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Freedom Status: Partly Free

Aggregate Score: 47/100 (0 = Least Free, 100 = Most Free)

Freedom Rating: 4/7 (1 = Most Free, 7 = Least Free)

Political Rights: 4/7 (1 = Most Free, 7 = Least Free)

Civil Liberties: 4/7 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 162,900,000

Capital: Dhaka

GDP/capita: \$1,212

Press Freedom Status: Not Free

Net Freedom Status: Partly Free

OVERVIEW

Bangladesh is an electoral democracy, though the opposition boycotted the 2014 elections, ensuring the dominance of the ruling Awami League. Official harassment of the political opposition, as well as of critical media and civil society voices, is on the rise. Security forces carry out a range of human right abuses, including extrajudicial executions, disappearances, and torture, with near impunity. Meanwhile, those with dissident views – including secularists, academics, religious minorities, and LGBT (lesbian, gay, bisexual, and transgender) activists – are subject to attacks by Islamist extremist groups.

Key Developments

- The ruling Awami League (AL) further consolidated power during the year, including through the arrest and harassment of leading figures in the opposition Bangladesh Nationalist Party (BNP) and those perceived to be allied with it.
- In July, 20 hostages and two police officers were killed in an attack on a bakery in Dhaka that was popular with foreigners. The Islamic State claimed responsibility for the attack.
- The Foreign Donations (Voluntary Activities) Regulation Act, which took effect in October, made it more difficult for nongovernmental organizations (NGOs) to obtain foreign funds

and gave officials broad authority to deregister NGOs that make "derogatory" comments about government bodies or the constitution.

- Some 15,000 people were arrested in a government crackdown authorities said was intended to curb a spate of extremist violence. Rights groups said the initiative involved widespread human rights abuses by authorities, including arbitrary arrests, enforced disappearances, and custodial deaths.

Executive Summary

Bangladesh continued to experience political and social unrest in 2016. The opposition BNP was hampered by arrests and harassment of key party officials and activists, while the Islamist Jamaat-e-Islami (JI) party faced similar restrictive moves by the authorities, in addition to ongoing proceedings against its leaders by the International Crimes Tribunal (ICT), which was formed to try war crimes and other atrocities committed during the 1971 war of independence. Several high-ranking JI members were executed during the year after their appeals of earlier ICT rulings were dismissed.

As in 2015, attacks on religious minorities, as well as secular and dissident voices and activists, by Islamist extremist groups occurred regularly. Of particular note was the murder of writer and LGBT activist Xulhaz Mannan in April 2016; his killing left a widespread climate of fear within the LGBT community. Although the government denied the presence of international terrorist groups such as the Islamic State throughout the first half of 2016, the dramatic July terrorist attack on the Holey Artisan Bakery, in the heart of Dhaka's elite Gulshan district – in which 22 people, including foreigners, were murdered in a hostage standoff – led to a broad crackdown on extremist groups. While attacks decreased in its wake, the security forces executing it engaged in a range of human rights abuses.

The space for freedom of expression and association was further circumscribed by the use of existing laws to prosecute media and online expression, as well as by the provisions of a new law on NGOs that placed restrictions on funding from abroad and expanded authorities' power to deregister them.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights 20 / 40 (–1)

A. Electoral Process 7 / 12

A1. Is the head of government or other chief national authority elected through free and fair elections?

A2. Are the national legislative representatives elected through free and fair elections?

A3. Are the electoral laws and framework fair?

Members of the unicameral National Parliament and the largely ceremonial president serve for five years. The National Parliament is composed of 350 members, 300 of whom are directly elected. Political parties elect a total of 50 female members based on their share of elected seats. The president is elected by the legislature.

In the 2014 national elections, the BNP and 17 allied parties boycotted the vote to protest what they said were unfair circumstances. This left the majority of elected seats (153) uncontested, ensuring an AL victory. The AL won 234 parliamentary seats, the Jatiya Party (JP) won 34, and independents and minority parties captured the remainder. Western monitoring groups declined to send election observers and criticized the conditions under which the polls were held. The elections were also marred by extensive violence – Human Rights Watch termed them the bloodiest since the country's independence – and intimidation by a range of political parties. As a result, voter turnout was low, at 22 percent, compared to 87 percent in 2008. A number of attacks specifically targeted members of the country's Hindu and Christian minority groups, affecting around 700 people. The environment surrounding local government elections held between March and June of 2016 was similarly violent, with more than 140 deaths reported.

