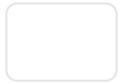


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Freedom in the World 2023 - Bangladesh

PARTLY FREE

40

/ 100

Political Rights 15 / 40

Civil Liberties 25 / 60

LAST YEAR'S SCORE & STATUS

39 / 100 Partly Free

Global freedom statuses are calculated on a weighted scale. See the methodology.

Overview

The ruling Awami League (AL) has consolidated political power through sustained harassment of the opposition and those perceived to be allied with it, as well as of critical media and voices in civil society. Corruption is endemic, and anticorruption efforts have been weakened by politicized enforcement. Due process guarantees are poorly upheld and security forces violate human rights with near impunity. Violence and discrimination against religious minorities and refugees, particularly Rohingya who have fled Myanmar, are significant problems.

Key Developments in 2022

- Bangladeshi security forces engaged in fewer extrajudicial killings during the year, after the US government sanctioned leaders of the elite Rapid Action Battalion (RAB). By February, human rights group Odhikar said that it recorded no such incidents, though security officers continued to engage in other abuses.
- The opposition Bangladesh Nationalist Party (BNP) was able to hold major rallies during the year, though AL supporters and authorities continued to disrupt rallies and clash with participants. At least 1 person died and another 60 were injured when police fired on BNP supporters during a December rally in Dhaka; two BNP leaders were then taken into custody for questioning.
- In June, the government revoked the registration of human rights group Odhikar, which documented human rights abuses in Bangladesh. The decision was upheld in September.

Political Rights

A Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

A largely ceremonial president, who serves for five years, is elected by the legislature. President Abdul Hamid was elected to his second term unopposed in 2018.

The leader of the party that wins the most seats in the unicameral National Parliament assumes the position of prime minister and wields effective power. Sheikh Hasina Wazed began her third term as prime minister in early 2019 following the AL's overwhelming victory in the 2018 elections, which were delegitimized by violence, credible allegations of fraud, and the exclusion of nonpartisan election monitors.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections? 1 / 4

The National Parliament is composed of 350 members, 300 of whom are directly elected. Political parties select a total of 50 women members based on the parties' share of elected seats.

In the December 2018 parliamentary election, the Grand Alliance, which is led by the AL, won 288 directly elected seats. The BNP-led National Unity Front won 8. Election day and the preceding campaign were marked by political violence, ballot stuffing, and harassment and arrest of government critics and opposition candidates and supporters. After the polls, the BNP alleged that law enforcement and the army were complicit in electoral fraud. Several domestic and international observation missions were unable to observe the elections due to delayed or denied accreditation.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 2 / 4

Opposition parties and outside observers have long criticized the independence of the Election Commission (EC) and its ability to investigate complaints. Some foreign governments and international organizations have withdrawn financial assistance to the EC over such concerns. The EC's stewardship of recent elections lent further credence to complaints that it favors the AL, as it disproportionately disqualified opposition candidates during the 2018 electoral period. Local elections held in 2022 were also marred by allegations of fraud.

New EC members were sworn in in late February 2022 to prepare for the next national election, which is set for January 2024. The BNP and most other opposition groups did not participate in the selection process, while the BNP named no candidates to serve on the EC. The BNP heavily criticized a draft law on the new EC in January, citing the body's perceived alignment with the AL.

B Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 2 / 4

Bangladesh has a multiparty system in which power has historically alternated between AL- and BNP-led coalitions; third parties have traditionally had difficulty achieving traction. Both parties are led by family dynasties and have little internal democracy. A crackdown on the BNP ahead of the 2018 elections significantly disrupted its operations. Since 2018, the government has eased restrictions on opposition protests and rallies, though opposition activities are still met with some repression. In 2022, the BNP was able to organize large protests, though authorities and AL supporters disrupted some of those events.

The Islamist political party Jamaat-e-Islami (JI), which supported a BNP-led government from 2001 to 2006, lost its registration in 2013 for violating constitutional provisions outlawing religiously based parties. JI candidates have since run as independents or part of the BNP. JI came under continued pressure in 2022; in August, the EC announced it would not allow JI to pursue election activities under a new name. In December, the BNP founded a new electoral alliance in a move that analysts perceived an effort to distance it from JI. JI leaders have been prosecuted by the International Crimes Tribunal, a domestic government body that investigates war crimes committed during Bangladesh's independence war.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 1 / 4

The BNP has been weakened by regular harassment and arrests of key members that have significantly harmed its ability to challenge the AL in elections; the BNP has also boycotted national and local elections in recent years. The 2018 election campaign, in which the BNP did take part, was marred by a crackdown that saw thousands of people and several political candidates arrested and many physically assaulted. BNP leader Khaleda Zia was imprisoned in 2018 and remains under de facto house arrest over corruption convictions. In December 2022, seven BNP lawmakers resigned at an antigovernment rally.

