoming a law maker by lying through the candidate affidavit. He said that we regularly hear cases of candidates who under report campaign expenditure. He said that most candidates do not think about the real 'sovereign' who is the voter. S/he should be given a say on how candidates and political parties who represent them source their funds. Public funding in the USA for example has been in *vogue* for some time in two States of Arizona and Maine as a choice against corporate/ union funding and provides an alternative globally.



Discussion Round

The discussion started with the representative from Nepal who said that buying of seats has become the fashion of the day. Mr. K. Narayana from CPI opined that the notion that all parties are the same is not true. However, he spoke of how money is used to vitiate the electoral process by some political parties. Proportional representation system is the only way out to uphold democratic values.

Professor Arun Kumar of JNU said that vested interests in India are getting fractious and polarized. There are concerns about the dignity of the political parties. Then a representative from Bhutan said that Bhutan is different being a young democracy. Sources of funds are largely limited. Mobilizing funds through members is a challenge hence voluntary contribution is the only option. There is no political corruption yet like in many other countries, and therefore she highlighted the need for precautions Bhutan should continue to take to prevent electoral corruption.

There were questions from Bangladesh on how money is important for women in politics. Nepalese representative said that rules exist but implementation is a huge problem and no one verifies the source of funds. Then Mr. S. K. Mendiratta, Legal Advisor for ECI compared the current position with the year 1969 when corporate funding was banned. But then political parties started issuing souvenirs and magazines and corporate houses would fund large advertisements in these magazines and used other such covert means of funding. Hence they thought of making it legal. Mr. Mendiratta also wondered that if spending limits exist in most democracies, then should a penalty regime in the form of disqualification also exist to ensure compliance.



SESSION THREE

Sofia de Roa Verdugo from Podemos Party in Spain explained how people do not trust political parties these days. Political parties need to make efforts to reconnect with people. Politicians go to the corporate houses for everything and that this has to change. Then Mr. Om Pathak from BJP said that more than the influence of money the involvement of criminals and the mafia in politics should be a matter of concern. Rise of family run political outfits has destroyed the political ethos.

Then Dr. Bhagban Prakash, Senior Advisor, IIIDEM said that the concept of public funding is nothing but disguised state funding in the form of MP Local area Development Funds allocated to the MPs. The money allocated to each MP is used to tilt the support in his favour. This kills the level playing field.

Mr. Navin Chawla said that ethically, people like to observe the rules as we are all circumscribed by certain rules. Anyone can register a political party but there is no provision of deregistration of those who do not contest within a particular time frame particularly in India. He argued that returning officers need to get more authority to function independently. There should be a *suo motu* initiative by the Election Commission of India to deregister someone without waiting for the election petition to be filed. Mr. H. S. Brahma said that political parties are increasing in number. Of about 1600 registered parties, only about 400 participated in elections in India. He wondered if a sunset clause can be introduced to bar contesting candidates above a certain age.

Dr. Alim, then answered the questions raised and the general observations made in the discussion round. He said that the rules have to be revised as transparency was critical. Mr. Youssef from Malaysia then said that collaborative effort of all stakeholders was needed to enforce transparency. If the parliamentarians do not tell truth about oneself, then democracy is not a democracy in the true sense. The legal framework should be based on prevention and not correction. Professor Chhokar then argued that most political parties have become agents of the corporate houses. The purpose of forming political parties needs to be nothing but governance and that governance should be the sole the reason why parties should come to power.

This ended the discussion of Session 3 on the day 2 of the conference.

GROUP DISCUSSIONS ON THE DRAFT DECLARATION

The house was divided into three groups for discussing the draft of the Declaration, which was the outcome of this conference. Each group contained a few Indian participants, a few international participants and all groups had equitable participation of members from political parties, media, academia, EMBs and organizations like International IDEA among other stakeholders. CEC and Election Commissioners of India also participated in the discussions. The draft was discussed keeping in mind the ground realities of all the countries of the region.

Deliberations were held on the details of the Articles contained in the Declaration. An introduction was found to be indispensable for the declaration as all members felt that the declaration will be incomplete without a narration as well as a preamble. Some words were to be eliminated from and some added to the draft. There was brainstorming on every section of the draft declaration by the groups. It was agreed to name the draft declaration as the New Delhi- Declaration on Political Finance Regulation in South Asia.

The participants in each group are listed in the Annexure. The topics were allotted to groups for in depth discussions were as follows:



Group 1

Moderator: Ms. Leena Rikkilä Tamang

Topics Discussed: Overarching principles from A.1 to A.9 and one of the regulation and implementation guidelines (B.1) of the draft declaration.

Group 2

Moderator: Mr. Samuel Jones

Topics Discussed: Regulation and Implementation Guidelines from B.2 to B.4 of the draft declaration

GROUP DISCUSSIONS ON THE DRAFT DECLARATION

Group 3

Moderator: Mr. Adhy Aman

Topics Discussed: Regulation and Implementation Guidelines B.5 to B.9 of the draft declaration



The group discussions were led by the moderators who introduced the articles of the declaration and initiated the discussions. The role of money in politics is being increasingly discussed across the globe in all democracies as witnessed in the conference at Brasilia and Mexico held recently on the same broad topic. It was suggested that while the nuts and bolts of political finance regulation can be country specific, a broad spectrum of guidelines can cater to a region with similar political and legal framework. It was also suggested that a regional declaration can enable the civil society, media, political parties and academia to discuss the articles in declaration and encourage all stakeholders for adherence to these guidelines. All the delegates in the conference unanimously agreed to the point that the process of elections requires money. It was felt that regulation and effective legal framework was important to ensure controlling the money in election funding in particular as well as in political finance in general.

PLENARY SESSION

- **Chair:** - Dr. Nasim Zaidi, Chief Election Commissioner of India
- **Panel:** - Mr. A. K. Joti, Election Commissioner of India
 - Mr. O. P. Rawat, Election Commissioner of India
 - Ms. Leena Rikkila Tamang, Regional Director for Asia and the Pacific, International IDEA
 - Dr. S.Y. Quraishi, former Chief Election Commissioner of India and Member of Board of Advisors, International IDEA
 - Mr. Sudeep Jain, Director General, IIIDEM

This session discussed the draft declaration and addressed all concerns raised by all stakeholders including political parties, media, academia, civil society organizations, EMBs and NGOs regarding individual articles of the draft declaration as discussed in the group discussions.



After the group discussion session, all the groups assembled for the plenary session for discussing each and every line of the draft group wise. Since sections of the draft declaration were divided among the groups, the plenary session provided an opportunity to the participants to discuss the entire draft declaration. All the recommendations of the group were deliberated upon by the delegates in the plenary session chaired by CEC of India Dr. Nasim Zaidi and unanimous decisions were taken. First group, moderated by Ms. Leena Tamang, was the first to be called on dais. She read out the narration and background recommended by the group to the house. The house agreed to the narration and background along with the preamble.

This was followed by the deliberation on the overarching principles. CPI's Mr. Anjaan had recommended the word '*integrated*' in the article A.1 during the group discussion and everyone in the plenary session agreed to incorporate the following provision Now it read:

PLENARY SESSION

A.1 Adopt a holistic approach to regulations

- A holistic and **integrated** approach to the regulation of political finance that takes into account how regulations work in combination with each other is more likely to deliver the intended results than a piecemeal one. “For example, the provision of public funding to parties and or candidates will have a limited effect in reducing overall campaign costs (presuming that is one of its goals) if it is not combined with a limit on spending.

Next, under article A.2 of the Declaration, the following text:

‘Both central and local levels of political parties should be subject to regulations.’

was changed to

‘Both central and local levels of political parties including all elections should be subject to regulations.’

A need was felt to include these words for the reason that the whole process should be subject to regulations and not just the political parties. This was unanimously agreed upon.



In the context of Article A.7, Mr. Samuel Jones spoke of the use of comprehensive regulation. Another house member questioned whether level playing field implied less regulation. The phrase ‘less regulation’ was inappropriate in the whole context Dr. Zaidi said. The words could be ‘appropriate regulations and facilitation.’

For facilitating participation of women in context of Article A.8, most of the members agreed that social obstacles as well as economic and cultural obstacles were part of the structural obstacles which women face when they want to participate in the electoral process. Dr. Quraishi said that women also face legal barriers. Money or no money, women cannot contest elections. Another member also said that electoral contests are so prohibitive that those who are indebted would not be in a financial position to contest elections.

With reference to over regulation, Mr. Pathak of BJP was of the opinion that a separate section should remain in the draft as was earlier circulated to the house. He pointed out the drawbacks of over regulation



PLENARY SESSION

as a hindrance to the democratic process. He stressed on the need to have a separate section on over regulation instead of merging it with an earlier section/article on facilitating equal opportunities for participating in political life.

A member from the house suggested that the article A.9 should be eliminated. However, Dr. Zaidi emphasized that the word “reasonable” was central for the whole process and therefore the section should not be removed. It could although remain as a separate head.

With reference to article B.2 of the draft declaration, Prof. Chhokar of ADR said that banning contributions from companies with Government contracts with a risk of *quid pro quo* donations cannot be a solution unless there is a regulatory authority. This regulatory authority can be the election monitoring body of a country. This body could either be the EMB or the judiciary which would determine whether the contract is a *quid pro quo* contract or not.

Mr. Pathak of the BJP opined that with so many corporations involved in the indigenous products and services for the Government and the call for *Make in India*, it would be difficult to determine if the contract with the Government was of a *quid pro quo* nature. This would exclude 90 percent of the corporate funding. A member suggested that capping foreign funds may work in the Indian context but in South Asian context, such regulations may not work. Donations from foreign corporations should be banned outright.

The issue of membership fees for political parties was then discussed in article B.2. Some participants pointed out that when there is a standard membership fee, and if a few members pay many times of that fee, then it could fall within the ambit of political funding. The participants agreed to a suggestion that “let us not have a regulation or control which was not capable of being implemented.” So the broad consensus was not to have a regulation on the membership fee. Hence this point from article B.2 was removed.

Under B.3, the issue of public funding was discussed. Para 1 and 2 were accepted after rewording. It was unanimously agreed that *direct and indirect funding* as separate heads need not be retained. A member from CPI questioned the need of text of B.3 which gives credence to negative experience of the process of public funding to political parties in spite of the fact that most of the countries like India still do not have public funding. He said the idea of misuse of public funding by political parties is absolutely notional. Dr. Zaidi then told the house that since the text was in the regional context, what applies to India may not apply to all and moreover, the words “could be” used in the text makes it clear that the conditions are specific to the country when public funding is provided.