B. Political Pluralism and Participation 8 / 16 (-1)

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?

B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?

B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

Bangladesh has a two-party system in which power alternates between political coalitions led by the AL and BNP; third parties have traditionally had difficulty achieving traction. Following a series of parliamentary boycotts in 2013, the BNP boycotted the 2014 elections and has continued to engage in street action with the aim of forcing a change in government. The JI party was banned from taking part in the 2014 elections because of its overtly Islamist charter; the constitution bans religiously based political parties. The level of political violence remains high; in 2016, the human rights group Odhikar registered 215 deaths and more than 9,050 people injured as a result of inter- or intraparty clashes.

Ruling party harassment of the opposition BNP and JI remained widespread in 2016, further weakening both parties. Many BNP party leaders were imprisoned, under house arrest, living in hiding or exile, or facing serious legal charges that could bar them from office, including BNP head Khaleda Zia. In August 2016, Mir Ahmed Bin Quasem and Hummam Quader Chowdhury, the sons of prominent figures in the JI and BNP, respectively, were forcibly disappeared and detained without charge, in an ongoing pattern of harassment. Meanwhile, authorities continued to implement death sentences ordered by the ICT, including against JI chief Motiur Rahman Nizami, who was hanged in May, and JI financier Mir Quasem Ali, who was hanged in September; both were executed after their respective appeals were rejected at the Supreme Court.

Religious minorities remain underrepresented in politics and state agencies, though the AL government has appointed several members of such groups to leadership positions.

C. Functioning of Government 5 / 12

- C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?
- C2. Is the government free from pervasive corruption?
- C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

Endemic corruption and criminality, weak rule of law, limited bureaucratic transparency, and political polarization have long undermined government accountability. Moreover, regular opposition boycotts of the National Parliament have significantly hampered the legislature's role in providing thorough scrutiny of government policies, budgets, and proposed legislation.

Under the AL government, anticorruption efforts have been weakened by politicized enforcement and subversion of the judicial process. In particular, the Anti-Corruption Commission (ACC) has become ineffective and subject to overt political interference. The government continues to bring or pursue corruption cases against the BNP; proceedings against Zia, among others, were ongoing in 2016.

The 2009 Right to Information Act 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 27 / 60 (-1)

D. Freedom of Expression and Belief 7 / 16

- D1. Are there free and independent media and other forms of cultural expression?
- D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?
- D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?
- D4. Is there open and free private discussion?

Bangladesh's media faced continuing pressure in 2016, including through the use of legal and regulatory restrictions, and via increasing harassment of and physical attacks against reporters and bloggers. The use of criminal defamation lawsuits by ruling party loyalists against independent and opposition news outlets and journalists escalated dramatically in 2016; notably, Mahfuz Anam, editor of the *Daily Star*, and Matiur Rahman, editor of *Prothom Alo*, each faced dozens of cases. In another case of legal harassment, 81-year-old editor Shafik Rehman was accused in April of involvement in a plot to kidnap and murder the prime minister's son; he was detained without being charged until he was released on bail in September, following a Supreme Court ruling. The 2014 National Broadcasting Policy allows for restrictions on coverage that is critical of the government or security forces or that is determined to threaten national security. A draft Distortion of the History of Bangladesh Liberation War Crimes Act would restrict discussion of the 1971 war of independence by mandating imprisonment or fines for those deemed to have misrepresented the conflict; it had not yet been adopted at the end of 2016.

The threat of physical reprisals against members of the media, bloggers, and publishers in connection with their work remained at a high level in 2016. Islamist militant groups linked to either Al-Qaeda or the Islamic State were frequently behind the threats. Although several militants have been arrested in connection with attacks against journalists, a climate of impunity remained the norm, with little progress made on ensuring justice for the string of killings that has taken place since 2015. Dozens of bloggers remain on an Islamist "hit list," and many have fled or gone into hiding due to threats.