Nevertheless, political conditions have marginally improved recently. Independent candidates and defectors defeated AL candidates in the 2021-22 local election cycle and the BNP was permitted to hold major protests in 2022.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The AL and BNP dominate politics and limit political choices for those who question internal party structures or hierarchy, or who would create alternative parties or political groupings.

Animosity between Hasina and Zia, as well as between lower-level cadres, has contributed to continued political and electoral violence in which thousands of people have been killed or injured.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities? 2 / 4

In the National Parliament, 50 seats are allotted to women, who are elected by political parties based on their overall share of elected seats. Women lead both main political parties. Nevertheless, societal discrimination limits female participation in politics in practice. Men are likelier to be selected as candidates, while women are often relegated to serving in women's wings of their parties; women also face social pressure to refrain from political activity. Religious, ethnic, and other marginalized groups remain underrepresented in politics and state agencies.

LGBT+ people are also limited in their ability to participate in politics, though they have won office. The town of Trilochanpur elected a member of the *hijra* community—whose members identify as neither male nor female and are classified as a distinct gender identity in Bangladesh—mayor in late 2021.

C Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Policy is set by the ruling AL, and weaknesses in the country's institutions have reduced checks on its processes and decision-making. The dearth of opposition representation in the National Parliament significantly reduces its ability to scrutinize government policies, budgets, and proposed legislation. The incumbent government's legitimacy was also undermined by the conduct of the 2018 election, which was marred by violence, intimidation, and allegations of fraud.

C2 0-4 pts

Are safeguards against official corruption strong and effective? 1 / 4

Corruption is widespread. Under the AL, anticorruption efforts have been weakened by politicized enforcement and subversion of the judicial process. The Anti-Corruption Commission is ineffective and subject to overt political interference. The government continues to bring or pursue politicized corruption cases against BNP leaders. Throughout the COVID-19 pandemic, AL politicians and government officials were accused of corruption during relief efforts.

Media outlets and civil society face restrictions and are less able to expose government corruption.

C3 0-4 pts

Does the government operate with openness and transparency? 2 / 4

Endemic corruption and criminality, weak rule of law, limited bureaucratic transparency, and political polarization have long undermined government accountability. The 2009 Right to Information Act (RIA) mandates public access to all information held by public bodies and overrides secrecy legislation. Although it has been unevenly implemented, journalists and civil society activists have had some success in using it to obtain information from local governing authorities.

Civil Liberties

D Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media? 1 / 4

Journalists and media outlets face many forms of pressure, including frequent lawsuits, harassment, and serious or deadly physical attacks. Throughout 2022, journalists were arrested or physically

assaulted for critical reporting on the government, which has escalated under the AL government. A climate of impunity for attacks on media workers remains the norm, and there has been little progress made to ensure justice for a series of blogger murders since 2015. Dozens of bloggers remain in hiding or exile.

The 2018 Digital Security Act (DSA) allows the government to conduct searches or arrest individuals without a warrant, criminalizes various forms of online speech, and was vehemently opposed by journalists. Forms of artistic expression contained in books, films, and other materials are occasionally banned or censored.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

Islam is designated as the official religion, though the constitution designates secularism as a fundamental principle. Although religious minorities have the right to worship freely, they occasionally face legal repercussions for proselytizing or alleged blasphemy. Members of minority groups—including Hindus, Christians, Buddhists, and Shiite and Ahmadiyya Muslims—face harassment and violence, including occasional mob violence against their houses of worship. Violence against religious minorities can be deliberately provoked on social media. In July 2022, for example, Hindu-owned homes and businesses were vandalized along with a temple in the village of Sahapara in apparent response to a Facebook post that denigrated Islam.

Those with secular or nonconformist views can face societal opprobrium and attacks from hardline Islamist groups.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

In recent years, Bangladesh's academic institutions have faced frequent threats from a variety of actors, resulting in reduced autonomy and rising self-censorship. Faculty hiring and promotion are often linked to support for the AL, and campus debate is often stifled by the Bangladesh Chhatra League (BCL), the party's student wing; the BCL acts with impunity despite being known to law enforcement. In 2022, the BCL continued to suppress dissent and attack government critics on campus.