Dr. Zaidi said public funding of elections may not be considered, particularly in the context of South Asia, unless five conditions were fulfilled. These were:



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Figure 16: Pre-requisites for Public Funding of elections



He was of the opinion that these words used in the text are sufficient to address public funding. However, a member dissented to this and suggested that private funding may also be considered.

Articles B.4 to B.9 were then discussed. Most members agreed to text and specific points in these articles. It was agreed that a new clause B.5 would be required to comprehensively cover the role of media and their regulation in campaign coverage to ensure level playing field. Also, it was agreed that article B.6 was to be moved before the article on *Reporting Requirements* and the heading be changed to *Transparency Guidelines and Public Disclosure of Political Finance Information*. As a result, B.5 became *Media Regulation*. B.6 became *Transparency Guidelines and Public Disclosure of Political Finance Information* and B.7 became *Reporting Requirements*. The earlier article B.8 and B.9 in draft declaration was clubbed together to form one article called B.9 *Compliance and Enforcement*.

After detailed in-depth discussions on all aspects of the problems, the conference unanimously endorsed the following declaration as 'New Delhi Declaration of Principles on Political Finance Regulation.



DECLARATION

New Delhi – Declaration on Political Finance Regulation in South Asia

WEDNESDAY, DECEMBER 16, 2015

NARRATION AND BACKGROUND

In today's dynamic world, democracy has come to be recognized as the best form of governance. Various forms of democratic structures across the globe govern lives of the governed. Irrespective of the electoral system that a country may have adopted suitable to its felt-needs and aspirations of its citizenry, free and fair elections are the corner stone of all democratic elections.

It cannot however be gainsaid that no system is perfect and all electoral systems suffer from one or the other form of malpractices. Money power and its pernicious effects on electoral outcomes is one such malpractice, universally afflicting all countries. Unregulated flow of money in politics has several adverse effects, both for voters as well as for political parties and candidates. The distortion of level playing field due to uneven access or use of money defeats the very concept of democracy. Hence, a strong need is being felt all around for regulating the use, or rather abuse of money power in electoral frays.

This has been widely and socially debated across the globe. In the background to streamline and strengthen democratic behavior, International Institute of Democracy and Electoral Assistance (IDEA) held a series of conferences at Paris in December 2014, at Brasilia in June 2015 and at Mexico in September 2015 as well as a conference on "Regulating Campaign Finance: Ensuring Free and Fair Elections" held by FEMBoSA (Forum of Election Management Bodies of South Asia) on 29th - 30th November, 2014 at Kathmandu, Nepal.

Further with the avowed objective of deliberating on this disturbing phenomenon, a two-day Regional Conference on "The Use of Money in Politics and its Effects on People's Representation" was held jointly by the International IDEA and India International Institute of Democracy and Electoral Management (IIIDEM) under the auspices of Election Commission of India at New Delhi (India) on 15th and 16th December 2015. After detailed in-depth discussions on all aspects of the problems, the conference unanimously endorsed the following declaration as New Delhi Declaration on Political Finance Regulation.

PREAMBLE

Representatives of Political Parties, Elections Management Bodies, Civil Society Organizations, Media and representatives from International and Regional organizations, who gathered in a two-day Regional Conference on the Use of Money in Politics and its Effects on People's Representation, held in New Delhi on 15-16 December 2015, having recognized the importance of effective regulation of financing of the activities of political parties and elections, hereby recommend the following guiding principles:

A. Overarching Principles

A.1 Adopt a holistic approach to regulations

- i. A holistic and integrated approach to the regulation of political finance that takes into account how regulations work in combination with each other is more likely to deliver the intended results than a piecemeal one.





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A.2 Uniform Coverage

- i. Regulations should cover both routine party activity and the campaign period, and apply to both parties and candidates. Both central and local levels of political parties including all elections should be subject to regulations.

A.3 Close Monitoring Gaps

- i. Regulations will be undermined if loopholes are allowed to exist. It is also important to ensure that no gaps exist in monitoring the implementation of regulations.

A.4 Recognize the limitations

- i. A healthy relationship between money and politics also depends on other elements and stakeholders/agencies, such as a vibrant civil society and media, protected by rule of law and an independent judiciary.

A.5 Design constructive interventions

- i. While designing political finance regulations, constructive interventions to address the existing challenges are needed. The required ingredients for the regulatory framework should be tailored to the particular context.

A.6 Coordinate efforts with other stakeholders/agencies

- i. Political finance regulations should be designed and implemented to work in synergy and coordination with political parties and other stakeholders and institutions, such as the tax authorities, banking sector and anti-corruption agencies etc.

A.7 Facilitate /provide equal opportunities for participating in political life

- i. Creating a level playing field in elections is widely recognized as a priority of the highest order for political finance regulation. This implies appropriate regulation and facilitation giving each party, candidate, citizen an adequate opportunity to participate in political life and put across its message.
- ii. Political parties and candidates need access to funds in order to play their essential role in a democracy. Maintaining a party office and membership base, informing voters of policies and running a campaign all require funds. The flow of party and candidate funds should only be regulated where it is necessary to prevent money from adversely impacting upon the underpinning principles of democracy such as a level playing field, equality of the vote and representation of the people.

A.8 Facilitate the participation of Women in electoral democracy

- i. Recognizing the differential access to, and impact of money which limit women's participation in politics, gender sensitive regulations should be put in place to facilitate women's participation.

A.9 Be Reasonable

- i. Regulations should be realistic and implementable and not unnecessarily stifle or hamper competitive multi-party politics, or place unreasonable burdens on parties or candidates.





DECLARATION

B. Regulation and Implementing Guidelines

B.1 Maintain Reasonable Levels of Spending

- i. In order to strike a balance between the need for a healthy competition and the level playing field, the financial regulations should be realistic, protecting every legitimate need of political parties, candidates and the citizens. These should take into account the realistic costs of campaign materials, services and advertising.
- ii. While designing the limit, local context needs to be accounted for.
- iii. The maximum spending limit usually consists of an absolute or relative sum determined by factors such as the voting population in a particular constituency and the costs for campaign materials and services. Limits can be fixed annually and based on the number of registered voters.
- iv. Capping and limiting paid electoral and advertising in the electronic and print media is one measure to reduce spending that is both effective and enforceable. Such a ban has been effective in keeping campaign costs down.
- v. Spending limits should also be balanced with the equally legitimate need to protect other rights, such as those of free association and expression.
- vi. Limits on campaign spending should cover expenditure by different party branches; apply to parties and candidates alike, and ideally also to third parties.
- vii. Funds from candidates' own private finances should also be included in overall campaign spending limits.
- viii. In order to be able to effectively regulate spending, there needs to be a clear distinction between the different types of expenditure and the rules applicable to them, e.g. campaign expenses and general party expenses; third party spending; spending of public funds, etc.

B.2 Regulate private contributions in order to protect the integrity of electoral democracy

- i. To ensure that the citizen remains at the heart of a democracy and not the interests of large donors, it is reasonable to limit the amount of private funding that an individual or corporation may donate.
- ii. Anonymous donations should be strictly regulated and if not banned outright, then should be limited to an amount that is considered acceptable and not at risk of unduly influencing the political process. Many established democracies have in place such a threshold. There should be a cap on individual and total donations.
- iii. Donations should not be allowed from foreign citizens and foreign entities. Donations from dual citizens may be allowed wherever applicable.
- iv. Strict vigilance must be exercised on the possibility of quid-pro-quo between donors and political parties.
- v. Any limits should apply to both financial and in-kind contributions.





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B.3 Provide Public Funding for Political Parties

- i. The provision of public funding (both monetary and in-kind) can reduce the dependency of political parties on large, private donors and make funding more transparent and accountable. Public funding is most effective, however, when it is introduced in conjunction with other regulatory measures, such as spending caps, decriminalization of politics, internal democracy and financial transparency of political parties, and compliance of anti-corruption laws. The risk otherwise is that public funding merely adds to the overall amount of money already being spent.
- ii. Public funding should not be disbursed unconditionally. Its provision can be an effective tool to further improve the role of money in politics and influence the behavior of political parties and or candidates.
- iii. Ear-marking of public funding for certain activities should be considered.
- iv. For any conditions to be effective the amount of public funding must be meaningful.
- v. Conscious efforts should be made to support political pluralism. For example, it is good practice that the eligibility threshold for public funding is set at a lower level than that for entering parliament, although a minimum level of support should be required.
- vi. The provision of free time or space in media channels to parties/candidates can complement a ban on paid media advertising.

B.4 Abuse of State Resources

- i. A clear distinction should exist between the State and political parties.
- ii. Measures should be taken against the abuse of state resources. It is unacceptable for parties to use state funds, resources or positions of power to their undue advantage.
- iii. Banning donations from state-owned or partially state-owned companies can also help prevent the indirect abuse of state resources.
- iv. Election campaign coverage from public-owned media sources should be conducted in an objective, impartial and balanced manner.
- v. Public employees should not be coerced into activities or making financial contributions for any political party.
- vi. The use of state resources by parties and candidates during election time should be monitored by an appropriate and independent body.

B.5 Media Regulation

- i. A General Code of Conduct for print and electronic media (including social media) should be formulated to streamline the campaign coverage by them, of all political parties, candidates and others during election period, so as to provide and maintain a level playing field for all stakeholders.

B.6 Transparency guidelines and public disclosure of political finance

- i. Transparency of party and candidate finances is crucial to a healthy relationship between money and politics. It helps fight corruption and assists voters in making informed





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choices. The effectiveness of many political finance regulatory measures is dependent on transparent disclosure of information and the possible scrutiny it engenders.

- ii. Transparency requires that campaign financing information is disclosed to the public as soon as possible, with sufficient detail, and in an accessible format. Both campaign and non-campaign political party finance data should be made available to the public via the oversight agency's website in a searchable and machine-readable format.
- iii. In this way, non-state actors can help to identify inaccuracies or violations, use the data to raise awareness and recommend reforms, thereby changing the expectations of voters and, hopefully, as a result, the behavior of politicians.
- iv. During non-campaign periods, political parties should be required to submit disclosure reports to the oversight body on at least an annual basis. Reports should contain both itemized and summary information and should be made available on the oversight agency's website.
- v. Appropriate technology should be used for ensuring greater transparency.

B.7 Reporting requirements

- i. Reports should include both routine political party finance and campaign finance of both political parties and candidates. Any expenditure incurred by third parties should also be covered.
- ii. Reports should include all contributions and expenses - financial, in-kind and service. Reports should contain itemized as well as summary information.
- iii. Reporting templates for parties and candidates (and any other stakeholders/agencies required to report) should be in a standardized format so that data is comparable.
- iv. All parties and candidates should file a public disclosure of assets and liabilities.
- v. Financial reporting should include consolidated audited accounts of a political party.
- vi. Where appropriate, reporting should be done online or via dedicated software to reduce the administrative burden and facilitate the verification of data.
- vii. Campaign reports for both parties and individual candidates should be submitted to the proper authorities within reasonable and stipulated timeframe.

