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2021 Country Report on Human Rights Practices: Bangladesh

EXECUTIVE SUMMARY

Bangladesh’s constitution provides for a parliamentary form of government that consolidates most power in the Office of the Prime Minister. In a December 2018 parliamentary election, Sheikh Hasina and her Awami League party won a third consecutive five-year term that kept her in office as prime minister. This election was not considered free and fair by observers reportedly due to irregularities, including ballot-box stuffing and intimidation of opposition polling agents and voters.

The security forces encompassing the national police, border guards, and counterterrorism units such as the Rapid Action Battalion, maintain internal and border security. The military, primarily the army, is responsible for national defense but also has some domestic security responsibilities. The security forces report to the Ministry of Home Affairs, and the military reports to the Ministry of Defense. Civilian authorities maintained effective control over the security forces. Members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; forced disappearance; torture or cases of cruel, inhuman, or degrading treatment or punishment by the government or its agents on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrests or detentions; political prisoners; politically motivated reprisals against individuals in another country; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; punishment of family members for offenses allegedly committed by an individual; serious restrictions on free expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, and censorship and the existence of criminal libel and slander laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; restrictions on refugees’ freedom of movement; mistreatment of refugees; serious and unreasonable restrictions on political participation; serious government corruption; government restrictions on or harassment of domestic human rights organizations; lack of investigation of and accountability for gender-based violence, including but not limited to domestic and intimate partner violence, sexual violence, child abuse, early and forced marriage, and other harmful practices; crimes involving violence or threats of violence targeting members of ethnic minority groups or indigenous people; crimes involving violence or threats of violence against lesbian, gay, bisexual, transgender, queer, or intersex persons; existence or use of laws criminalizing consensual same-sex sexual conduct between adults; significant restrictions on independent trade unions and workers’ freedom of association; and existence of the worst forms of child labor.

There were reports of widespread impunity for security force abuses and corruption. The government took few measures to investigate and prosecute cases of corruption and abuse and killing by security forces.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

The constitution provides for the rights to life and personal liberty. There were numerous reports, however, that the government or its agents committed arbitrary or unlawful killings. Police policy requires internal investigations of all significant uses of force by police, including actions that resulted in serious physical injury or death, usually by a professional standards unit that reports directly to the inspector general of police. The government, however, neither released statistics on total killings by security personnel nor took comprehensive measures to investigate cases. Human rights groups expressed skepticism regarding the independence and professional standards of the units conducting these assessments and claimed citizens were being deprived of justice. In the few known instances in which the government brought charges, those found guilty generally received administrative punishment.

Law enforcement raids occurred throughout the year, primarily to counter terrorist activity, drugs, and illegal firearms. Suspicious deaths occurred during some raids, arrests, and other law enforcement operations. Security forces frequently denied their role in such deaths: they claimed that when they took a suspect in custody to a crime scene to recover weapons or identify co-conspirators, accomplices fired on police; police returned fire and, in the ensuing gunfight, the suspect was killed. The government usually described these deaths as “crossfire killings,” “gunfights,” or “encounter killings.” Media also used these terms to describe legitimate uses of police force. Human

rights organizations and media outlets claimed many of these crossfire incidents constituted extrajudicial killings. Human rights organizations claimed in some cases law enforcement units detained, interrogated, and tortured suspects, brought them back to the scene of the original arrest, executed them, and ascribed the death to lawful self-defense in response to violent attacks.

Domestic human rights organization Ain o Salish Kendra (ASK) reported at least 80 individuals died in extrajudicial killings during the year, including 51 in so-called shootouts or crossfires with law enforcement agencies. Between May 2018 and June, ASK reported a total of 606 incidents of alleged extrajudicial executions. According to another human rights organization, Odhikar, of 71 incidents of alleged extrajudicial killings between January and September 30, 35 deaths resulted from gunfights with law enforcement, 30 persons were shot by law enforcement, and six others died from alleged torture while in custody. In 2020 Odhikar reported a total of 225 alleged extrajudicial executions, down from 391 incidents in 2019. Human rights organizations and civil society expressed concern regarding the alleged extrajudicial killings and arrests, claiming many of the victims were innocent.

Between January and July, local human rights organizations and media reported 10 Rohingya refugees were victims of extrajudicial killings. In Cox’s Bazar, the site of Rohingya refugee camps, Rohingya constituted a disproportionate percentage of reported “crossfire” killings. On February 23, media reported three Rohingya refugees including the ringleader of the “Zakir Bahini” gang were killed in a “gunfight” with the Rapid Action Battalion (RAB) in Cox’s Bazar. On July 16, media reported Luftar Rahman and Hashem Ullah, Rohingya alleged to be criminals by the government, were reportedly killed in a “gunfight” with the RAB and Border Guards of Bangladesh (BGB). On July 19, media reported a Rohingya refugee with the alias “Kalimullah” was killed in a “gunfight” with the RAB in Cox’s Bazar. In all these cases, media reported security forces conducted raids to find the alleged criminals. After speaking with family members of the deceased, Amnesty International reported several of those killed were picked up from their homes by police and later found dead.

During the March 26-28 demonstrations after Indian prime minister Narendra Modi’s visit to the country, civil society and media reported at least 19 persons were killed and more than 100 injured (see sections 1.b., 1.d., 2.a., 2.b., and 6).

In May two suspects in the May 16 killing of businessman Shahin Uddin were allegedly killed by security forces days after their arrest. The two were accused of hacking Uddin to death in front of his son. Media reported that one of the suspects, Md. Manik, was killed in a reported gunfight with the RAB, while the other, Monir, was killed two days later, also in a reported gunfight with police. After his death Uddin’s wife filed a murder suit against 20 persons, including former Member of Parliament M.A. Awal. On May 20, the RAB arrested Awal for allegedly ordering the killing of Uddin regarding a land dispute.

In August media reported the Ministry of Home Affairs convened a senior investigation committee to investigate the killing of retired army major “Sinha” Md. Rashed Khan. As a result of the investigation, authorities suspended 21 police officers and charged nine officers. In 2020 police in Cox’s Bazar allegedly shot and killed Khan at a checkpoint. Security forces reported that Sinha “brandished” a gun, while eyewitnesses said Sinha had left the firearm in the car when he was asked by police to exit the vehicle. Sinha’s killing generated intense public discussion on police, extrajudicial killings, and law enforcement excesses.

b. Disappearance

Human rights groups and media reported disappearances and kidnappings continued, allegedly committed by security services. Between January and September 30, local human rights organizations reported 18 persons were victims of enforced disappearances. The government made limited efforts to prevent, investigate, or punish such acts. Civil society organizations reported victims of enforced disappearance were mostly opposition leaders, activists, and dissidents. Following alleged disappearances, security forces released some individuals without charge, arrested others, found some dead, and never found others. The Paris-based organization International Federation of Human Rights reported enforced disappearances continued throughout the COVID-19 pandemic, targeting opposition members, political activists, and individuals who were critical of the government’s policies and response to the pandemic. Political opposition alleged police forces did not register complaints from families of those subjected to enforced disappearances (see also section 2.a.).

Following the March 26-28 demonstrations against Indian prime minister Narendra Modi’s visit to the country and subsequent political clashes (see sections 1.a., 1.d., 2.a., 2.b., and 6), civil society and media reported several Islamic preachers including Abu Taw Haa Muhammad Adnan, madrasa students, and those associated with the organization Hefazat-e-Islam were missing, according to their family members. Some of the disappeared were later found and subsequently arrested under various charges, including under the Digital Security Act (DSA).

On July 19, Mayer Daak (Mother’s Call), an organization of members of the families of victims of enforced disappearances, issued a statement urging the government to return the disappeared persons to their families before the religious holiday of Eid-al-Adha. The organization reported more than 500 individuals have gone missing in the country since 2009. According to the statement, the few victims of enforced disappearance who returned did not discuss their experiences due to fear of reprisal.

In August, Human Rights Watch published a comprehensive study of enforced disappearances in the country, a matter they described as becoming a predominant tactic used by security forces under the ruling government. The report was based on more than 115 interviews with victims, family members, and witnesses between July 2020 and March. It documented 86 cases of enforced disappearances during the prior decade in which the victim’s whereabouts remained unknown. It also alleged government refusal to acknowledge or investigate cases.

In November the Cyber Tribunal Court indicted photojournalist and news editor Shafiqul Islam Kajol on three charges under the DSA that were first filed in March. The court scheduled Kajol’s hearing for January 2022. The government allegedly forcibly detained Kajol in 2020 and held him in government detention for 53 days. Kajol spent a total of 237 days in prison on defamation charges and was released on interim bail in December 2020.

In September the UN Working Group on Enforced Disappearances (WGEID) raised concerns regarding allegations of disappearances and impunity in the country. The WGEID reported receiving complaints regularly concerning disappearances, mostly relating to alleged disappearances of members of opposition political parties. Since 2013 the government has not responded to a request from the WGEID to visit the country.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution and law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, local and international human rights organizations and media reported security forces, including those from the intelligence services, police, and soldiers seconded into civilian law enforcement, employed torture and cruel, inhuman, or degrading treatment or punishment. The law contains provisions allowing a magistrate to place a suspect in interrogative custody, known as remand, during which questioning of the suspect may take place without a lawyer present. Human rights organizations alleged many instances of torture occurred during remand. Some victims who filed cases under the Torture and Custodial (Prevention) Act were reportedly harassed and threatened, while some were forced to withdraw their cases due to fear.

According to multiple organizations, including the UN Committee against Torture (CAT), security forces reportedly used torture to gather information from alleged militants and members of political opposition parties. These forces reportedly used beatings with iron rods, kneecappings, electric shock, rape and other sexual abuse, and mock executions. Numerous organizations also claimed security forces were involved in widespread and routine commission of torture, occasionally resulting in death, for the purpose of soliciting payment of bribes or obtaining confessions.

According to international and local civil society, activists, and media, impunity was a pervasive problem in the security forces, including within but not limited to the RAB, BGB, Detective Branch of Police, police, and other units. Politicization of crimes, corruption, and lack of independent accountability mechanisms were significant factors contributing to impunity, including for custodial torture. While police are required to conduct internal investigations of all significant abuses, civil society organizations alleged investigative mechanisms were not independent and did not lead to justice for victims. Law enforcement authorities took no additional steps, such as training, to address or prevent abuses.

On January 4, media reported family members of Rejaul Karim Reja said he died in police custody four days after he was arrested by the Detective Branch of Police in Barisal. Medical reports stated Reja, a law student, died of excessive bleeding and had numerous injury marks on his body. Barisal Metropolitan Police investigated the case and alleged he died because of complications related to drug addiction. Reja’s father alleged police tortured and killed his son and demanded a fair and impartial investigation.

On February 25, media reported writer Mushtaq Ahmed died in prison after being held in pretrial detention for 10 months. Ahmed was charged under the DSA for posting criticism of the government’s response to the COVID-19 pandemic on Facebook (see section 2.a.). On March 3, the inspector general of prisons told media a three-member investigation committee found “no evidence of negligence.” On March 4, the minister of home affairs announced Ahmed died of natural causes and found no visible evidence of wounds or bruises on his body. According to Ahmed Kabir Kishore, a cartoonist detained by the RAB alongside Ahmed, Mushtaq Ahmed endured “extensive torture,” including being “beaten a lot” and subjected to electric shock torture to the genitals during his detention. The RAB’s spokesperson Lieutenant Colonel Ashiq Billah rejected the allegations of torture and dismissed Kishore’s complaints as “lies.” Nationwide protests demanding justice for Ahmed’s death in custody lasted for weeks.

On March 4, Kishore, charged under the DSA, was released on bail. Media reported Kishore appeared visibly injured after being released. On March 10, Kishore filed a legal claim with a Dhaka court under the Torture and Custodial Death (Prevention) Act alleging that he and Ahmed were tortured in custody. Although police records state he was arrested by Unit 3 of the RAB (RAB-3) in May 2020, Kishore said he was picked up from his residence by men in plainclothes three days prior. Kishore detailed the alleged torture he experienced while in custody, stating, “Every time they were not pleased with an answer, they hit me on my legs, ankles, and soles of my feet,” and that someone from behind slapped him on both sides of his head throughout RAB’s interrogations. Kishore also stated he lacked timely access to medication to control his diabetes. He reported “long-lasting side effects,” such as bleeding through his right ear, severe pain in his left knee and ankle, and difficulty with walking.

In March the UN Human Rights Council released a statement urging the “prompt, transparent, and independent” investigation into Ahmed’s death, the “overhaul” of the DSA, the release of all detained under the law, and an investigation into allegations of ill-treatment of other detainees, including Kishore. The Office of the High Commissioner for Human Rights reported allegations of torture and ill-treatment by the RAB were a “long-standing concern.”

On March 14, a Dhaka court directed the Police Bureau of Investigation to launch an investigation into Kishore’s claims. On October 17, media reported the Bureau submitted to the courts the investigation report, which stated there was no evidence of Kishore’s allegations of torture against 16 or 17 unnamed individuals in plainclothes, nor was there definitive evidence that one or more persons picked up the cartoonist from home and tortured him physically and mentally in May 2020. On November 24, Kishore filed a no-confidence application against the investigation report, which the court accepted.

On June 26, 10 international human rights groups issued a statement for the International Day in Support of Victims of Torture, stating the government allegedly failed to follow up on recommendations made by the CAT in 2020 to better prevent and address torture.

On July 3, media reported a three-member committee was formed to investigate the alleged torture of Indian prisoner Shahjahan Bilash after footage of the incident went viral on social media. Five officers from Cumilla Central Jail, including the chief prison guard, were suspended. Three other prison employees were also suspended for allegedly circulating the video footage.

Multiple news outlets reported a woman filed a case under the Torture and Custodial Death (Prevention) Act against six persons on July 5, including three police officers, alleging she was tortured and sexually assaulted while in custody in the Wazirpur police station in Barisal District. In response to the allegations, a senior judicial magistrate court asked the district police to launch an investigation and ordered a medical report to be submitted within 24 hours of the complaint. Media reported the district police withdrew two of the accused officers from the police station and launched an investigation into the allegations. The medical report submitted to the court by the local hospital stated injury marks were found on both hands, neck, and other parts of the woman’s body. The officers accused in the case denied the allegations.

Prison and Detention Center Conditions

Prison conditions were harsh and at times life threatening due to severe overcrowding, inadequate facilities, physical abuse, corruption, and a lack of proper sanitation and social-distancing measures during the COVID-19 pandemic. There were no privately run detention facilities.

Between January and September 30, local human rights organization ASK reported 67 prisoners, of which 42 were awaiting trial and 25 were convicted, died in jail custody. Former detainees reported some inmates who died in prison were transported to a hospital and pronounced dead due to natural causes.

Physical Conditions: According to the Department of Prisons, as of April more than 83,837 prisoners were held in facilities designed to hold 42,450 inmates. Throughout the COVID-19 pandemic, federal authorities implemented a policy that required prison authorities to screen all incoming inmates for symptoms and keep them in a 14-day quarantine. Other protocols in place included mandating face masks, discontinuing family visits in exchange for weekly telephone calls, providing access to hand sanitizers, and other measures. Prison superintendents stated they had no capacity to isolate inmates infected by COVID-19. As of June 22, the government opened three COVID-19 isolation centers in the districts of Keraniganj, Feni, and Kishoreganj. Some released prisoners alleged that many prisons underreported positive cases of COVID-19. Authorities often incarcerated pretrial detainees with convicted prisoners.