Censorship of digital content and surveillance of telecommunications and social media have become increasingly common. The Information and Communication Technology (ICT) Act was used to arrest and charge several dozen individuals for exercising freedom of expression online in 2016; for example, student activist Dilip Roy was detained in August under the ICT Act for Facebook posts criticizing the prime minister, and spent two months in jail. Mithun Chakma, an indigenous rights activist, in July was arrested in connection with material in a 2007 blog post, and spent more than three months behind bars. Various forms of artistic expression, including books and films, are occasionally banned or censored.

As reaffirmed by a 2011 constitutional amendment, Bangladesh is a secular state, but Islam is designated as the official religion. Although religious minorities have the right to worship freely, they face societal discrimination as well as harassment and legal repercussions for proselytizing. Members of minority groups – including Hindus, Christians, and Shiite and Ahmadiyya Muslims – and their houses of worship are occasionally the targets of harassment and violent attacks. There was an uptick in such attacks during 2016. In October, more than 100 Hindu homes, temples, and shrines were targeted in Brahmanbaria District.

While authorities largely respect academic freedom, research on sensitive political and religious topics is reportedly discouraged. Political polarization at many universities, including occasional clashes involving the armed student wings of the three main parties, inhibits education and access to services. Open private discussion of sensitive religious and political issues is restrained by fear of harassment.

E. Associational and Organizational Rights 6 / 12

E1. Is there freedom of assembly, demonstration, and open public discussion?

E2. Is there freedom for nongovernmental organizations?

E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

The constitution provides for the rights of assembly and association, but the government regularly bans gatherings of more than five people. Many demonstrations took place in 2016, though authorities sometimes try to prevent rallies by arresting party activists, and protesters are frequently injured and occasionally killed during clashes in which police use excessive force.

Many NGOs operate in Bangladesh. While most are able to function without onerous restrictions, the use of foreign funds must be cleared by the NGO Affairs Bureau, which can also approve or reject individual projects. The Foreign Donations (Voluntary Activities) Regulation Act, which took effect in October 2016, made it more difficult for NGOs to obtain foreign funds and gave officials broad authority to deregister NGOs that make "derogatory" comments about government bodies or

the constitution. Groups that are seen as overly critical of the government, particularly on issues concerning human rights, are already regularly denied permission for proposed projects and have been subject to escalating harassment and surveillance. Leading human rights NGO Odhikar continued to experience significant harassment by authorities in 2016.

The formation of labor unions became easier in 2015 due to legislative reforms. However, union leaders who attempted to organize or unionize workers continued to face dismissal or physical intimidation. Organizations that advocate for labor rights, such as the Bangladesh Center for Workers' Solidarity, have also faced increased harassment over the past several years. Worker grievances fuel unrest at factories, particularly in the rapidly expanding garment industry, where strikes and protests against low wages and unsafe working conditions are common. A week-long strike in December 2016 led to the dismissal of at least 1,500 garment workers and the arrest of union leaders.

F. Rule of Law 5 / 16 (-1)

F1. Is there an independent judiciary?

F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?

F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

Politicization of the judiciary remains an issue despite a 1999 Supreme Court directive ordering the separation of the judiciary from the executive. Political authorities have continued to make appointments to the higher judiciary, in some cases demonstrating an overt political bias. Harassment of witnesses and the dismissal of cases following political pressure are also of concern.

The court system is prone to corruption and is severely backlogged, with as many as 3.1 million pending cases in December 2016. Pretrial detention is often lengthy, and many defendants lack counsel. The indigent have little access to justice through the courts. Prison conditions are extremely poor; severe overcrowding is common, and juveniles are often incarcerated with adults. Suspects are routinely subject to arbitrary arrest and detention, demands for bribes, and physical abuse by police. Torture is often used to extract confessions and intimidate detainees. In 2016, Human Rights Watch documented a disturbing trend of "kneecapping," whereby security forces deliberately shot detainees, many of them supporters of opposition parties, in the knee or leg. The incidence of custodial deaths has remained high. Odhikar reported a total of 178 extrajudicial killings perpetrated by law enforcement agencies in 2016, in addition to 90 enforced disappearances. Criminal cases against ruling party 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 current International War 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.

