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Bangladesh

Events of 2008

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A military-backed interim government ruled Bangladesh for the second year in a row in 2008 under a state of emergency. This was despite the absence of any visible internal or external threats justifying emergency rule. Fundamental rights were suspended during most of the year, but were partially restored in the run-up to parliamentary elections in December and the expected return to democratic rule.

In the second half of 2008, the government released dozens of senior politicians and businesspersons arrested in an anti-corruption drive initiated in 2007. Extrajudicial executions, custodial torture, arbitrary arrests, and impunity for members of the security forces continue to characterize the human rights situation in Bangladesh.

Political Developments

The military-backed government headed by “Chief Advisor” Fakhruddin Ahmed claimed to be a non-party “caretaker government” constitutionally mandated to undertake routine government functions and ensure that the Election Commission can hold free and fair parliamentary elections. However, it interpreted its mandate broadly, and throughout 2008 adopted dozens of ordinances with little or no direct link to preparations for national elections. In December 2007 the President issued an ordinance for the establishment of a National Human Rights Commission. At this writing, the commission had not yet been made operational.

Many of the country’s political and business leaders were detained and charged in an unprecedented and initially welcomed anti-corruption drive that began in 2007. The drive has been plagued by perceived political favoritism and has so far had limited impact in reducing overall corruption.

In the course of negotiations between the government and political parties over planned December 2008 elections, authorities released former prime ministers Khaleda Zia, leader of the Bangladesh Nationalist Party, and Sheikh Hasina, leader of the Awami League, together with dozens of other high profile prisoners who had been held on corruption-related charges.

Extrajudicial Killings

The police force and the Rapid Action Battalion(RAB)—an elite anti-crime and anti-terrorism force—continue to kill people in what the authorities refer to as “crossfire” killings, “encounters,” and “shootouts,” but which in fact are thinly disguised extrajudicial executions. After strong national and international criticism the number of killings decreased in 2007 and early 2008.

According to the human rights organization Odhikar, law enforcement officials killed 116 people between January 1 and September 30, 2008. Alleged members of outlawed left wing political parties are often targeted. On July 26, the mother of Dr. Mizanur Rahman Tutul, the head of the outlawed Purbo Banglar Communist Party (Red Flag faction), informed the media that RAB officers had arrested her son in Dhaka. She urged the government to save him from “crossfire.” According

to the police, Tutul was killed in a shootout between his group and the police on July 27, the day after his mother talked to the press.

Torture

Torture remains widespread in Bangladesh and is frequently used by law enforcement officials to coerce confessions in criminal investigations and to extort money. It is also used for politically motivated purposes against perceived government critics and alleged national security suspects. The bodies of those who are killed by RAB and the police regularly have physical marks and injuries indicating that they have been tortured.

After their release in 2008, businesspersons and politicians targeted in the government's anti-corruption campaign alleged that the Directorate General of Forces Intelligence (DGFI)—Bangladesh's most important military intelligence agency—illegally detained them at its offices inside the military cantonment in Dhaka for days or weeks and subjected them to physical torture, harsh interrogations methods, and sleep deprivation. Former detainees also allege that the DGFI used threats and extortion to force suspects to transfer arbitrary sums of money to state coffers and individual accounts.

Freedom of Expression and Assembly

Emergency provisions limiting the rights of expression and assembly remained in force during most of 2008, but the interim government lifted some restrictions in advance of elections.

Military and civilian government agencies have regularly interfered in the day-to-day work of the media. While direct intimidation and harassment of journalists was less frequent during the second part of 2008, members of DGFI provided "friendly advice" to journalists on editorial content and the media continued to exercise a high degree of self censorship, especially when reporting on allegations of corruption and other illegal acts by members of the armed forces. Military figures and their associates continue to increase their ownership of both electronic and print media.

2008 saw a sharp decrease in the number of criminal defamation cases filed against journalists. At this writing, no journalist had been murdered and none were known to be arbitrarily detained.

