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2011 Country Reports on Human Rights Practices - Bangladesh

EXECUTIVE SUMMARY

Bangladesh is a parliamentary democracy. Prime Minister Sheikh Hasina Wazed led the Awami League (AL) alliance, a 14-party coalition with an overwhelming majority of parliamentary seats. International and domestic observers considered the 2008 elections to be free and fair, with isolated irregularities and sporadic violence. There were instances in which elements of the security forces acted independently of civilian control.

The most significant human rights problems were killings and torture by security forces; societal violence and discrimination against women, despite recent progress in their economic and social status; and the government's discrimination against and failure to protect indigenous persons from societal violence.

Other human rights problems included abuses by security forces, which were responsible for disappearances, custodial deaths, and arbitrary arrest and detention. Prison conditions at times were life threatening, and lengthy pretrial detention continued to be a problem. An increasingly politicized judiciary exacerbated problems in an already overwhelmed judicial system and constrained access to justice for members of opposition parties. Authorities infringed on citizens' privacy rights. There were instances in which the government limited freedom of speech and press, self-censorship continued, and security forces harassed journalists. The government curbed freedom of assembly, and politically motivated violence remained a problem. Widespread official corruption remained a serious problem. Violence against children remained a serious problem, as did trafficking in persons. Discrimination against persons with disabilities was a problem. Societal violence against religious and ethnic minorities persisted, although many government and civil society leaders stated that these acts often had political or economic motivations and could not be attributed only to religious belief or affiliation. Discrimination against persons based on their sexual orientation remained a problem. Limits on worker rights, child labor, and unsafe working conditions also remained problems.

Impunity continued to be a serious problem in several areas. Most members of the security forces acted with impunity, the Rapid Action Battalion (RAB) in particular. The government did not take comprehensive measures to investigate cases of security force killings. Widespread official corruption and related impunity continued. Punishment of officials who committed abuses was predominantly limited to officials perceived to be opponents of the AL-led government.

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

a. Arbitrary or Unlawful Deprivation of Life

Members of the security forces committed numerous extrajudicial killings. Police, Border Guard Bangladesh (BGB) forces (the former Bangladesh Rifles), and the RAB at times used unwarranted lethal force.

Allegations about the RAB's arbitrary actions were numerous. For example, according to Odhikar, a domestic human rights organization, members of the RAB shot and killed Mohammad Shafiqul Islam, a local politician from Comilla, on April 4 in Narayanganj District near Dhaka City. The RAB picked up Shafiqul, who was named in several criminal cases filed by a political rival, in the Demra neighborhood in Dhaka City and took him to a village. According to company commander Arman Uddin Chowdhury, Shafiqul was killed in a shootout between the RAB and a

group of "robbers." The RAB did not state whether or not he was a participant in the shootout, but the official statement included references to the previous criminal cases filed against him. A coroner's inquest determined that Shafiqul was shot five times. Human rights organizations called for a formal, transparent investigation into the death, but there was no investigation by year's end.

The government did not release statistics for total killings by all security personnel. The government did not take comprehensive measures to investigate cases. According to the media and local human rights organizations, no case resulted in criminal punishment, and in the few instances in which the government brought charges, those found guilty generally received administrative punishment. Most members of the security forces acted with impunity. Since 2004, when the minister for law, justice, and parliamentary affairs stated that crossfire deaths under the custody of the RAB or the police could not be considered custodial deaths, the government has not disclosed any prosecution of a RAB officer for a killing.

According to media reports, local and international human rights organizations, and the government, the RAB killed 43 persons during the year, compared with 68 the previous year. Combined security units containing RAB members killed eight persons during the year. The deaths, some under unusual circumstances, occurred during raids, arrests, and other law enforcement operations, or, in some cases, while the accused was in custody. The government often described these deaths as "crossfire killings," "gunfights," or "encounter killings," terms it used to characterize exchanges of gunfire between the RAB or police and criminal gangs.

For example, according to press and human rights organization reports, the RAB shot and killed five men in the Uttara neighborhood of Dhaka City on August 12. According to the RAB, officers fired on the vehicle containing Mohammad Hasan, Mostofa Hossain, Suruj Miah, Sabuj, and Mohammad Maruf after the victims initiated the gunfire; however, a report by the *Daily Star* cited eyewitnesses disputing the claim, saying that the victims were shot from a short distance and did not fire any shots. Non-RAB law enforcement officials were responsible for 33 deaths, 15 of which were attributed to crossfire incidents.

According to the human rights organization Ain O-Shalish Kendra (ASK), 216 deaths occurred in custody during the year, including 116 deaths in prison. Many of the deaths were allegedly the result of torture (also see section 1.c.).

According to the *Daily Star*, Mohammad Mobarak Ali died in police custody in Chittagong on April 30. Mobarak, a rickshaw puller, was detained on drug-related charges, and his body showed signs of beating after his initial period in custody. After his death the police report stated that he died of "drug dependency withdrawal syndrome"; however, according to the *Daily Star* report, Mobarak was not a drug user.

The case concerning the May 2010 death in custody of Mohammad Manik continued. Manik allegedly was tortured to death by Subinspector Yunus Miah.

There were no developments concerning the May 2010 death of Abul Kalam Azad. Azad's family claimed that the RAB tortured him to death.

According to Odhikar, an inquiry committee formed to investigate the death of Mohammad Mizanur Rahman, allegedly shot by police Subinspector Anisur Rahman during interrogation in June 2010, determined that Mizanur died from bullets fired by "muggers."

There were a significant number of reports of killings involving political party supporters targeting other political party supporters, although there was no evidence of support from party leadership.

Politically motivated violence decreased from the previous year; however, the trend was an increase in such violence since the AL government assumed office, with opposition party supporters claiming attacks and harassment by ruling party supporters. Motivations for the violence often were unclear. According to Odhikar, 135 deaths were suspected of being politically motivated, compared with 220 the previous year. There were also 340 incidents of internal violence in the AL and 104 within the Bangladesh Nationalist Party (BNP). Twenty-two persons were killed and 3,770 persons injured in AL internal conflict, and three persons were killed and 1,234 persons injured in internal BNP violence. Incidents of nonlethal politically motivated violence also occurred (see section 1.c.).

Violence along the border with India remained a problem, but following a series of intergovernmental meetings, the number of incidents decreased by approximately 58 percent compared with the previous year. There were reports that the BGB engaged in shootings along the border.

According to human rights organizations, the Indian Border Security Force killed 31 Bangladeshis during the year, compared with 98 the previous year. For example, according to Odhikar, on January 7, Indian forces shot and killed 15-year-old Felani Khatun as she attempted to cross the border fence. Felani's body hung from the fence for five hours before Indian authorities transferred her to their Bangladeshi counterparts.

b. Disappearance

Disappearances and kidnappings, many allegedly by the security services, increased during the year, but precise figures were unavailable. At least some of the kidnappings were politically motivated, although many were often for money or as a result of localized rivalries. According to Odhikar, there were 30 disappearances with alleged ties to security personnel, compared with nine in 2010. According to the RAB, the organization was accused of disappearances that were the responsibility of private citizens who impersonated its forces.

For example, according to Odhikar, on February 15, the RAB detained Mohammad Rafiqul Islam, an imam and salesman in the North Shahjahanpur neighborhood of Dhaka City. Eyewitnesses and a police report filed by the victim's son-in-law stated that RAB officers, some in civilian dress and others in RAB uniforms, detained Rafiqul and forced him into a covered pickup truck. The RAB denied arresting him. Rafiqul's whereabouts remained unknown at year's end.

The whereabouts of Mohammad Chowdhury Alam, a BNP city councilor in Dhaka allegedly detained by the RAB in June 2010, remained unknown as of year's end.

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

Although the constitution prohibits torture and cruel, inhuman, or degrading punishment, security forces, including the RAB and police, frequently employed torture and severe physical and psychological abuse during arrests and interrogations. Security forces used threats, beatings, and electric shock. According to Odhikar, security forces tortured at least 46 persons. The government rarely charged, convicted, or punished those responsible, and a climate of impunity allowed such abuses by the RAB and police to continue.

