

**BANGLADESH (6)****57**

U.S. Department of State

Bangladesh Country Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998

BANGLADESH

Bangladesh is a parliamentary democracy headed by Prime Minister Sheikh Hasina Wajed, leader of the Awami League, which came to power in 1996 in national elections deemed generally free and fair by domestic and international observers. Major opposition parties include the previous ruling Bangladesh Nationalist Party (BNP), the Jatiyo Party, and the Jamaat-E-Islami. A 1996 constitutional amendment requires a neutral caretaker government to conduct all general parliamentary elections. Nevertheless, elections are often marred by violence and rigging. The judiciary displays a high degree of independence.

The Home Affairs Ministry controls the police and paramilitary forces, which bear primary responsibility for maintaining internal security. The army and paramilitary forces are responsible for security in the Chittagong Hill Tracts (CHT), where a tribal group has waged a low-level insurgency since 1974. In December government and rebel negotiators signed an accord to end the insurgency in the Chittagong Hill Tract (CHT). Police officers committed a number of serious human rights abuses.

Bangladesh is a poor country. Annual per capita income is approximately \$260; about 45 percent of the country's 124 million people exist on incomes insufficient to meet minimum daily needs. Seventy percent of the work force is involved in agriculture, which accounts for approximately one-third of the gross domestic product. There is a growing industrial sector, based largely on the manufacture of garments, textiles, industrial goods such as rerolled steel, cement, and jute. There is a small wealthy elite, and a middle class is emerging. Efforts to reform the economy have been hampered by endemic corruption, political turmoil and the opposition of public sector enterprises, government bureaucrats, and other vested interests.

The Government continues to restrict or deny many fundamental rights. Police committed extrajudicial killings, and some people died in police custody under suspicious circumstances. Police routinely use torture and other forms of abuse in



interrogating suspects. The Government rarely convicts and punishes those responsible for torture or unlawful deaths. Prison conditions are poor. Prime Minister Sheikh Hasina's Government did not repeal the Special Powers Act (SPA), which allows for arbitrary arrest and preventive detention; it used the SPA to harass political opponents and other citizens by detaining them without formal charge. A large case backlog slows the judicial process, and lengthy pretrial detention is a problem. The Government sometimes infringes on citizens' privacy rights. The Government places some limitations on freedom of assembly. Women, minorities, the disabled, religious minorities, and indigenous people face societal discrimination. Violence against women and trafficking of women and children for prostitution remain serious problems. The Government continues to limit worker rights, and child labor is a widespread and serious problem. Vigilante justice resulted in numerous killings.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom from:

a. Political and Other Extrajudicial Killing

There were numerous extrajudicial killings during the year. In one instance in February, Ansars, a police auxiliary force, fired on a crowd of local villagers who had assembled outside the Ansar camp: 4 people were killed and 11 others wounded. The villagers, from the village of Sadhpur in Savar, had come to investigate the shooting of a local man who was attempting to stop his young niece from being molested by one of the Ansars.

According to human rights monitors, a number of persons died while in custody in the first 9 months of 1996. According to newspaper reports, 23 persons died in police custody through September. Most deaths appear to have been due to mistreatment, or illnesses aggravated by imprisonment. However, human rights reports concerning police abuse and deaths of prisoners indicate that this claim is inaccurate and masks widespread and serious abuse. For example, on February 7, Seema Chowdhury, a garments worker, died while in "safe custody" in Chittagong, 5 days after charges were filed against four police officers for raping her in custody in 1996. An autopsy reported that she died of typhoid, but women's rights activists and some politicians asserted Chowdhury was murdered to prevent her testifying against the police in the rape case. Acting against customary practice, authorities burned her body after the autopsy, destroying any possible physical evidence of murder. In July the four police officers accused of raping her were acquitted for lack of evidence; the Government has appealed the verdict.



In June a man was arrested for attempting to enter the grounds of the Prime Minister's office in Dhaka, and was later beaten to death by police. In August a man detained in Chittagong as a suspected thief died in custody; an autopsy report said that he died from torture (see Section 1.c.). These cases, and that of Seema Chowdhury, gained notoriety, and the Government initiated legal action against the police officers involved. Most abuses, however, go unpunished, and the resulting climate of impunity remains a serious obstacle to ending police abuse and extrajudicial killing.

Violence, often resulting in killings, is a pervasive element in Bangladeshi politics (see Section 3). Demonstrators from all parties, and even within parties, often clash with police and with each other during rallies and demonstrations. The Awami League and opposition parties used armed violence and intimidation to disrupt their opponents gatherings and rallies. Opposition parties also used armed violence to enforce general strikes. The violence perpetrated by both sides resulted in more than 18 deaths and hundreds of injuries. Five persons, including one policeman, were shot and killed in clashes that erupted near the end of a joint opposition rally in Chittagong on November 11, which was held to protest the draft peace agreement between the Government and the CHT insurgents (see Section 5). The BNP stated that two of those killed were its members. The police claimed that there had been a premeditated attack on police by BNP activists who used guns, Molotov cocktails, and small bombs. BNP Chairperson Khaleda Zia asserted that "goons" from the ruling Awami League had been responsible for instigating the violence. After the initial clash at the rally site, violent encounters between police and opposition activists took place elsewhere in Chittagong. After the Chittagong clashes, the BNP and other allied opposition parties (chiefly the Jamaat-E-Islami) announced a half-day general strike in Chittagong in protest against the claimed attack by Awami League "goons." BNP activists also took to the streets in central Dhaka and reportedly set fire to more than a dozen vehicles.

More than 300 persons were reported to have been injured in clashes during an 8-hour road and rail blockage outside Dhaka called by opposition political parties on October 5. A BNP Member of Parliament (M.P.) was stabbed during the continued clashes on October 6.

Three people were shot and killed in Chittagong on November 27 During BNP-Awami League clashes, which occurred after Awami League student activists sought to disrupt a visit by BNP leader Khaleda Zia to console victims of an earthquake. The BNP portrayed the events as a deliberate attempt to kill Zia, who barricaded herself in a hospital ward. At least four persons died in November 29-30 violence, during general strikes called by the opposition to protest the alleged "assassination attempt" on Khaleda Zia. Arrest warrants on murder charges were



issued against 23 BNP officials, including at least 2 BNP M.P.'s who were trapped along with Khaleda Zia during the November 27 incident.

Violence is also endemic among the student political groups allied with the major national parties. It reportedly resulted in at least 6 deaths by October, hundreds of injuries, and the frequent closure of educational institutions.

Murders of local-level political activists and activists of the student fronts of major parties are common occurrences; the distinctions, however, between politically motivated murders and purely criminal acts are blurred by the involvement of many politicians and political party activists in organized crime.

In 1995 the Government charged former president Hossain Mohammed Ershad with ordering the 1981 murder of the alleged assassin of President Ziaur Rahman. Ershad was granted bail in January and later allowed to travel abroad. The murder case is not being actively pursued by the Government. Ershad was already serving a 20-year sentence for corruption (see Section 1.c.).

In 1995 police in Dinajpur abducted, raped, and murdered a 15-year-old girl named Yasmeen. The murder sparked riots in Dinajpur during which police killed seven people. The case went to trial in 1997, and in August three police officers were convicted of the murder and sentenced to death. Another officer was sentenced to prison for concealing evidence.

In 1996 the Government arrested under the Special Powers Act, and later formally charged, retired Lt. Colonel Farook Rahman, the self-confessed organizer of the 1975 assassination of Prime Minister Sheikh Mujibur Rahman. In July he and four other accused persons went on trial in Dhaka for the murder of Sheikh Mujibur (see Sections 1.c., 2.d., 2.e.).

On December 25, 1996, Subinoy Chakma, a tribal peace activist in the Chittagong Hill Tracts, was murdered at his house in Rangamati. His murder remained unsolved in 1997 but was generally believed to have been committed by the Shanti Bahini, a tribal insurgent group, which opposed Subinoy's efforts to promote better relations between tribals and Bengalis in the Hill Tracts (see Section 1.g.).