Violence by Islamist political parties and other pressure groups has increased in the past several years, and larger-scale terrorist attacks by Islamist militant groups escalated in 2016; the South Asia Terrorism Portal counted 47 civilian and security-personnel fatalities related to Islamist extremism, roughly double the number of the previous year. A crackdown on extremist groups in response to a spate of attacks in the spring and early summer of 2016 led to the arrests of more than 15,000 people. Rights groups said the initiative involved widespread human rights abuses by authorities, including enforced disappearances, custodial deaths, and arbitrary arrests.

Members of ethnic and religious minority groups face some discrimination under law as well as harassment and violations of their rights in practice. Indigenous people in the Chittagong Hill Tracts remain subject to physical attacks, property destruction, and land grabs by Bengali settlers, and occasional abuses by security forces.

Roughly 270,000 ethnic Rohingyas who fled to Bangladesh from Myanmar beginning in the 1990s are subject to substantial harassment. The vast majority do not have official refugee status and suffer from a complete lack of access to health care, employment, and education. The government has attempted to discourage a more recent influx, in late 2016, of some 66,000 Rohingya refugees by sealing the border. In November 2016, authorities forcibly returned hundreds of Rohingyas fleeing grave abuses in Myanmar, in violation of international law.

A criminal ban on same-sex sexual acts is rarely enforced, but societal discrimination remains the norm, and dozens of attacks on LGBT individuals are reported every year. In April 2016, Xulhaz Mannan, a prominent LGBT activist, was murdered alongside a friend by suspected Islamist militants; as a result, a number of other members of the community went into hiding or fled the country. Transgender people face persecution. Although since 2013 they can be legally classified as a "third gender" if they desire, a December 2016 report by Human Rights Watch found that implementation procedures to make this change were arbitrary and inadequate.

G. Personal Autonomy and Individual Rights 9 / 16

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

The ability to move within the country is relatively unrestricted, as is foreign travel. 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 Chittagong Hill Tracts. A commission set up in 2009 to allocate land to indigenous tribes has suffered from delays. Since 2015, the ability of foreign nationals, journalists, and human rights activists to visit the Chittagong Hill Tracts has been tightened.

Under the personal status laws affecting communities of all religions, women have fewer marriage, divorce, and inheritance rights than men. In rural areas, religious leaders sometimes impose flogging and other extrajudicial punishments on women accused of violating strict moral codes, despite Supreme Court orders calling for an end to such practices. Women also face discrimination in social services and employment.

Rape, acid throwing, and other forms of violence against women occur regularly despite laws offering some level of protection. A law requiring rape victims to file police reports and obtain medical certificates within 24 hours of the crime in order to press charges prevents most cases from reaching the courts. Giving or receiving dowry is a criminal offense, but coercive requests remain a problem; Odhikar reported more than 200 cases of dowry-related violence against women in 2016. A high rate of early marriage persists, with 52 percent of girls married by age 18, according to UNICEF statistics for 2016. Despite a stated government commitment in 2014 to abolish the practice by 2041, in November the cabinet approved a draft law that would grant exceptions to the current ban on marriage below the age of 18 for girls.

Bangladesh remains both a major supplier of and transit point for trafficking victims, with tens of thousands of people trafficked each year. 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. A comprehensive 2013 antitrafficking law provides protection to victims and increased penalties for traffickers, but enforcement remains inadequate.

Following the 2013 Rana Plaza factory collapse, increased inspections and safeguards instigated by Western apparel companies led to the closure of around 200 of a total of 4,500 factories, and ongoing safety inspections at others, according to industry representatives. In July 2016, 41 people were indicted for murder for their role in the Rana Plaza disaster. However, working conditions in the garment industry remain extremely unsafe; a fire at a packaging factory in September 2016 claimed at least two dozen lives. Comprehensive reforms of the industry are hampered by the fact that a growing number of factory owners are also legislators or influential businesspeople.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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