The criminal procedure code contains provisions allowing a magistrate to place a suspect in interrogative custody, known as remand, during which the suspect could be questioned without his or her lawyer present. During the year the government made efforts to limit the amount of time allowed for remand; however, these efforts were largely ignored by local magistrates. Most abuses occurred during periods of remand.

For example, according to press and human rights reports, Momtaz Uddin Ahmed, a Supreme Court lawyer affiliated with the opposition BNP, died on August 26, 15 days after he was detained and interrogated by the Dhaka Metropolitan Police. Ahmed's family alleged that he was tortured, causing him to suffer a heart attack. Ahmed's wife filed a case against the home minister seeking restitution. The police denied torturing Ahmed, and the results of a Home Ministry investigation into the matter were inconclusive as of year's end.

A Home Ministry-formed investigation committee concluded an inquest into the alleged torture and killing of Mohammad Mohiuddin Arif by the RAB in January 2010. The National Human Rights Commission filed an application to have the death investigated. The Home Ministry had not published the report as of year's end.

Salahuddin Quader Chowdhury remained incarcerated awaiting war crimes charges related to the country's 1971 war of independence. Chowdhury's family alleged that he was tortured during his initial interrogation, but police denied the charges. Chowdhury was later moved into protective custody and allowed medical treatment, but serious concerns regarding his health persisted.

According to Odhikar, there were at least four recorded incidents of rape and sexual abuse by police officers and armed forces personnel.

There were also incidents of nonlethal politically motivated violence. For example, according to press and human rights organization reports, police officers brutally beat Zainul Abdin Farroque, an opposition BNP member of parliament (MP) and the party's chief whip, while he was leading a procession near parliament during the BNP's July 6 nationwide strike. Farroque sustained serious cranial trauma and subsequently left the country to seek medical treatment. According to *Amar Desh*, a BNP-leaning daily newspaper, the two police officers involved were both former Bangladesh Chhatra League (BCL) leaders from Kishoreganj District in Dhaka Division. The police later filed a case accusing Farroque of obstructing the officers in the performance of their duty. The case was pending year's end.

Individual members of student wings from all major parties were responsible for numerous acts of on-campus violence. In 2010 auxiliary student wings were formally severed from the political parties, and according to media and human rights sources, many incidents of violence were related to criminal activities or personal as opposed to political vendettas. Despite the formal separation, some politicians representing all major parties mobilized members of student wings for movements and demonstrations.

For example, according to Odhikar, on August 14, in Sunamganj District in Sylhet Division, activists from the BCL, the ruling AL's auxiliary student wing, attacked a meeting of the Committee for the Protection of Oil, Gas, Mineral Resources, Power, and Port, an organization that opposed the government's energy policies. The BCL activists stormed the meeting and violently dispersed those in attendance, injuring seven persons.

Prison and Detention Center Conditions

Prison system conditions remained life threatening at times due to overcrowding, inadequate facilities, and lack of proper sanitation. Human rights observers stated that these conditions contributed to custodial deaths.

According to Odhikar, 105 persons died in prison and 140 persons died in the custody of police and other security forces during the year, compared with 46 prison deaths and 109 custodial deaths in 2010.

According to the government, the existing prison population at year's end was 69,850, or more than 237 percent of the official prison capacity of 29,450. Of the entire prison population, approximately one-third of the detainees had been convicted. The rest were either awaiting trial or detained for investigation. Due to the severe backlog of cases, individuals awaiting trial often spent more time in jail than if they had been convicted and served a maximum sentence. In most cases prisoners slept in shifts because of the overcrowding and did not have adequate bathroom facilities. Conditions in prisons varied widely often within the same prison complex as some prisoners were subject to high temperatures, poor ventilation, and overcrowding while others were placed in "divisional" custody, which featured better conditions, such as increased family visitation and access to household staff. Political and personal connections often influenced the conditions in which a prisoner would be placed. All prisoners have the right to medical care and water access. Human rights organizations and the media stated that many prisoners did not enjoy these rights, and available water was often nonpotable.

The law requires that juveniles be detained separately from adults, but in practice many juveniles were incarcerated with adults. More than 300 children were imprisoned (some with their mothers), despite laws and court decisions prohibiting the imprisonment of minors. In some places the figure was much higher, mainly because there was no proper means of recording age in the criminal justice system. According to statistics from the 2008 International Centre for Prison Studies report, minors made up 0.4 percent of the prison population.

Although the law prohibits women in "safe custody" (usually victims of rape, trafficking, and domestic violence) from being housed with criminals, in practice officials did not always provide separate facilities in these situations. According to Odhikar there were 2,402 women incarcerated in prisons.

Prisoners were permitted religious observance. Prisoners were allowed to submit uncensored complaints to authorities, and the authorities occasionally investigated these complaints.

In general the government did not permit prison visits by independent human rights monitors, including the International Committee of the Red Cross. Government-appointed committees composed of prominent private citizens in each prison locality monitored prisons monthly but did not publicly release their findings. District judges occasionally visited prisons but rarely disclosed their findings to the public.

There were few efforts to improve the prison system during the year.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, the law permits authorities to arrest and detain persons suspected of criminal activity without an order from a magistrate or a warrant.

Legal experts and human rights activists criticized the use of mobile courts during opposition party-imposed nationwide strikes. Mobile courts headed by magistrates were employed to prosecute persons who illegally tried to support the strikes by rendering verdicts on the spot, which often included prison terms.

For example, according to Odhikar, a mobile court interdicted Khandaker Ashaduzzaman during a nationwide strike on July 5 and accused him of arson. According to numerous eyewitnesses, Ashaduzzaman was not in the vicinity of the arson incident; however, the mobile court summarily sentenced him to six months' imprisonment. Ashaduzzaman accused the police of torture and remained in prison at year's end.

Role of the Police and Security Apparatus

Police are organized nationally under the Ministry of Home Affairs (MOHA) and have a mandate to maintain internal security and law and order. The army is responsible for external security but also has some domestic security responsibilities, such as in the Chittagong Hills Tracts. Police generally were ineffective and reluctant to investigate persons affiliated with the ruling party. Impunity was widespread among the security forces. Although mechanisms exist to investigate abuses by security forces, in practice these were not implemented. The government took some steps to improve police professionalism, discipline, training, and responsiveness and reduce corruption. For instance, the RAB sought technical assistance towards the creation of an internal affairs unit.

In Natore District's Barigram subdistrict, the case concerning the October 2010 murder of subdistrict chairman Sanaullah Noor Babu in an attack on a BNP rally by the BCL stalled, as all 27 accused were granted bail. Video of the incident was dispersed on the Internet showing a local AL leader beating Babu to death. Local authorities told the media that the case would

move forward but did not offer a timeline. The local Awami League MP later addressed a rally of AL activists, telling them they had "nothing to worry about" over the incident.

In August 2010 the AL-led government withdrew charges previously filed against AL activists for firing on a BNP rally in Dhaka's Malibagh neighborhood in 2001, terming the charges politically motivated. Witness and media reports placed the 23 prominent AL activists accused, include an AL MP, at the forefront of a group that fired on the BNP rally, killing four persons and wounding four others. Newspapers published photographs from the incident that showed many of the accused brandishing firearms. The four murder cases stalled in the absence of accused parties.

Tangail District's Ahmadi community experienced three waves of coordinated attacks in June, August, and October 2010. In each incident the attackers entered Ahmadi villages, targeting male members of the sect for beatings and vandalized homes and religious institutions. The attacks left more than 20 persons injured. The community reported the attacks to the police, but no arrests were made.

Plaintiffs rarely accused police in criminal cases due to lengthy trial procedures and fears of retribution. Reluctance to bring charges against police perpetuated a climate of impunity.

Security forces frequently failed to prevent societal violence (see section 2.d.).