There was a wave of mob lynchings of suspected criminals during the year. On May 30, six men suspected of stealing cows were killed in Dhaka. On June 25, in Dhaka a large crowd killed three alleged child traffickers, burning them inside the



police vehicle sent to rescue them. A newspaper reported that nationwide there were 50 similar murders during May and June.

b. Disappearance

There were no reports of politically motivated disappearances.

There were no developments in the 1996 disappearance of Kalpana Chakma, central organizing secretary of the Hill Women's Federation, an organization of tribal people in the Chittagong Hill Tracts. In 1996 the Government formed an investigative committee that has yet to issue any findings.

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

Although the Constitution prohibits torture and cruel, inhuman, or degrading punishment, police routinely employ physical and psychological torture and other abuse during arrests and interrogations. Torture may consist of threats, beatings, and, occasionally, the use of electric shock. The Government rarely convicts or punishes those responsible for torture, and a climate of impunity allows such police abuses to continue.

During two periods of detention between August and October, police reportedly tortured Shafiu Alam Prodhan, the leader of a small leftist party. During the second period of detention, Prodhan was allegedly subjected to electrical shocks. The case appears to have been politically motivated.

Numerous press and human rights monitors' reports indicate that police abuse of detainees is a widespread problem and frequently results in death (see Section 1.a.). Lt. Col. Farook Rahman, arrested in 1996 under the SPA and later charged with the 1975 murder of Prime Minister Sheikh Mujibur Rahman, was reportedly subjected to various forms of torture, as were the four other persons accused in the case. Zobaida Rashid, whose husband was accused in the Mujibur murder and had fled the country, was arrested under the SPA after she publicly defended her husband's actions. She also was allegedly tortured and subjected to unusually harsh prison conditions before the Supreme Court ordered her released from prison. The Government also used police surveillance, raids on houses, and intimidation by ruling party activists to harass her family and friends (see Section 1.d.).



Rape in police custody is a common problem. For example, in July police officers in Lalmonirhat reportedly raped a woman after unsuccessfully attempting to arrest her husband. The press reported 9 instances of rape in police custody, but women's rights activists estimate that the real number is several times higher.

Prison conditions are poor. Most prisons are overcrowded and lack adequate facilities. The current prison population, over 46,000 in August, is more than double the official prison capacity. There are three classes of cells: A, B, and C. Common criminals and low-level political workers are generally held in C cells, which often have dirt floors, no furnishings, and poor quality food. The use of restraining devices on prisoners in these cells is common. Prisoners in the C cells reportedly suffer the worst abuses, including beatings or being forced to kneel for long periods. Conditions in B and A cells are markedly better; A cells are reserved for prominent prisoners.

The five men arrested for the murder of Sheikh Mujibur Rahman were held in class C cells. On July 8, the judge presiding over their trial ordered that they be moved to class A cells. The Government moved them on July 22, after the judge threatened legal action against prison officials for failure to comply with his order.

A government-appointed committee of private citizens, who are prominent individuals in the various prison localities, monitors prisons monthly but does not release its findings. In general, the Government does not permit prison visits by independent human rights monitors but does make occasional exceptions. Human rights groups reported that 8 persons died in custody during the year. However, newspapers reported 23 persons died in police custody.

d. Arbitrary Arrest, Detention, or Exile

The Awami League Government continued to use national security legislation, namely the Special Powers Act (SPA) of 1974, to detain citizens without formal charges or specific complaints being filed against them. Past governments have vowed to abolish the SPA but did not do so. Prime Minister Sheikh Hasina Wajed, before coming to power, advocated the abolition of the SPA. As Prime Minister, however, she reversed herself, stating in March that retention of the SPA was justified by its proven usefulness to past governments.

Under the SPA, the Government or a district magistrate may, to prevent the commission of an act likely "to prejudice the security of the country", order anyone detained for 30 days. The Government (or magistrate) must within 15



days inform the detainee of the grounds for detention, and the Government must within 30 days approve the grounds for detention or release the detainee. In practice, detainees are sometimes held for longer periods without the Government stating the grounds for the detention or formally approving it. Detainees may appeal their detention, and the Government may grant early release.

After 4 months, an advisory board composed of two persons who have been, or are qualified to be, high court judges, and one civil servant examines cases of detainees. If the Government adequately defends its detention order, the detainee remains imprisoned; if not, the detainee is released. If the defendant in an SPA case is able to present his case before the High Court in Dhaka, generally, the High Court will rule in favor of the defendant. Typically, the Court finds the Government is unable to "show cause." However, many defendants are either too poor, or because of strict detention are unable to obtain legal counsel. Without legal counsel or funds, they cannot move the case beyond the magistrate level. The magistrates, unlike High Court judges, are not independent. They are subject to the administrative controls of the Law Ministry and are less likely to summarily dismiss a case. As a result, the defendant in many SPA cases will languish in detention without the case moving to trial. Detainees are allowed to consult with lawyers while in detention, although usually not until a charge is filed. They are not entitled to be represented by a lawyer before an advisory board. Detainees may receive visitors, and incommunicado detention is generally not practiced. However, the Government has held incommunicado some prominent prisoners, notably Lt. Col. Farook Rahman (see Section 1.c.).

According to the Government and press reports, the authorities detained more than 3,498 persons under the SPA through September. As of October 1, about 2,752 detainees had been released. Government figures indicate that 2,000 persons were in detention under the SPA in July. There are credible reports from human rights monitors and political activists that the Awami League Government uses the SPA primarily as a tool to harass and intimidate political opponents. They claim that the Government has arrested hundreds of opposition activists under the SPA, most being released later when no charges could be brought. Actual numbers of party activists arrested were not verifiable.

On March 20, the Government arrested four senior opposition BNP leaders under the SPA. The Prime Minister later said that they were involved in acts of sabotage. On April 7, the Supreme Court ruled their detention illegal, ordered them released, and required the Government to pay them compensation for "political victimization." The judicial release of the SPA detainees is usually the result of a habeas corpus petition by the defendant to the High Court. The Court dismisses the cases, stating the Government was unable to "show cause" for the detention.



The Government and local authorities also detain people without use of the SPA, doing so either for personal vengeance or as a means to harass and intimidate perceived opponents and their families. For example, in July the Dhaka police detective branch raided the house of Shaquib Chowdhury the night before his marriage to a daughter of Khandaker Abdur Rashid, one of the accused in the Sheikh Mujibur murder case. According to press reports, the police had no warrant to search or arrest but claimed that the house's occupants had illegal arms. Chowdhury, his father, and five guests were detained for several hours, during which the police reportedly interrogated them on the whereabouts of Mr. Rashid, rather than on illegal arms.

The previous Government allowed another widely used statute, the Anti-Terrorism Act, to expire in 1994. However, some cases are still pending and are yet to be resolved. There are some differences of legal procedure under the law, such as limited bail and special tribunals.

The Government does not use forced exile.

e. Denial of Fair Public Trial

- The higher levels of the judiciary display a significant degree of independence, as mandated by the Constitution. The judiciary often rules against the Government in criminal, civil, and even politically controversial cases. Lower level courts reportedly are more susceptible to political pressure. Examples of lower courts refusing bail in cases which higher courts granted bail or dismissed, include the case of BNP leader Nazibul Bashar Maizbhandari. Maizbhandari was arrested during a BNP strike, on September 22. The Chief Metropolitan Magistrate's court (CMN) in Dhaka denied his requests for bail three times. The district and sessions judge granted bail on September 28, and Maizbhandari was admitted to a hospital for injuries alleged to have resulted from police abuse.

On March 20, four ranking BNP leaders were arrested without warrant or charges. In the lower courts, bail was refused. Petitions were filed before the High Court challenging the detentions. On April 7, the court declared the detentions illegal, ordered the release of the BNP leaders, and ordered that the Government should pay compensation of \$2,220 (100,000 taka) each.