B.8 The Regulatory Authority

- i. The authority (-ies) charged with overseeing and enforcing political finance regulations should be granted the mandate, independence, and resources required to fulfill their role. The regulatory authority should be non-political in nature and independent of both political parties and government. The law should clearly specify which institution(s) is responsible for the receipt of political finance reports and the monitoring and enforcement of political finance regulations.

B.9 Compliance and Enforcement

- i. Steps should be taken and measures should be in place to adequately monitor and verify the accuracy of party and candidate financial information submitted. The designated authority should have the power to audit party and candidate financial reports. Clear and unbiased procedures should be established for auditing.



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- ii. The oversight agency should facilitate compliance, by providing parties and candidates with information, advice and assistance on how best to implement and comply with political finance regulations. There are instances of Electoral Commissions providing a range of such assistance and advice, online, offline, onsite and through telephone helplines.
- iii. In the event that regulations are violated there needs to be in place a clear and proportionate system of sanctions that can be imposed in practice within a reasonable time frame. A range of sanctions should exist to reflect the seriousness of the particular violation, sanctions should be dissuasive in nature and issued in a timely manner to be of relevance.
- iv. Appropriate civil and criminal sanctions as per law should be put in place to ensure the enforcement effectively.





POST CONFERENCE ACTIVITIES

All the participants from across the globe including South Asia and South East Asia, which participated in the Conference, felt the need to share their experiences, and develop, inter regional bodies and centres of research. Money is necessary in politics, but there is a need to use money to improve democratic practices. It was felt that women may have been left behind due to monetization of politics, largely due to economic exclusion of women, lack of access to property, paternalism and societal constraints and gender insensitive values. Therefore the legal and other shortcomings which keep the women away from politics were also addressed through the Delhi Declaration.

The Declaration thus focuses on many areas like the capping of funding, a holistic approach to regulations, closing the monitoring gaps and keeping in mind the interests of all the stakeholders in the process. The overarching principles look at a holistic and integrated approach to regulation of political finance by closing gaps and loopholes in the implementation of the existing procedures and regulations. It also underscores the need to create uniformity for all political parties and candidates by creating an improved architecture for monitoring of expenditures and contributions.

The regulation and implementation guidelines focus on limiting campaign spending of candidates, political parties and third parties. It also looks at regulating contributions including public and private along with corporate funding and anonymous donations. Curbing the abuse of state resources and encouragement of public disclosure of political finance with incentives also formed a part of the guidelines. An organized and system readable format of reporting of financial statements along with stress on compliance via enforcement of laws for enhanced transparency is also contained in the guidelines.

These overarching principles and guidelines which form a part of the declaration will be disseminated to EMBs in South Asian region and elsewhere for appropriate use as per local contexts in their jurisdictions. This will serve as a framework for all stakeholders – EMBs, political parties, media, academia, civil society organizations and NGOs to ensure compliance and strict adherence to these guidelines and provide an improved electoral ecosystem for voters to choose their governments without fear or favour.



VOICES FROM THE CONFERENCE

Holistic electoral finance reforms and ethical voting campaign should be brought forth to deal with challenges in political finance and its regulation. . .



Dr. Nasim Zaidi, Chief Election Commissioner of India

As Money in Politics is a crucial issue to be tackled on the road to sustainable democracy, I am delighted to see such a broad gathering of committed individuals, policy-makers and experts from South Asia and beyond sitting together here in New Delhi. . .

Mr. Yves Leterme, Secretary General International IDEA



The focus should be on solution. . . I think that inner party democracy and addressing transparency can lead to reconnect between people and political parties. . .

Prof. Jagdeep Chhokar, Association of Democratic Reforms, India

"...it indeed was a privilege to interact with the leading thinkers, strategists and administrators. . . My concerns as a grassroots level political worker are centered more on the criminals taking over our legislative bodies - the law breakers becoming law makers! Almost everyone at the conference confirmed that the phenomenon of the slush money in elections is several times greater than the declared money. It is this (aspect of electoral finance) that we need to worry about. "

Om Pathak, Bharatiya Janata Party, India

VOICES FROM THE CONFERENCE

"It was great meeting and having the opportunity to participate in the Conference on party finance and election finance. We look forward to the declaration making significant contribution to building healthy electoral politics in the world."

**Kunzang Wangdi, Member, Royal Research & Advisory Council,
Election Commission of Bhutan**

"I too would like to chime in with my thanks to everyone for the insightful thoughts to which I was exposed and the warm friendship and hospitality extended to me. I look forward to meeting you all again soon. I extend an invitation to all of you to Sri Lanka to visit the Election Commission when the opportunity arises."

S Ratnajeevan Hoole, Member, Election Commission of Sri Lanka

"It was really a pleasure for me to participate at the conference as well as make a presentation on Bangladesh. The meeting was quite successful and achieved its objectives."

Dr. Mohd. Abdul Alim, Director, Election Working Group, Bangladesh

Let us keep our exchanges going and I look forward to seeing the discourse continue both at regional and country levels in South Asia

Adhy Aman, Senior Programme Officer, Asia Pacific Regional Programme, International IDEA

Most candidates under-report poll spend: CEC

'Lack Of Funding Laws Makes It Difficult To Hold Fair Elections'

TIMES NEWS NETWORK

New Delhi: The majority of candidates contesting polls in India are "under-reporting" their election expenses, chief election commissioner (CEC) Nasim Zaidi said on Tuesday. Besides, he said, 80% of funding for the political parties was in donations of less than Rs 20,000 each, which are ex-

empt from being reported.

Inadequate laws to regulate political funds may lead to a "fearful" situation where institutions go under the "control of money" and holding fair polls becomes difficult, Zaidi warned while addressing a 'regional conference on the use of money in politics and effects on people's representation' organised here by the India International Institute for Democracy and Election Management, EC and International IDEA.

Talking about the Indian electoral perspective, the CEC said EC data indicated that candidates are under-reporting expenses to show



In the last parliamentary elections, expenses of majority of winners reported were in the range of 40-80% (of the limit). In reality, as we all know, candidates spent several times their limit

NASIM ZAIDI
Chief Election Commissioner

them within the prescribed ceiling. "Out of 535 winners in the last parliamentary elections, expenses of majority of winners reported to the EC were in the range of 40-80% (of the spending limit). In reality, as we all know, candidates spent several times

their legal limit," he said.

As per EC rules, a candidate for Lok Sabha poll can spend up to Rs 70 lakh while the upper limit of poll expenditure for those contesting assembly polls is Rs 28 lakh.

Amongst the various ways abused to breach the spend-

सरकारी खर्चे पर चुनाव लड़ना अभी मुमकिन नहीं

नई दिल्ली, प्रेस : निर्वाचन आयोग का मानना है कि भारत में सरकारी खर्चे पर चुनाव लड़ने की व्यवस्था लागू करना अभी मुमकिन नहीं है। उसका कहना है कि इसके लिए अभी सही समय नहीं है। मुख्य निर्वाचन आयुक्त (सीईसी) नसीम जैदी के अनुसार क्रांतिकारी चुनाव सुधारों को लागू किए बिना ऐसा करने से कोई फायदा नहीं निकलेगा। इस बारे में वह राजनीतिक दलों को राय से असहमत दिखे। उन्होंने कहा कि सरकारी खर्चे पर चुनाव लड़ने की व्यवस्था सुनिश्चित करने से पहले राजनीति से अपराधीकरण का खोलबाला खत्म होना चाहिए। उम्मीदवारों और राजनीतिक दलों के लिए कड़े पारदर्शी विधीय कानून प्रभावी होने चाहिए।

'राजनीति में धन के बढ़ते प्रभाव' पर आयोजित अंतरराष्ट्रीय सम्मेलन को संबोधित करते हुए सीईसी जैदी ने मंगलवार को उपरोक्त बातें कही। बकौल जैदी, 'कई दलों ने सरकारी खर्चे पर चुनाव लड़ने-लड़ने की व्यवस्था सुनिश्चित करने की मांग की है। लेकिन निर्वाचन आयोग इससे सहमत नहीं है।

इस व्यवस्था पर तब तक कोई विचार नहीं करना चाहिए जब तक राजनीति से अपराधीकरण

राजनीतिक दलों की मांग से सहमत नहीं मुख्य निर्वाचन आयुक्त

जैदी ने कहा, चुनाव सुधारों को लागू किए बिना ऐसा करने से फायदा नहीं



नई दिल्ली में मंगलवार को 'राजनीति में धन का प्रयोग और जन प्रतिनिधित्व पर उसका प्रभाव' पर आयोजित सम्मेलन में पूर्व मुख्य चुनाव आयुक्त नवीन चावला, एसवाई कुरेशी और वीएस संपत के साथ मुख्य चुनाव आयुक्त नसीम जैदी।

ज्यादातर उम्मीदवार चुनावी खर्च कम करके दिखाते हैं : जैदी

पार्टियों के धनबल पर निर्भर होने से समाज और राजनीति पर प्रतिकूल प्रभाव पड़ रहा है

नई दिल्ली, 15 दिसंबर (भाषा)। मुख्य चुनाव आयुक्त (सीईओ) नसीम जैदी ने मंगलवार कहा कि भारत में चुनाव लड़ रहे ज्यादातर उम्मीदवार अपने खर्च को कम करके दिखा रहे हैं। उन्होंने यह भी कहा कि राजनीतिक कौमी के नियमन के लिए वाक्यांश कानूनी से ऐसे भयावह हालात पैदा हो सकते हैं कि संस्थाएं धनबल के नियंत्रण में चली जाएं और निष्पक्ष चुनाव करने मुश्किल हो जाएं। उन्होंने कहा कि राजनीतिक पार्टियों को और से इकट्ठा किए गए धन और कोषों के लुपत होने के लिए इस्तेमाल किए जाने वाले अवैध प्रतीकभों पर लगाम लगाने में ज्यादा अंतराधार नहीं है। इससे देश में चुनावी प्रक्रिया के लिए एकसमान धरातल तैयार करने में दिक्कत आ रही है।