Arrest Procedures and Treatment While in Detention

The law provides for arrest on suspicion of criminal activity without an order from a magistrate or a warrant, and the government regularly used such provisions. The government or a district magistrate may order a person detained for 30 days to prevent the commission of an act that could threaten national security; however, authorities held detainees for longer periods. The magistrate must inform the detainee of the grounds of detention, and an advisory board is required to examine the detainee's case after four months. Detainees had the right to appeal.

ASK and media outlets estimated that authorities made more than 2,000 routine arrests daily. The majority of those arrested were released within one or two days, often on payment of a bribe.

On September 19, the AL government carried out a mass arrest of Jamaat-e-Islami activists after the organization's student front clashed violently with police.

There was a functioning bail system in the regular courts. For example, the courts granted bail to almost all of the officials and former officials accused of corruption under the caretaker government; however, the system sometimes moved slower in cases that carried political implications. Additionally the attorney general ordered that his office have the final decision on bail cases for violations of the code of criminal procedure.

Most criminal detainees charged with crimes were granted access to attorneys. The government rarely provided detainees with state-funded defense attorneys, and there were few legal aid programs for detainees. Government-funded legal aid programs received little funding, and there were no efforts to expand those programs during the year. The government generally permitted lawyers to meet with their clients only after formal charges were filed in the courts, which in some cases occurred several weeks or months after the initial arrest.

Arbitrary Arrest: Arbitrary arrests were common, and the government held persons in detention without specific charges, often to collect information about other suspects.

Pretrial Detention: Arbitrary and lengthy pretrial detention continued to be a problem due to bureaucratic inefficiencies, limited resources, lax enforcement of pretrial rules, and corruption. There were an estimated two million pending civil and criminal cases. A 2008 estimate from the International Center for Prison Studies found that nearly 70 percent of prison inmates were in pretrial detention.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but in practice a longstanding temporary provision of the constitution placed the executive in charge of the lower courts, judicial appointments, and compensation for judicial officials. Legislation from 2007 officially separating the judiciary from the executive remained in effect throughout the year.

Despite ostensible separation of the judiciary from the executive, the political authority made judicial appointments to the higher courts and allegedly influenced many judicial decisions on politically sensitive cases, including decisions regarding bail and detention for political opponents of the government. On October 20, 10 additional judges appointed by the AL-led government were sworn into the High Court Division of the Supreme Court. The Supreme Court Bar Association declined to participate in the customary felicitation of the judges, citing the panel's alleged political makeup.

Throughout the year President Zillur Rahman granted clemency in cases filed under previous governments that the government deemed politically motivated. The majority of clemencies were granted to persons affiliated with the AL, and many clemencies drew widespread criticisms from civil society.

Human Rights Watch reported that defense counsel for Jamaat-e-Islami leaders accused of war crimes suffered intimidation from law enforcement and government officials.

Corruption and a substantial backlog of cases hindered the court system, and trials were typically marked by extended continuances that effectively prevented many defendants from obtaining fair trials due to witness tampering, victim intimidation, and missing evidence. Human rights observers stated that magistrates, attorneys, and court officials demanded bribes from defendants in many cases filed during the year.

Trial Procedures

The law provides accused persons with the right to be represented by counsel, review accusatory material, call or question witnesses, and appeal verdicts. Cases are decided by judges rather than juries, and trials are public. In practice a public defender is rarely provided to defendants. Defendants are presumed innocent and have the right to appeal, be present, and see the government's evidence.

According to the National Human Rights Commission, 90 percent of those eventually brought to trial were not convicted.

Political Prisoners and Detainees

During the year the government, through an interministerial committee, continued to identify and withdraw allegedly "politically motivated" cases initiated under the caretaker government. The majority of the cases recommended for withdrawal were against AL members. While political affiliation was often a factor in the arrest and prosecution of members of the opposition parties, no persons were prosecuted solely for political reasons.

Civil Judicial Procedures and Remedies

Administrative and judicial remedies are available for alleged wrongs. The government did not interfere with civil judicial procedures. Corruption and outside influence were problems in the civil judicial system. Alternative dispute resolution for civil cases allows citizens to present their cases for mediation. According to government sources, wider use of mediation in civil cases quickened the administration of justice, but there was no assessment of its fairness or impartiality. Individuals and organizations have the right to seek civil remedies for human rights violations; however, the civil court system was slow and cumbersome, deterring many from filing cases.

Property Restitution

The government continued to take no action to compensate individuals, primarily Hindus, who lost their land under the 1974 Vested Property Act, despite the change to the law in 2001 requiring the return of the land (see section 2.d.).

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

The law allows intelligence and law enforcement agencies to monitor private communications with the permission of the chief executive of the MOHA.

According to media reports, the government established a national monitoring center consisting of representatives from law enforcement and intelligence agencies to monitor and coordinate telephone taps in 2008. Media and human rights groups complained that the government continued to employ the practice of illegal telephone tapping. Police rarely obtained warrants as required, and officers who violated these procedures were not punished. Human rights organizations indicated that the special branch of police, National Security Intelligence, and the Directorate General Forces Intelligence employed informers to conduct surveillance and report on citizens perceived as critical of the government. The government also routinely conducted surveillance on opposition politicians. Human rights organizations and news outlets reported that police often entered private homes without obtaining the proper authorization.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Status of Freedom of Speech and Press

The constitution provides for freedom of speech and press, but the government frequently failed to respect these rights in practice.

Freedom of Speech: The 15th constitutional amendment, which parliament passed in July, contained language equating criticism of the constitution with sedition. Under the penal code, the punishment for sedition ranges from three years' to life imprisonment, and during the year sedition cases were filed against opposition leaders who made such critical remarks.

Freedom of Press: There were hundreds of daily and weekly independent publications. Newspapers critical of the government experienced negative government pressure. In addition to one official government-owned news service, there were two private news services. In 2010 Reporters Without Borders noted a slight decline in the country's already limited level of press

freedom. In Freedom House's 2010 press freedom report, the country's press was described as only partly free.

The government owned one radio station and one television station. The law mandates that the public television station, BTV, remain the country's only terrestrial (nonsatellite) broadcast channel. An estimated 60 percent of the population did not have access to private satellite channels, and surveys indicated that almost 80 percent of citizens received their information from television. BTV broadcasts parliamentary sessions and government programming but rarely broadcasts opposition views. Cable operators generally functioned without government interference. The government required all private stations to broadcast, without charge, selected government news programs and speeches by the prime minister.

Since coming to power in 2009, the AL-led government has shut two television channels, Channel 1 and Jamuna-TV. Both remained off the air at year's end.

The government issued new licenses to operate television channels to political supporters and denied new licenses to political opponents. This conformed to past practice and was not unique to the AL.

Violence and Harassment: Attacks on journalists continued to be a problem. There was an increase in individuals affiliated with the government or ruling party harassing, arresting, or assaulting journalists. According to Odhikar and media watchdog groups, at least one journalist was killed, 139 were injured, one was arrested, 43 were assaulted, 53 were threatened, and 23 had cases filed against them during the year. Student groups also attacked journalists. The government did not provide adequate protection to journalists.

Journalists perceived to be critical of the government and those aligned with the opposition alleged harassment from unspecified wings of the security forces and members of the ruling party. For example, on May 20, the prime minister's security adviser, Tarique Ahmed Siddique, held a press conference to announce that the government possessed evidence that a prominent editor of a national daily newspaper was closely tied to Islamic militancy and that, if it wanted to, the government could arrest the editor. Siddique did not name the editor and no arrests were made.

On July 31, authorities arrested Ekramul Haq, the editor of the online news portal *SheershaNews*, on an extortion charge, which was widely perceived as fabricated, in retaliation for Haq's reports on corruption within various government ministries. Authorities revoked the press credentials of *SheershaNews* journalists, making it impossible to cover official events and forcing the news agency to shut down indefinitely. Haq was released on bail, but the cases remained pending at year's end.

On September 12, members of the RAB in Dhaka assaulted a broadcast engineer for the channel *BanglaVision*. The officers also damaged broadcasting equipment. The reason for the assault was unclear; however, RAB officials later apologized to *BanglaVision* and reassigned the officers responsible.