The court system has two levels, the lower courts and the Supreme Court. Both hear civil and criminal cases. The lower courts consist of magistrates, who are part of the administrative branch of government, and session judges, who belong to the judicial branch. The Supreme Court is divided into two Sections, the High Court and the Appellate Court. The High Court hears original cases and also reviews cases from the lower courts. The Appellate Court has jurisdiction to hear



appeals of judgments, decrees, orders, or sentences of the High Court. Rulings of the Appellate Court are binding on all other courts.

Trials are public. The law provides the accused with the right to be represented by counsel, to review accusatory material, to call witnesses, and to appeal verdicts. In practice, the largely rural, illiterate population does not always understand these rights, nor do the authorities always respect them. There is a system of bail, and bail is commonly granted for both violent and nonviolent crimes. However, if bail is not granted, the law does not specify a time limit on pretrial detention. State-funded defense attorneys are rarely provided, and there are few legal aid programs to offer financial assistance. In rural areas, individuals may receive no legal representation. In urban areas, legal counsel is generally available if individuals can afford the expense. However legal education is poor, so most legal representation is inadequate.

There is corruption within the legal process. Small sums must be paid to a number of court officials in order for a civil suit to be filed. While these may appear to be processing fees, they are more in the nature of bribes; they are not established by statute or regulation, are paid to officials personally, and there is no accountability for failure to discharge duties paid for. Defendants can sometimes pay to avoid being served with a notice or suit. Because of the difficulty accessing the courts and because litigation is time-consuming, alternate dispute resolution by traditional village leaders is popular in rural communities.

A major problem of the court system is the overwhelming backlog of cases. According to the Government, about 575,000 cases were pending in criminal and civil courts in July, and about 32,000 people, or 68 percent of the country's total prison population, were awaiting trial or under trial. Government sources report that the period between detention and trial averages 6 months, but press and human rights groups report many instances of pretrial detention lasting for several years. These conditions, and the corruption encountered in the judicial process, effectively prevent many people from obtaining a fair trial or justice.

The Government claims that it holds no political prisoners, but the BNP and human rights monitors claim that many opposition activists have been arrested and convicted under criminal charges as a pretext for their political activities (see Section 2.d.).

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

The law requires authorities to obtain a judicial warrant before entering a home. However, according to human rights monitors, police rarely obtain warrants, and



officers violating the procedure are not punished. In addition, the SPA permits searches without a warrant.

The police Special Branch, National Security Intelligence, and the Directorate General of Forces Intelligence employ informers and conduct surveillance of citizens, particularly those perceived to be political opponents of the Government. Human rights activists, foreign nongovernmental organizations (NGO's), and journalists report occasional harassment by these organizations (see Section 2.a.). The Government reportedly opens international mail and monitors telephone calls on occasion.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech, expression, and the press, subject to "reasonable restrictions" in the interest of security, friendly relations with foreign states, public order, decency and morality, or to prohibit defamation or incitement to an offense. With some exceptions the Government generally respects freedom of speech and of the press. Since taking office, the Awami League Government has issued press guidance restricting coverage of a very limited number of stories. Opposition papers reported that the Government was giving "press advice" asking government-owned papers not to carry news of the Freedom Party, Juba (Youth) Command and BNP leader Anwar Zahid, Zobaida Rashid, wife of colonel Rashid, or statements from BNP leaders. News and statements of opposition leader Khaleda Zia and some BNP leaders were permissible. The government papers were also asked not to publish reports on rallies or processions of the BNP's student front, Jatiyatabadi Chatra Dal. This advice was not a binding regulation. The Awami League enjoys support from most major newspapers in the country. While supporting overall policies, many papers report critically on the activities of the Government and ruling party, including the Prime Minister.

The Government owns and controls radio and television, which do not provide balanced coverage of the news. The activities of the Prime Minister occupy the bulk of prime time news bulletins on both television and radio, followed by the activities of other members of the Cabinet. Opposition party news gets little coverage. The Government alleges that television crews assigned to cover BNP activities are prevented by the BNP from doing so. In response, the BNP claims that news items about its party activities are purposely ignored or distorted. The British Broadcasting Corporation (BBC) and the Cable News Network (CNN) international news are retransmitted live and uncensored for several hours each



day. There are no restrictions on the installation of satellite dishes, which are widely owned both in Dhaka and throughout the country, including in remote villages.

There is one government-owned (BSS) and one privately owned wire service, the United News of Bangladesh (UNB), which distribute stories nationally. In May a London-based Bangladeshi journalist launched a bilingual wire service called "Bangladesh News Service," which mainly caters to the needs of newspapers outside Dhaka.

Newspaper ownership and content are not subject to direct government restriction. The press, numbering hundreds of daily and weekly publications, is a forum for a wide range of views. Papers that cannot obtain enough government newsprint to meet their needs must buy it on the open market at higher prices. Many papers do so. There were no reports of papers not able to publish due to lack of newsprint.

The Government controls the distribution of advertisements issued by different government agencies through the Ministry of Information. This is a major source of revenue for all newspapers. The practice of using government advertisements to reward supporters and punish critical newspapers exists, although the Government claims that advertisements are allocated solely on the basis of circulation.

Foreign publications are subject to censorship. When enforced, this is most often for immodest or obscene photographs or perceived misrepresentation or defamation of Islam.

In its election manifesto, the Awami League called for the privatization of the state-controlled media. Upon taking power, the Government set up a committee to recommend measures for authorizing private radio and television broadcasts. The committee has submitted a report to the Government, but it has not been released to the general public, and no changes in the existing legal framework have been announced. The League's manifesto also vowed to privatize the government-run newspapers. In December the two government newspapers Doynik Bangla and Bangladesh Times were closed and are expected to be sold to private buyers. Several newsmen working for the government-run wire service, BSS, were transferred to district towns. Many claim that they were transferred because they were perceived to favor the BNP. Journalists appointed in Bangladesh diplomatic missions as press ministers/counselors were recalled and replaced by pro-Awami League journalists. The Awami League Government reportedly advises the government wire service and government-run newspapers



not to cover news of BNP leaders' activities, except those of the BNP leader, deputy leader, and secretary general.

Several sources have reported that the State Minister for Information established an office at Bangladesh Television (BTV) to monitor or edit news items. The Government denies this allegation, claiming that the office at BTV premises was renovated to be used as a VIP waiting room.

Attacks on journalists and efforts to intimidate them by government officials, political party activists, and others, occasionally occur. For example, the Rajshahi bureau chief of Dinkal, the main opposition BNP daily, was physically assaulted in July by an armed group near his residence in Rajshahi and he was seriously injured. He reported the incident to police, and three persons were arrested. After the arrests, other persons attacked and ransacked his house and beat the occupants. Reports differ on whether this incident was politically motivated or the result of a private dispute.

Another newsman, a reporter for the large circulation Bangladesh daily Janakantha, published in Dhaka, was arrested in June by police at a small township outside Dhaka following a complaint of "journalistic slander." He was released on bail after 26 days' detention, and his case was pending in the courts at year's end.

In July an armed group attacked the office of the Daily Comilla Barta, a vernacular daily at Comilla, about 60 miles east of Dhaka. The newspaper is run by an Awami League group. An opposing Awami League group was upset with the newspaper's reporting of corruption in the local hospital. Some newspaper employees were assaulted, the office was ransacked, and death threats were made against the editor. No arrests were made by the police.

An editor of another daily was apparently harassed for his critical reports on the performance of some ministries, including the Ministry of Finance. Income tax investigators interrogated him, and revenue officials audited his tax records. He received telephone threats. The daughter-in-law of the Finance Minister sued him and his publisher in June for printing stories that alleged that she was involved in manipulating the country's stock market.

A journalist who writes critically of the Awami League Government's policies reports that he and his family have been harassed by government intelligence services, including surveillance and telephone threats. Another journalist said that



he received telephone threats in February from a government security official, after reporting on misuse of government resources by the Prime Minister's office.

Feminist author Taslima Nasreen, whose writings and statements provoked death threats from some Islamic groups in 1993 and 1994, still lives abroad after her departure for Europe in 1994. The Government charged Nasreen in 1994 under a Section of the penal code that stipulates punishment for anyone convicted of intentionally insulting religious beliefs; the case is still filed against her. The Government has taken no action against those who issued death threats against Nasreen, even though such threats also violate the law.

