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World Report 2012 - Bangladesh

Events of 2011

The Awami League government failed to use its significant parliamentary mandate in 2011 to push through policies to ensure strong protections of human rights. Instead of prosecuting members of the Rapid Action Battalion (RAB), who engage in extrajudicial killings, the home minister chose to deny that such violations occur, even in cases where internal ministry investigations found evidence of wrongdoing. The practice of disguising extrajudicial killings as "crossfire" killings seeped from the RAB into other law enforcement institutions, particularly the police. New allegations of torture, arbitrary arrest, and enforced disappearances by police continue to emerge.

The government in 2011 tightened controls over civil society organizations by prosecuting labor union leaders and delaying foreign grants to NGOs. At this writing a bill proposing restrictions on media, which would prohibit the broadcast of certain religious and political speech, was under consideration.

Violence against women including rape, dowry-related assaults, acid attacks, and sexual harassment continue.

Torture, Extrajudicial Killings, and Other Abuses

Despite strong evidence that security forces were continuing to arbitrarily arrest people, often torturing and then killing them in custody, the home minister refused to acknowledge the need for accountability. Prime Minister Sheikh Hasina said her government had zero tolerance for extrajudicial killings, but failed to properly investigate allegations and prosecute the perpetrators.

On May 21, 2011, William Gomes, a representative of the Asian Human Rights Commission, was allegedly picked up by plainclothes RAB personnel and taken to a place his abductors described as "headquarters," where he was stripped naked, had his hands and legs cuffed, was forced into stress position, and was verbally abused and threatened with physical torture. He was interrogated about his work documenting human rights violations.

In at least two cases, the Home Ministry ignored its own findings that RAB was responsible for wrongful killings. According to Odhikar, a Dhaka-based human rights organization, at least 1,600 people have been victims of extrajudicial killings since 2004. Before the Awami League came to power, its leaders had accused RAB of widespread extrajudicial killings; they now claim that all deaths occur during armed exchanges with criminals.

The military and police continue to employ torture and cruel, inhuman, or degrading punishment against suspects, violating both domestic and international law. Many deaths in custody are never investigated. According to Odhikar, at least 12 people died in custody due to police torture in 2011.

Trials for Bangladesh Rifles Abuses

Military tribunal hearings against members of the Bangladesh Rifles (BDR) accused of participating in a February 2009 mutiny continued through 2011. Military courts convicted nearly 1,000 soldiers in mass trials that did not meet fair trial standards, among other things because the prosecution failed to produce individualized evidence against each detainee. In a single trial that concluded on June 27, 657 of 666 defendants were found guilty and sentenced to prison terms ranging from four months to seven years.

Several thousand other soldiers remain in custody awaiting trial in military courts, while another 847 have been charged under the Bangladesh Criminal Code. Some of those charged under the criminal code face the death penalty and many do not have lawyers.

The government did not investigate allegations of torture and possibly as many as 70 custodial deaths during investigations after the mutiny. Many suspects were denied access to legal counsel, particularly in the few months directly after the mutiny.

Civil Society

The government increased surveillance of Odhikar and in particular, Adilur Rahman Khan, Odhikar's secretary advocate; threatening and harassing staff; and delaying approvals of projects.

After Nobel Peace Laureate Mohammad Yunus, founder of the Grameen Bank, was removed from his position at the bank because he had exceeded the mandatory retirement age, there were mysterious attacks on his supporters. In May Sagirur Rashid Chowdhury, an accounts officer at the bank, was picked up outside the office by plainclothes men. When he was released his body bore signs of severe beatings. He said his abductors had asked him to issue a public statement withdrawing support for Yunus. In September six women directors and one former director of the board of directors of the Grameen Bank, all beneficiaries of the microcredit system, suffered intimidation by police who came and searched their rooms.

The government continued legal action aimed at intimidating the Bangladesh Center for Worker Solidarity (BCWS), a trade union group. After revoking BCWS's registration one agency demanded that two union leaders, Kalpona Akhter and Babul Akhter, both facing criminal charges, resign as a precondition to renewed registration of the organization. BCWS has denied all allegations against it.

International Crimes Tribunal

To address fair trial concerns, the government in June 2011 amended the International Crimes (Tribunals) Act of 1973 to include some basic due process concerns, such as the right to the presumption of innocence and a fair and public hearing. But the law, established to prosecute those responsible for atrocities in the war of 1971, still fell short of international standards. The definitions of war crimes, crimes against humanity, and genocide did not conform to international standards and the government failed to amend the law to ensure due process. Defense lawyers, witnesses, and investigators said they had been threatened.

The tribunal in 2011 began proceedings in its first case, that of Jamaat-e-Islami leader Delawar Hossein Sayedee, accused of involvement in war crimes in the 1971 war.

Women's and Girls' Rights

Violence against women and girls and their discriminatory treatment under personal status laws persists. New cases were reported in 2011 of beatings, isolation, and other public humiliation of girls, all imposed following religious leaders' issuance of fatwas on issues such as talking to a man, pre-marital relations, having a child outside wedlock, and adultery. Women's groups are particularly concerned that such abuses continue even though the High Court division of the Bangladesh Supreme Court ordered government authorities to take preventive measures and prosecute perpetrators.

The Bangladesh parliament in 2011 enacted a law against domestic violence and rules are currently being framed for its implementation. The government also introduced a national policy to advance women's rights.

Recruiters in the Middle East are increasingly turning to Bangladesh to hire women domestic workers as other labor-sending countries tighten their regulations or impose bans in response to widespread exploitation. The Bangladeshi government has failed to introduce minimum protection measures for these workers during training or recruitment or to ensure that embassies abroad are adequately equipped with labor attaches and shelters to respond to cases of abuse.

Protection of Indigenous People

Bangladeshi authorities did little to prevent intensifying violence and discrimination against indigenous groups residing in the Chittagong Hill Tracts. There were repeated clashes between ethnic and religious minority groups and "settlers" who belong to the majority Bengali community. These clashes were in part a result of government failure to implement its agreement with the indigenous communities to protect their rights.

Key International Actors

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The United States and United Kingdom expressed concern in 2011 about continuing impunity for human rights violations by the RAB. Both countries have provided assistance and training for RAB, though the UK ended such programs in 2011. The US recommended creation of an independent unit to investigate allegations of torture, disappearances, and extrajudicial killings by the RAB.

Bangladesh and India signed trade and security agreements in 2011. Despite Indian government commitments to order its border forces to act with restraint against Bangladeshi nationals who cross into Indian territory, it failed to properly investigate and prosecute those responsible for abuses, including killings.

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