The Department of Prisons’ statistics revealed 29 of 141 positions for prison doctors were vacant as of April, while half the posts for nurses and pharmacists were unoccupied. Officials reported only approximately 11 prison doctors provided care to the 83,837 inmates, causing prison authorities to employ nurses or pharmacists to provide medical care.

Conditions in prisons, and often within the same prison complex, varied widely. Authorities held some prisoners in areas subject to high temperatures, poor ventilation, and overcrowding. The law allows individuals whom prison officials designated as “very important persons” (VIP) to access “Division A” prison facilities with improved living conditions and food, more frequent family visitation rights, and the provision of another prisoner without VIP status to serve as an aide in the cell. News outlets reported some individuals with VIP access were allegedly allowed to conduct business remotely, meet with members of the opposite sex, and receive visitors despite restrictions in place to curb the pandemic.

While the law requires holding juveniles separately from adults, authorities incarcerated many juveniles alongside adults. Children were sometimes imprisoned (occasionally with their mothers) despite laws and court decisions prohibiting the imprisonment of minors. Authorities held female prisoners separately from men.

In March media reported at least five children at the Jashore Juvenile Correction Center allegedly attempted suicide, and eight others fled. In April media reported that between April 15-22, juvenile courts granted bail to a total of 167 incarcerated children to curb the spread of the pandemic.

In July media reported three male youths died in Jashore after allegedly conducting protests demanding, among other matters, better quality of food, water, and sports facilities. In response the deputy commissioner of Jashore formed a committee to investigate the grievances and identify improvements to facility services. Officials at the correction center stated the boys were killed in a fight with other inmates; however, days after the incident, the Bangladesh National Women Lawyers Association reported allegations of torture in the correction center and demanded a separate judicial inquiry into the deaths. In September 2020, after the deaths of three male youths at the same correction center in August 2020, the Ministry of Social Welfare recommended management changes for all juvenile correction centers. A journalist reported the government took no steps in line with the ministry’s recommendations as of March. Media reported juvenile centers made no effort to rehabilitate youths in custody, had appointed officials not trained to handle juvenile delinquency, and treated the youths as criminals as opposed to juveniles with special needs.

On August 4, media reported an appeals court acquitted two minors jailed for a month by a mobile court in Netrokona. The appeals court ruled the mobile court had no jurisdiction to deal with juvenile crimes.

Although Dhaka’s central jail had facilities for those with mental disabilities, not all detention facilities had such facilities, nor are they required by law. Judges may reduce punishments for prisoners with disabilities on humanitarian grounds. Jailers also may make special arrangements, for example, by transferring inmates with disabilities to a prison hospital.

Administration: Prisons lacked any formal process for offenders to submit grievances. Prisons had no ombudsperson to receive prisoner complaints. Retraining and rehabilitation programs were extremely limited.

Independent Monitoring:

The government permitted visits from governmental inspectors and nongovernmental observers who were aligned with the incumbent party. No reports on these inspections were released. The International Committee of the Red Cross continued to support the Prisons Directorate and assisted 68 prison centers across the country, including supplying personal protective equipment and helping the government launch isolation centers to alleviate the spread of COVID-19.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, but the law permits authorities to arrest and detain an individual without an order from a magistrate or a warrant if authorities perceive the individual may constitute a threat to security and public order. The law also permits authorities to arrest and detain individuals without an order from a magistrate or a warrant if authorities perceive the individual is involved with a serious crime. The constitution provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but the government did not generally observe these requirements. Media, civil society, and human rights organizations accused the government of conducting enforced disappearances not only against suspected militants but also against civil society and opposition party members. Authorities increasingly held detainees without divulging their whereabouts or circumstances to family or legal counsel, or without acknowledging having arrested them.

Arrest Procedures and Treatment of Detainees

The constitution requires arrests and detentions be authorized by a warrant or occur because of observation of a crime in progress, but the law grants broad exceptions to these protections.

Under the constitution detainees must be brought before a judicial officer to face charges within 24 hours, but this was not regularly enforced. The government or a district magistrate may order a person detained for 30 days to prevent the commission of an act that could threaten national security; however, authorities sometimes held detainees for longer periods with impunity.

There is a functioning bail system, but law enforcement routinely rearrested bailed individuals on other charges, despite directives from the Supreme Court’s Appellate Division prohibiting rearrest of persons on new charges without first producing them in court before being released on bail.

Authorities generally permitted defense lawyers to meet with their clients only after formal charges were filed in the courts, which in some cases occurred weeks or months after the initial arrest. Detainees are legally entitled to counsel even if they cannot afford to pay for it, but the country lacked sufficient funds to provide this. Many detainees were not permitted to communicate with others outside of detention.

Arbitrary Arrest: Arbitrary arrests occurred, often in conjunction with political demonstrations or speech, or as part of security force responses to terrorist activity, and the government held persons in detention without specific charges, sometimes to collect information regarding other suspects. The expansiveness of the 1974 Special Powers Act grants a legal justification for arrests that would often otherwise be considered arbitrary, since it removes the requirement arrests be based on crimes that have occurred previously. Human rights activists claimed police falsely constructed cases to target opposition leaders, workers, and supporters, and that the government used the law enforcement agency to crack down on political rivals.

After the March 26-28 demonstrations resulting from Indian prime minister Narendra Modi’s visit to Bangladesh (see sections 1.a., 1.b., 2.a., 2.b., and 6), media reported police filed 154 cases against 3,270 named and several unnamed persons. The charges filed included: terrorism, violent activities, attacking public properties, rioting,

possession of deadly weapons, causing grievances, and defacing public and private properties. Police arrested 1,230 opposition leaders and members belonging to various groups, including the Bangladesh National Party (BNP), Hefazat e-Islam, and Jamaat-e-Islami. Police stated individuals were arrested as suspects for their alleged presence at the demonstrations. Civil society reported the majority of these were arbitrary arrests. The largest number of arrests took place in Brahmanbaria. As of April 30, the Brahmanbaria jail, which had a total capacity of 600 inmates, held 1,700 prisoners.

In October, media reported government authorities arrested hundreds of suspects following violence resulting from a controversial social media post coinciding with the Durga Puja festival (see sections 2.a. and 6). In Rangpur authorities arrested 60 men whose families claimed they were innocent, and men in another seven villages went into hiding due to fears of arbitrary arrest. News outlets reported some ruling Awami League officials blamed opposition parties BNP and Jamaat-e-Islami for the anti-Hindu violence; some BNP officials in turn blamed the Awami League and alleged the government used anti-Hindu violence as a pretext to blame, target, and detain opposition party members.

Pretrial Detention: According to statistics released by the Department of Prisons in April, 80 percent of prisoners in the country were in prison either as pretrial detainees or on remand. Arbitrary and lengthy pretrial detention continued due to bureaucratic inefficiencies, limited resources, lax enforcement of pretrial rules, and corruption. Lawyers attributed the overuse of arbitrary and stringent laws such as the DSA, which have low rates of bail provisions, as another explanation for the high numbers of pretrial detentions. In some cases the length of pretrial detention equaled or exceeded the sentence for the alleged crime.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but corruption and political interference compromised its independence. The government generally did not respect judicial independence and impartiality.

Human rights observers maintained that magistrates, attorneys, and court officials demanded bribes from defendants in many cases, or courts ruled based on influence from or loyalty to political patronage networks. Observers claimed judges who made decisions unfavorable to the government risked transfer to other jurisdictions. Officials reportedly discouraged lawyers from representing defendants in certain cases.

Corruption and a substantial backlog of cases hindered the court system, and the granting of extended continuances effectively prevented many defendants from obtaining fair trials. During the pandemic media reported many courts were closed and very few operated virtually, exacerbating case backlogs.

In January the High Court ordered the release of Md. Kamrul Islam, who was prosecuted in a fraud case based on an investigation conducted by the Anti-Corruption Commission. The High Court asked the commission to act against the investigators who apparently charged the wrong person for the crime. In 2003 the commission accused and pressed charges against Islam for using a fake certificate to obtain admissions to a college in 1998. In 2014 he was convicted and sentenced to 15 years in prison but was released on January 28.

Trial Procedures

The constitution provides the right to a fair and public trial, but the judiciary did not always protect this right due to corruption, partisanship, and weak human resources.

Defendants are presumed innocent, have the right to appeal, and have the right to be informed promptly and in detail of the charges against them. Defendants do not have the right to a timely trial. The accused are entitled to be present at their public trial. Indigent defendants have the right to a public defender. Trials are conducted in the Bengali language; the government does not provide free interpretation for defendants who cannot understand or speak Bengali. Defendants have the right to adequate time to prepare a defense.

Accused persons have the right to confront prosecution or plaintiff witnesses and present their own witnesses and evidence. They also have the right not to be compelled to testify or confess guilt although defendants who do not confess are often kept in custody. The government frequently did not respect these rights.

Mobile courts headed by executive branch magistrates rendered immediate verdicts that often included prison terms for defendants who did not have the opportunity for legal representation. In June the High Court ruled mobile courts could not hold trials against children.

Political Prisoners and Detainees

There were reports of political prisoners or detainees. Political affiliation often appeared to be a factor in claims of arrest and prosecution of members of opposition parties, including through spurious charges under the pretext of responding to national security threats. Police jailed opposition party activists throughout the year for criticizing the government regarding its actions in managing COVID-19.

In September media reported authorities issued a six-month suspension of the sentencing of Khaleda Zia, former prime minister and chairperson of the opposition political party BNP. In March 2020 Zia's sentence was initially suspended for six months on humanitarian grounds, but she remained confined at home. In both instances the government restricted Zia from traveling abroad to seek treatment for her ill health, stating she would receive medical treatment in Dhaka. In August the minister for law, justice and parliamentary affairs stated that Zia could

request to travel abroad if she waived home confinement, went to jail, and made her request from there. In 2018 Zia was sentenced to 10 years’ imprisonment on corruption and embezzlement charges, which were first filed in 2008. International and domestic legal experts commented on the lack of evidence to support the conviction and suggested a political ploy to remove the leader of the opposition from the electoral process. These experts stated courts were generally slow in considering petitions for bail on her behalf.

Politically Motivated Reprisal Against Individuals Located Outside the Country

Threats, Harassment, Surveillance, and Coercion: On October 6, media reported RAB forces arrested Nusrat Shahrin Raka, the sister of U.S.-based Bangladeshi journalist Kanak Sarwar, on charges of violating the DSA and drug possession. Raka’s children were detained for 30 hours and subsequently released. Raka has been held without bail awaiting court hearings. A few days before her arrest, media reported Raka told local police that a “fraudulent” social media account in her name was posting allegedly antigovernment material. She also reported the account to the social media company, which removed it after her complaint. In November media reported police allegedly confiscated the property of Sarwar’s family in Feni District. According to the press, Sarwar believed the charges against his sister were retribution for his previous online commentary seen as being critical of the government and said his sister had committed no crime. In December 2020 the High Court directed authorities to block Sarwar’s websites in which he shared content for “antistate distorted content.”

Efforts to Control Mobility: The Committee to Protect Journalists reported that on October 7, the European branch of the country’s ruling Awami League party filed a police complaint in Stockholm against Bangladeshi journalist Tasneem Khalil who was reportedly based in Sweden. The complaint alleged Khalil spread “disinformation and slander against Bangladesh.” In Dhaka, authorities brought similar charges against Khalil under the DSA and issued a warrant for his failure to appear in court, although he no longer lived in the country. The organization also reported that members of the Directorate General of Forces Intelligence, the intelligence section of the armed forces, repeatedly visited Khalil’s mother’s home in Sylhet, where they encouraged her to dissuade him from continuing his work and inquired regarding his whereabouts. The government filed similar DSA charges against Shamiul Islam Khan Sami, a Bangladeshi businessman reportedly based in Hungary and alleged to be critical of government corruption (see section 4).

Civil Judicial Procedures and Remedies

Individuals and organizations may seek judicial remedies for human rights violations; however, lack of public faith in the court system deterred many from filing complaints. While the law has a provision for an ombudsperson, one had not been established.

Property Seizure and Restitution

The government did not implement a 2001 act to accelerate the process of return of land to primarily Hindu individuals. The act allows the government to confiscate property of anyone whom it declares to be an enemy of the state. It was often used to seize property abandoned by minority religious groups when they fled the country, particularly after the 1971 independence war.

Minority groups continued to report land ownership disputes that disproportionately displaced minorities, especially in areas near new roads or industrial development zones where land prices had increased. They also claimed local police, civil authorities, and political leaders were sometimes involved in evictions or shielded politically influential land grabbers from prosecution (see section 6, Indigenous Peoples). While the government amended a law in 2016 to allow for land restitution for indigenous persons living in the Chittagong Hill Tracts (CHT), the disputes remained unresolved.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law does not prohibit arbitrary interference with private correspondence. Intelligence and law enforcement agencies may monitor private communications with the permission of the Ministry of Home Affairs, but police rarely obtained such permission from the courts to monitor private correspondence. Human rights organizations alleged police, the National Security Intelligence, and the Directorate General of Forces Intelligence employed informers to conduct surveillance and report on citizens perceived to be critical of the government.

During the year the government became increasingly active in monitoring social media sites and other electronic communications to scan public discussions on COVID-19 and the government’s handling of the virus. In March the Information Ministry announced the formation of a dedicated unit to monitor social media and television outlets for “rumors” related to COVID-19.

On June 22, a Dhaka court issued a notice on behalf of 10 Supreme Court lawyers requesting the Bangladesh Telecommunications Regulatory Commission (BTRC) to disclose the steps it had taken to prevent eavesdropping on private, telephone conversations. The notice mentioned 16 eavesdropping cases to be evaluated, which were previously disclosed by the press. Some of these cases involved eavesdropping on members of the political opposition. According to the press, the BTRC did not respond to the request.

In September 2020 the High Court asserted citizens’ right to privacy and stated the collection of call lists or conversations from public or private telephone companies without formal approval and knowledge of the individual must stop. In its verdict the court stated, “It is our common experience that nowadays private communications among citizens, including their audios/videos, are often leaked and published in social media for different purposes.”

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression including for members of the press and other media, but the government frequently contravened this right. There were significant limitations on freedom of expression both online and offline. Members of media and bloggers self-censored their criticisms of the government due to harassment and fear of reprisal.

Freedom of Expression:

The constitution equates criticism of the constitution with sedition. Punishment for conviction of sedition ranges from three years’ to life imprisonment.

The law limits hate speech but does not define clearly what constitutes hate speech, which permits the government broad latitude to interpret it. The government may restrict speech deemed to be against the security of the state; against friendly relations with foreign states; and against public order, decency, or morality; or which constitutes contempt of court, defamation, or incitement to an offense. The law criminalizes any criticism of constitutional bodies.

The DSA, passed ostensibly to reduce cybercrime, provides for sentences of up to life imprisonment for spreading “propaganda” against the Bangladesh Liberation War, the national anthem, or the national flag. In 2020 the Ministry of Home Affairs issued a press release restricting “false, fabricated, misleading and provocative statements” regarding the government, public representatives, army officers, police, and law enforcement through social media in the country and abroad. The release stated legal action would be taken against individuals who did not comply, in the interest of maintaining stability and internal law and order in the country.

Throughout the year the government widely used the DSA against persons criticizing the government, including questioning the government’s handling of the pandemic. Increasingly, the law was used against speech found on social media, websites, and other digital platforms, including for commentators living outside of the country. The government also issued other restrictions on freedom of speech. Health officials remained banned from speaking with media members after media reports on the health system’s lack of preparation in managing the COVID-19 pandemic in 2020.