The Government's film censor board temporarily canceled the censor certificates of three English films and prohibited their screening on grounds of obscenity. In past years the board banned several locally produced and foreign films, usually on the grounds that the films promoted immorality. The film censor board also considers issues of state security, law and order, religious sentiment, obscenity, foreign relations, defamation of a person, and plagiarism in deciding whether to ban a film.

Academic freedom is generally respected by the Government. Teachers and students at all levels are free to pursue academic assignments except on extremely sensitive religious and political topics.

The situation on public university campuses remains volatile, seriously inhibiting the ability of students to receive university educations, and teachers to teach. Armed clashes between rival student groups have resulted in closures of the universities of Dhaka, Rajshahi, Chittagong, Jahangirnagar, and Islamic University on several occasions. The vice-chancellors of Rajshahi and Islamic universities appointed by the previous BNP government were forced by the student fronts of the ruling Awami League and Jamaat-E-Islami to resign. Campus violence between student political factions has little to do with ideological differences, and more to do with physical control of dormitories and student concessions by nonstudent party activists. The result is that, on average, it takes 6 years or more to earn a 4-year degree.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, subject to restrictions in the interest of public order and public health. The Government sometimes prohibits rallies for security reasons, but many independent observers believe such explanations are usually a pretext.



Both the Government and opposition parties frequently interfere with each other's rallies and public meetings. Throughout the year partisans of the ruling and opposition parties used violence to disrupt political gatherings. In addition, both have used a statute that allows public assemblies to be prohibited--to prevent possible violence--if two or more parties have scheduled rallies for the same time and place. Political parties, after learning of planned opposing-party public gatherings, schedule other rallies for the same time and place, in hopes of forcing authorities to cancel both events. For example, in June an opposition BNP rally was banned by authorities after the local Awami League organization called a rally for the same time and place. Similarly, in August a pro-Awami League organization called a rally in Dhaka for the same time and place as a previously scheduled rally by an Islamic group opposed to the Government. In this case authorities did not ban the rallies, but attempted to prevent Islamic activists from attending. Several people were injured in the resulting clashes between Islamic party activists, police, and Awami League activists (see Section 1.a.).

In September the Awami League mayor of Dhaka banned political rallies in public streets and required rallies to be held in seven designated sites instead, with the declared rationale of improving traffic flow in the capital. Opposition parties denounced the ban as a unilateral restriction on freedom of assembly but declined the mayor's offer to discuss alternatives to the designated venues. There were repeated clashes in Dhaka as opposition parties demonstrated against the ban, or sought to assemble prior to processions on public streets. Police enforcement of the ban on opposition gatherings was usually strict, while processions of the governing Awami League were unmolested. Police and the opposition blamed each other for frequent violent clashes as the ban was enforced.

The Constitution provides for the right of every citizen to form associations, subject to "reasonable restrictions" in the interest of morality or public order, and in general the Government respects this right. In practice, individuals are free to join private groups, but a local magistrate must approve public meetings.

c. Freedom of Religion

The Constitution establishes Islam as the state religion but also stipulates the right to practice the religion of one's choice, and the Government respects this provision in practice. Approximately 88 percent of the 124 million population is Muslim. Some members of the Hindu, Christian, and Buddhist minorities continue to perceive and experience discrimination toward them from the majority community (see Section 5).



The law permits citizens to proselytize. However, strong social resistance to conversion from Islam means that many of the missionary efforts by non-Muslims are aimed at Hindus and tribal groups. The Government allows various religions to establish places of worship, train clergy, travel for religious purposes, and maintain links with coreligionists abroad. Foreign missionaries may work in Bangladesh, but their right to proselytize is not protected by the Constitution, and some missionaries face problems in obtaining visas.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Citizens are able to move freely within the country. Travel by foreigners is restricted in the CHT, some other border areas, and in the military cantonments. Citizens are generally free to travel abroad and emigrate. The right of repatriation is generally observed.

Approximately 250,000 Rohingyas (Muslims from Burma's Arakan State) crossed into southeastern Bangladesh in late 1991 and 1992 fleeing repression. Since 1992 approximately 238,000 Rohingyas have voluntarily repatriated to Burma leaving approximately 21,000 in two camps in Bangladesh. Following the expiration of its own self-imposed August 15 deadline, Burma blocked further repatriation, but few of the remaining Rohingyas have appeared willing to repatriate voluntarily. The UNHCR has encouraged Bangladesh to allow the remaining Rohingyas to settle locally, but the Government has responded repeatedly that all the Rohingyas must eventually return to Burma. Several thousand more Rohingyas arrived during the year. Estimates of their number vary from 5,000 to 18,000, and most are thought to be living in villages and town in the southeast.

During the year, incidents of physical abuse and other mistreatment of individuals were reportedly perpetrated by police and other refugees. In December locally hired workers with Medecines Sans Frontieres-Holland (MSF-H) were fired for beating refugees. Police abuse was a concern during the forced repatriation in August. Abuse of refugees by other refugees in the camps is also a problem. With only 21,000 refugees remaining from an original number of 250,000, some of the more difficult and criminal cases are concentrated in this residual population. To ensure that efforts at voluntary repatriation fail, some refugees intimidate and beat other refugees in the camps to stop them from cooperating with UNHCR or government officials. Intimidation by the militant refugee elements also included lengthy food strikes during which pregnant and lactating women, and the malnourished children were prevented from receiving supplemental feedings. The lack of supplemental feedings appears to have resulted in an increase in the child mortality rates in the camps.



There are about 238,000 Bihari Muslims living in camps at various places around the country. They have remained in Bangladesh since 1971 awaiting settlement in Pakistan. Biharis are non-Bengali Muslims who emigrated to Bangladesh during the 1947 partition. Most supported Pakistan during the independence war in 1971. They later declined to accept Bangladesh citizenship and asked to be repatriated to Pakistan. The Pakistan government historically has been reluctant to accept the Biharis. In December a representative organization for the Biharis announced that the Pakistan government was willing to begin repatriating 5,000 stranded Pakistanis from Bangladesh in the next year.

Since March, in five separate phases, 26,063 Chakma tribals have returned to Bangladesh from refugee camps in the neighboring Indian state of Tripura. The repatriation is the result of an agreement between the Government and tribal leaders to repatriate those who had fled the internecine violence of tribals and Bengali settlers in the Chittagong Hill Tracts. The sixth phase, which started in December, is to go until January 1998 and expected to result in the return of 7,505 more tribals (see Section 5).

Bangladesh is not a party to the 1951 United Nations Convention Relating to the Status of Refugees and its 1967 Protocol. The Government generally cooperates with the UNHCR and other humanitarian organizations in assisting refugees. The law does not provide for first asylum or resettlement of asylum seekers. However, in practice the Government does grant temporary asylum to individual asylum seekers whom the UNHCR has interviewed and recognized as refugees, on a case-by-case basis. At the request of the UNHCR, the Government has allowed about 200 asylum seekers, mostly from Somalia and Iran, to remain in Bangladesh for several years until they can arrange their resettlement in a third country. In the case of the Rohingya arrivals and attempted arrivals in 1996 and 1997, the Government effectively denied first asylum by categorizing them as illegal economic migrants, denying the UNHCR official access to those that did successfully enter Bangladesh, jailing many of them, and turning back as many as possible at the border. Nongovernmental organizations and journalists said that the new arrivals had fled various hardships and mistreatment, including forced labor.

In July the Government forcibly sent approximately 400 Rohingya refugees back to Burma, including 67 children sent back without their parents. This was in violation of its agreement with UNHCR and Burma to adhere to strict voluntariness in the repatriation program. These refugees had been cleared by the Burmese Government as Burmese nationals. However, the individuals were not willing at that time to return to Burma. Some of the refugees indicated they feared persecution in Burma. The Bangladesh Government apparently was



anxious to meet the August deadline that the Burmese Government had set for repatriations.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Bangladesh is a multiparty, parliamentary democracy in which elections by secret ballot are held on the basis of universal suffrage. Members of Parliament are elected at least every 5 years. The Parliament has 300 elected members, with 30 additional seats reserved for women, who are in turn elected by Parliament.