According to press and human rights organization reports, on June 3, a group of activists tied to local AL leader Ali Hossain in Kushtia District of Khulna Division attacked and injured Tauhidi Hasan, the local correspondent for *Prothom Alo*; Sheikh Belal Hossain, the local correspondent for *RTV*; Jahirul Islam, the local correspondent for *Ekushey TV*; and Ahmed Sajeeb, a cameraman for *Ekushey TV*. Following the attack, Hasan was admitted to the hospital. The journalists were investigating irregularities and discrepancies in local government tenders.

Censorship or Content Restrictions: According to some journalists and human rights nongovernmental organizations (NGOs), journalists engaged in self-censorship due to fear of retribution from the government. Although public criticism of the government was common, the media – particularly print media – depended on government advertisements for a significant percentage of their revenue. As a result the media had a strong incentive for self-censorship.

The government did not subject foreign publications and films to stringent reviews and censorship. A government-managed film censor board reviewed local and foreign films and had the authority to censor or ban films on the grounds of state security, law and order, religious sentiment, obscenity, foreign relations, defamation, or plagiarism, but this was less strict than in the past. In practice video rental libraries and DVD shops stocked a wide variety of films, and government efforts to enforce censorship on rentals were sporadic and ineffective.

According to a published Agence France-Presse report, the Bangladesh Film Censor Board issued a July ruling banning *Hridoy Bhanga Dhew* (*Heart Breaking Wave*), citing content that mocked ruling party officials. Members of the censor board identified a coat, often identified with independence leader and AL founder Sheikh Mujibur Rahman, which was worn by the film's villain, as the offending content. The film was eventually released.

The government only rarely exercised censorship in cases of immodest or obscene photographs, perceived misrepresentation or defamation of Islam, or objectionable comments regarding national leaders.

Internet Freedom

Although individuals and groups generally could engage in the expression of views via the Internet, local human rights organizations reported continued government monitoring of Internet communications. The government blocked some Facebook pages, including pages depicting the Prophet Muhammed and pages critical of both the prime minister and opposition leader. Opposition leaders alleged that security forces attempted to collect their personally identifiable information; however, these allegations were not independently verified.

Academic Freedom and Cultural Events

The government did little to limit academic freedom or cultural events; however, media groups reported that authorities discouraged research on sensitive religious and political topics. Additionally, a significant number of Dhaka University teachers, some with overt BNP affiliations, have been dismissed or put on extended leave since the AL-led government assumed office in 2009; however, it was unclear whether the concerned teachers were targeted because of their political affiliations.

b. Freedom of Peaceful Assembly and Association

The constitution provides for freedom of assembly and association, and the government generally respected these rights in practice; however, at times the government limited freedom of assembly.

Freedom of Assembly

The government generally permitted rallies to take place but on occasion used the criminal procedure code to prevent opposition political groups from holding meetings and demonstrations. The code authorizes the administration to ban assembly of more than four persons; according to ASK, the administration used this provision at least 133 times during the year. At times police or ruling party activists used force to disperse demonstrations.

A ban on student protests in certain areas of Dhaka, issued by the Dhaka Metropolitan Police in 2010 citing traffic concerns, remained in effect throughout 2011. It was only selectively enforced. Police occasionally used excessive force during political rallies.

The Islamist Party, Jamaat-e-Islami, reported that its ability to secure permits for rallies or processions was severely hampered throughout the year.

Freedom of Association

The law provides for the right of every citizen to form associations, subject to "reasonable restrictions" in the interest of morality or public order, and the government generally respected this right. Individuals were free to join private groups. Trade unions were able to conduct their normal activities, but the law made it nearly impossible to form new trade unions in many sectors, such as the ready-made garment industry.

c. Freedom of Religion

See the Department of State's [2010 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The law provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice, except in the cases of some opposition political figures.

Foreign Travel: With the 1971 war crimes trials underway, the government implemented an international travel ban on war crimes suspects, most of whom were opposition party leaders. These suspects were not stripped of their passports, but immigration officials at the airport in Dhaka occasionally prevented politicians belonging to the opposition BNP and Jamaat-e-Islami from leaving the country. For example, in early June senior BNP leader Giasuddin Quader Chowdhury was taken from a plane despite a court order allowing him to travel. Chowdhury's appeals to the government that he be allowed to travel for medical purposes were unresolved as of year's end. Some politicians successfully challenged the unannounced restrictions on their travel abroad and managed to depart and return to the country.

The country's passports were invalid for travel to Israel.

Internally Displaced Persons (IDPs)

According to the International Displacement Monitoring Center (IDMC) Web site, armed conflict broke out in the Chittagong Hill Tracts (CHT) in 1973 as the government opposed the demands of the indigenous Jumma community for greater autonomy. During the conflict throughout the 1970s and 1980s, the government relocated landless Bengalis from the plains, ensuring that the Jumma became a minority in the CHT. During this period clashes with army-backed settlers displaced tens of thousands of Jumma within the country.

The number of IDPs in the region was disputed. In 2000 a government task force estimated the number to be 500,000 but included nonindigenous persons in its estimate. During the same year,

Amnesty International reported that there were approximately 60,000 indigenous IDPs. In 2008 the government pledged assistance and reparation to those who lost their land during the conflict and set up a commission and task force for rehabilitation of returnee Jumma IDPs and the elimination of military camps. According to the IDMC, however, as of 2009 there were still approximately 300 military camps in the region, and the work of the land commission and task force was hindered by lack of funding and human resources.

The IDMC also reported that there was "possibly a much larger number" of members of religious minorities across the country who may have been "forcibly displaced" as a result of discriminatory legislation. The Hindu community in particular lost much of its land under the 1974 Vested Property Act, which authorized government confiscation of property from individuals it deemed "enemies of the state." According to the IDMC, almost 750,000 Hindu families were dispossessed of agricultural land. There was no systematic reporting on the treatment of these widely scattered IDPs.

On November 28, the parliament passed the Vested Properties Return (Amendment) Bill mandating the preparation of district level lists detailing land displacement in order to facilitate the return of land. The original Vested Properties Return Bill was passed in 2001 but remained unimplemented in the interim. Land Minister Rezaul Karim Hira stated that the bill was amended in order to restart the effort to return the land.

IDPs in the CHT had limited physical security. The IDMC reported that the army still held authority over the general CHT administration, through an administrative order, and there were many reported cases of IDPs being subjected to arbitrary arrest, unlawful detentions, torture, rape, killing, and religious persecution (see section 6). According to the IDMC, several reports indicated that these violations of the rights of indigenous persons by settlers, sometimes with the involvement of security forces, were "systematic."

There was no government action to punish the perpetrators of the February 2010 arson attacks on more than 200 homes of indigenous IDPs in Baghaihat, in which two persons were killed and dozens injured.

IDPs in the CHT also lack access to courts and legal aid. According to the IDMC, the CHT commission, composed of experts from inside and outside Bangladesh who seek to promote respect for human rights, democracy, participatory development, and land rights in the CHT, found that the lack of information and available lawyers to assist the indigenous persons there hindered their access to justice.

A 2011 study commissioned by the CHT commission entitled *Alienation of the Lands of Indigenous Peoples in the Chittagong Hill Tracts* documented the incremental methods used to internally displace the indigenous communities. According to the study, indigenous land was expropriated using false title manipulation, intimidation, force, fraud, and manipulation of government eminent domain claims.

Protection of Refugees

Access to Asylum: In the absence of any national legislation, the law does not provide a legal framework for the granting of asylum or refugee status. The government has no formal system for providing protection to refugees. In practice the government provided some protection against the expulsion or return of refugees to countries where their lives or freedoms would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees; however, delays in granting approvals by the government's NGO Affairs Bureau led to extended delays in allowing NGOs to operate in the country and implement assistance programs.

The government estimated that 200,000 to 500,000 undocumented Rohingya resided in the country, with most living among the local population in the surrounding area of Teknaf and Cox's Bazar, including approximately 20,000 at an unofficial site adjacent to the official Kutupalong refugee camp. International NGOs generally were unable to work officially with unregistered refugees or with the impoverished host community because the NGO Affairs Bureau refused to grant permission for such projects. There were no repatriations of Rohingya during the year, and the UNHCR's resettlement program, suspended in 2010 by the Ministry of Foreign Affairs pending a review of its refugee policy, was not resumed. No refugee policy was issued by year's end, and resettlement remained suspended.