A March op-ed in the *Dhaka Tribune* reported the Cybercrime Tribunal in Dhaka faced 2,450 pending DSA and Information Communications Act cases, having delivered one DSA guilty verdict to date.

On March 2, the minister for law, justice and parliamentary affairs told news outlets the government was taking measures to review the DSA, develop a check and balance system for misuse or abuse, and change the law to prevent an accused from arrest or charges before a police investigation. Although the minister again stated publicly the law had been abused, as of December no revisions had been issued.

On July 25, Amnesty International released a 24-page report on the DSA and freedom of expression online and profiled 10 individuals as emblematic DSA cases, including Mushtaq Ahmed and Ahmed Kabir Kishore. The report stated more than 1,300 cases had been filed against 2,000 persons under the DSA and nearly 1,000 persons had been arrested since the law was enacted in 2018. More than 100 journalists were sued under the DSA between January 2019 and July 2020, and at least 40 of them were arrested. Of the DSA cases covered within the report, 80 percent were filed by lawmakers, members of the ruling party, or law enforcement officials. In all cases individuals were accused of publishing posts on social media critical of the government and ruling party politicians. Amnesty International called on the government to drop the DSA charges against those exercising their right to freedom of expression.

According to the Department of Prisons, authorities have imprisoned at least 433 individuals under the DSA through July. At least 185 of these individuals were held for allegedly publishing offensive and false information online. Local human rights organization Human Rights Culture Foundation reported at least 21 individuals were arrested in DSA cases in October.

On December 31, local human rights organization ASK reported at least 210 journalists faced harassment, physical torture, assault, threats, and lawsuits, including cases filed under the DSA. The organization stated there were at least 1,134 DSA cases during the year.

Freedom of Expression for Members of the Press and Other Media, Including Online Media:

Both print and online independent media were active and expressed a wide variety of views; however, media outlets that criticized the government were pressured by the government. Independent media could not operate freely or without restrictions.

The government maintained editorial control over the country’s public television station and allegedly mandated that private channels broadcast government content free of charge. Civil society organizations stated political interference influenced the licensing process, since all television channel licenses granted by the government were for stations supporting the ruling party. A January Center for Governance Studies study, *Who Owns the Media in Bangladesh*, reported family ties, political affiliations, and business interests shaped the ownership pattern in the

media landscape in the country. A total of 32 business entities owned 48 media outlets, including newspapers, radio, television stations, and web portals. According to the study, the ruling party provided television licenses to individuals directly involved with its party or whose loyalty to the regime is “unquestionable” since 2009.

On May 17, media reported the government arrested and charged investigative journalist Rozina Islam under the 1923 Official Secrets Act and sections of the penal code for investigating a corruption story involving the Ministry of Health. Authorities accused Islam of taking photos and stealing official documents from the ministry. Media outlets reported Islam was confined to a government office in Dhaka for five hours and, according to her family, physically harassed and mistreated. On May 21, 83 citizens, including journalists across the country, released a statement demanding her immediate release. On May 23, Islam was released from jail after a Dhaka court approved her interim bail until July 15, which civil society organizations asserted was due to international and “unprecedented” local pressure.

On September 19, the Chief Metropolitan Magistrate Court in Dhaka rejected Islam’s request for the return of her passport, two mobile phones, and press identification card, which were seized during her arrest. As of December 31, Islam faced charges if convicted of up to 14 years in prison or the death penalty. International and local human rights organizations and journalists criticized Islam’s arrest and charges and demanded the charges against her be dropped immediately. Local newspaper *Prothom Alo*’s associate editor called for the government to withdraw its case against Islam and said the high level of support from print, online, and electronic media journalists on Islam’s behalf was unprecedented.

Violence and Harassment: Authorities, including intelligence services and student affiliates of the ruling party, subjected journalists to physical attacks, harassment, and intimidation, especially when tied to the DSA, which human rights activists viewed as a government and ruling party tool to intimidate journalists. The Editors’ Council, an association of newspaper editors, stated the DSA stifled investigative journalism, and members published editorials stating so publicly. Individuals faced the threat of being arrested, held in pretrial detention, subjected to expensive criminal trials, fines, and imprisonment, as well as the social stigma associated with having a criminal record. Of 20 clauses of the law relating to crime and punishment, 14 are nonbailable, five are bailable, and one is negotiable, according to the Editor’s Council. On March 6, the Editors’ Council stated, “It is no exaggeration to say that in some cases, the implementation of the DSA is more concerning than we fear. Mushtaq Ahmed, a free-spirited writer, had to prove it with his life.”

On January 6, Rohingya refugee and photojournalist Abul Kalam was released on bail. In December 2020, Kalam, a Rohingya refugee from Burma who lived in Bangladesh for 28 years, was apprehended for covering the relocation of Rohingya refugees to the island of Bhasan Char in the Bay of Bengal. Kalam was taken to the police station in Cox’s Bazar where he was allegedly abused and held for more than 60 hours, despite the law limiting police custody to a maximum of 24 hours absent a statement of charges.

On March 4, media reported government authorities released cartoonist Ahmed Kabir Kishore on a six-month bail, one day after the High Court approved his bail and two days after the remarks of the minister for law, justice, and parliamentary affairs. In May 2020, Kishore and writer Mushtaq Ahmed were jailed on DSA charges for expressing critical commentary regarding the government’s management of the pandemic. Previously, Kishore and Ahmed’s bail petitions were denied six times. On February 25, Ahmed died in custody after being held in pretrial detention for 10 months, spurring nationwide protests on his custodial death and the DSA. Kishore alleged he and Ahmed experienced torture while in custody (see section 1.c.). From March 5 to 7, politicians and human rights organizations protested the DSA and urged the government to investigate Kishore’s claims. Kishore and six others accused in the same DSA case faced up to 10 years in prison and fines up to one million taka (\$11,628) if convicted.

In July local media circulated photos of a journalist handcuffed to a hospital bed where he was receiving treatment for COVID-19 after he was taken into custody and charged under the DSA for “tarnishing the image of a local hospital.” He was one of three journalists arrested in the case under the DSA for reporting on corruption and irregularities in government-funded daily food rations allotted to patients in a hospital in Thakurgaon. After hearing the news of his arrest, local journalists staged a protest at a press club, demanding his release. The journalist was granted bail after his hospital stay but continued to face DSA charges.

Censorship or Content Restrictions: Independent journalists and media alleged intelligence services influenced media outlets in part by withholding financially important government advertising and pressing private companies to withhold their advertising as well. The government penalized media that criticized it or carried messages of the political opposition’s activities and statements. In September a group of media experts, nongovernmental organizations (NGOs), and journalists stated the downward trend of the rule of law and media freedom went hand in hand with government media censorship, which, in civil society’s view, translated to the government’s distrust of society.

Privately owned newspapers usually were free to carry diverse views outside politically sensitive topics or those that criticized the ruling party. Political polarization and self-censorship remained a problem. Investigative journalists often complained of their management and of editors “killing” reports due to fear of pressure from the government and its intelligence agencies. Some journalists received threats after publishing their stories.

On February 1, al-Jazeera’s Investigative Unit released a documentary “All the Prime Minister’s Men” (see section 4). Although the story was widely discussed internationally, local media barely referred to the report. Prominent newspapers ran editorials explaining why they did not cover the allegations raised in the report. An editor of the

Daily Star, the country’s most prominent English-language daily newspaper stated, “If we were a free media today, we would have delved deeper into the widely-talked-about al-Jazeera report and analyzed it, point by point, and exposed it for what it really is, not a top-class work of investigative journalism.” The *Dhaka Tribune*’s editorial explained the reason for its near silence, stating, “The current state of media and defamation law in Bangladesh, and how it is interpreted by the judiciary, makes it unwise for any Bangladeshi media house to venture into any kind of meaningful comment on the controversy.”

The first online newspaper, *bdnews24.com*, faced political pressure from a former ruling party member of parliament (MP) demanding removal of old reports on cases against him and his family. The MP, through a friend, tried to file a two billion-taka (\$23.3 million) defamation suit against four senior editors of the newspaper, but a court in Barishal rejected the petition.

According to journalists and human rights groups, journalists engaged in self-censorship due to fear of security force retribution, prosecution under the DSA, and the possibility of being charged with politically motivated cases. Although public criticism of the government was common and vocal, some media figures expressed fear of harassment by the government.

Libel/Slander Laws: Libel, slander, defamation, and blasphemy are treated as criminal offenses, most employed against individuals speaking against the government, the prime minister, or other government officials. Laws referring to defamation of individuals and organizations were used to prosecute opposition figures and members of civil society.

On April 20, media reported that police arrested Abu Tayeb, the bureau chief of local broadcaster NTV and for *Khulna Gazette* and *Dainik Loksomaj* newspapers, after Khulna city mayor Talukder Khalek filed a DSA case against him alleging he spread false information on Facebook that defamed his character. On both April 22 and 28, a Khulna court denied Tayeb’s request for bail and jailed him pending an investigation into the complaint. The Committee to Protect Journalists stated Tayeb reported local news in Khulna and on corruption allegations. On May 12, he was freed from jail, but the case against him remained pending.

On April 25, the Rangpur city mayor sued Mominur Rahman Sarkar under the DSA, alleging Sarkar spread false information regarding him. Sarkar posted on social media an article concerning the mayor’s alleged connection to corruption and reported fearing being arrested for a Facebook post.

In a public statement on April 26, the United Kingdom-based international human rights organization Article 19 expressed deep concern regarding the widespread filing of cases and arrests of journalists under the DSA. The organization stated most of the cases filed belonged to the ruling party and the DSA’s “abuse during the pandemic had risen to worrying levels.”

National Security: Authorities stated the DSA was essential to protect national and cyber security and used the law to arrest or punish critics of the government or deter criticism of government policies or officials.

Nongovernmental Impact: Nongovernmental, societal pressures also limited freedom of expression, as atheist, secular, religious minorities, and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) writers and bloggers reported they continued to receive death threats from alleged extremist organizations.

Internet Freedom

The government restricted and disrupted access to the internet and censored online content in isolated incidents. Laws banned virtual private networks and voice-over-internet-protocol telephone, but authorities rarely enforced this prohibition. The government monitored private online communications without appropriate legal authority.

In several incidents the government interfered in internet communications, filtered or blocked access, restricted content, and censored websites or other communications and internet services. It suspended or closed many websites based on vague criteria, or with explicit reference to their pro-opposition content being in violation of legal requirements.

The Bangladesh Telecommunication Regulatory Commission (BTRC) is charged with regulating telecommunications. It carries out law enforcement and government requests to block content by ordering internet service providers to act. The BTRC filtered internet content the government deemed harmful to “national unity and religious beliefs.”

Local media reported the country is among those allegedly using Pegasus, the Israeli-made surveillance application. The government’s information and communication technology minister denied the software purchase and deferred further questions to law enforcement agencies. The Citizen Lab, an international research laboratory, claimed the spyware was detected on the networks of Bangladesh Telecommunication Company Limited, the country’s largest telecommunications company.

In January authorities blocked the Swedish-based website *Netra News* after it published reports alleging corruption by a government minister.

Between March 26 and March 31, 3G and 4G internet service shutdowns were reported throughout the country, preventing individuals from accessing Facebook or the Facebook messenger app. On March 27, Facebook stated, “We’re aware that our services have been restricted in Bangladesh. We’re working to understand more and hope to have full access restored as soon as possible.” The BTRC stated access problems were due to “technical glitches.” The Post and Telecommunications Ministry denied ordering the shutdowns and stated they were conducted by law enforcement agencies for national security reasons. News reports indicated the shutdown was in response to the nationwide protests against Indian prime minister Narendra Modi’s visit to the country (see sections 1.a., 1.b., 1.d., 2.b., and 6).

In April the BTRC blocked Radio Free Asia affiliate *BenarNews* after the outlet covered a leaked UN memo in April 2020 warning two million country residents could die from COVID-19 absent appropriate government measures. Access was partially restored in May.

The Reporters Without Borders site was blocked following the July 5 publication of a story alleging the prime minister was a “predator” of press freedom.

In the wake of anti-Hindu violence in several cities during the Durga Puja festival in October (see sections 1.d. and 6), government authorities reportedly restricted access to websites and slowed download speeds to prevent the spread of misinformation and violence.

Academic Freedom and Cultural Events

Although the government placed few restrictions on academic freedom or cultural events, authorities discouraged research on sensitive religious and political topics that might fuel possible religious or communal tensions. Academic publications on the 1971 independence war were also subject to scrutiny and government approval.

In October the Bangladesh Cyber Tribunal formally charged Baul folk singer Rita Dewan with blasphemy. In February 2020 a lawyer accused Dewan of making derogatory comments against Allah during a musical competition. Criminal charges under the DSA were brought against Dewan that same month, and in December 2020 a court issued a warrant for her arrest. Dewan remained detained until she was granted bail in January.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law provides for the right to peaceful assembly, but the government limited this right. The law gives the government broad discretion to ban assemblies of more than four persons. The government requires advance permission for gatherings such as protests and demonstrations (see section 1.e.).

According to human rights groups, authorities continued to use provisions to prohibit gatherings by opposition groups and imposed what observers saw as unreasonable requirements for permits. Occasionally police or ruling party activists used force to disperse demonstrations assembled by opposition parties, organizations, and activists.

The March 26-28 demonstrations after Indian prime minister Narendra Modi’s visit were organized by members of Hefazat-e-Islam (see sections 1.a., 1.b., 1.d., 2.a., and 6). Observers said the demonstrations started out peacefully until members of law enforcement agencies and ruling party leaders and activists arrived. Police filed 154 cases against 3,270 named and many unnamed persons, which allegedly made it easier for them to include anyone in the case. As a result, 1,230 opposition leaders and activists, including members of Hefazat-e-Islam, were arrested and detained. In addition, 53 leaders and activists of the Bangladesh Students, Youth and Labor Rights Council were arrested and taken into custody through court proceedings.

Opposition leaders and activists reported numerous restrictions towards organizations throughout the year. The opposition BNP was regularly denied holding events or intimidated by authorities and ruling party activists at their events. On March 29, 20 persons were injured after police allegedly attacked a program organized in front of the BNP office in Khulna. On May 31, police allegedly obstructed various programs, including a food drive for the poor, organized on the anniversary of the death of BNP’s founder and former president, Ziaur Rahman.

Freedom of Association

The law provides for the right of citizens to form associations, subject to “reasonable restrictions” in the interest of morality or public order, and the government generally respected this right. The government’s NGO Affairs Bureau often withheld or delayed its approval for foreign funding to NGOs working on issues the bureau deemed sensitive, such as human rights, labor rights, indigenous rights, or humanitarian assistance to Rohingya refugees (see sections 2.d., 5, and 7. a.).

The law places restrictions on the receipt of foreign funds by NGOs or government officials and provides for punishment of NGOs making any derogatory comments regarding the constitution or constitutional institutions (see section 5).

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/2020-report-on->

[international-religious-freedom/ https://www.state.gov/religiousfreedomreport/](https://www.state.gov/religiousfreedomreport/).

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, emigration, and repatriation, and the government generally respected these rights, except in three sensitive areas: the CHT and the Rohingya camps in Cox’s Bazar and on the island of Bhasan Char in the Bay of Bengal. The government enforced restrictions on access to the CHT by foreigners and restricted movement of Rohingya refugees. The Rohingya camps in Cox’s Bazar were surrounded by barbed and concertina wire fencing with few pedestrian gates to allow the Rohingya to move among the camps or into the local community. The lack of pedestrian gates hampered egress during a large fire in some camps in March. Bhasan Char is an island with no regular links to the mainland. In August at least 11 Rohingya died after their boat capsized while trying to leave Bhasan Char, and hundreds more have attempted to do so since transfers began in January. Authorities caught and arrested many Rohingya who tried to leave Bhasan Char and detained them on the mainland or returned them to the island.