एक वैश्विक सम्मेलन को संबोधित करते हुए मुख्य चुनाव आयुक्त ने कहा, 'समय बीतने के साथ-साथ चुनाव महंगे होते जा रहे हैं। आम नागरिक, यहां तक कि अच्छे निजी निवेश और लोक सेवा के बावजूद भी, चुनाव लड़ने का सपना तक नहीं देख सकते। कुछ राजनीतिक पार्टियां और उनके उम्मीदवार उपलब्ध संसाधनों को इकट्ठा करते जा रहे हैं। वे हासिल पार्टियों को धनबल पर निर्भर बनाने जा रहे हैं, जिनके प्रतिकूल प्रभाव समाज एवं राजनीति पर पड़ रहे हैं।'

जैदी ने कहा कि ऐसे नियमन के अभाव में ऐसी संभावना है कि विभिन्न संस्थाएं धनबल के नियंत्रण में आ सकती हैं और स्वतंत्र एवं निष्पक्ष चुनाव करना मुश्किल हो जाता जाएगा। भारतीय निर्वाचन परिषद के



राजनीति में धन का इस्तेमाल और अनजानिनिमित्त पर प्रभाव विषय पर दक्षिण एशियाई देशों के क्षेत्रीय सम्मेलन का मंगलवार को नई दिल्ली में उद्घाटन हुआ। सम्मेलन में शिरकत करते (बाएं से) सीपीआई नेता अजित अनजान, लोकसभा और चुनावी सहायता अंतरराष्ट्रीय संस्थान के महासचिव वेंस स्टेटम, पूर्व मुख्य चुनाव आयुक्त एसएम कुर्नी तथा विधायी विकास और पारदर्शिता संस्थान पाकिस्तान के अध्यक्ष अहमद बिलाल मखसूब।

भाषा जैदी ने कहा कि ओकड़े संकेत देते हैं कि उम्मीदवार निर्धारित सीमा के तहत अपने

खर्च को कम करके दिखाते हैं। उन्होंने कहा कि पिछले संसदीय चुनावों

के 535 विजेताओं में से ज्यादातर विजेताओं ने अपने खर्च को निर्धारित सीमा के महज

40-50 प्रतिशत के दायरे में दिखाया। जबकि हकीकत हम सभी जानते हैं कि उम्मीदवार अपने चुनाव अभियान में कानूनी सीमा से कई गुना अधिक खर्च करते हैं।

चुनाव आयोग के दिशानिर्देशों के मुताबिक, लोकसभा चुनाव लड़ रहा उम्मीदवार अधिकतम 70 लाख रुपये जबकि विधानसभा चुनाव लड़ रहा उम्मीदवार अधिकतम 28 लाख रुपये खर्च कर सकता है। 'राजनीति में धन का इस्तेमाल और अनजानिनिमित्त पर प्रभाव' विषय पर दक्षिण एशियाई देशों के एक क्षेत्रीय सम्मेलन का उद्घाटन करते हुए जैदी ने यह बात कही।

जैदी ने कहा कि उम्मीदवार जिन तौर-तरीकों से खर्च को सीमा का उल्लंघन करते हैं उनमें से दो बार खर्च प्रकाशित-प्रसारित करने का चलन यानी 'पेड न्यूज' भी शामिल है। उन्होंने कहा कि अब खर्च को इन सीमाओं का उल्लंघन कैसे हो रहा है... पेड न्यूज में शामिल होकर उम्मीदवारों को और से इसका उल्लंघन किया जा रहा है। पेड न्यूज को आइ में वे बाड़े पैमाने पर धन खर्च कर रहे हैं।

मुख्य चुनाव आयुक्त ने कहा कि पिछले कुछ सालों में चुनाव आयोग की टीमों ने पेड न्यूज के रोकथाम मामलों और इन पर हुए खर्च का पता लगाया है। उन्होंने कहा कि इन धनो को उम्मीदवारों के खर्च में जोड़ा गया है। उन्होंने कहा, 'खतरनाक, भ्रष्टाचारी की पुरत में उम्मीदवार खर्च को कम करके ही दिखाते हैं, इससे खर्च को उम्मीदवार के खाते में जोड़ने पर भी उनकी सीमाओं पर प्रभाव नहीं पड़ता और इसलिए उम्मीदवार कानून की विधिगत नियंत्रण से बचते आ रहे हैं।'



मंगलवार को नई दिल्ली में चुनाव शुद्धता पर आयोजित एक सम्मेलन को संबोधित करते मुख्य चुनाव आयुक्त नसीम जैदी।

चुनावों पर हावी न हो जाए धनबल

नई दिल्ली (भाषा)। मुख्य चुनाव आयुक्त (सीईओ) नसीम जैदी ने मंगलवार को कहा कि भारत में चुनाव लड़ रहे ज्यादातर उम्मीदवार अपने खर्च को कम करके दिखा रहे हैं। उन्होंने यह भी कहा कि राजनीतिक कौमी के नियमन के लिए वाक्यांश कानूनी से ऐसे भयावह हालात पैदा हो सकते हैं कि संस्थाएं धनबल के नियंत्रण में चली जाएं और निष्पक्ष चुनाव करने मुश्किल हो जाएं।

उन्होंने कहा कि राजनीतिक पार्टियों को और से इकट्ठा किए गए धन और कोषों के लुपत होने के लिए इस्तेमाल किए जाने वाले अवैध प्रतीकभों पर लगाम लगाने में ज्यादा अंतराधार नहीं है। इससे देश में चुनावी प्रक्रिया के लिए एकसमान धरातल तैयार करने में दिक्कत आ रही है।

एक वैश्विक सम्मेलन को संबोधित करते हुए मुख्य चुनाव आयुक्त ने कहा, 'समय बीतने के साथ-साथ चुनाव महंगे होते जा रहे हैं। आम नागरिक, यहां तक कि अच्छे निजी निवेश और लोक सेवा के बावजूद भी, चुनाव लड़ने का सपना तक नहीं देख सकते। कुछ राजनीतिक पार्टियां और उनके उम्मीदवार उपलब्ध संसाधनों को इकट्ठा करते जा रहे हैं। वे हासिल पार्टियों को धनबल पर निर्भर बनाने जा रहे हैं, जिनके प्रतिकूल प्रभाव समाज एवं राजनीति पर पड़ रहे हैं।'

जैदी ने कहा कि ओकड़े संकेत देते हैं कि खर्च को कम करके दिखाते हैं। उन्होंने कहा कि पिछले संसदीय चुनावों के 535 विजेताओं में से ज्यादातर विजेताओं ने अपने खर्च को निर्धारित सीमा के महज 40-50 प्रतिशत के दायरे में दिखाया, जबकि हकीकत हम सभी जानते हैं कि उम्मीदवार अपने चुनाव अभियान में कानूनी सीमा से कई गुना अधिक खर्च करते हैं।

चुनाव आयोग के दिशानिर्देशों के मुताबिक, लोकसभा चुनाव लड़ रहा उम्मीदवार अधिकतम 70 लाख रुपये, जबकि विधानसभा चुनाव लड़ रहा उम्मीदवार

अधिकतम 28 लाख रुपये खर्च कर सकता है।

'राजनीति में धन का इस्तेमाल और अनजानिनिमित्त पर प्रभाव' विषय पर दक्षिण एशियाई देशों के एक क्षेत्रीय सम्मेलन का उद्घाटन करते हुए जैदी ने यह बात कही। जैदी ने कहा कि उम्मीदवार जिन तौर-तरीकों से खर्च को सीमा का उल्लंघन करते हैं उनमें से दो बार खर्च प्रकाशित-प्रसारित करने का चलन यानी 'पेड न्यूज' भी शामिल है। उन्होंने कहा, 'अब खर्च को इन सीमाओं का उल्लंघन कैसे हो रहा है... पेड न्यूज में शामिल होकर उम्मीदवारों को और से इसका उल्लंघन किया जा रहा है। पेड न्यूज को आइ में वे बाड़े पैमाने पर धन खर्च कर रहे हैं। पेड न्यूज को आइ में वे बाड़े पैमाने पर धन खर्च कर रहे हैं।

मुख्य चुनाव आयुक्त ने कहा कि पिछले कुछ सालों में चुनाव आयोग की टीमों ने पेड न्यूज के रोकथाम मामलों और इन पर हुए खर्च का पता लगाया है। उन्होंने कहा, 'खतरनाक, भ्रष्टाचारी की पुरत में उम्मीदवार खर्च को कम करके ही दिखाते हैं, इससे खर्च को उम्मीदवार के खाते में जोड़ने पर भी उनकी सीमाओं पर प्रभाव नहीं पड़ता और इसलिए उम्मीदवार कानून की विधिगत नियंत्रण से बचते आ रहे हैं।'

SHORT TAKES



CEC Nasim Zaidi

NO SCRUTINY OF 80% PARTY FUNDING: CEC

AGE CORRESPONDENT
with agency inputs
NEW DELHI, DEC. 15

Chief Election Commissioner (CEC) Nasim Zaidi said on Tuesday that funding of political parties in the country is "loosely governed" under the law and almost 80 per cent of their total funds escape "scrutiny" owing to lack of required laws in this regard. Mr Zaidi, while addressing a global conference on the influence of money power in the electoral process, said it was high time that electoral reforms, which entail enactment of better laws to regulate money usage used in polls by parties and candidates, are ushered in. "Parties, as loosely governed under the law, can raise any amount of resources barring contribution from government company and foreign donations and can spend any amount of money during election campaign in a constituency if it is related to general party propaganda," he said.

CEC says most candidates lying about poll expenses

HT Correspondent

■ letters@hindustantimes.com

NEW DELHI: Majority of candidates contesting elections in India are "under-reporting" their expenses and the absence of adequate laws to regulate political funds may lead to a "fearful" situation where institutions go under the "control of money" and holding fair polls becomes difficult, Chief Election Commissioner (CEC) Nasim Zaidi said on Tuesday.

Zaidi was addressing a South Asian countries' conference, on, 'Use of Money in Politics and Effects on People Representation'.

Pointing out the ineffective framework to regulate donations received and funds raised by political parties, the CEC said: "Elections are becoming expensive. Ordinary citizens, even with outstanding personal record, cannot even dream to contest polls. Available resources are being garnered by few political parties and their candidates. This situation is making parties dependent on money power with all adverse implications on the society and polity."

Referring to EC data, he said, "Of 535 winners in the last Parliamentary elections, expenses of most winners were between 40 and 80%. In reality, candidates spend several times their legal limit to run campaign." EC has fixed the expense for Lok Sabha polls at ₹70 lakh and for Assembly polls at ₹28 lakh for each candidate.



Pitches for electoral reforms

CEC Zaidi seeks more transparency in poll funding

EXPRESS NEWS SERVICE
NEW DELHI, DECEMBER 15

LAMENTING THE weakness of the existing legal provisions, Chief Election Commissioner Nasim Zaidi on Tuesday said political parties and the government should act on the pending reforms proposed in the area of political and election funding to usher in more transparency.