Working with the UNHCR, the government provided temporary protection to approximately 29,000 registered Rohingya refugees at two official refugee camps and to individual asylum seekers that the UNHCR interviewed and recognized as refugees on a case-by-case basis. According to the UNHCR, there were some discrepancies between the government's official list of registered refugees and the UNHCR's list. The UNHCR worked to resolve these discrepancies with the government by conducting a harmonization exercise beginning in 2010. This joint exercise was exhaustive and involved face-to-face interviews of an estimated 6,915 persons who resided in the camps and who in most cases were extended family of official refugees. While the UNHCR and the Ministry of Food and Disaster Management reached a broad agreement on the recognition of more than 2,800 cases, the formal activation of these cases remained blocked elsewhere in government.

Nonrefoulement: The government continued to deny asylum to Rohingya arriving from Burma whom it categorized as illegal economic migrants. While there were credible reports of Rohingya turned back at the border, the border was very porous. As a result attempts to stem the tide of migration proved unsuccessful. The actual scale of cross-border movement remained unclear. The government claimed that a sizeable influx was created by "pull factors" in Bangladesh, but these claims were not adequately substantiated. The UNHCR, which maintained a field presence in both countries and attempted to monitor these trends, acknowledged that there was considerable daily cross-border movement for trade and smuggling; however, the UNHCR did not find evidence to confirm a significant scale of influx or flight to Bangladesh. According to the UNHCR, some of the individuals who were turned back likely were entitled to refugee status. Some unregistered persons in the UNHCR camps returned to the country illegally after their official repatriation to Burma in the mid-1990s. On a number of occasions, local police detained unregistered persons outside the camps and imprisoned them under the Foreigners Act. The release of incarcerated, unregistered Rohingya was often prevented by the Burmese government's unwillingness to identify the concerned Rohingya as Burmese, preventing their repatriation and leaving them effectively stateless.

Refugee Abuse: According to the UNHCR, there were cases of abuse against refugees, including rape, assault, domestic abuse, deprivation of food, arbitrary detention, and documentation problems. Working with the UNHCR, the government continued to improve some aspects of the official refugee camps following findings in recent years that sanitation, nutrition, and shelter conditions had fallen below minimum international standards. The government permitted the UNHCR to replace shelters and latrines and permitted more NGOs to work in the camps on skills training, education, and health for residents.

Access to Basic Services: In spite of some improvements in services and infrastructure in the official camps, some basic standards were not met and conditions in the camps remained overcrowded, with densities on a par with the country's urban slums.

Refugees had limited freedom of movement beyond the camps and were expected to obtain permission for all movements outside the camps. In the camps possession of cell phones was prohibited, and operation of small-scale shops and tea stalls was subject to control by the camp authorities. In practice there was variable enforcement by the local camp authorities, who often showed some flexibility and restraint, but on other occasions imposed harsher measures. In spite of these constraints, some refugees worked illegally as manual laborers or rickshaw pullers in the unregulated economy, and small numbers of students studied with the assistance of private tutors and participated in countrywide school exams through the high school level.

As in previous years, the government continued to ignore UNHCR requests to allow Rohingya refugees who were unable to return to Burma to work locally, obtain medical care, or attend school outside the camps. The government began to allow the UN Children's Fund (UNICEF) to operate schools through grade five in the camps. In practice, however, the provision of basic services from the UNHCR and NGOs meant that registered refugees often received better medical care than citizens in surrounding villages.

Stateless Persons

Between 200,000 and 500,000 Rohingya were de facto stateless, although many integrated into local communities without significant issue.

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

The constitution provides citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

On June 30, the AL-led parliament passed the 15th amendment to the constitution over an opposition boycott, abolishing the provision mandating that elections be held under a neutral, caretaker government. The caretaker government system was established before the 1996 parliamentary general elections in response to the electoral system's perceived vulnerability to political manipulation. The amendment followed a May supreme court ruling that declared the caretaker system unconstitutional.

Under the 15th amendment, the 2013 parliamentary general elections and all subsequent elections are to be supervised by an independent electoral commission operating under the political government in power, which in 2013 would still be the current AL-led government. Many independent observers criticized the change because they believed that the electoral system's vulnerabilities to political manipulation that had necessitated the creation of the caretaker system had not been addressed and would resurface, leaving the electoral system vulnerable to political manipulation. This issue became a matter of enormous partisan concern and attention during the year.

The parliament had 350 members, 300 of whom were directly elected. Selection for these seats was based on each political party's proportional representation within the 300-member group of directly elected legislators. An additional 50 seats are reserved for women, who are selected by political parties. Party leaders appointed candidates for elections, and there were allegations that wealthy candidates could purchase nominations from party leaders with campaign contributions or personal gifts.

Opposition parties continued to boycott parliament throughout the year but returned on certain days to fulfill the procedures necessary to retain their seats. They demanded fair treatment by the speaker and the ruling party legislators as preconditions for their return to the house. The parliament formed all 48 standing committees in the first session with participation from opposition parties. The opposition MPs continued to participate in standing committee meetings despite their absence from parliament.

Elections and Political Participation

Recent Elections: Sheikh Hasina, leader of the AL, became prime minister in 2009, following the parliamentary elections of 2008, which international and local observers deemed free and fair. The 14-party AL alliance held 229 of the 300 available seats. Hasina's cabinet included representatives from the other parties in her coalition. Hasina replaced Fakhruddin Ahmed, chief adviser to the caretaker government, as the head of government. BNP chairperson and former prime minister Khaleda Zia became leader of the opposition.

January 27 by-elections for two seats in the eastern districts of Brahmanbaria and Habiganj were marked by sporadic violence and allegations of ballot manipulation.

Participation of Women and Minorities: According to the law, women are eligible to contest any seat among the 345 MPs, but 45 additional seats were reserved for women. In June the 15th amendment raised this number to 50 out of 350 MPs.

There was no provision to provide parliamentary seats for minorities.

Section 4. Official Corruption and Government Transparency

The law provides criminal penalties for official corruption, but the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. The Anti-Corruption Commission (ACC) is the government agency charged with fighting corruption. On February 23, the government appointed a former bureaucrat and a retired judge, both publicly identified with the ruling AL, as commissioners of the ACC. According to a 2010 report by the World Bank, the government tried to undercut the authority of the ACC and severely hampered the prosecution of corruption throughout the country. The reports stated that the government had filed far fewer corruption cases than the caretaker government and that a government commission had recommended that the ACC drop thousands of corruption cases, mostly involving AL members. Members of civil society stated that the government was not serious about fighting corruption and that the ACC was used for politically motivated persecutions. Transparency International Bangladesh asserted that political interference in the ACC's operations had rendered it a "toothless tiger."

For example, on August 8, the ACC filed a case against the leader of the opposition in parliament and former prime minister, Khaleda Zia, and three others, alleging that they abused power to set up a charitable trust named after late president Ziaur Rahman. The opposition BNP termed the case "baseless and politically motivated."

On June 23, a Dhaka court sentenced Arafat Rahman Koko, the younger son of opposition leader Khaleda Zia, to six years' rigorous imprisonment in a money-laundering case filed by the ACC in 2009. A separate money-laundering case was also filed against Khaleda Zia's other son, Tarique Rahman. Both were living outside the country on bail at year's end, but as a result of his conviction, Rahman Koko effectively became a fugitive.

A review committee headed by the state minister for law, justice, and parliamentary affairs recommended the withdrawal of politically motivated cases that the government and ACC filed prior to 2009. The committee recommended the withdrawal of approximately 1,817 cases, filed mostly against AL leaders, including all the cases filed against Sheikh Hasina. Other cases recommended for withdrawal included one case against BNP leader Khaleda Zia's son, Tarique Rahman, one against BNP leader and former law minister Moudud Ahmed, and one against Jatiya Party secretary general Ruhul Amin Howlader. Ahmed refused the government's offer to withdraw all cases against him and demanded the withdrawal of all politically motivated cases against BNP leaders, including Khaleda Zia and her sons.