Law enforcement agencies continue to use excessive force to break up demonstrations. On May 19, the Bangladesh Rifles, a paramilitary law enforcement agency, reportedly injured at least 50 people demonstrating against an assault on a sub-district commissioner by members of the Rifles.

In June 2008 security forces detained thousands of grassroots political activists following the refusal of the major political parties to participate in a government-initiated dialogue about the country's political future until party leaders were released from detention. Most of those arrested were released shortly afterwards.

Freedom of Association

Union activities remain banned under the state of emergency. But factory workers continue to hold frequent, large-scale demonstrations protesting non-payment of salaries, below-minimum wages, and the failure of employers to respect basic labor standards. Several union and labor rights activists were arrested during 2008, while others went into hiding for fear of being subjected to harassment. In January 2008, National Security Intelligence agents arrested Mehedi Hasan of the Dhaka branch of the Worker Rights Consortium, an organization that monitors labor practices on behalf of US colleges and universities. Hasan was detained for ten days.

Women's Rights

Discrimination against women is common in both public and private spheres. There are few women in decision-making positions and women generally are paid lower wages than men. Maternal mortality rates remain extremely high, despite significant improvements over the past 20 years. Domestic violence is a daily reality for many women and dowry-related crimes are reported to be increasing.

Following adoption of a new National Women's Development Policy in March 2008, a number of Islamist groups organized violent protests, arguing that provisions calling for equality in acquisition and control of property violate Sharia inheritance rules. In response to the protests, the government established a committee of Islamic scholars which among other things recommended that references to equal rights be taken out of the policy. At this writing, it remained unclear whether the policy would be amended or its implementation shaped by the recommendations.

Privacy

Section 377 of Bangladesh's criminal code, an inheritance of British colonialism, punishes consensual homosexual conduct with up to life imprisonment.

Impunity

The interim government's efforts to hold people accountable for corruption stand in sharp contrast to its complete inaction with regard to abuses committed by members of the security forces. No progress has been made in recent years to address the longstanding problem of impunity and at this writing not a single member of the security forces had been sentenced to prison for extrajudicial killings or torture.

Impunity for security forces and officials has been further entrenched by a constitutional provision permitting authorities to suspend court enforcement of fundamental rights during the state of emergency.

Despite considerable civil society pressure, there has been no move by the interim government to prosecute individuals believed responsible for atrocities in the 1971 Bangladesh liberation war.

Human Rights Defenders

Bangladesh's NGO Affairs bureau, which approves projects and funding of NGOs, has created obstacles for some human rights organizations seeking permission to receive foreign donor funding. Organizations critical of the regime and outspoken against human rights abuses appear to be particularly affected. There were some reports of staff members of nongovernmental human rights organizations being harassed by members of the security forces.

Key International Actors

Foreign governments and intergovernmental organizations, including the US, UK, and EU, stressed the importance of parliamentary elections being held before the end of 2008 and publicly urged the interim government to relax or lift the state of emergency before the elections.

Several international donor agencies such as the Asia Development Bank, United Nations Development Programme, and World Bank are providing support to the government's anti-corruption efforts. They have rarely raised publicly any concerns about abuses resulting from the campaign.

The United Kingdom conducted human rights training for selected RAB members in 2008, apparently in hopes of future cooperation with RAB, on organized crime, Islamic militancy, and terrorism. The US also has explored possibilities for future cooperation. The EU and some foreign missions continue to raise concerns about extrajudicial executions and other

abuses.

Multinational companies buying garments from Bangladesh were slow in reacting to the state of emergency ban on trade union activities even though their own codes of conduct stress the importance of freedom of association. In September 2008 some major brands asked the interim government to lift restrictions on such activities

Bangladesh is due to be reviewed under the Universal Periodic Review mechanism of the UN Human Rights Council in February 2009.

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