While foreign travel is allowed, some senior civil society and international NGO representatives reported harassment and delays at the airport when applying for a visa, entering, or departing the country. The government prevented war crimes suspects from the 1971 independence war from leaving the country.

Throughout the year numerous lockdown periods and movement restrictions were enforced to curb the COVID-19 pandemic. While restrictions enforced applied to all citizens during any designated period, civil society reported individuals from poorer communities were disproportionately arrested or punished for violating quarantine rules. Allegations of bribes to avoid movements restrictions or penalties were also reported.

e. Status and Treatment of Internally Displaced Persons

Societal tensions and marginalization of indigenous persons continued in the CHT because of a government policy initiated during an internal armed conflict from 1973-97. This policy relocated landless Bengalis to the CHT with the implicit objective of changing the demographic balance to make Bengalis the majority, displacing tens of thousands of indigenous persons.

The internally displaced persons (IDPs) in the CHT had limited physical security. Community leaders maintained indigenous persons faced widespread violation of their rights by settlers, sometimes supported by security forces (see section 6).

The number of IDPs in the CHT remained disputed. In 2000 a government task force estimated the number at 500,000, which included nonindigenous as well as indigenous persons. In 2020 the CHT Commission estimated slightly more than 90,000 indigenous IDPs resided in the area. The prime minister pledged to resolve outstanding land disputes in the CHT to facilitate the return of the IDPs and close remaining military camps, but the taskforce on IDPs remained unable to function due to a dispute regarding classifying settlers as IDPs. The commission reported authorities displaced several indigenous families to create border guard camps and army recreational facilities. No land disputes were resolved during the year.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to Rohingya refugees.

The government is not a party to the 1951 Convention Relating to the Status of Refugees or the 1967 Protocol. As a result the government claimed it was not under legal obligation to uphold the basic rights enshrined in this treaty.

Prior to the 2017 Rohingya arrivals, the government and UNHCR provided temporary protection and basic assistance to approximately 33,000 registered Rohingya refugees from Burma living in two official camps (Kutupalong and Nayapara), while the government and the International Organization for Migration aided approximately 200,000 undocumented Rohingya living in makeshift settlements in Cox’s Bazar. In 2017 more than 750,000 Rohingya fled ethnic cleansing in neighboring Burma to seek safe haven in Bangladesh. As a result of this influx, more than 907,000 registered Rohingya refugees were living in refugee camps, makeshift settlements, and host communities. The government claimed actual numbers totaled more than one million. The government did not recognize the arrivals as refugees, referring to them instead as “forcibly displaced Burmese nationals,” but abided by many of the established UN standards for refugees. One notable exception was that the Rohingya did not enjoy full freedom of movement throughout the country. Government officials stated repatriation was the government’s only goal, stressing privileges such as freedom of movement, formal education, or livelihood opportunities could not be afforded to the Rohingya population.

A National Task Force of 25 ministries and department representatives and chaired by the Ministry of Foreign Affairs provided oversight and strategic guidance for the overall Rohingya response. The Ministry of Home Affairs coordinated and maintained law and order for the Rohingya response, with support from the Armed Police Battalion. At the local level, the Refugee, Relief, and Repatriation Commission, under the Ministry of Disaster Management and Relief, was responsible for the management of the Rohingya response.

As of December 31, Bhasan Char hosted nearly 17,000 Rohingya refugees. The government paused relocations for several months in the middle of the year, but it resumed the transfer of refugees from Cox’s Bazar to Bhasan Char at the end of November. Media reported the government spent more than 25.8 billion taka (\$300 million) to prepare for

the eventual transfer of 100,000 refugees to the island. The government rejected requests from international human rights groups to move Rohingya refugees to the mainland, asserting that living conditions were better on Bhasan Char than in the overcrowded Cox’s Bazar camps. In March authorities allowed UN and other international donors to visit the island in conjunction with local authorities. On October 9, authorities signed a memorandum of understanding (MOU) with UNHCR that outlines the humanitarian and protection framework underlying potential UN operational engagements on Bhasan Char. During the year the UN organizations conducted a series of assessments on Bhasan Char and worked with the government on the modalities of operations on the island.

On September 29, gunmen shot and killed Mohammad Mohib Ullah, chairman and founder of the Arakan Rohingya Society for Peace and Human Rights, in Cox’s Bazar. Media reports alleged that criminal groups carried out the attack, potentially in retribution for his work to advocate for rights for Rohingya in the country. Mohib Ullah was an advocate for Rohingyas’ human rights, worked to document the Burmese security forces’ crimes against Rohingya, and advocated for Rohingya in multiple international forums. As of December authorities had not publicly identified a motive or perpetrators.

Access to Asylum: The law does not provide for granting asylum or refugee status, nor has the government established a formal system for providing protection to refugees. The government provided significant protection and assistance to Rohingya refugees residing in the country. Prior to 2017 the government cooperated with UNHCR to provide temporary protection and basic assistance to registered refugees resident in two official camps. After the 2017 arrival of more than 750,000 additional Rohingya refugees, the government started to register the refugees biometrically and provided identity cards with their Burmese addresses. At the end of 2019, the government completed the second phase of its joint registration exercise with UNHCR to verify Rohingya refugees and issue identity cards that replaced prior cards and provided for protection of Rohingya refugees, consistent with the government’s stance against forced returns to Burma. Despite this documentation system, the lack of formal refugee status for Rohingya and clear legal reporting mechanisms in the camps impeded refugees’ access to the justice system.

On February 11, international media reported a boat carrying 90 Rohingya refugees with mostly women and children sailed from Cox’s Bazar towards Malaysia. After four days the boat’s engine failed in the Andaman Sea; nine refugees died, and after a 113-day journey, the 81 survivors landed on an Indonesian island. According to media reports, international humanitarian organizations and family members of those onboard appealed to India, Bangladesh, Burma, and Malaysia for information regarding the fate of the 81 survivors on the boat. Media reported the Bangladeshi government denied reentry to the 81 survivors.

Abuse of Migrants and Refugees:

The government mostly cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to Rohingya refugees, although following the end of COVID-19 pandemic-related restrictions on humanitarian access in August, security concerns grew in the camps regarding high-profile killings. NGOs reported human trafficking was common in the camps with few cases prosecuted in the country’s judicial system. When discovered, government officials returned trafficking victims to the camps.

International organizations reported gender-based violence directed against women in the camps. Intimate partner violence comprised 90 percent of the cases. The reduced footprint of international organizations throughout the COVID-19 pandemic limited reporting and monitoring of gender-based violence.

Accountability for all crimes, including human trafficking, remained a problem. Rohingya relied on government officials responsible for each camp (also known as the Camps in Charge, or CiC) to address allegations of crime. The CiCs were largely autonomous and varied in terms of responsiveness to camp needs. According to international organizations, some CiCs were susceptible to corruption. International organizations alleged some border guard, military, and police officials were involved in facilitating trafficking of Rohingya women and children, ranging from “looking the other way,” to bribes for allowing traffickers to access Rohingya in the camps, to direct involvement in trafficking.

Human Rights Watch reported security forces on April 6, allegedly arrested and beat 12 refugees who were caught trying to leave Bhasan Char. On April 12, a sailor allegedly beat four refugee children with a polyvinyl chloride pipe for leaving their quarters to play with refugee children in another area. Human Rights Watch reported witnesses stated security forces allegedly beat refugees in the Bhasan Char police station.

On June 3, international media reported Rohingya refugees were allegedly beaten by security forces with batons after protesting lack of access to UNHCR officials during a high-level UN visit to Bhasan Char. Reuters reported two Rohingya refugees stated authorities blocked them from speaking to the UNHCR delegates. UNHCR expressed deep concern regarding the reported injuries and arbitrary arrests, detentions, and lack of freedom of movement afforded to refugees.

On June 7, Human Rights Watch published a report, *An Island Jail in the Middle of the Sea*, alleging the government misled Rohingya refugees and international donor communities regarding the conditions on Bhasan Char. Some refugees described being forced to relocate without informed consent. Other Rohingya refugees interviewed for the report agreed that the shelters on the island were superior to those in the Cox Bazar camps and contained more open space, but they reported food shortages, inadequate health services, lack of formal education opportunities, freedom of movement restrictions, and lack of livelihood opportunities. Some refugees alleged their relatives were arbitrarily

detained and beaten for attempting to leave the island. Some also reported being beaten for trying to move outside their compound. Authorities have not investigated these reports. Local human rights organizations reported difficulty accessing the refugee community because of the island’s remote location.

On August 14, a boat carrying 40 to 45 Rohingya, including women and children, capsized while they were fleeing Bhasan Char. Authorities rescued 15 persons, but the capsized boat resulted in the deaths of 11 Rohingya while 15 remained unaccounted for. Reuters reported that refugees living in Bhasan Char claimed lack of work and inability to meet with family remaining in the camps prompted increased attempts at the dangerous maritime crossing journey.

The MOU between the United Nations and the government has provisions to improve protections and services for Rohingya refugees on Bhasan Char. The MOU proposes expanded access to services, such as education, skills and vocational training, livelihoods, health care, and uninterrupted telecommunication services, which may be funded by international donors through the 2022 Joint Response Plan.

Freedom of Movement:

There were restrictions on Rohingya freedom of movement. According to the 1993 MOU between Bangladesh and UNHCR, registered Rohingya refugees are not permitted to move outside official camps. After the 2017 influx, police set up checkpoints on the roads to restrict travel by both registered refugees and arrivals beyond the Ukhia and Teknaf subdistricts. Rohingya located at Bhasan Char had little means to exit the island or travel to camps in Cox’s Bazar, where many claimed to have family members, leading some human rights groups to characterize the Rohingya stay on the island as “detention.” At least 200 refugees have been arrested for trying to leave the island.

On March 22, a fire erupted in the Balukhali area of the Cox’s Bazar refugee camp, killing at least 15 refugees. UNHCR estimated the fire injured 550 refugees and left more than 48,000 homeless. While local fire and rescue teams and aid agencies responded, witnesses to the fire reported the barbed wire through and around the camps restricted the ability of refugees to flee and responders to reach them. UN News reported the frequent fires in the Cox’s Bazar camps left the refugee community traumatized.

In December authorities allowed 68 Rohingya from Bhasan Char to visit their family members on the mainland. A senior disaster management ministry official stated the government had decided to allow at least two trips per month from the island to the camps in Cox’s Bazar.

In 2019 the government began erecting watchtowers and fencing in the camps in Cox’s Bazar, stating the objective was to better secure the camp and protect Rohingya from migrant smuggling, while humanitarian agencies expressed concerns that fencing would hinder delivery of services to refugees and exacerbate tensions between refugees and host communities.

Many camp authorities introduced curfews and law enforcement patrols, particularly at night, in response to reported concerns regarding violent attacks, abductions, or kidnappings in the camps.

Employment:

The government did not formally authorize Rohingya refugees in the country to work locally, although it allowed limited cash-for-work activities for Rohingya to perform tasks within the camps. In February the Office of the Refugee Relief and Repatriation Commissioner (RRRC) issued a letter requesting the UN heads of sub offices in Cox’s Bazar to regulate the recruitment of Rohingya volunteers for work in all sectors except sanitation and night guardianship. Pursuant to this letter, some CiCs reportedly delayed or refused to approve NGO needs assessments or to issue closure certificates upon the completion of projects, stopping some NGO activities midstream and delaying new projects. Despite their movement restrictions, some refugees worked illegally as manual laborers on the informal economy, where some were exploited as labor-trafficking victims.

Access to Basic Services: The rapid increase in the population strained services both inside and outside the designated camps and makeshift settlements. The UN-led Inter Sector Coordination Group (ISCG) coordinated the many actors and agencies providing basic services to the Rohingya. Donor agencies reported complex and ambiguous certification processes disrupted a timely humanitarian response. Nonetheless, according to the ISCG, refugees lived in congested sites that were poorly equipped to handle the monsoon rains and cyclone seasons. While agencies made significant efforts to move those most vulnerable, the shortage of land remained a central problem hindering the ability of Rohingya to access basic services.

Public education remained a problem. The government continued its policy prohibiting formal education but allowed informal education of Rohingya children. UNICEF led the education sector in developing a comprehensive learning approach to guide the education interventions of humanitarian partners in the camps. Primary education followed a learning framework developed by UNICEF and endorsed by the government; however, it did not confer recognition or certify students have attained a specific education level. Implementation of an education sector pilot program launched in 2020 to provide education using the Burmese national curriculum was to begin for 10,000 Rohingya refugee children by the end of the year. The program had previously been delayed due to COVID-19 pandemic-related closures of refugee learning centers. Authorities did not allow the distribution of remote learning materials throughout the COVID-19 pandemic. Beginning September 22, the RRRC allowed reopening of learning centers for levels two through four and in December expanded the reopening to include to level one.

Government authorities allowed registered and unregistered Rohingya regular access to public health care, but the Rohingya needed authorities’ permission to leave the camp. Humanitarian partners ensured their health-care expenses were covered and that they returned to the camps. The health sector maintained information on all the health facilities within the camps and the surrounding areas. Based on the data available, overall coverage met the minimum requirements.

Bhasan Char had primary health-care facilities but lacked secondary and tertiary facilities, necessitating referrals to medical facilities off the island for advanced-level care. The transfer of patients to mainland facilities was hampered by required authorizations to depart the island, weather conditions, and boat availability. In July the government announced plans to administer COVID-19 vaccines to Rohingya refugees, and the vaccinations began in August. The vaccination campaign, administered with the help of UN agencies, vaccinated Rohingya refugees older than age 55 as part of phase one. As of October, 36,943 refugees received their first dose and 33,386 received their second dose. In October phase two of the COVID-19 vaccination program targeting refugees older than age 50 started, and at year’s end health-care officials discussing with the government plans to expand access to other adults as more vaccines became available. In December the government expanded vaccinations to persons ages 18 to 54, with an estimated 393,193 eligible beneficiaries.

The government had not accepted refugees for resettlement or naturalization and continued to maintain that repatriation of refugees to Burma remained the only acceptable solution to the crisis.

g. Stateless Persons

The Rohingya in the country were legally or in fact stateless. They could not acquire citizenship, nor does the government of Burma recognize them as citizens.

Every individual born in Bangladesh is a citizen of the country by birth as per Bangladesh’s Citizenship Act of 1951. This provision is not afforded to Rohingya. A 2009 amendment to the Act allows anyone born in the country to either a Bangladeshi mother or father the right to claim citizenship. This amendment was not retroactively applied to Rohingya children born in the country to stateless fathers prior to 2009, who remain at risk of statelessness. There were cases in which children born to one Bangladeshi parent and one Rohingya parent were not recognized as citizens, despite the 2009 amendment.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Prime Minister Sheikh Hasina and her Awami League (AL) party won a third consecutive five-year term in a December 2018 parliamentary election that observers considered neither free nor fair and that was marred by irregularities including ballot-box stuffing and intimidation of opposition polling agents and voters. With more than 80 percent of the vote, the AL and its electoral allies won 288 of 300 directly elected seats, while the main opposition BNP and its allies won only seven seats. Parliament conferred the official status of opposition on the Jatiya Party, a component of the AL-led governing coalition, which seated 22 members in parliament. During the campaign leading to the election, there were credible reports of harassment, intimidation, arbitrary arrests, and violence that made it difficult for many opposition candidates and their supporters to meet, hold rallies, or campaign freely.