At a news conference on September 13, ACC Director General Farrukh Ahmed announced that the ACC had launched action against all 448 persons who were exempted by the caretaker government's Truth and Accountability Commission (TAC) for confessing their involvement in corruption and surrendering their ill-gotten wealth. The ACC decision to launch action against those who received TAC amnesty followed a high court order declaring the TAC illegal and its decisions void.

The government took some steps to address widespread police corruption. The inspector general of police continued to implement a new strategy, partially funded by international donors, for training police, addressing corruption, and creating a more responsive police force. No assessment of its impact on corruption within the police force was available.

The judiciary was subject to political pressure from the government, and cases involving opposition leaders often proceeded in an irregular fashion. In several cases the appellate division overturned decisions granting bail to high-level corruption suspects who were leaders of opposition parties.

Corruption remained a serious problem within the judiciary. Corruption was a factor in lengthy delays of trials, which were subject to witness tampering and intimidation of victims. Several reports by human rights groups and corruption watchdog groups indicated growing public dissatisfaction with the perceived politicization of the judiciary.

In August a *Daily Star* investigative report revealed that former chief justice ABM Khairul Haque received a payment of 1,037,000 taka (\$13,127) from the prime minister's Relief and Welfare Trust. According to the report, Haque and several other judges from the high court division received the money shortly before a series of rulings that nullified several constitutional amendments, including a provision protecting the electoral system from politicization, thereby setting up the passage of the 15th amendment by the AL-led parliament. The Ministry of Law, Justice, and Parliamentary Affairs confirmed the amounts transferred, and Haque stated that the payment was used to purchase medical treatment for his wife.

The law provides for public access to government information, but in practice it has not been fully effective. The Information Commission conducted an awareness campaign on the public's right to information. The commission fined a medical doctor at a government hospital 1,000 taka (\$13) in September for not furnishing information to an applicant within the time stipulated in the law.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A wide variety of domestic and international human rights groups generally operated independently and without government restriction, investigating and publishing their findings on human rights cases. Although human rights groups often were sharply critical of the government, they also practiced some self-censorship. Government officials were generally not cooperative or responsive to their views.

The government required all NGOs, including religious organizations, to register with the Ministry of Social Welfare. Local and international NGOs, including Odhikar, Doctors Without Borders, Action Against Hunger, Handicap International, and the Bangladesh Center for Workers' Solidarity (BCWS), reported numerous credible instances in which the government sought to impede their work, either by canceling projects or subjecting them to restrictive operating requirements, which often resulted in a temporary or permanent cessation of their work.

Government Human Rights Bodies: The government announced some financial allocations for the country's seven-member Human Rights Commission; however, the organization was not fully functional by year's end, despite submitting an annual report in March that requested a wide scope of changes to the organization's mandate, including constitutional recognition.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Laws specifically prohibit certain forms of discrimination against women, provide special procedures for persons accused of violence against women and children, call for harsh penalties, provide compensation to victims, and require action against investigating officers for negligence or willful failure of duty; however, enforcement of these laws was weak. Women, children, minority groups, and persons with disabilities were often confronted with social and economic disadvantages.

Women

Rape and Domestic Violence: The law prohibits rape and physical spousal abuse but makes no specific provision for spousal rape. According to Odhikar, there were 711 reported incidents of rape against women and girls during the year, including 450 against girls. According to human rights monitors, the actual number of rape cases was higher because many rape victims did not report the incidents due to social stigma. Prosecution of rapists was not consistent. Of the 711 rape victims, 119 were victims of gang rape; 54 were killed after their rape. According to ASK, there were only 599 rape cases including 83 attempted rape cases filed with the police during the year.

According to Odhikar, on June 2, a group of men gang-raped a teenage girl in the Tongi subdistrict of Dhaka Division. They were led by her landlord's son, Moinuddin. After raping the girl, the assailants doused her body in kerosene and lit it on fire. The girl died several days later and no arrests were made.

Local human rights groups reported that rapes and rape attempts against indigenous females increased sharply during the year.

For example, according to *The Daily Star*, law enforcement authorities arrested nine persons, including a Catholic priest, on February 23 in the Godagari subdistrict in Rajshahi Division for their involvement in a village arbitration following the gang rape of a local woman. Eight villagers allegedly raped a 14-year-old indigenous girl and, following the arbitration, harassed her until she committed suicide. The illegal village arbitration had sent the victim to live in a convent near her home and ordered the attackers to pay a sum of money to the victim's family to avoid being reported to the police. The case continued at year's end.

In October 2010 the parliament passed the Domestic Violence (Protection and Prevention) Bill, which criminalized domestic violence. Women's rights groups criticized the government for its

inaction on domestic violence, which was widespread, although data quantifying it was difficult to obtain. A 2000 study by the UN Population Fund indicated that at least 50 percent of women had experienced domestic violence at least once in their lives. The Bangladesh National Women Lawyers' Association (BNWLA) filed 384 cases related to violence against women during the year and received more than 4,247 reports of violence against women. Most efforts to combat domestic violence were funded by NGOs with little assistance from the government.

For example, according to press reports, in December Rafiqul Islam tied and gagged his wife Hawa Akther Jui, then cut off all the fingers on one hand, allegedly because she had begun attending college. Islam was arrested, and the case continued at year's end.

According to numerous press and human rights reports, in early June Syed Hasan Sumon brutally beat his wife in the Dhanmondi area of Dhaka, biting off part of her nose and causing her to lose her sight in one eye. Sumon alleged that his wife was committing adultery. The courts, however, rejected Sumon's justification of the assault, and the police charged him with domestic violence. Sumon died of unknown causes in police custody while awaiting trial.

Some of the reported violence against women was related to disputes over dowries. For example, according to the *Daily Star*, Ainat Ali and several of his relatives in the Thakurgaon Sadar subdistrict of Rangpur Division, brutally beat and poisoned his wife on September 10 during a dowry-related dispute. The attackers allegedly beat the victim regularly over a two-year period in an attempt to elicit a larger dowry from her family. After the victim's death, the alleged attackers attempted to pass the incident off as a suicide. The victim's family filed a murder case with local police, and the case continued at year's end.

There was an increase in the number of dowry-related killings during the year. ASK reported 502 cases of dowry-related violence, including physical torture, acid attacks, and killings, compared with 395 the previous year. There were no adequate support groups for victims of domestic violence.

NGOs such as the BNWLA operated facilities to provide shelter to destitute persons and distressed women and children. Courts sent most of them to shelter homes. In a few cases, they were sent to prison as a transit destination for short periods.

On May 12, the Supreme Court's appellate division overruled a 2001 high court ruling banning fatwas (religious edicts); however, in its ruling the court declared that fatwas could be used only to settle religious matters and could not be invoked to justify meting out punishment, nor could they supersede existing secular law. Islamic tradition dictated that only those muftis (religious scholars) with expertise in Islamic law were authorized to declare a fatwa. Despite these restrictions, village religious leaders sometimes made such a declaration in an individual case and called the declaration a fatwa. Such declarations could result in extrajudicial punishments, often against women, for perceived moral transgressions.

Incidents of vigilantism against women – sometimes led by religious leaders by means of fatwas – occurred. According to ASK, 59 incidents of vigilante violence against women occurred during the year, and only 20 incidents resulted in police action. The punishments included whipping, beating, and other forms of physical violence.

For example, according to several newspapers and human rights groups, a 15-year-old girl in Shariatpur District of Dhaka Division died after being whipped at least 50 times in fatwa-based village arbitration. She was found guilty of adultery after she was raped by a relative. The local doctor's initial autopsy determined that she died of natural causes; however, after the issue gained national attention, the High Court ordered the victim's body exhumed, and her real cause of death was determined. The High Court ordered the arrests of the village arbiters and revoked the local doctor's medical license. The case continued at year's end.