Bangladesh last held national elections in June 1996, after which the Awami League took office. That election was held under a neutral caretaker government. Domestic and international observers deemed it to be generally free and fair, and high voter turnout of 75 percent set new records for the country. In June a by-election was held in Manikganj, and also was judged generally free and fair. Nevertheless, elections in Bangladesh are often marred by violence, intimidation of voters, and vote-rigging. The Government and activists of the major political parties frequently engage in violence and harassment against political opponents, practices that intensify in the period prior to elections. Thirty people were reported killed during the course of nationwide local government elections in December. Election officials noted that this death toll was less than in previous similar elections. Independent groups monitoring the elections described the polls as substantially free and fair, although they identified many instances of violence or malpractice, including some by election officials. Political activists, at the local and national levels, also reportedly engage in extortion from businesses and individuals. In the Maghbazar area of Dhaka, student political activists reportedly extort money from local shop owners and businessmen.

In addition to the 30 parliamentary seats reserved for women (whose occupants are chosen by Parliament), women are free to contest any seat in Parliament. Seven women were elected in their own right in the 1996 national elections. Seats are not specifically reserved for other minority groups, such as tribal people. However, tribal people have some parliamentary representation; 8 members from minority groups won seats in the last elections.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government generally permits human rights groups to conduct their activities. In 1997 such groups published reports, held press conferences, and issued appeals to the Government with regard to specific cases. However, the



Government continues to refuse to register the Bangladesh Section of Amnesty International (AI). Since 1990 the AI Section has applied several times for registration under the Societies Registration Act. Without this registration, a voluntary organization cannot receive funding from abroad. Observers attribute the situation to resentment of criticism of its human rights record by Amnesty International.

The Government is sensitive to international opinion regarding human rights issues. It has been open to dialog with international organizations and foreign diplomatic missions regarding issues such as detention of opposition leaders and problems of trafficking in women and children.

The Government has put pressure on individual human rights advocates. Father Richard Timm, an American Catholic priest and human rights advocate who has worked in Bangladesh for over 40 years, has faced long delays in obtaining reentry visas. At year's end, Father Timm was still in Bangladesh on a 6 month visa. Other missionaries who advocate human rights have faced similar problems in the past.

Human rights organizations report that the Government sometimes puts pressure on them, usually in the form of harassment by government intelligence agencies, and threats from activists of the ruling party (see Section 1.f.). No major incidents of attacks on NGO workers or human rights activists were reported during the year. In past years representatives of local human rights groups have at times been physically attacked by religious extremists, who considered their activities un-Islamic. The Government has failed to bring to justice those who engaged in such violence.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution states that "all citizens are equal before the law and are entitled to equal protection by the law." In practice, the Government does not strongly enforce laws aimed at eliminating discrimination. In this context, women, children, minority groups, and the disabled often confront social and economic disadvantages.

Women



Violence against women is difficult to quantify because of unreliable statistics, but wife beating appears to be widespread. A growing awareness of the problem is fostered by the Government, media, and by women's rights organizations.

Much of the violence against women is related to disputes over dowries. According to one human rights group, there were 68 dowry related killings through September. Human rights groups and press reports indicate that incidents of vigilantism against women--sometimes led by religious leaders--are common occurrences, particularly in rural areas. These include humiliating, painful punishments, such as the whipping of women accused of moral offenses. For example, in July in a village in Sylhet district, local leaders reportedly whipped an unmarried 16-year-old girl and her parents because the girl was pregnant. Few perpetrators of such extrajudicial punishments are prosecuted. Other examples of extrajudicial action against women include an incident in August at the Golachipa police station. Police arrested a woman and her husband based on charges filed by the woman's former husband. The police allegedly brought the couple in front of the station, and before a crowd of hundreds, stripped them and forced the wife to have oral sex with her husband. The police then reportedly beat the couple. A few days after the incident, the couple was granted bail by the courts. The police warned the couple not to file any complaints and local authorities have taken no action to punish the police. In September a 14-year-old Shapna Begum was reportedly beaten to death when her elder brother and sister caught her having an affair. In October newspapers reported three Bangladesh Rifles soldiers in Dinajpur detained a woman as a suspected smuggler. They raped her and left her on the street unconscious.

The law prohibits rape and physical spousal abuse, but it makes no specific provision for spousal rape as a crime. The Government has enacted laws specifically prohibiting certain forms of discrimination against women, including the Anti-Dowry Prohibition Act of 1980, the Cruelty to Women Law of 1983, and the Women Repression Law of 1995. Enforcement of these laws is weak, however, especially in rural areas, and the Government seldom prosecutes those cases that are filed. However, in 1996 the Government accepted a suit against the State by a women's activist group in connection with the 1995 rape and murder of Yasmeen, a 14-year-old girl, by police officers; in August 3 police officers were convicted of the murder and sentenced to death (see Section 1.a.).

There is extensive trafficking of women and children for prostitution, within Bangladesh and to other countries in Asia. The number of women trafficked is unknown; human rights monitors estimate that several thousand women and children are victims of trafficking every year (see Section 5). While the law provides severe penalties for trafficking, few perpetrators are ever punished. Human rights groups reported approximately 50 persons were prosecuted for trafficking in 1997. Exact numbers are difficult to obtain as charges against trafficking are usually for lesser crimes, such as crossing borders without proper



documents. Human rights groups attribute this to lack of concern on the part of some local authorities regarding enforcement of trafficking laws (see Section 6.c.).

Women remain in a subordinate position in society. The Government has not acted effectively to protect their basic freedoms. Approximately 25 percent of women are literate, compared with 35 to 40 percent of the general population. In recent years, female school enrollment has improved. Approximately 50 percent of primary and secondary school students are female. Women are often unaware of their rights, because of continued high illiteracy rates among adults and unequal educational opportunities. Strong social stigmas and lack of economic means to obtain legal assistance frequently keep women from seeking redress in the courts.

According to the 1961 Muslim Family Ordinance, female heirs receive less inheritance than male heirs, and wives are more restricted in divorce rights. Men are permitted to have up to four wives, although this right is rarely exercised. Laws provide some protection for women against arbitrary divorce and the taking of additional wives by husbands without the first wife's consent, but the protections generally apply only to registered marriages. Marriages in the countryside are often not registered because of ignorance of the law.

While employment opportunities have been stronger for women than for men in the past few years, this is to a large extent due to the growth of the garment industry, in which female workers are prevalent. Programs extending credit to large numbers of rural women have also contributed to greater economic power for them. However, women still occupy only a small fraction of other wage-earning jobs, and hold fewer than 5 percent of government jobs. The Government's policy to include more women in government jobs has had limited effect.

Children

The Government undertakes programs in the areas of primary education, health, and nutrition. The Government made universal primary education between the ages of 6 and 10 years mandatory in 1991 but stated that it could not fully implement the law because of a lack of resources. The Government has also initiated programs that offer incentives for female children between the ages of 12 and 16 to remain in school. According to Education Ministry figures, approximately 86 percent of the children between the ages of 5 and 10 years are enrolled in school, including 84 percent of girls.

Because of widespread poverty, many children are compelled to work at a very young age. This results in abuse of children, mainly through mistreatment by



employers during domestic service, other labor servitude, and prostitution; this labor-related child abuse occurs commonly at all levels of society and throughout the country (see Section 6.d.).

Reports from human rights monitors indicate that child abandonment, kidnaping, and trafficking for labor bondage and prostitution continue to be serious and widespread problems. The United Nations Children's Fund (UNICEF) has estimated that there are about 10,000 child prostitutes in Bangladesh. Other estimates have been as high as 29,000. The law does not allow anyone under 18 years of age to engage in prostitution and stipulates a maximum sentence of life imprisonment for persons found guilty of forcing a child into prostitution. However, procurers of minors are rarely prosecuted. Prostitution is legal for those over the age of 18 with government certification, but this minimum age requirement is commonly ignored by authorities. There are large numbers of child prostitutes in government-sanctioned brothels.