During the 2018 national elections, the government did not grant credentials or issue visas within the timeframe necessary to conduct a credible international monitoring mission to most international election monitors from the Asian Network for Free Elections. Only seven of the 22 Election Working Group NGOs were approved by the Ministry of Home Affairs, NGO Affairs Bureau, and the Election Commission to observe the domestic election.

Low voter turnout, intimidation, irregularities, and low-scale violence targeting opposition-nominated candidates during campaigns and voting marked several local government elections during the year. On February 28, the main opposition BNP announced it would boycott municipal elections countrywide on the grounds the Election Commission had “destroyed” the electoral system. The BNP also refrained from nominating candidates for parliamentary by-elections held during the year. The elections drew few voters, and in some constituencies the ruling AL candidates were “uncontested winners.”

In subdistrict (Upazila) elections from June through December, media reported intraparty violence between AL-affiliated candidates and their supporters left more than 50 individuals dead. Human rights organization ASK stated 157 persons died and 10,833 were injured in a total of 932 political clashes during the year. One candidate publicly boasted government officials and security services supported him, and he threatened ballots would not be secret. Media reported the Election Commission took virtually no action to address violations of the electoral code of conduct by ruling party leaders. AL officials downplayed the violence as the byproduct of “overly enthusiastic” candidates.

Political Parties and Political Participation:

The government mobilized law enforcement resources to level civil and criminal charges against opposition party leaders. The BNP claimed police implicated thousands of BNP members in criminal charges prior to the 2018 national election and detained many of the accused. Human rights observers claimed many of these charges were politically motivated.

Opposition activists faced criminal charges. Leaders and members of Jamaat-e-Islami (Jamaat), the largest Islamist political party in the country, could not exercise their constitutional freedoms of speech and assembly because of harassment by law enforcement. Jamaat was deregistered as a political party by the government, prohibiting candidates from seeking office under the Jamaat name, and the fundamental constitutional rights of speech and assembly of its leaders and members were denied. Media outlets deemed critical of the government and the AL were subjected to government intimidation and cuts in advertising revenue and thus practiced some self-censorship.

AL-affiliated organizations such as its student wing the Bangladesh Chhatra League (BCL), reportedly carried out violence and intimidation around the country with impunity, including against individuals affiliated with opposition groups. On August 18, the BCL attacked a BNP organization’s assistance event for COVID-19 pandemic victims in Manohardi, Narsigndi District, leaving 20 persons injured, including two journalists. On August 29, BCL attacks on a BNP student procession at Dhaka University injured 19 students.

In September 2020 a speedy trial tribunal in Dhaka indicted 25 ruling party student activists for the 2019 killing of Abrar Fahad Rabbi, a student at Bangladesh University of Engineering and Technology. Rabbi was beaten to death due to suspected involvement with the group Shibir, Jamaat-e-Islami’s student wing, and following several Facebook posts criticizing recent bilateral agreements with India. The trial continued as of September.

The 86 criminal charges filed by the government against BNP secretary general Mirza Fakhrul Islam Alamgir in previous years remained unresolved; Alamgir remained free on bail. The charges involved attacks on police, burning buses, and bombings.

In some instances the government interfered with the right of opposition parties to organize public functions and restricted broadcasting of opposition political events. Political parties, however, had limited outdoor activities as the COVID-19 pandemic forced them to go virtual or stay indoors.

Participation of Women and Members of Minority Groups:

No laws limited participation of women or members of minorities in the political process, and they did participate. In 2018 parliament amended the constitution to extend by 25 additional years a provision that reserves 50 seats for women. Female parliamentarians are nominated by the 300 directly elected parliamentarians. The seats reserved for women are distributed among parties proportionate to their parliamentary representation. Political parties failed to meet a parliamentary rule that women comprise 33 percent of all committee members by the end of the 2020, leading the Electoral Commission to propose eliminating the rule altogether.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of corruption by officials, but the government did not implement the law effectively. There were numerous reports of government corruption during the year, and officials frequently engaged in corrupt practices with impunity.

There were numerous reports of DSA arrests and charges for citizens who reported corruption (see section 2.a.).

The Anti-Corruption Commission (ACC), set up in 2004 to serve as an independent monitoring mechanism, focuses on investigating cases of corruption, including but not limited to bribery, embezzlement, extortion, abuse of discretion, and improper political contributions. The ACC must obtain permission from the government to investigate or file any charge against government politicians or bureaucrats. Local human rights organizations questioned the independence and effectiveness of the ACC, which they claimed was evidenced by the acquittal of most cases brought against ruling party officials and bureaucrats, while legal processes, investigations, and filing of cases against leaders of the BNP continued.

Corruption: Corruption remained a serious problem. In January the Prime Minister’s Office (PMO) announced its intent to provide public housing for 885,622 homeless and landless families, as part of an initiative to eradicate homelessness in honor of the birth centenary of the country’s founding father Sheikh Mujibur Rahman. In July media reported 36 subdistricts raised allegations of corruption and construction irregularities connected to the housing projects. In response to these reports, the PMO appointed five officials to inspect the allegations, announced “zero tolerance” for any irregularities, and launched technical committees to advise on the administration of the project. Media reported the secretary to the PMO accepted responsibility for the “administration’s failure to deliver on the promise of a flawless project.”

On February 1, al-Jazeera’s Investigative Unit released the documentary, “All the Prime Minister’s Men,” a two-year investigation alleging corruption against political and military figures, including Prime Minister Sheikh Hasina and former chief of army staff general Aziz Ahmed (see section 2.a.). The documentary focused on activities of Ahmed’s family and alleged corruption, including bribery and collusion with security forces such as the RAB unit. The documentary also alleged the government’s military intelligence service bought spyware from Israel, a country

not recognized by Bangladesh, to monitor the prime minister’s political opponents. In response to the investigation, in February the Ministry of Foreign Affairs dismissed the findings of the document as a “smear campaign” orchestrated by opponents of the ruling government based abroad.

Media reported numerous accounts of local authorities embezzling government food and cash assistance during the pandemic and the related government-imposed lockdowns. In response to these reports, in April 2020 the prime minister assigned 64 mid-level officials from the central government to monitor and report on relief operations. Media reported the relief distribution efforts were administered by civil servants under the executive branch. In June some politicians from both the ruling and opposition parties objected to the centrally administered relief distribution efforts, alleging bureaucrats under the ruling party were corrupt and taking over the country. Opposition lawmakers criticized the Health Ministry for its alleged failure to curb corruption and provide health care during the pandemic.

On June 6, an MP of the ruling party alleged corruption and money laundering continued despite the government’s vow to curb the practice. Another senior MP of the ruling party criticized the government’s budget proposals to impose taxes on the incomes of private universities and medical colleges.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Several domestic and international human rights groups generally operated with some government restrictions, and they investigated and published their findings on human rights cases. Government officials were rarely cooperative and responsive to their reports.

Although human rights groups often sharply criticized the government, they also practiced self-censorship. Observers commented on the government’s strategy to reduce the effectiveness and inhibit operations of civil society, exacerbated by threats from extremists and an increasingly entrenched leading political party. Even civil society members affiliated with the ruling party reported receiving threats of arrest from the security forces for public criticism of government policies.

The government continued to restrict the funding and operations of the human rights organization Odhikar, which in turn continued to report harassment, intimidation, and surveillance by government officials and security forces, including disruption of their planned events. On February 14, the Supreme Court rejected the petition for dismissing the case against Odhikar’s secretary and director and ordered the case to proceed at the Cyber Crimes Tribunal. Odhikar’s NGO renewal registration remained pending at year’s end since 2014. On October 5, the case against Odhikar’s secretary Adilur Rahman Khan and director Nasiruddin Elan went to trial regarding alleged violations in 2013 of the Information and Communications Technology Act.

The government required all NGOs, including religious organizations, to register with the Ministry of Social Welfare. Local and international NGOs working on sensitive topics or groups, such as security force abuses, religious matters, human rights, indigenous peoples, LGBTIQ+ communities, Rohingya refugees, or worker rights, faced formal and informal governmental restrictions (see sections 2.b. and 7.a.). Some of these groups claimed intelligence agencies monitored them. The government sometimes restricted international NGOs’ ability to operate through delays in project registration, cease-and-desist letters, and visa refusals.

The law restricted foreign funding of NGOs and included what rights groups reported were punitive provisions for NGOs making “derogatory” comments regarding the constitution of the country, its founding history, or constitutional bodies (that is, government institutions and leaders).

The United Nations or Other International Bodies: The government did not respond to a UN Working Group on Enforced Disappearances request to visit the country. The Office of the UN Resident Coordinator in the country reported 158 other pending requests for UN special rapporteurs to visit the country since 2016, including the special rapporteur on extrajudicial, summary, or arbitrary executions; the special rapporteur on the rights to freedom of peaceful assembly and of association; and the special rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

On February 4, the United Nations Secretary General’s Spokesperson called for a full investigation by relevant authorities into allegations of corruption and illegality involving the army. The United Nations raised concerns regarding allegations the military purchased surveillance equipment from Israel. Bangladeshi military commanders claimed the equipment was bought for one of the Army units to be sent on UN peacekeeping missions, but a UN spokesperson responded surveillance equipment was not deployed with contingents in UN peacekeeping operations. Human rights groups alleged the country used surveillance equipment to target political opponents and dissidents (see section 2.a.).

On February 6, seven international human rights groups called on the United Nations to review its use of Bangladeshi peacekeeping troops around the world. Bangladesh is the largest overall contributor of uniformed personnel to UN peacekeeping missions, with more than 6,800 personnel deployed in peacekeeping operations around the world.

Government Human Rights Bodies: The National Human Rights Commission (NHRC) has seven members, including five honorary positions. The NHRC’s primary activities are to investigate human rights abuses, address discrimination in law, educate the public on human rights, and advise the government on key human rights matters. Some human rights organizations questioned the independence and effectiveness of the NHRC, alleging the government used state institutions including the NHRC to implement its political agenda.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law only prohibits rape of girls and women by men and physical spousal abuse, but the law excludes marital rape if the girl or woman is older than 13. Conviction of rape may be punished by life imprisonment or the death penalty.

Credible human rights organizations found rape remained a serious issue in the country, with reported rapes throughout the year roughly keeping pace with previous years. Domestic human rights group ASK reported at least 1,321 women were raped during the year. In comparison Odhikar reported 1,538 women and children were raped in 2020; among them, 577 were women, and 919 were younger than age 18. There were allegations of rapists blackmailing survivors by threatening to release the video of the rape on social media.

Rights groups reported violence against women in all forms increased throughout the pandemic. ASK reported 640 women were survivors of domestic violence during the year, including 372 who died as a result of the violence. NGOs mobilized to address an increase in gender-based violence during the pandemic. There were reports of sexual violence committed with impunity. On June 14, actress Shamsunnahar Smriti, popularly known as Pori Moni, filed a case alleging businessman Nasir Mahmood and five other men attempted to rape and kill her at the Dhaka Boat Club. On August 4, the RAB removed Moni from her apartment during a raid in which agents allegedly found illegal substances including alcohol and narcotics. Some activists stated the police raid was in response to her filing a rape case against a powerful businessman.

On April 26, college student Mosarat Jahan Munia was found dead in her apartment in Dhaka. Nusrat Jahan, Munia’s sister filed a case against Bashundhara Group managing director Sayem Sobhan Anvir Anvi, alleging he abetted Munia’s reported suicide. On July 19, police submitted the final probe report exonerating Anvir of involvement in Munia’s death. On July 26, 51 activists and leaders across the country demanded a reinvestigation into her death, stating, “We believe a proper investigation and appropriate trial for Munia’s suicide or murder is essential in maintaining public confidence in the rule of law of the country.”

In response to a September 2020 gang rape case in Sylhet, Feminists Across Generations, a local group working against gender-based violence and abuse against women, launched “Rage Against Rape,” a movement declaring gender-based violence a national emergency. The organization’s 10-point plan urged for reform and argued the death penalty for conviction would not solve rape culture or gender-based violence. The organization advocated for women and girls’ safety from violence and raised awareness of individual cases of rape. Separately the Rape Law Reform Coalition, a coalition of 17 organizations, continued to advocate for its “Rape Law Reform Now” campaign, another 10-point plan urging for legal and institutional reforms.

According to guidelines for handling rape cases, the officer in charge of a police station must record any information relating to rape or sexual assault irrespective of the place of occurrence. Chemical and DNA tests must be conducted within 48 hours from when the incident was reported. Guidelines also stipulate every police station must have a female police officer available to survivors of rape or sexual assault during the recording of the case by the duty officer. The statements of the survivor must be recorded in the presence of a lawyer, social worker, protection officer, or any other individual the survivor deems appropriate. Survivors with disabilities should be provided with government-supported interpretation services, if necessary, and the investigating officer along with a female police officer should escort the survivor to a timely medical examination.

A collection of political, sociocultural, and human rights groups stated incidents of rape continued to occur due to a culture of impunity. According to human rights monitors, many survivors did not report rapes due to lack of access to legal services, social stigma, fear of further harassment, and the legal requirement to produce witnesses. The burden is on the rape survivor to prove a rape occurred, using medical evidence.

Other Harmful Traditional Practices:

Some media and NGOs reported violence against women related to disputes concerning dowries, despite recent legal changes prohibiting dowry demands. By law an individual demanding or giving a dowry may be imprisoned for up to five years, fined, or both. ASK found 210 incidents of dowry-related violence against women, with 72 women killed because of dowry disputes during the year.

On February 17, Lima Khatun was allegedly beaten to death by her husband and his relatives in Sirajganj for not giving them gold as dowry. On March 1, Runa Begum was allegedly beaten to death by her husband for continued dowry demands even after taking an initial dowry of 100,000 taka (\$1,163) from her. Media reported police arrested the husband. On April 9, a rickshaw puller with disabilities named Jamal committed suicide at his residence in Chittagong due to the constant pressure from his daughter’s father-in-law for dowry.

A Supreme Court Appellate Division ruling allows the use of fatwas (religious edicts) only to settle religious matters; fatwas may not be invoked to justify punishment, nor may they supersede secular law. Islamic tradition dictates only those religious scholars with expertise in Islamic law may declare a fatwa. Despite these restrictions, village religious leaders sometimes made such declarations. The declarations resulted in extrajudicial punishments, often against women, for perceived moral transgressions.

Incidents of vigilantism against women occurred, sometimes led by religious leaders enforcing fatwas. The incidents included whipping, beating, and other forms of physical violence.

Assailants threw acid in the faces of survivors, usually women, leaving them disfigured and often blind. Acid attacks were frequently related to a woman’s refusal to accept a marriage proposal or were related to land or other money disputes. A total of 11 acid burns were reported during the first six months of the year.

Sexual Harassment: Although sexual harassment is prohibited by a 2009 High Court ruling, harassment, also known as “Eve teasing,” was common according to multiple NGOs. During the COVID-19 pandemic, the Manusher Jonno foundation, a local human rights group, found multiple instances of women reporting sexual harassment while receiving food assistance. A total of 101 incidents of sexual harassment against women were reported during the first nine months of the year.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Civil society organizations reported that survivors of child marriage had less negotiating power to make family planning choices. According to the 2017-18 *Bangladesh Demographic and Health Survey* (BDHS), three of five girls were married by age 18, with an adolescent birth rate of 28 percent. UNICEF also found nearly five in 10 child brides gave birth before age 18 and eight in 10 child brides gave birth before age 20.