Acid attacks remained a serious problem. Assaultants threw acid in the faces of victims – usually women – and left them disfigured and often blind. Acid attacks often related to allegations of spousal infidelity. During the year, according to Odhikar, 101 persons were attacked with acid. Of these victims, 57 of the victims were women, 25 were men, and 19 were children. The government made efforts to punish offenders and reduce availability of acid to the general public.

For example, according to Odhikar, Liton Sardar of Satkhira District in Khulna Division threw acid in his wife's face after she filed a case accusing him of bigamy. The victim was hospitalized with severe burns, and the case continued at year's end.

On September 8, a court in Habiganj District in Sylhet Division sentenced four men to life imprisonment for a 2006 incident of acid violence. Abdul Quaiyum, Haris Miah, Auli Miah, and Alkas Uddin were also fined 50,000 taka (\$633) for the incident, in which they broke into the home of an 18-year-old woman and flung acid in her face after she rejected their advances. Only Haris Miah was tried in court, as the other three individuals had absconded and were fugitives.

The law provides for speedier prosecutions of acid-throwing cases in special tribunals and generally does not allow bail. The Women and Child Repression Control Act seeks to control the availability of acid and reduce acid-related violence directed toward women, but lack of awareness of the law and poor enforcement limited the law's effect. According to the Acid Survivors Foundation, the special tribunals were not entirely effective; prosecutors were able to

obtain a conviction in an estimated 10 to 12 percent of attacks each year. In January the Commerce Ministry moved to restrict acid sales, limiting buyers to those registered with relevant trade organizations; however, the restrictions were not universally enforced, and acid attacks continued throughout the year.

Sexual Harassment: Sexual harassment in schools, workplaces, and other public spaces remained a problem during the year. A 2009 study published by the *Journal of Interpersonal Violence* found that out of 5,106 unmarried adolescent girls in rural areas surveyed in 2004, 35 percent had experienced harassment; 34 percent, unwanted sexual attention; and 14 percent, sexual intimidation.

Reproductive Rights: Reproductive health information was freely available, but income and education often served as barriers to access. Pharmacies carried a wide range of family planning options; however, traditional family roles often hindered free access.

According to the 2010 Bangladesh Maternal Mortality and Health Care Survey, the maternal mortality ratio declined by 40 percent over the preceding nine years, from 322 to 194 deaths per 100,000 live births. Approximately half of the maternal deaths were due to postpartum hemorrhage and eclampsia, with 7 percent attributed to obstructed labor. One in three maternal deaths was due to indirect obstetric causes. Only 27 percent of births were delivered through a skilled birth attendant (23 percent of the deliveries occurred at a health facility and 4 percent occurred at home with a trained health provider). Although three in four births occurred at home, the total of women delivering at a health facility increased from 9 percent to 23 percent. Fifty-six percent of women received at least one prenatal check from a medically trained health provider; only 24 percent received the recommended four checkups. Fewer than one in four women received postnatal care from a trained health provider within two days of delivery.

Discrimination: Women remained in a subordinate position in society, and the government did not act effectively to protect their basic rights. On March 7, the cabinet approved the National Women's Development Policy, which contains language encouraging the promotion of women's education and participation in governance issues. The new policy, which does not have the full force of law, also contains language stating that women could have an equal share in property, businesses, and inheritance. Under traditional Islamic inheritance laws, daughters inherit only half that of sons, and in the absence of sons, they may inherit only what remains after settling all debts and other obligations. Under Hindu inheritance laws, a widow's rights to her deceased husband's property are limited to her lifetime and revert to the male heirs upon her death. The provision detailing the right to equal inheritance triggered a series of protests and a nationwide strike led by conservative Islamic groups. Several government leaders stated that the policy would not supersede existing religion-based inheritance laws, and as of year's end there was no change to the law.

Employment opportunities greatly increased for women in the last decade, largely due to the growth of the export garment industry. Women constituted approximately 80 percent of garment factory workers. There were some disparities in pay in the overall economy between men and women, but in the garment sector wages were generally comparable.

Children

The government, with the assistance of local and foreign NGOs, worked to improve children's rights and welfare, enabling the country to make significant progress in improving children's health, nutrition, and education. Despite some progress, a 2009 Household Food Security and Nutrition Assessment jointly conducted by the government, the World Food Program, and UNICEF found that 48.6 percent of all children remained chronically malnourished.**

Birth Registration: The law does not grant citizenship automatically by birth within the country. Individuals become citizens if their fathers or grandfathers were born in the territories that are now part of the country. If a person qualifies for citizenship through ancestry, the father or grandfather must have been a permanent resident of these territories on or after March 25, 1971. Birth registrations were held by approximately 10 percent of the population.

Education: Primary education was free and compulsory, but the implementation of compulsory education fell short, in part because parents kept children out of school to work for money or help with household chores. Government incentives to families that sent children to school contributed significantly to the rise in primary school enrollments in recent years. Despite these efforts and contrary to established policies, public schools imposed fees that were burdensome for poor families and created a disincentive to attend school.

Child Abuse: Child abandonment, abuse, kidnapping, and trafficking continued to be serious and widespread problems. Despite advances, including a monitoring agency in the Ministry of Home Affairs, trafficking of children continued to be a problem. Child labor remained a problem in certain industries, mostly in the informal sector. It frequently resulted in the abuse of children, mainly through mistreatment by employers during domestic service. According to a 2006 study by the Bangladesh Institute of Labor Studies, attacks on children constituted more than 50 percent of the deaths, injuries, and sexual assaults reported among domestic workers during the year.

Child Marriage: Although the legal age of marriage is 18 for women and 21 for men, underage marriage was a widespread problem. Reliable statistics concerning underage marriage were

difficult to find because marriage registrations were sporadic and birth registrations rare. The UN's *State of the World's Children* 2011 report stated the rate of child marriage in the country was 66 percent, affecting 53 percent of girls in urban areas and 70 percent in rural areas. In an effort to reduce child marriages, the government offered stipends for girls' school expenses if parents promised to delay their daughters' marriages until at least the age of 18.

Sexual Exploitation of Children: The penalty for sexual exploitation of children is 10 years' to life imprisonment depending on mitigating circumstances. The minimum age of consensual sex is 16 years as defined by the Women and Children's Repression Prevention Act (2003); however, the penal code sets the age at 14. The discrepancy has not been challenged in court. Child pornography is prohibited using the penal code's statute against selling or distributing obscene material, and the penalty is three months in prison coupled with a fine; however, in December the government publicly acknowledged the gaps in its pornography statutes and promulgated an antipornography bill that would set the penalty for possession or distribution of child pornography at 10 years' imprisonment coupled with a fine. In 2009 the International Labor Organization (ILO) and the Bangladesh Bureau of Statistics completed a baseline survey on commercial sexual exploitation of children. According to the survey, among 18,902 child victims of sexual exploitation, 83 percent were girls, 9 percent transgender children, and 8 percent boys. Forty percent of the girls and 53 percent of the boys were below the age of 16.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html.

Anti-Semitism

There was no Jewish community in the country, and there were no reports of anti-Semitic acts, but some newspapers occasionally printed anti-Semitic articles and commentary.

Trafficking in Persons

See the State Department's *2011 Trafficking in Persons Report*.

Persons with Disabilities

The law provides for equal treatment and freedom from discrimination for persons with disabilities; however, in practice persons with disabilities faced social and economic discrimination. The law focuses on prevention of disability, treatment, education, rehabilitation and employment, transport accessibility, and advocacy.

The 2001 Disabled Welfare Act and its 2008 regulations represent the country's comprehensive disability legislation; however, the law's impact is limited due to vague obligations, a weak implementation mechanism, and a sweeping indemnity clause. Most provisions create positive obligations, which are difficult to enforce. For example, the obligation on the government to provide persons with disabilities free education until the age of 18 has not been translated into tangible results. The law indemnifies all government employees from prosecution, limiting enforcement.

The law excludes children with "mental deficiency" from compulsory public education. The law provides inadequate safeguards against involuntary institutionalization and minimal oversight of guardians and caregivers. For example, at least 40 prisoners with psychosocial disabilities remained in the standard prison system, where some of them have been for nearly two decades.