Speaking at a conference of South Asian countries, Zaidi said the existing rules for regulating donations were inadequate for checking black money in elections and illegal inducements used by candidates to lure voters.

The available resources, as a consequence, are usually cornered by cash-rich parties and their candidates, thereby disturbing the level playing field, he said.

Citing the practice of "paid news" and under-reporting of election expenses by candidates as examples, he said such practices increase the chances of candidates with resources "as compared with less resourceful parties and candidates." He also underlined the need for a proper law to regulate electoral trusts as "donations by corporates and private entities can lead to favourable policies... (by the politicians for the donors)".

PRESS COVERAGE

POLL EXPENDITURE

EC endorses global pact on party funding

EXPRESS NEWS SERVICE
NEW DELHI, DECEMBER 17

THE ELECTION Commission of India (ECI) endorsed a set of radical reforms in the area of electoral funding this week, including the introduction of a cap on expenditure incurred by political parties during poll season and also on donations made by individuals and corporations to parties.

The poll panel committed itself to pursuing the above proposed reforms, and more, as it adopted the 'New Delhi Declaration on Political Finance 2015' on Wednesday at the end of a two-day regional conference organised by IJIDEM, an inter-governmental body made up of election management bodies of different countries.

The conference was also attended by representatives of national parties including the BJP, Congress, CPI and CPM.

According to top sources in the ECI, the poll panel will soon set up an internal committee to "draft reforms based on the declaration" and, subsequently, forward them to the Law Ministry for implementation.

The declaration, which aims at improving "architecture for monitoring of expenditures and contributions", advocates spending limits for different political parties during election season.

It supports a common expenditure limit that would include the expenses of the candidate and the political party he/she represents in the election.

Currently, the ECI only tracks the candidates' expenses.

There is no cap on how much a political party can spend.

The declaration guidelines also talk about regulating "private contributions" to political parties.

"To ensure that the citizen remains at the heart of a democracy and not the interests of large donors, it is reasonable to limit the amount of private funding that an individual or corporation may donate," the guidelines state.

Corporate donations, at present, make up a big chunk of the funds raised by national parties in India.

"Anonymous donations should be strictly regulated and if not banned outright, then should be limited to an amount that is considered acceptable and not at risk of unduly influencing the political process," the guidelines add.

A general code of conduct for the media for election coverage, state funding of polls (in conjunction with decriminalisation of politics and realistic spending limits) and appropriate civil and criminal sanctions for effective enforcement are among the other recommendations.

चुनाव में काले धन को रोकने के लिए दिल्ली घोषणा पत्र

नई दिल्ली | दक्षिण एशियाई देशों में चुनाव में काले धन के बढ़ते इस्तेमाल को रोकने के लिए ऐतिहासिक दिल्ली घोषणा पत्र का मसौदा जारी किया गया है। इसमें काले धन के बढ़ते प्रभाव को रोकने, उसे नियंत्रित करने के उपायों को अपनाने की नीति बनाने की भी सिफारिश की गई है।

अंतरराष्ट्रीय लोकतंत्र एवं चुनाव प्रबंधन संस्थान तथा 'आइडिया' ने दो दिवसीय सम्मेलन आयोजित किया था। इसमें भारत समेत दक्षिण एशियाई देशों से घोषणापत्र के दिशा-निर्देशों का पालन करने की बात कही गई है। सम्मेलन में भारत के मौजूदा और पूर्व मुख्य चुनाव आयुक्तों के

साथ ही मालदीव, भूटान, नेपाल, पाकिस्तान और श्रीलंका के चुनाव आयुक्त मौजूद थे।

घोषणा पत्र के मसौदे में चुनाव में महिलाओं की भागीदारी बढ़ाने तथा लैंगिक असमानता दूर करने की भी बात कही गई है। डॉ. जैदी ने कहा, 'यह घोषणा पत्र ऐतिहासिक है।'

Poll financing: India and five other South Asian nations endorsed a joint declaration to not only limit overall private funding to political parties but also to clamp down on existing "loop-holes" governing political financing.

सरकारी धन से चुनाव कराने का अभी समय नहीं

नई दिल्ली, (भाषा): भारतीय चुनाव आयोग ने कहा कि देश में अभी सरकारी धन से चुनाव कराने के लिए सही समय नहीं आया है और यह राजनीति का गैरअपराधीकरण और उम्मीदवारों तथा राजनीतिक दलों के लिए कड़े वित्तीय पारदर्शिता कानूनों जैसे कड़े सुधारों को लागू करने के बाद ही संभव हो सकेगा। राजनीति में धन के प्रभाव पर वैश्विक सम्मेलन का उद्घाटन करते हुए मुख्य चुनाव आयुक्त नसीम जैदी ने कहा, "कई राजनीतिक दलों ने सरकारी कोष की मांग की है। हमारे पास दलों के लिए प्रत्यक्ष कोष नहीं है। कुछ अप्रत्यक्ष लाभ हैं जैसे निःशुल्क मतदाता सूची, सरकारी मीडिया में निःशुल्क प्रसारण समय, रज्यों की राजधानी में पंजीकृत कार्यालयों के लिए निःशुल्क स्थान और कर में छूट (दलों के लिए)।" उन्होंने कहा, "चुनाव आयोग का मानना है कि सरकारी खर्च पर उस वक्त तक विचार नहीं किया जाना चाहिए जब

वैश्विक सम्मेलन

चुनाव आयोग ने राजनीति का गैर अपराधीकरण और पारदर्शिता पर दिया जोर

तक इस क्षेत्र में कुछ आमूल-चूल परिवर्तन ना हों। जैसे- राजनीति का गैरअपराधीकरण, दलों में लोकतंत्र समग्र चुनावी चित्त सुधार, पारदर्शिता और ऑडिट, भ्रष्टाचार-निरोधी कानूनों को लागू करने के लिए कठोर कानूनी व्यवस्था।" जैदी ने कहा, यदि सुधार नहीं होते हैं, तो चुनाव आयोग को "संदेह है कि चुनाव प्रचार में अवैध धन के प्रयोग को कम किए बगैर, सरकारी खर्च एक अतिरिक्त उपकरण या अतिरिक्त स्रोत बन जाएगा और यह एक प्रकार से सही सोच रखने वाले नागरिकों (चुनावी प्रक्रिया में भाग लेने से) को रोक सकता है।"



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APPENDIX

1. Concept Note And Agenda

REGIONAL CONFERENCE ON
THE USE OF MONEY IN POLITICS AND
ITS EFFECTS ON PEOPLE'S REPRESENTATION
New Delhi, India, 15 - 16 December 2015

Background

Many Asian countries are experiencing a commercialization of politics which translates into a sense of rising overall costs for campaigning. State funding is often marginal (or even non-existent) and candidates without sufficient resources at their disposal find it hard to compete, since their parties often do not finance their candidates' campaigns. As a consequence, private donations – often from corporations or wealthy individuals – play an important role in financing political stakeholders. The direction of public policies and governance may therefore move away from the economic and social well-being of the many to the benefit of the few, which ultimately affects sustainable economic growth. Today there is, however, also an increased awareness in the region of the threats posed by the influence of big business and the commercialization of politics, and there are strong forces within Asian societies demanding reforms.

Robust frameworks are necessary as a starting point since they may not yet exist in a given country. Implementation would need to be monitored and the country's rule of law mechanisms should promote it. Constraints put in place by robust political finance laws and regulations tend to favour level playing fields, but competition for big money provide incentives to break them. Political finance rules are bound to be broken, therefore robust legal frameworks will need to be accompanied by strong rule of law.

The region of South Asia, one of the fastest growing in the world is a large democratic region with all of its nations being an electoral democracy, albeit tumultuous at times. South Asia also make up almost a quarter of the world's population. Countries in South Asia, particularly members of the South Asian Association for Regional Cooperation (SAARC), share many similarities in terms of cultural heritage and legal tradition. It is a region with many commonalities among the countries even if great diversity in terms of religion, economic prosperity, and governance structures exist. However, there is an apparent lack of regional guidelines that exist in other regions, like Europe and the Americas that would set parameters towards principles upheld in the region.

Like in many parts of the world, politics has become an expensive affair, to the extent that money is feared to have threatened the foundations of democratic institutions. The large demand for money in political processes may bring about the excessive influence of oligarchs or corporations over democracy, and in some cases even penetration of illicit funds into funding political parties, electoral campaigns and other political activities.

As such, there needs to be a regional forum that prompts discussions about the aforementioned problems. The different countries may share these problems and hence, solutions may be discussed together, although they may in the end need to be aligned with each country's contexts. Given the importance of the matter, International IDEA recognizes the need to promote such discussion. This event will build on global findings from political finance conferences in Paris (Dec 2014), Brazil



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and Mexico (Sept 2015), in which Asian countries also participated. The workshop also notes the recommendations put forward by the Forum of Elections Management Bodies in South-Asia (FEMBOSA) on 29-30 November 2014 in Kathmandu on regulating campaign finance and coming up with “aspirational common minimum requirements for the South Asian region”

Objective

The two-day Conference aimed at achieving the following:

- i. Consolidate and build on the gains achieved in the chain of conferences held so far on the issue and convert these into guidelines and action points.
- ii. Draw comparisons and share learning points both within and across the regions, as well as discuss recommendations for reform.
- iii. Stimulate and encourage political finance reforms of the participating countries, through identifying the main challenges, proposing ways of tackling them and exchanging country experiences.

Issues in Focus

1. How to reduce the cost of electoral politics? – This led to discussions over reducing financial needs of political parties and candidates, altering spending behaviour, which spending is driven by legitimate reasons, such as campaign costs and constituency relations, or by unfair practices, such as vote buying and negative campaigns over mainstream media.
2. How to improve transparency on funding for elections and expenditure and is there sufficient transparency to have a clear picture of the funds raised by political parties and candidates? – This brought forth data on sources of income (if any), legal requirements of income reporting and compliance issues thereof. The data then identified problems – be it transparency, regulatory, compliance or enforcement– and prompt discussions over solutions. This discussion also focussed on the abuse of state resources and clientelism, both of which Asia stands out for. Lastly, public funding as an alternative to fundraising was discussed, since Asia is among the world’s regions with the greatest absence of public funding.
3. The influence of the wealthy few and its effects in representing the people – This presumed the high proportion of anonymous donations, corporate donations, donations by oligarchs, illicit funding of politics and lack of transparency as indications of big money being donated to political parties by the wealthy few. It also presumed that such influence often trumps policies that should bring benefits to common people. Without having to prove these presumptions as true, discussions led towards thinking of solutions in the realm of legislation, monitoring, compliance, adjudication and enforcement that could minimise the adverse effects.