LGBTQI+ groups reported lesbian and bisexual women lacked access to basic sexual and reproductive health care.

A full range of contraceptive methods, including long-acting reversible contraception and permanent methods, were available through government, NGO, and for-profit clinics and hospitals. Low-income families were more likely to rely on public family planning services offered free of cost. Religious beliefs and traditional family roles served as barriers to access. Government district hospitals had crisis management centers providing contraceptive care to survivors of sexual assault.

Effective access to information on reproductive health, including family planning, is one of the prime objectives of the *National Population Policy* (2012). Aligned with the national policy, family planning services were supported by programs that emphasized informed choice and voluntarism. To aid these practices, the *National Family Planning Program* used a job aid on clients’ eligibility criteria, a family planning manual, and clients’ consent forms for long acting and permanent methods of family planning. Family planning service providers were trained on reproductive rights and choice.

According to the World Bank’s most recent estimates, maternal mortality rate declined from 2000 to 2017. During that timeframe the rate dropped from 434 to 173 maternal deaths per 100,000 live births. According to the BDHS, 12 percent of married women of reproductive age had unmet family planning needs. Weaknesses in the public-health system, such as lack of trained providers and equipment in rural areas, resulted in inequitable access to information and services.

Taboos and stigma surrounding menstruation created social and religious barriers for menstruating women. In conservative communities some menstruating women could not use the kitchen or observe religious practices due to fear of contamination.

Throughout the COVID-19 pandemic, an increase in child marriage resulted in girls leaving school at a higher rate than boys. UNICEF noted that girls who marry in childhood are less likely to remain in school.

Discrimination:

The constitution declares all citizens are equal before the law with entitlement to equal protection under the law. It also explicitly recognizes the equal rights of women to those of men “in all spheres of the state and of public life.” According to human rights NGOs, the government did not always enforce the constitution or the laws pertaining to gender equality effectively. Women do not enjoy the same legal status and rights as men in family, property, and inheritance law. According to traditional Islamic inheritance law, daughters inherit half of what sons do. According to Hindu inheritance law, a widow’s rights to her deceased husband’s property are limited to her lifetime and revert to the male heirs upon her death. In September 2020 the High Court ruled that Hindu widows in the country were entitled to all properties of their deceased husbands, including agricultural property. Previously Hindu women were entitled only to their husband’s homestead properties.

Systemic Racial or Ethnic Violence and Discrimination

There were no major attacks on religious minorities motivated by transnational violent extremism. There were, however, reports of attacks on Hindu and Buddhist property and temples for political and economic reasons, and some of these faith groups stated attacks on religious structures increased during the pandemic.

On March 17, an estimated 89 houses and eight temples in a Hindu village in Sylhet were vandalized. Media and civil society attributed the attack to hundreds of members of Hefazat-e-Islam supporters triggered by a resident's Facebook post criticizing a Hefazat leader for condemning Indian prime minister Narendra Modi's visit. After the incident the organization released a YouTube video rejecting responsibility for the attack. The government expressed regret and sent the RAB to the village. As of March 23, police had arrested 35 individuals in connection with the attack. Members of the Hindu minority community blamed religious fundamentalist groups for the incident, while some civil society and opposition leaders blamed the ruling party. Some other human rights groups blamed local law enforcement and administration officials for not preventing the attack.

On October 13, media reported anti-Hindu violence broke out following a social media post that went viral depicting a Quran in the lap of a Hindu deity in the city of Cumilla during the Hindu Durga Puja festival (see sections 1.d. and 2.a.). Muslim protesters allegedly attacked Hindus, Hindu temples, and damaged property in several cities. Six persons died in ensuing violence, mostly due to clashes with security forces deployed to restore order. Prime Minister Sheikh Hasina and other senior officials condemned the violence, emphasized the country's secular identity superseded religious identity, and the government took measures to compensate Hindu victims.

NGOs reported national origin, racial, and ethnic minorities faced discrimination. For example, some Dalits (lowest-caste Hindus) suffered from restricted access to land, adequate housing, education, and employment.

The estimated 300,000 Urdu-speaking population (known as Biharis, originally Urdu-speaking Muslims who migrated to then East Pakistan before the Bangladesh Liberation War) were formerly stateless, and members from this community stated their requests to obtain passports were often rejected by immigration officers due to their lack of a permanent address. Almost all this population still resided in refugee-like camps established by the International Committee of the Red Cross in the 1970s, when Biharis believed they would return to Pakistan following the 1971 war. A December 2020 International Republican Institute (IRI) study claimed living conditions for Biharis in the camps remained poor, with many camps containing fewer than 10 public toilets serving hundreds of residents. The Geneva Camp in Mohammadpur, Dhaka, for example, held an estimated 30,000 residents as of January. While older Biharis may have had an affinity to Pakistan, many participants in the IRI study stated they identified as Bangladeshi, particularly those who grew up after the Liberation War. In 2008 a High Court ruling that the Bihari community had rights as citizens prompted the international donor community to cease support as the community was technically no longer stateless. While the government provided some basic services, including water and electricity, Biharis reported social and economic discrimination as well as a lack of initiatives integrating them into society, leaving them isolated in crowded camps.

In September some Biharis expressed concern officials would reject their official status as Bangladeshis, expropriate their land, and implement policies to force the Biharis to return to Pakistan.

Indigenous Peoples

The indigenous community of the CHT experienced widespread discrimination and abuse despite nationwide government quotas for participation of indigenous CHT residents in the civil service and higher education. These conditions also persisted despite provisions for local governance in the 1997 CHT Peace Accord, which has not been fully implemented, specifically the portions of the accord empowering a CHT-specific special administrative system consisting of the three Hill District Councils and the Regional Council. Indigenous persons from the CHT were unable to participate effectively in decisions affecting their lands due to disagreements regarding land dispute resolution procedures under the Land Commission Act.

An August 2020 study found land confiscations, livelihood risks, and violence against indigenous women increased during the pandemic. While the country had a 20 percent poverty rate, poverty in the plains, where some indigenous persons lived, was more than 80 percent and more than 65 percent in the CHT. The study also found a lack of health care for indigenous persons. Other organizations corroborated health care available to indigenous persons was well below the standard available to nonindigenous persons in the country. In October 2020 a group of indigenous tribal leaders presented a memorandum to the government stating a significant portion of the food security needs of marginalized communities in CHT remained unmet.

Throughout the pandemic, multiple NGOs reported severe food insecurity due to the abrupt job loss by indigenous persons outside the CHT. Since many indigenous persons most in need of assistance lived in remote areas difficult to access by vehicles, many indigenous communities reported receiving no government assistance.

In November 2020 business conglomerate Sikder Group, in partnership with the Bangladesh Army Welfare Trust, started constructing a five-star hotel and tourist resort on Chimbuk Hill, located in the CHT, despite protests from the Mro, the resident indigenous community, regarding resulting evictions. According to activists, the project would displace 115 Mro families in four villages and lead to a larger estimated displacement of 10,000 persons. Indigenous rights groups stated the land in question is held under customary law by the tribal community for its own use, and transfer of such land may only take place with the informed consent of the indigenous residents. According to these groups, the proposed project site was critical to subsistence crop cultivation, the sole source of livelihood for the Mro people. In January a video circulated showing a confrontation between Mro villages and persons at the hotel construction site.

Indigenous communities in areas other than the CHT reported the loss of land to Bengali Muslims, and indigenous peoples' advocacy groups reported deforestation to support Rohingya refugee camps and other commercial pursuits caused severe environmental degradation in their land, adversely affecting their livelihoods. The government continued construction projects on land traditionally owned by indigenous communities in the Moulvibazar and Modhupur forest areas.

The central government retained authority over land use. The land commission, designed to investigate and return all illegally acquired land, did not resolve any disputes during the year. According to one organization, Naika Mardi, an indigenous person and Liberation War fighter, was unable to register 0.04 acres of land to his name, even after trying for 10 years. Madi had been living on this land since before independence in 1971.

The Chakma and Marma indigenous communities, organized under different political groups, engaged in intra-indigenous community violence. The factional clashes between and within the United Peoples' Democratic Forum and the Parbatya Chattagram Jana Samhati Samiti resulted mostly from the desire to establish supremacy in particular geographic areas. Media reported many leaders of these factions were engaged in extortion and smuggling of money, drugs, and arms. Meanwhile, the deaths and violence remained unresolved. NGOs and indigenous persons familiar with the situation warned intraparty violence in the CHT had risen sharply.

Reports of sexual assaults on indigenous women and children by Bengali neighbors or security personnel remained unresolved.

Children

Birth Registration: Individuals are born citizens if their parents were Bangladeshi citizens, if the nationality of the parents is unknown and the child is born in Bangladeshi territory, or if their fathers or grandfathers were born in the territories that were previously not part of the country. The government did not register births for nor extend citizenship to Rohingya refugees born in the country, although it permitted UNHCR to register births within the refugee camps. If a person qualifies for citizenship through ancestry, the father or grandfather must have been a permanent resident of these territories in or after 1971. Birth registration is required to obtain a national identity card or passport.

Education: Education is free and compulsory through eighth grade by law, and the government offered subsidies to parents to keep girls in class through 10th grade. Teacher fees, books, and uniforms remained prohibitively costly for many families, despite free classes, and the government distributed hundreds of millions of free textbooks to increase access to education. Enrollments in primary schools showed gender parity, but completion rates fell in secondary school, with more boys than girls completing that level. Early and forced marriage was a factor in girls' attrition from secondary school. Numerous civil society organizations stated many families of school-aged children struggled to find access to the internet in order to benefit from online schooling during the pandemic.

Child Abuse: Many forms of child abuse, including sexual abuse, physical and humiliating punishment, child abandonment, kidnapping, and trafficking, continued to be serious and widespread. Children were vulnerable to abuse in all settings: home, community, school, residential institutions, and the workplace. The law prohibits child abuse and neglect with the penalty for conviction up to five years' imprisonment, a fine, or both. According to Bangladesh Shishu Adhikar Forum (BSAF), a network of child rights NGOs, the law was not fully implemented, and juvenile cases – like many other criminal cases – often lagged in the judicial system. The Department of Social Services, under the Ministry of Social Welfare, operated “Child Helpline – 1098,” a free telephone service designed to help children facing violence, abuse, and exploitation. The hotline received approximately 80,000 calls a year on average and was accessible from anywhere in the country. The hotline center provided services such as rescue, referral, and counseling.

ASK reported a total of 453 cases of violence against children were filed in the first half of the year.

Odhikar reported child rape increased alarmingly during the year. According to a survey, 64 percent of rape survivors in Chittagong were children and adolescents. A 2019 BSAF report on child rape stated children as young as two were among the rape survivors and cited a failure of the law-and-order situation in the country as reason for the increase in child rape. In BSAF's 2020 report, the domestic organization Human Rights Support Society reported 850 children were raped and 136 violent incidents were committed against children.

During the year former students detailed multiple allegations of sex abuse at the hands of teachers and older pupils in Islamic madrassas. In May a former leader of the Chhatra League raped a ninth-grade madrassa student. Family members later rescued the girl, finding her in critical condition. The man beat the girl's father when he demanded justice. In September a father of a nine-year-old girl in Cox's Bazar accused his daughter's teacher of raping her inside a local madrassa. Many smaller schools had few teachers and no oversight from governing bodies.

Despite advances, including establishing a monitoring agency in the Ministry of Home Affairs, trafficking of children and inadequate care and protection for survivors of trafficking continued to be problems. Child labor and abuse at the workplace remained problems in certain industries, mostly in the informal sector, and child domestic workers were vulnerable to all forms of abuse at their informal workplaces.

Child, Early, and Forced Marriage:

The legal age of marriage is 18 for women and 21 for men. The law includes a provision for marriages of women

and men at any age in “special circumstances.”

In a 2020 report UNICEF reported 51 percent of women married before age 18, down from 59 percent estimated in its 2018 report.

On June 26, media reported Shahin Hawladar, a 60-year-old man and Kanakdia union chairman and member of the ruling party, married a 14-year-old girl after he arbitrated the girl’s and her 19-year-old boyfriend’s elopement. Hawladar, who was already married with two children, presented legal documents alleging the girl was 18. On June 28, he divorced the girl and handed her over to her father. On June 29, a case was filed against Hawladar and five others for forcibly marrying the underaged girl. Police were instructed to investigate the case, and a court initially suspended Hawladar from his chairmanship, but the decision was stayed on appeal.

To reduce early and forced marriages, the government offered stipends for girls’ school expenses beyond the compulsory fifth-grade level. The government and NGOs conducted workshops and public events to teach parents the importance of their daughters waiting until age 18 before marrying. The government also launched 4,800 clubs around the country, reaching more than 150,000 adolescents. The structure of each club included approximately 20 young girls and 10 boys, who worked together on their own empowerment projects. Activities included educational awareness, advocacy, and life-skills training.

According to the Ministry of Women and Children’s Affairs, two mobile services were available to report cases of child marriage and other services: the Joya App and a “109 Hotline.” According to the ministry, more than 1,000 girls used the hotline every day.

Numerous civil society organizations cited cause-and-effect relationships between the extended school closures due to the pandemic and an increased risk of school dropouts and child marriage. According to these organizations, child marriage increased by 13 percent in 2020 due to the pandemic. On July 29, the Ministry of Women and Children’s Affairs in partnership with international and local partners, launched an “Actions to Prevent Child Marriage in Bangladesh” campaign designed to encourage families to condemn the harmful practice of child marriage and help advance the objectives of the government’s 10-year *National Plan of Action to End Child Marriage (2018-2030)*. Part of that campaign includes the “One Million Pledge to End Child Marriage in Bangladesh,” a pledge drive focused on community engagement, capacity development, mass media mobilization, and advocacy.

Sexual Exploitation of Children: The penalty for conviction of sexual exploitation of children is 10 years’ to life imprisonment. Child pornography and selling or distributing such material is prohibited. A 2019 report of the NGO Terre des Hommes-Netherlands stated street children were the most vulnerable to sexual exploitation but had little legal redress due to a lack of social and financial support and a lengthy criminal justice system. The report stated although the government took “necessary legal and institutional measures to combat commercial sexual exploitation, children face multiple challenges in accessing justice.” The report found 75 percent of female children living on Dhaka streets were at risk of sexual exploitation, with an estimated 30,000 girls sexually exploited. The government, through the help of several organizations, worked to improve the quality of life of the country’s estimated 1.5 million street children and provide them access to education, health care, shelter, and safe employment opportunities.

Underage girls trafficked in brothels were able to produce notarized certificates stating they were older than age 18, and some NGOs claimed corrupt government and law enforcement officials condoned or facilitated these practices. In addition to cross-border trafficking, traffickers lured girls from around the country into domestic commercial sexual exploitation in legal and illegal brothels and hotels.

Displaced Children: See section 2.f.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

There was no Jewish community in the country. Politicians and imams used anti-Semitic statements, reportedly to gain support from their constituencies.

Trafficking in Persons

See the State Department’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law provides for equal treatment and freedom from discrimination for persons with disabilities, and the government took mostly effective measures to enforce these provisions. NGOs reported the government took cases of violence based on discrimination against persons with disabilities seriously, and it acted to investigate and punish those responsible for violence and abuses against those with disabilities. Nonetheless, civil society reported those with disabilities were the most vulnerable group throughout the pandemic, especially women and girls.

Executive Director Badiul Alam of Bangladesh Protibandhi Unnayan Sangstha (BPUS), a local NGO that has supported more than 7,000 persons with disabilities, estimated 15 to 20 million individuals, or 10 percent of the population, possessed some form of disability. BPUS estimated more than 60 percent of the disability population lived in rural areas without access to government support.