There is extensive trafficking in both women and children, primarily to the Middle East, India, Pakistan, and Southeast Asia, and also within the country. The trade, which mainly is for purposes of prostitution and labor servitude, is difficult to quantify. Press reports and evidence from human rights monitors indicate that it is widespread. The connivance of officials at various levels allows the trade to function. Human rights monitors report that police and local government officials often either ignore trafficking of children and women for prostitution, or actually profit from it. Enforcement of laws against it is hampered by poor records and easy access to forged identity documents. Most trafficked persons are lured by promises of good jobs or marriage. The Government has expressed concern about the problem and has worked with U.N. agencies and nongovernmental organizations to seek ways to combat it. Awareness of the issue is increasing, and it receives frequent press coverage.

People with Disabilities

The laws provide for equal treatment and freedom from discrimination for the disabled, but they face social and economic discrimination. The Government has not enacted specific legislation or otherwise mandated accessibility for the disabled. There are not adequate facilities for treating the mentally ill or the retarded. Unless a family has money to provide personalized service or to send the mentally disabled overseas, a mentally ill person will find little treatment in the country.

Indigenous People



Tribal people have had a marginal ability to influence decisions concerning the use of their lands. Until 1985, the Government regularly parceled out land in the Chittagong Hill Tracts (CHT) to Bengali settlers. This led to the displacement of many tribal groups such as the Chakmas and Marmas.

The Shanti Bahini, a tribal insurgency group, had waged a low-level conflict in the CHT since the early 1970's. The violence was to deter nontribal Bengali settlers who sought to exploit the Tracts' fertile and sparsely populated land. Government settlement programs increased the number of Bengali inhabitants in the CHT from 3 percent of the region's total population in 1947 to approximately 50 percent in 1997.

During the periods of violence, all those who were involved--indigenous tribes, settlers, and security forces--accused each other of human rights violations. The specific incidents have been difficult to verify because the government travel restrictions, tight security, difficult terrain, and unsafe conditions created by the insurgency limited access to the area.

In 1994 the Government and the Shanti Bahini agreed to a cease-fire, which was extended at regular intervals. Discussions began under the recently elected Awami League Government to find a permanent settlement to the conflict.

On December 2, after several rounds of discussions, the Government signed a peace agreement with the representatives of the Shanti Bahini. The terms of the pact include a strong Regional Council (RC), consisting of mostly tribal representatives; reduction of the military presence in the CHT region; and a substantial compensation package for displaced tribal families. The Regional Council is to be the primary governing body of the Hill Tracts region. It is to consist of 21 members, 15 of them tribal. The chairman is also to be a tribal. The Regional Council is to have a broad range of responsibilities, including control of local administration, elections, law and order activities, taxes, and licensing, and must be consulted when the Government institutes any laws or amendments related to the CHT. The agreement is to lead to the gradual closing of all army and Bangladesh Rifles camps, except the larger, permanent cantonments. For compensation, the tribal families returning from refugee camps in the neighboring Indian state of Tripura are to receive approximately \$1,100 (50,000 taka), bank loans are to be written off, and each landless tribal family is to receive 2 acres of land.

In conjunction with the peace agreement discussions, repatriation of tribal refugees from the neighboring Indian state of Tripura began in March. In the five phases of repatriation completed since March, 26,063 tribals have returned. All sides have complained of some problems in the repatriation, but no complaints have been significant enough to halt the process. With the signing of the peace agreement, the Shanti Bahini has been more supportive of the repatriation. As part of the agreement the Shanti Bahini has begun turning its weapons into the Government.

Tribal people in other areas have reported similar problems of loss of land to Bengali Muslims through questionable legal practices and other means. The



Garos, who live in the Madhapur forest region in north central Bangladesh, continue to face problems in maintaining their cultural traditions and livelihoods in the face of reforestation projects. Human rights monitors in the region claim that the Garos are being harassed and intimidated into leaving their homes to make way for government-run, internationally financed economic development projects.

The Government had indicated in 1995 that it would establish a national park of 400 acres in the Mymensingh district. Part of that land would be taken from the Garo tribals. Action is still pending on that proposal. The Government has not ruled out moving the tribals from the land.

Religious Minorities

Hindus, Christians, and Buddhists make up an estimated 10 percent of the population. Although the Government is secular, religion exerts a powerful influence on politics. The Government is sensitive to the Muslim consciousness of the majority of its citizens. However, the Jamaat-E-Islami, the country's largest Islamic political party, went from 18 seats in Parliament after the 1991 elections, to 3 in the 1996 elections.

Islamic extremists have occasionally attacked women, religious minorities, and development workers. The Government has sometimes failed to denounce, investigate, and prosecute perpetrators of these attacks. Attacks were made on Hindu temples in Choumuhani, Tangail, and Patuakhali during the time of Durga Puja in October. Local political party activists allegedly attacked the temples and puja (worship) organizers for failing to pay extortion fees. Fifteen people were injured and religious scriptures were desecrated during the attacks. In all, 33 people were injured in attacks around the country during the Durga Puja festivals.

Religious minorities are in practice disadvantaged in such areas as access to government jobs and political office. Selection boards in the government services are often without minority group representation.

Property ownership, particularly among Hindus, has been a contentious issue since independence in 1971, when many Hindus lost landholdings because of anti-Hindu discrimination in the application of the law. Prior to its 1996 election victory, the Awami League promised to repeal the Vested Property Act, the law used to deprive Hindus of their property. However, the Government has so far taken no action. There have been in past years cases of violence directed against religious minority communities that have also resulted in the loss of property. Such intercommunal violence has caused some members of religious minority groups to depart the country.

Section 6 Worker rights

a. The Right of Association



The Constitution provides for the right to join unions and--with government approval--the right to form a union. Approximately 1.6 million members of the country's total work force of about 45 to 50 million workers belong to unions. Only about 3 million workers are involved in the formal industrial sector. There is a large unreported informal sector, for which no reliable labor statistics exist.

For a union to obtain and maintain its registration, 30 percent employee participation in the workplace is required. Moreover, would-be unionists are technically forbidden to engage in many labor "activities" prior to registration. Labor activists have protested that this requirement severely restricts workers' freedom to organize.

With the exception of workers in the railway, postal, telegraph and telephone departments, government civil servants are forbidden to join unions. This ban also applies to security-related government employees such as members of the military and police. Civil servants forbidden to join unions, such as teachers and nurses, have formed associations that perform functions similar to labor unions, i.e., providing for members' welfare, offering legal services, and airing grievances. Collective bargaining, however, is prohibited. Some workers have formed unregistered unions, particularly university employees and workers in the construction and transport (both public and private) industries.

Ten to 15 percent of approximately 4,200 labor unions are affiliated with 23 officially registered National Trade Union (NTU) centers (there are also several unregistered NTU's). There are no legal restrictions on political activities by labor unions, although the calling of nationwide general strikes or transportation blockades by unions is considered a criminal rather than a political act and thus forbidden.

While unions are not part of the government structure, they are highly politicized. Virtually all the NTU centers are affiliated with political parties, including one with the ruling Awami League. Some unions are militant and engage in intimidation and vandalism. Illegal blockades of public transportation routes by strikers occurred frequently during the year. Pitched battles between members of rival labor unions occur regularly. Fighting often is over the control of rackets or extortion payoffs and typically involves knives, guns, and homemade bombs.

Workers are eligible for membership on their unions' executive staff, the size of which is set by law in proportion to the number of union members. Registration of a union may only be canceled by the Registrar of Trade Unions with the concurrence of the Labor Court, but no such actions were known to have been taken in 1997. Several cases were filed, invariably by employers claiming a



union's membership had fallen below the requisite level, but, because of a backlog and other administrative problems, these cases have not come under review.