The Special Session on Regional Efforts to Counter Adverse Effects of Money in Politics discussed the building of peer networks and support for curbing the illegal and illicit use of political finance in the region. This provided inspiration to those present about how countries can work together.

As the main output of the Conference, participants reflected over the Draft Declaration for Political Finance Regulation in South Asia. This document will serve as guidance for law makers and reform advocates alike in developing legal frameworks for political finance in their respective countries.

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Target Audience

The target audience for the conference were policy makers, political party officials and parliamentarians, political finance enforcement agencies, relevant NGOs, media representatives, political party assistance providers and prominent individuals. The Conference consisted of 70 participants in total with representatives from all South Asian countries (members of the South Asian Association for Regional Cooperation - SAARC) and a number of experts from the rest of Asia, in particular from Indonesia, Philippines, Thailand, the Republic of Korea and Mongolia.

The agenda is presented below:

Day 1	Tuesday, 15 December 2015
08.30 – 09.00 hrs	Registration
09.00 – 10.00 hrs	Opening Session <ul style="list-style-type: none"> Welcome Speech by Mr. Yves Leterme, Secretary-General, International IDEA Report on the 2015 Asian-African Practitioners' Meeting on Political Finance Regulation and Corruption Eradication, Mr. Sanjay V. Gathia, Special Rapporteur of the Meeting Overview of previous conferences by Dr. S.Y. Quraishi, former Chief Election Commissioner of India and Member of the Board of Advisers, International IDEA Conference inauguration by Dr. Nasim Zaidi, Chief Election Commissioner of India
10.00 – 10.30 hrs	Group Photo and Morning Break
10.30 – 11.30 hrs	Session 1 – How to reduce the cost of electoral politics? Chair: Mr. A. K. Joti, Election Commissioner of India <i>PRESENTATIONS</i> <ul style="list-style-type: none"> Dr. Magnus Ohman, Senior Adviser on Political Finance, IFES Retired Prof. Arun Kumar, Centre for Economic Studies and Planning School of Social Sciences, Jawaharlal Nehru University (JNU) Dasho Kunzang Wangdi, the first Chief Election Commissioner of Bhutan (TBC) Mr. Navin Chawla, Former Chief Election Commissioner of India <p><i>This led to discussions over reducing financial needs of political parties and candidates, altering spending behaviour, which spending is driven by legitimate reasons, such as campaign costs and constituency relations, or by unfair practices, such as vote buying and negative campaigns over mainstream media. The provision of public funding as a way to reduce dependence on large private donations and reduce overall campaign costs were discussed, drawing on lessons from other countries around the world. This covered both direct (monetary) and in-direct (in-kind) public funding.</i></p>
11.30 – 12.30 hrs	Session 1 – How to reduce the cost of electoral politics? <i>DISCUSSION</i>
12.30 – 13.30 hrs	Lunch Break

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13.30 – 14.30 hrs	<p>Session 2 – How to improve transparency of party/candidate funding for elections and expenditure?</p> <p>Chair: Ms. Leena Rikkila Tamang, Regional Director for Asia and the Pacific, International IDEA</p> <p><i>PRESENTATIONS</i></p> <ul style="list-style-type: none"> • Mr. P. K. Dash, Additional Secretary and Financial Advisor, Ministry of Environment, Forest and Climate Change, Government of India {Former Director-General (Election Expenditure Monitoring), Election Commission of India} • Mr. Ahmed Bilal Mehboob, President, Pakistan Institute of Legislative Development and Transparency (PILDAT), Pakistan • Mr. Samuel Jones, Programme Officer, International IDEA <p><i>This brought forth data on sources of funds (if any), legal requirements of reporting of funds received and compliance issues thereof. The data then identified problems – be it transparency, regulatory, compliance or enforcement – and discussion over possible solutions.</i></p>
14.30 – 15.45 hrs	<p>Session 2 – How to improve transparency of party/candidate funding for elections and expenditure?</p> <p><i>DISCUSSION</i></p>
15.45 – 16.00 hrs	Afternoon Break
16.00 – 17.15 hrs	<p>Special Session on Regional Efforts to Counter Adverse Effects of Money in Politics</p> <p>Chair: Dr. Ayodhi Prasad Yadav, Officiating Chief Election Commissioner of Nepal and Chair of Forum of EMBs in South Asia (Fembosa)</p> <p><i>PRESENTATION BY</i></p> <ul style="list-style-type: none"> • Overview of Political Finance in South Asia, Dr. E. Sridharan, Academic Director, University of Pennsylvania Institute for the Advanced Study of India. • Regional Cooperation to Counter Effects of Money in Politics, Dr. S.Y. Quraishi, former Chief Election Commissioner of India and Member of Board of Advisors, International IDEA <p><i>FOLLOWED BY DISCUSSION</i></p> <p><i>This Special Session discussed the building of peer networks and support for curbing the illegal and illicit use of political finance in the region. This may provide inspiration to those present about how countries can work together.</i></p>

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Day 2	Wednesday, 16 December 2015
10.00 – 11.15 hrs	<p>Session 3 – The influence of the wealthy few and its effects in representing the people</p> <p>Chair: Mr. O. P. Rawat, Election Commissioner of India</p> <ul style="list-style-type: none"> Mr. Yusmadi Yusoff, former Member of Parliament, Malaysia Dr. Abdul Alim, Director, Election Working Group, Bangladesh Professor Jagdeep S. Chhokar, Founder and Trustee, Association for Democratic Reforms, India <p><i>PRESENTATIONS</i></p> <p><i>This presumed the high proportion of anonymous donations, corporate donations, donations by oligarchs, illicit funding of politics and lack of transparency as indications of big money being donated to political parties by the wealthy few. It also presumed that such influence often trumps policies that should bring benefits to common people. Without having to prove these presumptions as true, discussions would be led towards thinking of solutions in the realm of legislation, monitoring, compliance, adjudication and enforcement that could minimise the adverse effects.</i></p> <p><i>This session also addressed the gender funding gap and how it affects electoral representation. This would allow the exposure of research on legal and societal obstacles to raising or accessing funds by women upon entering and competing in electoral democracy.</i></p>
11.15 – 11.30 hrs	Morning Break
11.30 – 12.30 hrs	<p>Session 3 – The influence of the wealthy few and its effects in representing the people</p> <p><i>DISCUSSIONS</i></p>
12.30 – 13.30 hrs	Lunch Break
13.30 – 15.15 hrs	<p>Group Discussions on the Draft Declaration for Political Finance Regulation in South Asia</p> <p><i>This session looked at the Draft Declaration as well as drew up conclusions from the Sessions.</i></p> <p>Participants were divided into two groups (one for each part of the Draft Declaration) to discuss conclusions and actions that could be taken to resolve issues identified during Sessions 1, 2 and 3.</p> <ul style="list-style-type: none"> Group 1 – Overarching Principles Group 2 – Implementation Guidelines
15.15 – 15.30 hrs	Afternoon Break
15.30 – 16.30 hrs	<p>Plenary Discussion on the Draft Declaration for Political Finance Regulation in South Asia</p> <p>Chair: Dr. Nasim Zaidi, Chief Election Commissioner of India</p> <p><i>This session received results of the group discussions and found agreement on the final text of the Declaration.</i></p>
16.30 – 17.00 hrs	Evaluations and Closing Ceremony

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2. List of Indian Participants

Regional Conference on “*The Use of Money in Politics and its Effects on People’s Representation*”

The Royal Plaza, 19, Ashoka Road, New Delhi – 110001, India

15th – 16th December, 2015

S. No.	Title	Name	Designation
ECI			
1	Dr.	Nasim Zaidi	Chief Election Commissioner of India
2	Mr.	A.K. Joti	Election Commissioner of India
3	Mr.	O.P. Rawat	Election Commissioner of India
Former CECs			
4	Mr.	Navin B. Chawla	Former Chief Election Commissioner of India
5	Dr.	S.Y. Quraishi	Former Chief Election Commissioner of India
6	Mr.	H.S. Brahma	Former Chief Election Commissioner of India
Senior ECI Officers			
7	Mr.	Umesh Sinha	Deputy Election Commissioner, ECI
8	Mr.	Sandeep Saxena	Deputy Election Commissioner, ECI
9	Mr.	Sudeep Jain	Director General, IIIDEM, ECI
10	Mr.	Shangara Ram	Sr. Principal Secretary, ECI
11	Mr.	Tapas Kumar	Sr. Principal Secretary, ECI
12	Mr.	S.K. Mendiratta	Legal Advisor, ECI
13	Dr.	Noor Mohammad	Sr. Consultant, IIIDEM
14	Dr.	Bhagbanprakash	Sr. Advisor, IIIDEM
15	Mr.	Yogesh Narang	Consultant (International Cooperation), ECI
16	Mr.	Dhirendra Ojha	Director, ECI
17	Dr.	N. C. Swain	Director, ECI
18	Mr.	V.N. Shukla	Director, ECI
19	Mrs.	Jayasree M. G.	Director, ECI
20	Mr.	Vivek Khare	Director, ECI
21	Ms.	Padma Angmo	Deputy Secretary
22	Mr.	Y. Standhope	Pr. Secretary (Admin)
23	Mr.	K.F. Wilfred	Pr. Secretary
24	Mr.	K. Ajay Kumar	Pr. Secretary
25	Mr.	R.K. Srivastava	Pr. Secretary
26	Mr.	Bernard John	Pr. Secretary DyFA

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S. No.	Title	Name	Designation
CEOs			
27	Mr.	Bhanwar Lal	CEO Andhra Pradesh
28	Mr.	Chandra Bhushan Kumar	CEO Delhi
29	Mr.	V.K. Singh	CEO Punjab
30	Mrs.	Anita Karwal	CEO Gujarat
31	Mr.	Shantmanu	CEO J & K
Recognized National Political Parties			
32	Mrs.	Vijaya Rahatkar, National President, BJP Mahila Morcha	Bhartiya Janata Party (BJP)
33	Mr.	Om Pathak, Member, BJP Election Department	Bhartiya Janata Party (BJP)
34	Mr.	Atul Kumar Anjaan, Secretary National Council	Communist Party of India (CPI)
35	Dr.	K Narayana, Secretary National Council	Communist Party of India (CPI)
36	Mr.	Nilotpall Basu	Communist Party of India (Marxist) (CPI - M)
37	Mr.	C.P. Joshi, General Secretary, AICC	Indian National Congress (INC)
38	Mr.	Ajoy Kumar, Spokesperson, AICC	Indian National Congress (INC)
Speakers and Other Participants			
39	Prof.	Arun Kumar	Retired Professor, JNU
40	Dr.	E. Sridharan	Academic Director, University of Pennsylvania Institute for the Advanced Study of India
41	Prof.	Jagdeep Chhokar	Association for Democratic Reforms
42	Mr.	P.K. Dash	Senior Adviser, Ministry of Finance
43	Mr.	J. S. Saharia	State Election Commissioner, Maharashtra
44	Mr.	S.D. Sharma	Former State Election Commissioner, Jharkhand