In 2020 the government passed the National Building Construction Act. Although the law requires physical structures be made accessible to those with disabilities, the government did not implement the law effectively. For example, government buildings had no accommodations for persons with disabilities. The law calls for the establishment of local committees to expedite implementation of the law, but most committees had not been activated. In some cases local authorities were not aware of their responsibilities under this law.

The law requires persons with disabilities to register for identity cards to track their enrollment in educational institutions and access to jobs. This registration allows them to be included in voter lists, to cast votes, and to participate in elections. The law states no person, organization, authority, or corporation shall discriminate against persons with disabilities and allows for fines or three years' imprisonment for conviction of not giving unequal treatment for school, work, or inheritance based on disability, although implementation of the law was uneven. Local NGOs estimated 50 to 60 percent of those with disabilities were unable to exercise their right to vote, as voting centers lacked accommodations for persons with disabilities. Most polling centers had no access to priority voting and no assistive tools such as braille ballots for visually impaired persons to vote confidentially. A 27-member National Coordination Committee is charged with coordinating relevant activities among all government organizations and private bodies to fulfill the objectives of the law. Implementation of the law was slow, delaying the formation and functioning of Disability Rights and Protection Committees required by the legislation. Civil society organizations advocated the inclusion of those with disabilities in the national parliament, stressing representation would ensure their needs are taken into consideration during decision making.

According to the NGO Action against Disability, some children with disabilities did not attend public school due to lack of accommodation, but data were not readily available. The government trained teachers on inclusive education and recruited disability specialists at the district level. The government also allocated stipends for students with disabilities. A peer-reviewed study released in July 2020 found many families with children with disabilities lacked knowledge and access to government programs and benefits.

The law affords persons with disabilities the same access to information rights as other persons, but family and community dynamics often influenced whether these rights were exercised. Additionally, many organizations reported persons with visual disabilities experienced difficulties accessing technology, depriving them of equal access to education, information, health, and other basic human rights. While individuals reported government websites contained more user-friendly services for persons with disabilities, they also reported information for persons with disabilities was usually uploaded on portals as scanned documents, which made it incompatible for software used by visually impaired persons. Community members reported documents uploaded in formats readable by assistive technology would make a positive difference. The government provided visually impaired students with accessible books every year and was working on a National Web Accessibility Guideline to make all government services accessible to persons with disabilities through a national web portal.

The law identifies persons with disabilities as a priority group for government-sponsored legal services. The Ministry of Social Welfare, the Department of Social Services, and the National Foundation for the Development of the Disabled are the government agencies responsible for protecting the rights of persons with disabilities. Activists reported the government's plan of action for ensuring rights of women and girls with disabilities needed strengthening.

The government took action to investigate those responsible for violence and abuses against persons with disabilities. The government plans to make its national helpline more inclusive and accessible.

Government facilities for treating persons with mental disabilities were inadequate. The Ministry of Health established child development centers in all public medical colleges to assess neurological disabilities. Several private initiatives existed for medical and vocational rehabilitation as well as for employment of persons with disabilities. National and international NGOs provided services and advocated for persons with disabilities. The government operates 103 disability information and service centers in all 64 districts, where local authorities provided free rehabilitation services and assistive devices. The government also promoted autism research and awareness. The government inaugurated an electronic system to disburse social welfare payments, including disability allowances. Activists reported the monthly government allowance for persons with disabilities was 775 taka (nine dollars) and requested the government consider increasing the allowance in the national budget.

Government inaction limited the rights of persons with disabilities to participate in civic life, including accessibility during elections.

HIV and AIDS Social Stigma

Civil society organizations and LGBTQI+ activists often cited social stigma against HIV and AIDS and against higher-risk populations as a barrier for accessing health services, especially for the transgender community and men who have sex with men. Mental health care was a top concern, and according to these groups, mental health-care providers tended to use moralistic terms to shame LGBTQI+ persons. In terms of physical health care, many practitioners expressed discomfort in discussing sexual activity, and shamed patients who discussed sexually transmitted infections. Neither PrEP nor PEP, pre- and post-exposure medications that prevent transmittal of HIV

during sex, were available in the country. The government made HIV testing free of cost, but stigma regarding testing and seeking treatment remained strong. On October 19, the government published national antiretroviral therapy guidelines to outline efforts to increase treatment availability around the country.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

Same-sex sexual conduct is illegal under the penal code. The government did not actively enforce the law. LGBTQI+ groups reported the government retained the law because of societal pressure. LGBTQI+ groups reported police used the law as a pretext to harass LGBTQI+ individuals and individuals who were perceived to be LGBTQI+ regardless of their sexual orientation, as well as to limit registration of LGBTQI+ organizations. Some groups also reported harassment under a suspicious-behavior provision of the police code. The transgender population has long been a marginalized but recognized as part of society. Nevertheless, it experienced continued high levels of fear, harassment, and law enforcement contact in the wake of violent extremist attacks. Police investigation and prosecution of those complicit in violence or crimes against LGBTQI+ individuals remained rare.

Members of LGBTQI+ communities received threatening messages via telephone, text, and social media, and some were harassed by police. They stressed the need for online and physical security due to continued threats of physical violence. In August an antiterrorism tribunal sentenced six individuals to death in the killing of two gay men five years ago, Mahbub Rabbi Tonoy and Xulhaz Mannan, an editor of the country’s first gay rights magazine and a prominent gay rights activist.

The law does not prohibit discrimination against LGBTQI+ persons in housing, employment, nationality laws, and access to government services such as health care. LGBTQI+ groups reported official discrimination in employment and occupation, housing, and access to government services including health care and access to justice.

While some transgender women in the country identified as *hijra* (a cultural South Asian term for some transgender women as well as some intersex and gender non-conforming individuals), due to an affinity for the hijra subculture or a desire for increased social protection, not all chose to do so. Many transgender women asserted their transgender identities and corrected those who identified them as hijra. Meanwhile, transgender men received little support or tolerance, particularly in poor and rural communities. Some conservative clerics decried the transgender community and sharply distinguished it from the hijra identity, saying the latter would be tolerable while the former remains unacceptable.

Organizations specifically assisting lesbians continued to be rare. Strong social stigma based on sexual orientation was common and prevented open discussion of the subject.

Although the government made some progress in promoting social acceptance of hijra persons, a small segment of the community, the government made limited efforts to promote the rights of others in the LGBTQI+ community. On September 16, the director general of the Bangladesh Bureau of Statistics announced the national census would include hijra as a “third gender” category; the census was scheduled to be conducted in 2022.

Other Societal Violence or Discrimination

The issuance of illegal fatwas and village arbitration, which a prominent local NGO defined as rulings given by community leaders rather than religious scholars, also occurred.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right to join unions and, with government approval, the right to form a union, although labor rights organizations reported high levels of rejections for trade union registration and an overly complicated registration process. The law requires a minimum of 20 percent of an enterprise’s total workforce to agree to be members before the Department of Labor under the Ministry of Labor and Employment (MOLE) may grant approval for registration of a union. The department may request a labor court dissolve the union if membership falls below 20 percent. Generally, the law allows only wall-to-wall (entire factory) bargaining units. NGOs reported the Registrar of Trade Unions regularly abused its discretion and denied applications without reason, for reasons not recognized in law or regulation, or by fabricating shortcomings in the application. One union representative explained she had completed all paperwork to form a union and had support from 30 percent of workers, but the union registration was rejected by the Department of Labor because the factory claimed it had hundreds of additional employees. Organizers’ names were shared with the factory owner, and all were fired. Furthermore, the department did not allow more than one union per garment factory. Labor leaders reported unions sympathetic to management received quick approvals to organize.

The labor law definition of workers excludes managerial, supervisory, and administrative staff. Firefighting staff, security guards, and employers’ confidential assistants are not entitled to join a union. Civil service and security force employees are prohibited from forming unions.

The law continued to ban trade unions and severely restricted the right to organize and bargain collectively for the nearly 430,000 workers in export-processing zones (EPZs). Worker welfare associations (WWAs), dominated by the Bangladesh Export Processing Zones Authority (BEPZA), continued to replace the function of independent, democratically elected unions in EPZs. The law limits inspection and greatly restricts the right to strike, giving

BEPZA’s chairperson discretion to ban any strike viewed as prejudicial to the public interest. The law provides for EPZ labor tribunals, appellate tribunals, and conciliators, but those institutions were not established. Instead, eight labor courts and one appellate labor court heard EPZ cases. More than 50 percent of WWAs in one zone of the EPZ must approve a federation, and they were prohibited from establishing any connection to outside political parties, unions, federations, or NGOs. Except for limitations on the right of association and worker protections in the EPZs, the labor law prohibits antiunion discrimination. A labor court may order the reinstatement of workers fired for union activities, but reinstatement was rarely awarded.

The Department of Labor may deregister unions for other reasons with the approval of a labor court. The law affords unions the right of appeal in the cases of dissolution or denial of registration. Unfair labor practices, including antiunion discrimination, were expressly prohibited, but 2018 amendments to labor law halved penalties for both employers and workers. The labor law and rules amendment process continued, as indicated in a roadmap the government submitted to the International Labor Organization (ILO). Workers were often charged with unfair labor practices; employers rarely were. The government did not effectively enforce applicable laws. Penalties were not commensurate with those for other laws involving denials of civil rights. The law provides for the right to conduct legal strikes but with many limitations. For example, the government may prohibit a strike deemed to pose a “serious hardship to the community” and may terminate any strike lasting more than 30 days. The law additionally prohibits strikes for the first three years of commercial production if the factory was built with foreign investment or owned by a foreign investor.

The law establishes mechanisms for conciliation, arbitration, and dispute resolution by a labor court. The Department of Labor has the authority to deal with unfair labor practices, while the Department of Inspection for Factories and Establishments (DIFE) has the authority to mediate wage-related disputes, but their decisions were not binding. The government reported 20 complaints were filed for unfair labor practices from January to December 1; six were resolved according to the law and standard operating procedures, four investigations were completed, and 10 remained open. Trade union federations reported they have stopped filing unfair labor cases due to the enormous backlog of existing cases in labor courts.

The law establishes that workers in a collective-bargaining union have the right to strike in the event of a failure to reach a settlement. Few strikes followed the cumbersome legal requirements, however, and strikes or walkouts often occurred spontaneously. According to the law, at least 75 percent of union employees must support strike action. Work stoppages, strikes, and workplace actions were prevalent during the year in several sectors, and they generally concerned past-due wages, improper or illegal shutdowns, layoffs, terminations, and discrimination. The COVID-19 pandemic exacerbated these problems.

In July the workers of Style Craft factory in Gazipur agitated in front of the Labor Ministry building for 10 days, demanding arrears. Despite repeated meetings of MOLE with the employers, there was still no progress as to the payment of the arrears. According to the Industrial Police, the factory had 3,200 workers who did not receive wages after the factory announced sudden closure of its operation. The workers stated wages were in arrears for four to nine months and that their total due was more than 700 million taka (\$8.14 million); however, the factory owner wanted to pay less than 25 million taka (\$290,698).

On June 13, a female ready-made-garments (RMG) factory worker, Jesmin Begum, died and 35 others were injured as police clashed with 500-600 former workers demonstrating peacefully for the payment of arrears in front of the Dhaka EPZ. Police fired tear gas, rubber bullets, and used charged batons and water cannons to disperse the workers of Lenny Fashions Ltd, Lenny Apparels Ltd and A One Fashions Ltd., some of whom in return threw bricks at police, according to a local trade union leader. Union leaders said Begum died after being hit by rubber bullets, although police alleged she critically injured her head as she bumped into a pole while fleeing. In January the three referenced factories allegedly closed without clearing workers arrears, and thereafter former workers periodically demonstrated to protest. Dhaka EPZ authorities stated they were trying to sell the closed factories to clear the workers’ arrears.

On April 17, media reported at least seven workers were killed, and dozens injured after police opened fire on a crowd of workers demanding payment of unpaid wages and a pay raise at a Chinese-backed power plant. Police opened fire after approximately 2,000 protesters began hurling bricks and stones at officers at the construction site of the coal-fired plant in the southeastern city of Chittagong. The workers were protesting regarding unpaid wages, a pay raise, and reduced hours during the holy month of Ramadan, which started the same week as the protest.

According to the labor rights organization Solidarity Center, union registration applications and approvals have declined significantly since 2013 and that workers faced significant challenges registering unions. Despite the adoption of standard operating procedures for union registration in 2017, Solidarity Center reported the process routinely took longer than the 60-day maximum time, and nearly half of all union applications were arbitrarily denied. From January to December 1, Solidarity Center’s partners assisted 10 unions with their registration, and to date only one was approved, three were rejected, and six were pending approval. The government reported receiving 233 total valid applications during the year and approved 190, rejected 31, with the remainder still to be reviewed.

Workers in the RMG sector reported resistance when seeking to establish unions and engage in collective bargaining. In a 2018 survey, the Centre for Policy Dialogue, a local think tank, collected data from 3,856 RMG factories employing 3.6 million workers and found 97.5 percent of them had no union. During the year MOLE reported the RMG sector had 1,006 active trade unions and 1,951 participation committees. Labor leaders claimed much lower numbers of trade unions and asserted while there are perhaps 80 to 90 active unions, only 30 to 40

actually negotiated because intimidation, corruption, and violence continued to constrain union organizing. The ministry reported the shrimp sector had 16 unions. Only 70 tanneries were unionized under the sector’s single union. The tea sector had one union, the largest in the country, representing 95,000 to 100,000 workers. Labor regulations do not clearly provide a legal basis for collective bargaining at the industrial, sectoral, and national levels.

Labor rights groups reported workers routinely faced retaliation and violence for asserting their rights under the law, including organizing unions, raising concerns, or even attending union information sessions. For example, on August 6, the Bangladesh Industrial Police (BIP) filed a criminal case against the general secretary of the Bangladesh Garment and Industrial Workers Federation and other union leaders and members that the Solidarity Center characterized as a case of retaliation for attempting to organize. Workers at the Crossline garment factories in the city of Gazipur failed to register two unions and accused factory management of violating labor laws. These deep disagreements with management led to protests, BIP intervention, and violence on both sides; in response, Crossline filed criminal charges against up to 200 of its factory workers and dismissed others who had led the push to unionize.

Workers in unions were subjected to police violence, mass dismissals, and arrests of union leaders for asserting their rights to protest. Police intimidated unions in the RMG sector by frequently visiting their meetings and offices, photographing or recording meetings, and monitoring NGOs supporting trade unions. The International Trade Union Confederation (ITUC) noted major discrepancies in labor legislation that do not align with the standards of the ILO and emphasized concerns regarding police crackdowns on workers protesting wages. ITUC also called for more measures to restrain interference in union elections. In September Geneva-based IndustriALL Global Union reported police first banned several union meetings and then physically stopped participants from joining a meeting where a regional committee of the IndustriALL Bangladesh Council was to be formed. According to labor law, every factory with more than 50 employees is required to have a participation committee (PC). The law states there shall not be any participation committee if any registered trade union exists in a factory. Employers often selected or appointed workers for the PC instead of permitting worker elections to determine those positions. Employers also failed to comply with laws and regulations that provided for the effectiveness and independence of PCs.