Islamist groups have growing influence on government policy and standards, compelling changes to educational content they deemed "atheistic" in widely used Bengali-language textbooks. Separately, Islamic extremists have attacked secular professors.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

Open discussion of sensitive religious and political issues is restrained by fears of harassment and violence from the government and religious fundamentalists. Religious fundamentalists have retaliated against those who publicly discuss LGBT+ rights, atheism, or criticism of Islamist movements.

Bangladeshis are fearful of expressing dissent. A 2019 poll from the International Republican Institute indicated that a considerable number of Bangladeshis are afraid to publicly express their political

opinions and widely reported self-censorship. The DSA has enabled the government to increase censorship of digital content and surveillance of telecommunications and social media; nearly 1,000 individuals were arrested under the DSA for mostly politicized and minor offenses between late 2018 and mid-2021 according to Amnesty International.

The government published the draft Data Protection Act, 2022, in July; Amnesty International had criticized its proposed framework in April, warning that it would give authorities access to encrypted communications and effectively override the RIA.

E Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly? 2 / 4

The constitution provides for the rights of assembly and association, but this is upheld inconsistently. Protesters are frequently injured and occasionally killed during clashes in which police use excessive force.

While space for protests expanded in 2022, AL supporters and authorities targeted opposition rallies. In September, the European Union delegation to Bangladesh voiced concerns over clashes between BNP supporters and police that began in late August, some of which were fatal. In December, at least 1 person died and 60 were injured after police fired on BNP demonstrators at a Dhaka rally. Authorities then took two BNP leaders into custody for questioning, accusing them of provoking the violence.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 2 / 4

Many nongovernmental organizations (NGOs) operate without onerous restrictions, but the use of foreign funds is closely monitored, and the government has broad authority to deregister NGOs. Democracy, governance, and human rights NGOs are regularly denied permission for proposed projects and face harassment and surveillance. Pressure and intimidation from Islamist groups also limit NGO activities on some issues such as LGBT+ rights and protection for religious minorities.

In April 2022, Human Rights Watch (HRW) reported that Bangladeshi authorities were retaliating against human rights advocates, their relatives, and the survivors of victims mistreated or killed by the RAB, which the US government sanctioned in 2021. In June 2022, the government revoked the registration of human rights NGO Odhikar, which documented human rights abuses in Bangladesh; the decision was upheld in September.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? 1 / 4

Legal reforms in 2015 eased restrictions on the formation of unions. However, union leaders who attempt to organize or unionize workers continue to face dismissal or physical intimidation. Labor rights organizations also face harassment. Worker grievances fuel unrest at factories, particularly in the garment industry, where protests over wages and working conditions are common. Protesting workers often face violence, arrest, and dismissal.

F Rule of Law

F1 0-4 pts**Is there an independent judiciary? 1 / 4**

Politicization of and pressure against the judiciary persists. The Ministry of Law controls promotions, postings, and transfers of subordinate court judges. Judges face political pressure over their rulings and judicial appointments at all levels are highly politicized.

In 2017, Supreme Court chief justice Surendra Kumar Sinha retired and fled Bangladesh, saying he was threatened over rulings against the government. In late 2021, he was sentenced in absentia to 11 years' imprisonment on corruption charges his supporters called politically motivated.

F2 0-4 pts**Does due process prevail in civil and criminal matters? 1 / 4**

Individuals' ability to access the justice system is compromised by endemic corruption within the courts and severe case backlogs. Pretrial detention is often lengthy, and many defendants lack counsel. Suspects are routinely subject to arbitrary arrest and detention, demands for bribes, and physical abuse by police. Criminal cases against AL activists are regularly withdrawn on the grounds of "political consideration," undermining the judicial process and entrenching a culture of impunity.

The 1974 Special Powers Act permits arbitrary detention without charge, and the criminal procedure code allows detention without a warrant. A 2009 counterterrorism law includes a broad definition of terrorism and generally does not meet international standards. Concerns have repeatedly been raised that the International Crimes Tribunal's procedures and verdicts do not meet international standards on issues such as victim and witness protection, the presumption of innocence, defendant access to counsel, and the right to bail. The tribunal has regularly imposed death sentences in recent years.

F3 0-4 pts**Is there protection from the illegitimate use of physical force and freedom from war and 2 /
insurgencies? 4**

Security forces have faced persistent accusations of extrajudicial killings, abductions and other human rights abuses, including during operations to counter the drug trade, organized crime, and terrorism. In late 2021, the US government placed sanctions on several leaders of the RAB. These sanctions appeared to curtail extrajudicial killings in 2022. Nevertheless, security agencies continue to commit human rights abuses including enforced disappearances, the use of secret prisons, arbitrary arrests, and torture.