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3. List of International Participants

S. No.	Country/ Organisation	Title	Name	Position
1	Bangladesh	Dr.	Abdul Alim	Director, Election Working Group
2	Bangladesh	Mrs.	Jebunnessa	Assistant Professor, Dept. of Public Administration, Jahangir University, Dhaka
3	Bhutan	Dasho	Kunzang Wangdi	Former (the First) Chief Election Commissioner
4	Bhutan	Aum	Phuntshok Tshering	Executive Director, BNEW
5	Bhutan	Aum	Lily Wangchuk	Chairwoman, Bhutan Democracy Dialogue
6	Maldives	Mr.	Ahmed Sulaiman	Chairman, Elections Commission
7	Maldives	Mr.	Mohamed Thoriq Hamid	Program Manager, Transparency Maldives
8	Nepal	Dr.	Ayodhi Prasad Yadav	Officiating Chief Election Commissioner
9	Nepal	Dr.	Lokranjan Parajuli	Editor, The Kathmandu Post
10	Nepal	Mr.	Sujeev Shakya	Founder CEO of beed management
11	Pakistan	Mr.	Ahmed Bilal Mehboob	President, Pakistan Institute of Legislative Development and Transparency (PILDAT)
12	Sri Lanka	Dr.	Samuel Ratnajeevan Herbert Hoole	Member - Election Commission
13	Sri Lanka	Mr.	Manjula Gajanayake	Co-ordinator of the Centre for Monitoring Election Violence
14	Sri Lanka	Mr.	Anthony David	Deputy Editor, The Sunday Times
15	Intl. IDEA	Mr.	Yves Leterme	Secretary General, Intl. IDEA
16	Intl. IDEA	Ms.	Leena Rikkilä Tamang	Intl. IDEA Regional Director for Asia & the Pacific
17	Intl. IDEA	Mr.	Adhy Aman	Intl. IDEA Senior Programme Officer, Asia & the Pacific
18	Intl. IDEA	Mr.	Samuel Jones	Political Parties and Representation Team, Global Programmes
19	Intl. IDEA	Mr.	Sanjay Gathia	Intl. IDEA Consultant, Asia & the Pacific
20	Malaysia	Mr.	Yusmadi Yusoff	Former Member of Parliament, Malaysia
21	IFES	Dr.	Magnus Ohman	International Foundation for Electoral Systems (IFES)
22	SAARC Secretariat, Nepal	Mr.	Ibrahim Ghafoori	Director, Human Resources Development and Tourism
23	Spain	Ms.	Sofia de Roa Verdugo	Researcher, Podemos Party, Spain

4. Background of Key Participants

Mr. Yves Leterme, Secretary-General, International IDEA

His Excellency Mr. Yves Leterme, a Belgian by nationality, is the Secretary General of International IDEA since June 2014. He was a member of the Christian Democratic Party of Belgium and served as its Secretary General from 1989 to 1992. Thereafter, he worked as the Administrator in the European Parliament while continuing to be involved in the City Council of Ypres, where he hails from. He served in the Flemish Parliament as well as in the House of Representatives. He went on to occupy Ministerial positions, first at the level of the Flemish Government then at the national level. He became the Prime Minister of Belgium in 2008. After a year, he stepped down and became the Minister for Foreign Affairs during 2009. He became the Prime Minister for a second term from 2009 to 2011. Subsequently, he joined the Organization for Economic Cooperation and Development (OECD) as the Deputy Secretary General, in charge of Public Governance, Education, Social Affairs and Entrepreneurship.

Dr. Nasim Zaidi, Chief Election Commissioner of India

Dr. Nasim Zaidi, assumed charge as 20th Hon'ble Chief Election Commissioner of India on 19 April 2015. He brings with him a rich experience of working as Election Commissioner since 7 August 2012. Dr. Zaidi worked in regulatory framework both at national & international levels and has been associated with the conduct of fair and free General Elections of over 20 states Assemblies and Lok Sabha 2014. He has participated in many International Conferences on the subject of democracy and electoral democracy in Mauritius, UK (Cambridge University) & Nepal. Before joining the Constitutional Body, Dr. Zaidi has served the nation as a long-time civil servant of the Indian Administrative Service (1976 batch). Dr. Zaidi possesses a Master's degree in Public Administration from Kennedy School of Government, Harvard University and has been a Mason Fellow for Public Policy at Harvard Institute for International Development. He has a Post Graduate Diploma in Business Finance from Indian Institute of Finance and holds doctorate in Bio-Chemistry. Dr. Zaidi has published several papers in scientific and administrative journals.

Mr. A.K. Joti, Election Commissioner of India

Mr. Achal Kumar Joti assumed charge as the Election Commissioner of India on 13th May, 2015. He has served the nation as a longtime Civil Servant of Indian Administrative Service of the 1975 batch retired from active service in January, 2013. He served at various posts in Gujarat including the post of Chief Secretary, and has also worked as Secretary in the Industry, Revenue and Water Supply Departments. Mrs. Joti served as the Chairman of the Kandla Port Trust between 1999 and 2004 and as the Managing Director of the Sardar Sarovar Narmada Nigam Ltd (SSNNL). He brings with him a rich experience of Public Administration of 40 years.

Mr. O. P. Rawat, Election Commissioner of India

Mr. Om Prakash Rawat assumed charge as Election Commissioner of India on 14 August 2015. He is retired Indian Administrative Service (IAS) officer of Madhya Pradesh cadre (Batch 1977). Prior to his appointment as Election Commissioner of India, Shri Rawat had retired as Secretary to the Govt. of India, Ministry of Heavy Industries and Public Enterprises, Department of Public Enterprises on superannuation. He did his MSc. in Physics from Banaras Hindu University, Varanasi and thereafter MSc. in Social Development Planning in the United Kingdom.



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Dr. S.Y. Quraishi, Former Chief Election Commissioner of India

Dr. Shahabuddin Yaqoob Quraishi is a former Chief Election Commissioner of India. He is a retired officer of the Indian Administrative Service of the 1971 batch from Haryana cadre and has received a Ph. D for his thesis on “Role of Communication and Social Marketing in Development of Women and Children”. He has delivered lectures on democracy and elections worldwide and has authored a monumental book ‘An Undocumented Wonder - the Making of the Great Indian Election’. He currently serves as a Member of the Board of Advisers of the International IDEA.

Mr. Navin Chawla, Former Chief Election Commissioner of India

Mr. Navin Chawla is former Chief Election Commissioner of India. He joined the Indian Administrative Service in 1969. In the course of a varied and interesting career, he served in the Governments of Delhi, Goa, Puducherry and Lakshadweep as well as Ministries of Labour, Home, and Information and Broadcasting, where as Joint Secretary and later as Secretary, he helped to shape the “Open-Sky” policies. In 2005 he was appointed Election Commissioner. In April, 2009 he took over as Chief Election Commissioner. During his tenure he successfully completed, to national and international acclaim, the General Elections in April – May 2009 and initiated several important reforms – chief among them is to enable Third Gender individuals exercise a preference to vote in a new category of “Other”, instead of being compelled to vote as ‘Male’ or ‘Female’ which became a major human rights initiative. After his retirement, he has been invited to lecture at Institutions and Universities across the country. He is also frequently invited by Electoral bodies overseas to observe their elections. He is also well recognized as the biographer of Mother Teresa entitled ‘Mother Teresa’ which was first published in the UK in 1992 and has seen many translations and editions since then.

Mr. Samuel Jones, Programme Officer, International IDEA

Mr. Samuel Jones is a Programme Officer with International IDEA’s Political Parties, Representation and Participation Programme and works primarily on political finance issues. Prior to this, Samuel also worked with International IDEA’s Democracy and Development Programme on projects related to programmatic political parties and democratic accountability, and also with ACE: The Electoral Knowledge Network. In addition, Samuel has worked for one of Sweden’s political party foundations and has field work experience from Nepal and Palestine, where he worked for The Carter Center and the World Council of Churches respectively. Samuel holds a Master’s degree in International Relations from the University of Warwick and Bachelor’s degree in History from the University of Nottingham, both in the UK.

Dr. Magnus Ohman, Senior Adviser on Political Finance, IFES

Serving as the Senior Political Finance Adviser for the International Foundation for Electoral Systems, Dr. Magnus Ohman has worked with political finance issues since the 1990s in some 30 countries with focus on effective disclosure, public funding systems and sustainable solutions. His research in the field includes both country analyses and macro-level studies of trends and practices. His practical work includes assistance to legislators, implementing agencies, civil society, media and political parties. Dr Ohman was lead writer of the BRIDGE module on political finance and his writings on this subject have been translated into Arabic, Armenian, Burmese/Myanmar, Dari, French, Georgian, Khmer, Nepali, Pashto, Portuguese, Russian, Serbian, Spanish, Ukrainian and Urdu.

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Dr. Ayodhi Prasad Yadav, Officiating Chief Election Commissioner of Nepal and Chair of Forum of EMBs in South Asia (FEMBOSA)

Dr. Ayodhi Prasad Yadav is the officiating Hon'ble Chief Election Commissioner of Nepal. He is also serving as the Chair of Forum of Election management Bodies in South Asia. He was appointed election commissioner in March 2013. He had earlier served as the election commissioner for six years since 2007 before he was reappointed in 2013. During his nine years in office-when Constituent Assembly elections were held in 2008 and 2013--Yadav oversaw distribution of voter ID card, election code of conduct and other logistical issues. A gold medallist in Economics, Mr. Yadav is a PhD from Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur, India. He is also the author of "Election Cost in Nepal", "Constituent Assembly Election 2008: At a Glance" and "Voter Registration System in Nepal" among other books.

Dasho Kunzang Wangdi, the first Chief Election Commissioner of Bhutan

Dasho Kunzang Wangdi is the former Chief Election Commissioner of Bhutan who was appointed under a Royal Decree to establish the first Election Commission for the Democratic Constitutional Monarchy under the Constitution when the King decided to transform the country into a democracy. He spearheaded the drafting of three key electoral bills. He also conducted the first parliamentary election in 2008 under the watchful eyes of international observers and the world media. He had studied in India and the United States and was involved in the establishment of the Royal Civil Service Commission, Royal Institute of Management, Royal Audit Authority. He was the Auditor General of the Bhutan prior to being appointed as the Chief Election Commissioner of Bhutan.