Workers from several factories also asserted that since August 2018, Bangladesh Garments Manufacturer and Exporters Association (BGMEA) and factory owners allegedly used a database of RMG workers to blacklist those who brought demands to management or tried to form unions. Although created after the 2013 Rana Plaza collapse to have a record of workers (and potential victims of future disasters), the database served to track known union organizers or anyone who has brought a complaint to management to prevent these staff from finding employment at any other factory. Labor organizations also cited examples of factory owners willing to pay up to one million taka (\$11,628) to the Department of Labor to dismiss a union registration application, or to share the names of organizers.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor outside prisons, but the government did not effectively enforce the law. Criminal penalties for forced or bonded labor offenses were commensurate with those for other analogous serious crimes. Inspection mechanisms that enforce laws against forced labor did not function effectively. Resources, inspections, and remediation efforts were inadequate. The law also requires that victims of forced labor have access to shelter and other protective services afforded to trafficking victims, but the government did not always provide such services.

During the past year, law enforcement conducted fewer investigations and denied credible reports of official complicity in hundreds of forced labor and commercial sexual exploitation cases. The government did not provide sufficient victim protective services, nor did it consistently follow victim identification procedures. There were no government-owned shelters for adult male victims.

Some individuals recruited to work overseas with fraudulent employment offers subsequently were exploited abroad under conditions of forced labor or debt bondage. Many migrant workers assumed debt to pay high recruitment fees imposed legally by recruitment agencies belonging to the Bangladesh Association of International Recruiting Agencies and illegally by unlicensed subagents.

Children and adults were also forced into domestic servitude and bonded labor that involved restricted movement, nonpayment of wages, threats, and physical or sexual abuse (see section 7.c.). In December 2020 police rescued four workers who were being tortured in confinement at a brickfield and arrested seven individuals, including owners of the kiln. According to DIFE, at least 297 abuse cases were pending at labor courts across the country, while 106 cases were pending in Dhaka and 60 in Narayanganj. The cases were mostly filed under Section 326 of the penal code for voluntarily causing grievous hurt, assault, and torture at brick kilns. According to the ILO, significant number of child laborers were employed in the various chores at the brick kiln. To complete these tasks, which required no special skill, kiln operators and their agents targeted poverty-stricken villages and urban slums to recruit unskilled laborers.

Traffickers exploited workers in forced labor through debt-based coercion and bonded labor in the shrimp and fish-processing industries, aluminum and garment factories, brick kilns, dry fish production, and shipbreaking. NGOs reported officials permit traffickers to recruit and operate at India-Bangladesh border crossings and maritime embarkation points.

The more than 907,000 Rohingya men, women, and children in refugee camps, who did not have access to formal schooling or livelihoods, were vulnerable to forced labor and commercial sexual exploitation, particularly by local criminal networks. International organizations reported that officials took bribes from traffickers to access refugee camps.

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law does not prohibit all the worst forms of child labor. The law regulates child employment, and the regulations depended on the type of work and the child’s age. The law establishes the minimum age for work at 14, and the minimum age for hazardous work at 18, with no exceptions. Minors may work up to five hours per day and 30 hours per week in factories and mines or up to seven hours per day and 42 hours per week in other types of workplaces. By law every child must attend school through eighth grade.

In accordance with the law, the government has declared 38 hazardous sectors where child labor is prohibited, but hazardous domestic work, fish drying, brick production, stone collection, and brick and stone-breaking sectors were not included in that list. Even in sectors declared hazardous, child labor persists, with the government declaring only eight of the 38 listed sectors free of child labor. Trade union leaders pointed to domestic work, local garments production for domestic consumption, fish drying, and brick kilns as the biggest users of child and bonded labor.

The government continued to fund and participate in programs to eliminate or prevent child labor, including building schools and a three billion-taka (\$35 million) government-funded three-year project that began in 2018 and removed approximately 90,000 children from hazardous jobs. In 2019 the program reintegrated 1,254 children into schools and provided rehabilitation for 3,501 children as well as livelihood support for their parents. In July DIFE stated that in the 2020-21 fiscal year, DIFE had already removed 5,800 child workers. On October 26, MOLE signed agreements with 112 NGOs to eliminate risky child labor. According to the agreements, 100,000 children would be removed from hazardous work in the fourth phase of the project, at a cost of more than 2.85 billion taka (\$33.1 million).

MOLE enforcement mechanisms were insufficient for the large, urban informal sector, and authorities rarely enforced child labor laws outside the export-garment and shrimp-processing sectors. Penalties were not commensurate with those for other analogous serious crimes, such as kidnapping. DIFE enforced child labor laws in 42 sectors, and during the 2020-21 fiscal year it targeted six hazardous sectors, engineering workshops, bakery, transport, plastic, food-processing factories, and restaurants, for complete elimination of child labor. Labor inspectors were not authorized to assess penalties; they have the power only to send legal notices and file cases in court. Even when the courts imposed fines, however, they were too low to deter child labor violations.

Agriculture and other informal sectors that had no government oversight employed large numbers of children. The government found children working eight to 10 hours per day in restaurants, engineering workshops, local transportation, and domestic work. The government also reported underage children were found in almost all sectors except the export-oriented RMG, shrimp, tannery, ship breaking, silk production, ceramic, glass, and export-oriented leather goods and footwear sectors.

Children engaged in the worst forms of child labor in the production of bidis (hand-rolled cigarettes), furniture and steel, matches, poultry, salt, soap, textiles, and jute, including forced child labor in the production of dried fish and bricks. Children also performed dangerous tasks in the production of garments and leather goods bound for the local market, where the Bangladesh Labor Foundation reported 58 percent of workers were younger than 18, and 18 percent were younger than age 15.

According to a 2016 Overseas Development Institute report based on a survey of 2,700 households in Dhaka’s slums, 15 percent of children ages six to 14 were engaged in full-time work and not in school. These children were working well beyond the 42-hour limit set by national legislation. In a 2006 survey conducted by an international organization, more than 400,000 children were found engaged in domestic work. Children engaged in forced labor in the leather industry and in criminal activities, such as forced begging and the production and transport of drugs. In begging rings, traffickers abused children to increase earnings.

Rohingya children residing in refugee camps were vulnerable to forced labor. Rohingya girls were trafficked from the camps to Dhaka or foreign countries for domestic servitude. Rohingya children recruited to work outside the refugee camps were reportedly underpaid or unpaid, subjected to excessive working hours, or in bonded labor as shop hands, domestic workers, fishermen, and rickshaw pullers.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

The labor law prohibits wage discrimination based on sex or disability, but it does not prohibit other discrimination based on sex, disability, social status, caste, sexual orientation, or similar factors. The constitution prohibits adverse discrimination by the state based on religion, race, caste, sex, or place of birth and expressly extends that prohibition

to government employment; it allows affirmative action programs for the benefit of disadvantaged populations. The law does not describe a penalty for discrimination. The government did not effectively enforce the law, and the penalties were not commensurate with those for similar crimes.

The garment sector traditionally offered greater employment opportunities for women. Women represented most garment-sector workers, making up more than 50 percent of the total RMG workforce, according to official statistics, although statistics were unreliable and varied widely due to a lack of data. Women were generally underrepresented in supervisory and management positions and generally earned less than their male counterparts, even when performing similar functions. A 2017 Oxford University and Center for Economic Research and Graduate Education Economics Institute study found women earned lower wages in export-oriented garment factories, even after controlling for worker productivity. According to the study, approximately two-thirds of the wage gap remained even after controlling for skills, which the study attributed to higher mobility for male workers. Additionally, former BGMEA president Rubana Haq noted the perception women were less able to adapt to increasing automation in the garment sector, leading factories to lay off many female workers. Women were also subjected to abuse in factories, including sexual harassment. Solidarity Center partners reported there were no antiharassment committees in garment factories, but the Garment Exporters’ Association announced it had visited more than 1,100 factories to confirm the committees had been established.

In the tea industry, female workers faced discrimination. Male workers received rice rations for their female spouses, but female tea-workers’ spouses were not given rice rations, as they were not considered dependents.

Some religious, ethnic, and other minorities reported discrimination, particularly in the private sector (see section 6).

The laws prohibiting adolescents from participating in dangerous work specify that women are equal to adolescents and are, therefore, prohibited from working with hazardous machinery, cleaning machinery in motion, working between moving parts, or working underground or underwater.

e. Acceptable Conditions of Work

Wage and Hour Laws:

The National Minimum Wage Board established minimum monthly wages on a sector-by-sector basis. The minimum wage was not indexed to inflation, but the board occasionally made cost-of-living adjustments to wages in some sectors. None of the set minimum wages provided a sufficient standard of living for urban dwellers, but many were above the poverty level. Failure to pay the specified minimum wage is punishable by a jail term up to one year, a fine, or both, and the employer should have to pay owed wages. In March the government identified seven more industrial sectors (tiles and ceramics, commercial amusement parks, battery manufacturing, fish drying, private airlines, stone crushing, and information technology parks) to set monthly wages according to minimum wage regulations. There are 43 sectors under minimum wage regulation.

By law a standard workday is eight hours. A standard workweek is 48 hours, but it may be extended to 60 hours, subject to the payment of an overtime allowance that is double the basic wage. Overtime may not be compulsory. Workers must have one hour of rest if they work for more than six hours a day, or a half hour of rest for more than five hours’ work per day. The law states that every worker should be allowed at least 11 festival holidays with full wages in a year, fixed by the employer in consultation with the collective bargaining agent (CBA), if any. Factory workers were supposed to receive one day off every week. Shop workers received one and one-half days off per week. The labor law did not specify a penalty for forced overtime or failing to pay overtime wages.

Occupational Safety and Health: The law establishes occupational health and safety standards, and amendments to the law created mandatory worker safety committees. The labor law specified sanctions when failure to comply caused harm; for loss of life, violators are subject to a four-year jail term, a fine, or both; for serious injury, a two-year jail term, a fine, or both; and for injury or danger violators face a six-month jail term, a fine, or both. Penalties for violations of occupational safety and health laws were commensurate with those for crimes such as negligence.

Labor law implementing rules outline the process for forming occupational safety and health committees in factories, and the government reported approximately 2,175 safety committees had been formed since July 2018. The committees included both management and workers nominated by the CBA or, in absence of CBA, workers representatives of the factory’s worker participation committee. Where there was no union or worker participation committee, the Department of Labor is responsible for arranging participation committee elections.

The government did not enforce the law. DIFE’s resources were inadequate to inspect and remediate problems effectively. DIFE labor inspectors only have the authority to make unannounced inspections in non-EPZ factories, as BEPZA is the sole authority overseeing EPZs. DIFE inspectors do not have the authority to initiate sanctions; they may notify establishments of violations in writing and file complaints in labor courts. DIFE regularly filed cases in the labor courts against employers for administrative violations of the law, such as not maintaining documents. MOLE reported DIFE has filed cases against some factories for failure to pay minimum wages and overtime during the year, but labor organizations had not seen any cases. There were also criticisms regarding DIFE’s complaint mechanism. A worker must enter his or her name, position, and identity number in DIFE’s complaint form. Once the complaint is received, DIFE issues a letter to factory management with reference to the complaint form. This provided inadequate protections to workers and raised doubts on the efficacy of the mechanism for filing complaints. In March, BEPZA launched a helpline telephone number for EPZ workers. After receiving complaints, BEPZA is supposed to send the complaint to the concerned EPZ authority to mitigate the complaint.

Although increased focus on the garment industry improved safety compliance in some garment factories, resources, inspections, and remediation were generally not adequate across sectors. Many RMG employers failed to adequately train workers on safety and hazardous materials, provide required equipment, or provide for functioning safety committees, all required by law. Legal limits on hours of work were violated routinely and a labor rights NGO found 95 percent of factories did not comply with overtime limits. Employers often required workers, including pregnant women, to labor 12 hours a day or more to meet quotas and export deadlines, but they did not always properly compensate workers for their time. According to Solidarity Center, workers often willingly worked overtime in excess of the legal limit. Employers in many cases delayed workers’ pay or denied full leave benefits.

According to a survey conducted by Occupational Safety, Health and Environment Foundation, at least 853 workers died during the year, and 236 others were seriously injured in workplace accidents, mostly in the informal sector. Another survey conducted by the Bangladesh Institute of Labor Studies found 146 workers injured in 276 labor unrest incidents from January to June. The unrest took place mostly in the garments sector due to issues with wages, factory closures, and layoffs. On July 9, a factory fire in Narayanganj, near Dhaka, killed 54 workers. Fire fighters reported key exits were locked and that some died after jumping off the six-story factory, which was owned by Hashem Food and Beverage and was a unit of the diversified conglomerate Sajeeb Group. Investigators found evidence of poor safety protocols on the factory floors, negligence and disregard for the safety of workers, inadequate government inspections, and child labor. In late July authorities arrested factory owner M.A. Hashem and filed murder charges against seven individuals. Subsequently, the owner received legal indemnity by offering 200,000 taka (\$2,326) as compensation to each of the families of the victims killed in the fire. In return for the monetary compensation, the families absolved the factory owner of all monetary liability for those who died in the fire.

The two Western brand-led initiatives that formed to address widespread structural, fire, and electrical safety issues in the garment sector after the 2013 Rana Plaza building collapse both ceased their operations in the country in 2020. The High Court had ordered Nirapon (the organization continuing the work of the Alliance for Bangladesh Worker Safety and representing most North American clothing brands) to suspend its audit and training activities after a factory reopened an old case against the Alliance to sue Nirapon. Also, under a court-ordered memorandum of understanding, the Accord on Fire and Building Safety in Bangladesh (“Accord,” consisting mostly of European brands), handed over its operations, staff, and relationships with garment-sector factories producing for Accord brands to the newly established Ready-Made Garment Sustainability Council, whose board included representation by industry, brands, and trade unions. The Ministry of Commerce formed the Government Coordination Council (GCC) during the year to supervise the activities of the RMG Sustainability Council (RSC), a private organization that oversees the safety standards at garment factories. The GCC is supposed to ensure the RSC’s activities do not conflict with other government regulatory bodies, coordinate the RSC’s work, resolve any grievances, and provide necessary guidance.

On September 1, the International Accord for Health and Safety in the Textile and Garment Industry agreement took effect. The agreement, formed between IndustriALL, another global union UNI, and brand signatories, aimed to broaden the accord’s legally binding safety inspection regime, feed into the RSC, and broaden safety inspections to include additional labor considerations such as wages and compensation and some worker-related rights. As of December 22, 160 brands were registered under the accord. The government reiterated the RSC was the sole inspection regime for RMG factories, and the BGMEA rejected the accord’s stated goals, suggesting application of the accord in the country might be unlawful.

Revisions to the building code were published that failed to meet basic international fire safety standards, and government oversight of building safety outside of the garment export sector remained limited. Although the brand-led Accord and Alliance improved structural, fire, and electrical safety conditions in 2,300 RMG factories manufacturing for Western brands, safety auditors reported fire detection and suppression systems in these factories often did not work following installation because they were not maintained properly. Several hundred additional RMG factories producing for domestic sale or for export to other foreign markets fell under the government’s National Initiative, which had not made much progress on safety remediation since its establishment in 2017. DIFE was developing an Industrial Safety Unit to launch in 2022 to oversee the National Initiative factories and, eventually, the safety of industries. The Remediation Coordination Cell identified 105 risky buildings in Dhaka, Gazipur, Narayanganj, and Chittagong.

Informal Sector: Few reliable labor statistics were available on the large informal sector that employed most workers, and labor laws do not cover informal employment. According to the *Labour Force Survey 2016-2017*, of a total of 61 million employed laborers in the country, 85 percent worked in the informal sector. Nearly 92 percent of women and 82 percent of men were involved in informal activities. In both urban and rural areas, women and youths were more likely to be in informal employment. Nearly half the workers in the informal sector had received no schooling.

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