The right to strike is not specifically recognized in the law, but strikes are a common form of protest. There were 4 full-day, and 2 half-day general strikes during 1997. While such strikes were greatly reduced compared with 1996, politically motivated strikes increased during the last months of the year. A nationwide industrial strike was called on July 30 by a confederation of 17 national-level labor organizations. The demands included establishing a national minimum monthly wage of \$68 (3,000 taka), and increased investment in state-owned industries. Other prominent strikes, primarily over pay, included those by inland water transport employees and workers at Chittagong port, the country's major harbor. Some employees organized in professional associations or unregistered unions also went on strike during 1997. University teachers struck for short periods from time to time over the continuing problem of campus violence.

General strikes are standard tools of political opposition groups and are used to pressure the Government to meet political demands. Such strikes were greatly reduced compared with 1996, but 2 full-day general strikes and 2 half-day strikes for political reasons had occurred by the end of August. Wildcat strikes are illegal but occur frequently, with varying government responses. Wildcat strikes in the transportation sector are particularly common.

The Essential Services Ordinance permits the Government to bar strikes for 3 months in any sector that it declares essential. This ban, generally obeyed, has so far been applied to national airline pilots, water supply workers, shipping operations employees, and electricity supply workers. The bans tend to be renewed every 3 months. The Government is empowered to prohibit a strike or lockout at any time before or after the strike or lockout begins and to refer the dispute to the labor court. Mechanisms for conciliation, arbitration, and labor court dispute resolution were established under the Industrial Relations Ordinance of 1969. Workers have the right to strike in the event of a failure to settle. If a strike lasts 30 days or longer, the Government may prohibit the strike and refer the dispute to the Labor Court for adjudication. This has not happened since 1993.

There are provisions in the Industrial Relations Ordinance for the immunity of registered unions or union officers from civil liability. Enforcement of these provisions is uneven. In the case of illegal work actions, such as transportation blockades, police have arrested union members under the Special Powers Act or regular criminal codes.

There are no restrictions on affiliation with international labor organizations, and unions and federations maintain a variety of such links. Trade unionists are



required to obtain government clearance to travel to International Labor Organization (ILO) meetings, but no clearances were reported denied in 1997.

b. The Right to Organize and Bargain Collectively

Collective bargaining is legal only for private sector workers, on condition that the workers are represented by unions legally registered as collective bargaining agents by the Registrar of Trade Unions. Collective bargaining occurs on occasion in large private enterprises such as pharmaceuticals or jute and textiles, but with unemployment in the 30 percent range, workers' concerns over job security often outweigh wage and other issues. Collective bargaining generally does not occur in small private enterprises.

Public sector workers' pay levels and other benefits are recommended by the National Pay and Wages Commission. The Commission's recommendations are binding and may not be disputed except on the issue of implementation.

Under the Industrial Relations Ordinance, there is considerable leeway for discrimination against union members and organizers by employers. For example, the Ordinance allows arbitrary transfer of workers suspected of union activities or termination with payment of mandatory severance benefits (2 weeks' salary). Complaints that employers routinely engage in antiunion discrimination and harassment, including physical attack, are particularly common in the garment industry. In practice, private sector employers, sometimes working in collaboration with local police, tend to discourage any union activity. The Registrar of Trade Unions rules on discrimination complaints. In a number of cases the Labor Court has ordered the reinstatement of workers fired for union activities. However, the Labor Court's overall effectiveness is hampered by a serious case backlog, and there have also been allegations that some of its deliberations have been corrupted by employers.

The law prohibits professional and industry-based unions in the two export processing zones (EPZ's). A small number of workers in the EPZ's have skirted prohibitions on forming unions by setting up associations. The BNP government stated in 1992 that labor law restrictions on freedom of association and formation of unions in the EPZ's would be lifted by 1997. So far, however, this has not been done. In the burgeoning garment industry, there have been numerous complaints of workers being harassed and fired in some factories for trying to organize unions. In addition to the prohibition on unions, no collective bargaining takes place in the EPZ's. About 48,000 persons are employed in EPZ's, primarily in the textile and apparel, electronics component, and leather industries.



c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor, including that performed by children. The Factories Act and Shops and Establishment Act, both passed in 1965, set up inspection mechanisms to enforce laws against forced labor. These laws are not rigorously enforced, partly because resources for enforcement are few. There is no large-scale bonded labor. However, some domestic servants, including many children, work in conditions that resemble servitude and may suffer physical abuse, sometimes resulting in death.

There is extensive trafficking in both women and children, primarily to the Middle East, India, Pakistan, and Southeast Asia, and also within Bangladesh. The trade, which mainly is for purposes of prostitution and labor servitude, is difficult to quantify. The connivance of officials at various levels allows the trade to function. Human rights monitors report that police and local government officials often either ignore trafficking of children and women for prostitution, or actually profit from it. Enforcement of laws against it is hampered by poor records and easy access to forged identity documents. Most trafficked persons are lured by promises of good jobs or marriage. The Government has expressed concern about the problem and has worked with U.N. agencies and nongovernmental organizations to seek ways to combat it. Awareness of the issue is increasing, and it receives frequent press coverage.

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits labor by children, including forced or bonded labor. However, such practices occur (see Section 6.c.). The Factories Act of 1965 bars children under the age of 14 from working in factories. This law also stipulates that young workers (children and adolescents) are only allowed to work a maximum 5-hour day and only between the hours of 7 a.m. and 7 p.m.

Enforcement of these rules is inadequate. Because of widespread poverty, many children begin to work at a very young age. According to a 1996 labor force survey by the Government, the country has 6.3 million working children between the ages of 5 and 14 years, the great majority of whom performed unpaid labor for their families, especially in agricultural areas. UNICEF and ILO surveys indicate that, of children 6 to 17 years of age, 21 percent of boys and 4 percent of girls are working in paid employment. Children are commonly seen driving rickshaws, breaking bricks at construction sites, carrying fruit, vegetables, and dry goods for shoppers at markets, and working at tea stalls. They are found as peelers, packers, and beachcombers in the shrimp industry. Also, children work side by side with other family members in small-scale and subsistence agriculture. Children



routinely perform domestic work. Cases of children being physically abused and occasionally killed by heads of households where they work are reported in the press. Under the law, every child must attend school through the fifth grade, or to age 10 years. However, the Government continues to maintain that it does not yet have the resources to implement this law effectively.

Protracted negotiations led to the July 1995 signing of a memorandum of understanding (MOU) between the Bangladesh Garment Manufacturers and Exporters Association (BGMEA), UNICEF, and the ILO to eliminate child labor in the export garment sector. Under the MOU, the garment sector was to become child labor free by October 31, 1996, with former child laborers enrolled in UNICEF-run schools, and follow-up inspections of factories by ILO inspection teams. The children receive a small monthly stipend while attending school to help replace their lost income. Under the MOU, more than 8,000 former child laborers were enrolled in over 300 UNICEF schools during 1997. Since October 1996, follow-up inspection teams have consistently found more than 80 percent of factories child labor free. Violations of the ban on child labor were minimal and declining. According to ILO inspectors, most violating factories had one or two laborers, and only about 1 percent of the factories more than this number. The almost 3,000 new child laborers who had been found by inspection teams by the end of November were subsequently enrolled in MOU schools. The BGMEA imposed some fines on members who were found to be violating the MOU, although an arbitration committee that imposed these fines functioned slowly. As of September 1, BGMEA began to assess violating factories charges equal to the cost of providing stipends and schooling to newly discovered laborers, and the ILO credited this development with causing a significant reduction in the violations. The number of children working in nonexport, or nonfactory garment production, is unknown.