Mr. Sanjay V. Gathia, Special Rapporteur of the Meeting

Mr. Gathia has more than 16 years of experience and has worked with and engaged corporate, media and governmental and non-governmental institutions such as Asian Network for Free Elections (ANFREL), South Asian Forum for Human Rights, Asian Forum for Human Rights and Development (FORUM-ASIA) Foundation, etc. He is also associated with the International IDEA as a Special Rapporteur for the 2015 Asian-African Practitioners' Meeting on Political Finance Regulation and Corruption Eradication.

Mr. Yusmadi Yusoff, former Member of Parliament, Malaysia

Mr. Yusmadi Yusoff is a lawyer and Member of Parliament of Malaysia (2008-2013) with a wealth of experience in law, politics, human rights and international affairs with strong passion in public diplomacy and public service. His contribution in public service was duly recognized internationally when he was awarded with the Hubert H. Humphrey Fellowship for Law & Human Rights 2006-2007 by the Fulbright Commission at American University Washington College of Law, Washington D.C. As Member of Parliament he has represented Malaysia in many multilateral, inter-parliamentarians caucuses meetings such as United Nations General Assembly (New York), Special mission to International Criminal Court in Hague by Inter Parliamentary Union (IPU), etc. He was appointed as a Committee Member of Malaysia Anti-Corruption Commission Parliamentary Special Committee by virtue of the Malaysian Anti Corruption Commission Act 2009. He has been invited as key speakers in many important international forums and conferences such as Doha Forum (Doha), World Forum for Democracy 2013 (Strasbourg), etc.



APPENDIX

Mr. Ahmed Bilal Mehboob, The founder President of PILDAT

The founder President of PILDAT, Mr. Ahmed Bilal Mehboob has over 25 years' experience in senior management and advisory positions and over 8 years' experience in design, planning and implementation of projects in the field of Parliamentary development, strengthening democratic institutions, democratisation, political discourse, election monitoring and dialogues for reconciliation. Mr. Mehboob is considered an authority on political, legislative and electoral affairs of the country.

Dr. Abdul Alim, Director, Election Working Group, Bangladesh

Dr. Alim is presently working as Director, Election (EWG) Programme, Asia Foundation, Dhaka. He has about 15 years programme/project management experience in democratic governance with UNDP, The Asia Foundation, National Democratic Institute and Transparency International in the field of elections, parliamentary reforms, civil society development and anti-corruption. He also has experience in providing policy advice to Bangladesh Election Commission in conducting successful 9th parliamentary election in a conflict political situation. Mr. Alim possesses PhD in "Electoral Governance and Political Parties: Bangladesh Perspectives" with focus of electoral governance in some developing and established democracies.

Professor Jagdeep S. Chhokar, Founder and Trustee, Association for Democratic Reforms

Professor Jagdeep S. Chhokar is a Founder Trustee of Association for Democratic Reforms, a non-profit Organisation which works on electoral and political reforms in India. He was a professor of Management and Organisational Behaviour at the Indian Institute of Management, Ahmedabad (IIM-A) during 1985-2006. He was also Dean and Director In-charge at IIM-A. Besides a citizen-activist working on improving democracy and governance in the country, he is a bird watcher and conservationist and a trained lawyer. Prof Chhokar is also Founder Chairperson of Aajeevika Bureau which works on providing services and support to vulnerable migrant workers in western India.

Dr. E. Sridharan, Academic Director, University of Pennsylvania Institute for the Advanced Study of India

Dr. Eswaran Sridharan is the Academic Director of the University of Pennsylvania Institute for the Advanced Study of India (UPIASI), (in New Delhi), from its inception in 1997, and was earlier with the Centre for Policy Research, New Delhi. He is a political scientist with research interests in the party systems and coalition politics, political economy of development, and international relations theory and Indian foreign policy. He has published over sixty-five journal articles and chapters in edited volumes. He has held visiting appointments at the University of California, Berkeley, London School of Economics, Institute of South Asian Studies of the National University of Singapore, and Institute of Developing Economies, Tokyo. He is the Editor of India Review, a refereed Routledge journal, and is on the Editorial Advisory Board of Commonwealth and Comparative Politics. He earned his Ph.D. in political science at the University of Pennsylvania.

Mr. Arun Kumar, Retired Professor- Jawaharlal Nehru University

Mr. Arun Kumar is a retired Professor from Jawaharlal Nehru University's Centre for Economic Studies and Planning School of Social Sciences. He has taught at JNU since August 1984. His area of specialization includes Public Finance, Growth Economics, Macroeconomics and Development Economics. He holds Ph.D. in Economics from JNU and M.Sc. in Physics from Delhi University and Princeton University, USA

APPENDIX

5. Formation of Groups for Discussions on the Draft Declaration				
Group 1				
International Participants				
S.No.	Country/ Organisation	Title	Name	Position
1	Bangladesh	Dr.	Abdul Alim	Director, Election Working Group
2	Bhutan	Dasho	Kunzang Wangdi	Former (the First) Chief Election Commissioner
3	Maldives	Mr.	Ahmed Sulaiman	Chairman, Elections Commission
4	Nepal	Dr.	Lokranjan Parajuli	Editor, The Kathmandu Post, Nepal
5	Sri Lanka	Mr.	Anthony David	Deputy Editor at The Sunday Times
6	Intl. IDEA	Ms.	Leena Rikkilä Tamang	Intl. IDEA Regional Director for Asia & the Pacific
7	Malaysia	Mr.	Yusmadi Yusoff	Former Member of Parliament, Malaysia
8	SAARC Secretariat, Nepal	Mr.	Ibrahim Ghafoori	Director, Human Resources Development and Tourism
Indian Participants				
S. No.	Country/ Organisation	Title	Name	Designation
1	India	Mr.	Sudeep Jain	Director General, IIIDEM, ECI
2	India	Mr.	S.K. Mendiratta	Legal Advisor, ECI
3	India	Mr.	Yogesh Narang	Consultant (International Cooperation), ECI
4	India	Mr.	V.N. Shukla	Director, ECI
5	India	Mr.	Y. Standhope	Pr. Secretary (Admin), ECI
6	India	Mr.	S. K. Rudola	Secretary, ECI
7	India	Mr.	J. K. Rao	Secretary, ECI
8	India	Mr.	Chandra Bhushan Kumar	CEO Delhi
9	India	Mr.	Shantmanu	CEO Jammu & Kashmir
10	India	Mr.	Atul Kumar Anjaan	Communist Party of India (CPI)
11	India	Mr.	C P Joshi	Indian National Congress (INC)
12	India	Dr.	E. Sridharan	Academic Director, University of Pennsylvania Institute for the Advanced Study of India
13	India	Prof.	Jagdeep Chhokar	Association for Democratic Reforms

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Group 2				
International Participants				
S.No.	Country/ Organisation	Title	Name	Position
1	Bangladesh	Mrs.	Jebunnessa	Assistant Professor, Jahangir University, Dhaka
2	Bhutan	Aum	Lily Wangchuk	Chairwoman, Bhutan Democracy Dialogue
3	Nepal	Mr.	Sujeev Shakya	Founder CEO of beed management
4	Sri Lanka	Dr.	Samuel Ratnajeevan Herbert Hoole	Member - Election Commission
5	Intl. IDEA	Mr.	Samuel Jones	Political Parties and Representation Team, Global Programmes
6	Intl. IDEA	Mr.	Sanjay Gathia	Intl. IDEA Consultant, Asia & the Pacific
7	IFES	Dr.	Magnus Ohman	IFES
Indian Participants				
S. No.	Country/ Organisation	Title	Name	Designation
1	India	Mr.	Sandeep Saxena	Deputy Election Commissioner
2	India	Mr.	Tapas Kumar	Sr. Principal Secretary, ECI
3	India	Dr.	Bhagbanprakash	Sr. Advisor, IIIDEM
4	India	Dr.	N. C. Swain	Director, ECI
5	India	Mr.	Vivek Khare	Director, ECI
6	India	Mr.	K. Ajay kumar	Pr. Secretary, ECI
7	India	Mr.	S. B. Joshi	Secretary, ECI
8	India	Mr.	Bhanwar Lal	CEO Andhra Pradesh
9	India	Mrs.	Anita Karwal	CEO Gujarat
10	India	Mr.	Om Pathak	Bhartiya Janata Party (BJP)
11	India	Mr.	Nilotpal Basu	Communist Party of India (Marxist) (CPI - M)
12	India	Prof.	Arun Kumar	Retired Professor, JNU
13	India	Mr.	J. S. Saharia	State Election Commissioner, Maharashtra

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Group 3				
International Participants				
S.No.	Country/ Organisation	Title	Name	Position
1	Bhutan	Aum	Phuntshok Tshering	Executive Director, BNEW
2	Maldives	Mr.	Mohamed Thoriq Hamid	Program Manager, Transparency Maldives
3	Nepal	Dr.	Ayodhi Prasad Yadav	Officiating Chief Election Commissioner
4	Pakistan	Mr.	Ahmed Bilal Mehboob	President, Pakistan Institute of Legislative Development and Transparency (PILDAT)
5	Sri Lanka	Mr.	Manjula Gajanayake	Centre for Monitoring Election Violence
6	Intl. IDEA	Mr.	Adhy Aman	Intl. IDEA Senior Programme Officer, Asia & the Pacific
7	Spain	Ms.	Sofia de Roa Verdugo	Journalist/ Researcher, Podemos party
Indian Participants				
S. No.	Country/ Organisation	Title	Name	Designation
1	India	Mr.	Umesh Sinha	Deputy Election Commissioner
2	India	Mr.	Shangara Ram	Sr. Principal Secretary, ECI
3	India	Dr.	Noor Mohammad	Sr. Consultant, IIIDEM
4	India	Mr.	Dhirendra Ojha	Director, ECI
5	India	Mrs.	Jayasree M. G.	Director, ECI
6	India	Mr.	K.F. Wilfred	Pr. Secretary, ECI
7	India	Mr.	Sumit Mukherjee	Secretary, ECI
8	India	Mr.	Avinash Kumar	Secretary, ECI
9	India	Mr.	V.K. Singh	CEO Punjab
10	India	Mrs.	Vijaya Rahatkar	Bhartiya Janata Party (BJP)
11	India	Dr.	K Narayana	Communist Party of India (CPI)
12	India	Mr.	Ajoy Kumar	Indian National Congress (INC)
13	India	Mr.	P.K. Dash	Senior Adviser, Ministry of Finance, Govt. of India
14	India	Mr.	S.D. Sharma	Former State Election Commissioner, Jharkhand



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