While terrorist activity from Islamic militants has remained low since the 2016 Holey Artisan Bakery attack, there is ongoing concern that the Taliban's 2021 overthrow of Afghanistan's elected government could inspire militant activity in Bangladesh.

Score Change: The score improved from 1 to 2 because there were fewer incidents in which security forces used violence against civilians.

F4 0-4 pts**Do laws, policies, and practices guarantee equal treatment of various segments of the 1 /
population? 4**

Members of ethnic and religious minority communities and other historically marginalized groups face some legal discrimination, as well as harassment and violations of their rights in practice.

Over a million ethnic Rohingyas fleeing Myanmar have entered Bangladesh since the 1990s, with a recent influx occurring in 2017. The vast majority do not have official refugee status and have limited access to health care, employment, and education. Repatriation efforts have failed, and the Bangladeshi government has implemented punitive policies in the camps including periodically disrupting mobile service and erecting barbed wire fencing. The government began to shut unsanctioned schools in late 2021.

In 2020, authorities began transferring refugees to the flood-prone island of Bhasan Char, which has a refugee population of 30,000 as of August 2022. The government plans to resettle at least 100,000 there. Refugee camps on the mainland are affected by gang-related violence and other forms of lawlessness. In October, two Rohingya community leaders were murdered in a refugee camp; authorities blamed the Arakan Rohingya Salvation Army, a Myanmar insurgent group. Refugees continue to flee Bangladesh on dangerous sea routes; the Office of the UN High Commissioner for Refugees reported that 2,400 attempted to flee by sea in 2022, five times as many as in 2021.

A criminal ban on same-sex relations is rarely enforced, but societal discrimination remains the norm, and LGBT+ individuals are regularly attacked. A number of LGBT+ individuals remain in exile after Islamist militants murdered LGBT+ activist Xulhaz Mannan in 2016. Some legal recognition is available for transgender people, though they face severe discrimination in practice.

Women face social discrimination. Despite rising participation in the labor market, women still constitute less than 50 percent of the labor force. Women suffer sexual harassment and other forms of abuse in the workplace.

Indigenous people in the Chittagong Hill Tracts (CHT), religious and linguistic minorities, and other ethnic groups remain subject to physical attacks, property destruction, land grabs by Bengali settlers, occasional abuses by security forces, and social discrimination.

G Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

The ability to move within the country is relatively unrestricted, as is foreign travel, though there are some rules on travel into and around the CHT districts by foreigners as well as into Rohingya refugee camps.

There are few legal restrictions regarding choice of education or employment.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4

Property rights are unevenly enforced, and the ability to engage freely in private economic activity is somewhat constrained. Corruption and bribery, inadequate infrastructure, and official bureaucratic and regulatory hurdles hinder business activities throughout the country. State involvement and interference in the economy is considerable. The 2011 Vested Properties Return Act allows Hindus to reclaim land that the government or other individuals seized, but it has been unevenly implemented.

Tribal minorities have little control over land decisions affecting them, and Bengali-speaking settlers continue to illegally encroach on tribal lands in the CHT.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Under personal status laws affecting all religions, women have fewer marriage, divorce, and inheritance rights than men, and face discrimination in social services and employment. Rape, acid throwing, and other forms of gender-based violence occur regularly despite laws offering some level of protection. As many as 70 percent of married women are abused by their intimate partners but rarely report those incidents. Domestic violence survivors receive little assistance from government-run shelters or support programs. In 2020, the government introduced the death penalty for rape in response to large protests after a series of high-profile incidents of rape and sexual assault.

Giving or receiving dowry is a criminal offense, but coercive requests still occur. Bangladesh has one of the world's highest rates of child marriage. Despite a stated government commitment in 2014 to abolish the practice by 2041, parliamentarians approved a law that would permit girls under the age of 18 to marry under certain circumstances in 2017, reversing a previous legal ban on the practice.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Socioeconomic inequality is widespread. Working conditions in the garment industry remain extremely unsafe in most factories despite the renewal of a legally binding accord between unions and clothing brands to improve safety practices. Comprehensive reforms of the industry are hampered by the fact that a growing number of factory owners are also legislators or influential businesspeople.

Bangladesh remains both a major supplier of and transit point for trafficking victims. Women and children are trafficked both overseas and within the country for the purposes of domestic servitude and sexual exploitation, while men are trafficked primarily for labor abroad. In the 2022 edition of its *Trafficking in Persons Report*, the US State Department noted that antitrafficking tribunals resumed operating in 2021 but said that the government had lowered its protection efforts during the reporting period. A comprehensive 2013 antitrafficking law provides protection to victims and increased penalties for traffickers, but enforcement remains inadequate.

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