The law allows prostitution for those over the age of 18 with government certification. The law provides a maximum sentence of life imprisonment for persons found guilty of forcing a child into prostitution. However, minimum age requirements are commonly ignored by authorities, abetted by lax age documentation. Procurers of minors are rarely prosecuted. As a result, there are large numbers of child prostitutes in government-sanctioned brothels. Human rights groups have estimated there may be over 8,000 child prostitutes, most of them coerced, in the government-sanctioned brothels.

e. Acceptable Conditions of Work

There is no national minimum wage. Instead, the wage commission, which convenes every several years, sets wages and benefits industry by industry. In most cases, private sector employers ignore this wage structure. Organized jute and textile workers have called strikes in an attempt to win wage parity for their



industry's private sector workers. The average monthly wage is sufficient to provide an individual with a minimal standard of living but is not sufficient to provide a decent standard of living for a worker and family.

The law sets a standard 48-hour workweek with 1 day off mandated. A 60-hour workweek, inclusive of a maximum 12 hours of overtime, is allowed. The law is poorly enforced in industries such as hosiery and ready-made garments.

The Factories Act of 1965 nominally sets occupational health and safety standards. The law is comprehensive but appears to be largely ignored by employers. Workers may resort to legal action for enforcement of the law's provisions, but few cases are actually prosecuted. Enforcement by the Labor Ministry's industrial inspectors is weak. Due to high unemployment and inadequate enforcement of the laws, workers demanding correction of dangerous working conditions or refusing to participate in perceived dangerous activities risk losing their jobs.

(###)

Latinum est, non legitur

In omnibus requiem quaesivi, et nusquam inveni nisi in angulo cum libro. Omnis mundi creatura quasi liber et pictura nobis est in speculum. Monasterium sine libris est sicut civitas sine opibus, castrum sine numeris, coquina sine suppellectili, mensa sine cibis, hortus sine herbis, pratum sine floribus, arbor sine foliis.

Pictura est

Pictura est laicorum literatura. Mors est quies viatoris, finis est omnis laboris. Habeat Librarius et registrum omnium librorum ordinatum secundum facultates et auctores, reponeatque eos separatim et ordinate cum signaturis per scripturam applicatis. Omnis mundi creatura, quasi liber et scriptura. Fabulae poetae a fando nominaverunt quia sunt res factae sed tandem loquendo fictae.

De hoc satis

Verba vana aut risui apta non loqui. Admittenda tibi joca sunt post seria quaedam, sed tamen et dignis et ipsa gerenda modis. Nihil sequitur geminis ex particularibus unquam. Ut cachinnis dissolvatur, torqueatur rictibus.

1. Pictura est laicorum literatura.

2. Mors est quies viatoris, finis est omnis laboris.

3. Habeat Librarius et registrum omnium librorum ordinatum secundum facultates et auctores, reponeatque eos separatim et ordinate cum signaturis per scripturam applicatis.

Verba vana aut risui apta non loqui. Admittenda tibi joca sunt post seria quaedam, sed tamen et dignis et ipsa gerenda modis.



* Nihil sequitur geminis ex particularibus unquam. Ut cachinnis dissolvatur, torqueatur rictibus.

* Hic sunt leones.

* Terribilis ut castrorum acies ordinata.

* Hunc mundum tipice laberinthus denotat ille.

Nihil sequitur geminis ex particularibus unquam. Ut cachinnis dissolvatur, torqueatur rictibus.

Duis autem vel eum iriure

Hoc spumans mundanas obvallat Pelagus oras, terrestres amnios fluctibus cudit margines. Saxeas undosis milobus irrui avionias. Infima bomboso vertice miscet glareas asprifero spergit spumas sulco. Sonoreis frequenter gaudetur flabris. Hic sunt leones. Terribilis ut castrorum acies ordinata. Hunc mundum tipice laberinthus denotat ille. De dicto et non de re. Nomina sunt consequentia rerum. O quam salubre, quam incumdatum et suave est sedere in solitudine et tacere et loqui cum Deo.

Lorem ipsum dolor sit amet

Latinum est, non legitur. In omnibus requiem quaesivi, et nusquam inveni nisi in angulo cum libro. Omnis mundi creatura quasi liber et pictura nobis est in speculum.

Monasterium sine libris est sicut civitas sine opibus, castrum sine numeris, coquina sine suppellectili, mensa sine cibis, hortus sine herbis, pratum sine floribus, arbor sine foliis.

Omnis mundi creatura, quasi liber et scriptura. Fabulae poetae a fando nominaverunt quia sunt res factae sed tandem loquendo fictae.

Duis autem vel eum iriure

Hoc spumans mundanas obvallat Pelagus oras, terrestres amnios fluctibus cudit margines. Saxeas undosis milobus irrui avionias. Infima bomboso vertice miscet glareas asprifero spergit spumas sulco. Sonoreis frequenter gaudetur flabris.

De dicto et non de re. Nomina sunt consequentia rerum. O quam salubre, quam incumdatum et suave est sedere in solitudine et tacere et loqui cum Deo. De dicto et non de re. Nomina sunt consequentia rerum. O quam salubre, quam incumdatum et suave est sedere in solitudine et tacere et loqui cum Deo. De dicto et non de re. Nomina sunt consequentia rerum. O quam salubre, quam incumdatum et suave est sedere in solitudine et tacere et loqui cum Deo. De dicto et non de re. Nomina sunt consequentia rerum. O quam salubre, quam incumdatum et suave est sedere in solitudine et tacere et loqui cum Deo.

Lorem ipsum dolor sit amet

Latinum est, non legitur. In omnibus requiem quaesivi, et nusquam inveni nisi in angulo cum libro. Omnis mundi creatura quasi liber et pictura nobis est in speculum.

Monasterium sine libris est sicut civitas sine opibus, castrum sine numeris, coquina sine suppellectili, mensa sine cibis, hortus sine herbis, pratum sine floribus, arbor sine foliis.

Pictura est laicorum literatura. Mors est quies viatoris, finis est omnis laboris. Habeat Librarius et registrum omnium librorum ordinatum secundum facultates et auctores, reponatque eos separatim et ordinate cum signaturis per scripturam applicatis. Omnis mundi creatura, quasi liber et scriptura. Fabulae poetae a fando nominaverunt quia sunt res factae sed tandem loquendo fictae.



Pulchra enim sunt ubera quae paululum supereminent en tument modice, nec fluitantia licenter, sed leniter restricta, repressa sed non depressa. Homo nudus cum nuda iacebat. Et non commiscebantur ad invicem. Forte potuit sed non legitur eo usus fuisse. Omne animal triste post coitum. De hoc satis. Verba vana aut risui apta non loqui. Admittenda tibi joca sunt post seria quaedam, sed tamen et dignis et ipsa gerenda modis. Nihil sequitur geminis ex particularibus unquam. Ut cachinnis dissolvatur, torqueatur rictibus.

Duis autem vel eum iriure

Hoc spumans mundanas obvallat Pelagus oras, terrestres amnios fluctibus cudit margines. Saxeas undosis milobus irruit avionias. Infima bomboso vertice miscet glareas asprifero spergit spumas sulco. Sonoreis frequenter qautitur flabris. Hic sunt leones. Terribilis ut castrorum acies ordinata. Hunc mundum tipice laberinthus denotat ille. De dicto et non de re. Nomina sunt consequentia rerum. O quam salubre, quam incundum et suave est sedere in solitudine et tacere et loqui cum Deo.

Hic sunt leones

Terribilis ut castrorum acies ordinata. Hunc mundum tipice laberinthus denotat ille. De dicto et non de re. Nomina sunt consequentia rerum.

De hoc satis

Verba vana aut risui apta non loqui. Admittenda tibi joca sunt post seria quaedam, sed tamen et dignis et ipsa gerenda modis. Nihil sequitur geminis ex particularibus unquam.

Pulchra

Pulchra enim sunt ubera quae paululum supereminent en tument modice, nec fluitantia licenter, sed leniter restricta, repressa sed non depressa. Homo nudus cum nuda iacebat. Et non commiscebantur ad invicem. Forte potuit sed non legitur eo usus fuisse. Omne animal triste post coitum. De hoc satis. Verba vana aut risui apta non loqui. Admittenda tibi joca sunt post seria quaedam, sed tamen et dignis et ipsa gerenda modis. Nihil sequitur geminis ex particularibus unquam. Ut cachinnis dissolvatur, torqueatur rictibus.