The law bars persons with disabilities from applying for civil or judicial service positions. Public interest litigation initiated in April 2010 challenged both regulations, but persons with disabilities were routinely denied the opportunity to sit for examinations and were denied appropriate reasonable accommodations.

The law contains extensive accessibility requirements for new buildings. In practice, however, plans for new buildings were approved for construction without close compliance with these specifications.

Persons with disabilities were legally afforded the same access to information rights as those without disabilities, but family dynamics often influenced whether or not these rights were used.

The law identifies persons with disabilities as a priority group for government-sponsored legal services. The Ministry of Social Welfare, Department of Social Services, and National Foundation for the Development of the Disabled are the government agencies responsible for protecting the rights of persons with disabilities. Government facilities for treating persons with mental disabilities were inadequate. Several private initiatives existed for medical and vocational rehabilitation, as well as for employment of persons with disabilities. Several NGOs, including Handicap International, had programs focusing on helping and raising awareness about persons with disabilities.

Indigenous People

The indigenous community experienced widespread discrimination and abuses, despite government quotas for indigenous participation in the civil service and higher education. The government also failed to protect indigenous persons from societal violence.

According to Odhikar, during the year clashes between ethnic-Bengali settlers and the indigenous community resulted in 40 persons killed, 94 injured, 17 abducted, 18 raped, and the destruction of 40 indigenous homes.

For example, on April 17, according to NGO and press reports, a series of violent clashes between Bengali settlers and the indigenous community in the Ramgarh subdistrict of the Chittagong Hill Tracts left at least four persons dead and numerous injured. The clashes were triggered by a land dispute and resulted in the burning of at least four indigenous villages, with arson attacks targeting food storage houses and Buddhist temples. A local political organization, Parbattya Chattagram Jono Sanghati Samity, released a statement claiming that the Bengali settlers involved in the arson attacks acted with the assistance of security forces, a claim the government refuted. At least one indigenous man was taken into police custody and was reported missing following the attacks.

There were no new developments in the case of the February 2010 skirmishes between Bengali settlers and the indigenous community in Baghaihat in the Chittagong Hill Tracts. During the incidents parties set fire to several homes and attacked the residents with sticks and firearms, resulting in the deaths of two indigenous persons.

During the year the government released several statements announcing that the country's indigenous population was not "indigenous" and henceforth would be known as "small ethnic minorities" instead. The 15th amendment to the constitution codified this new category. Indigenous leaders disputed the new nomenclature, citing their long history in the Chittagong Hill Tracts and the plains land of Bengal. Indigenous leaders also objected to the term "small ethnic minorities" because its Bangla translation, upojati, is a pejorative term connoting "tribal."

The 1997 Peace Accord provided for the removal of all temporary camps, leaving six permanent cantonments. Since its signing the government had withdrawn 212 camps, leaving approximately 235 camps. During the year indigenous leaders continued to protest the army's presence and called publicly for its removal.

Indigenous populations had marginal ability to influence decisions concerning the use of their lands. The government reconstituted the CHT Land Commission in 2009, which announced its decision to conduct a land survey; however, indigenous rights groups criticized this decision since they believed Bengali settlers would be able to obtain false documents detailing ownership of traditionally indigenous lands. The land commission did not function effectively in addressing critical land disputes after the signing of the peace accord. Indigenous leaders also remained disappointed with the lack of assistance to those who left the area during the insurgency.

Indigenous communities in other areas continued to report loss of land to Bengali Muslims. The government did not cancel work on national park projects on land traditionally owned by indigenous communities in the Moulvibazar and Modhupur forest areas, but it did not undertake any new activities. In addition, indigenous communities, local human rights organizations, and churches in the area continued to claim that the government had yet to withdraw thousands of false charges the Forestry Department filed against indigenous residents.

The National Committee for Implementation of the CHT Peace Accord was reconstituted in late December 2010 but suspended the activities of the land commission pending further review. The government ceded some key functions, such as primary education, to local authorities, but it did not cede responsibility for other key functions, such as land use and natural resources, as the accord specified. Law and order problems and alleged human rights violations continued, as did dissatisfaction with the implementation of the peace accord.

The government allows limited cell phone and Internet coverage in the three Hill Tract districts. The government cited security concerns as the reason for limiting coverage, but human rights groups and local officials claimed lack of coverage was also aimed at stunting the development of the region.

Indigenous groups reported that monitoring by civilian and military intelligence agencies increased significantly during the year.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual activity is illegal, but in practice the law was rarely enforced. There were several informal support networks for gay men, but organizations to assist lesbians were rare. Informal organizations reported that they were unable to organize, do outreach, petition for changes to the law, or set up permanent establishments because of the possibility of police raids. One gay rights organization stated that gay men and lesbians also often faced extreme family pressure to marry opposite-sex partners.

Attacks on lesbian, gay, bisexual, and transgender (LGBT) persons occurred on occasion, but those offenses were difficult to document because victims desired confidentiality. Strong social stigma based on sexual orientation was common and prevented open discussion about the subject. The Bandhu Social Welfare Society, a local NGO, reported 109 cases of assault against LGBT persons during the year, as opposed to 128 in 2010.

Although overt acts of discrimination against LGBT individuals were fairly rare – partly because few individuals openly identified their sexual orientation – there was significant societal discrimination. Openly gay individuals, particularly those from less affluent backgrounds, found that their families and local communities ostracized them. Some sought refuge in the traditional transgender or "hijra" community.

On May 24, *The New Age* newspaper announced that the Passport Office would allow those who identify as neither male nor female to identify as "other" on their passports.

Other Societal Violence or Discrimination

Vigilante killings occurred during the year, and reports suggested that the problem increased compared with 2010. Odhikar reported at least 161 killings, but local human rights organizations acknowledged that the number of reported cases probably represented only a fraction of the actual incidents.

According to press reports, on July 18, a mob in the Amin Bazar area of Savar District in Dhaka Division beat to death six men suspected of robbery in the presence of law enforcement officials. A judicial probe into the incident resulted in the termination of eight police officers, but there were no arrests as of year's end.

According to a report by BanglaNews24, members of the BCL, the AL's auxiliary student wing, held a vigilante court in the Suhrawardy Udyan area of Dhaka. The BCL flogged several indigent citizens for a litany of perceived crimes. Dhaka Metropolitan Police stated that they would investigate the matter, but there were no arrests as of year's end.

There were no reported cases of violence or discrimination against HIV/AIDS patients. NGOs believed that this was partly a function of the refusal of victims to self-identify and an absence of research, given the relatively low rate of HIV/AIDS in the country.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right to join unions and, with government approval, the right to form a union, although numerous restrictions on union registration remained. For example, the law requires more than 30 percent of an enterprise's total workforce to be members before approval can be granted, and the union can be dissolved if membership falls below 30 percent; no more than three trade unions can be registered in any establishment; and managerial staff, firefighting staff, security guards, and other employees designated by employers as "confidential" may not join unions.

Civil service and security force employees were legally prohibited from forming unions. In 2006 new categories of workers, including teachers and NGO workers, were permitted to form unions; however, due to the broad limitations on union organizing during the 2007-09 state of emergency, these regulations were not formally instituted.

The 2006 Bangladesh Labor Act (BLA) consolidated laws from 25 separate acts into one comprehensive law. The director of labor is responsible for the registration and dissolution of unions. The registrar of trade unions may deregister unions with the approval of the labor court, and during the year some unions were deregistered, primarily for labor law violations. The law affords unions the right of appeal in the case of dissolution or denial of registration.

The law recognizes the right to strike; however, many restrictions on this right remained. For example, 75 percent of union membership must consent to a strike before it can proceed. The government can shut down any strikes lasting more than 30 days and refer the matter to labor courts for adjudication. In addition strikes are banned for the first three years of commercial production or if the factory was built with foreign investment or owned by a foreign investor. The law protects the rights of workers to organize and bargain collectively without interference, but this right was not always effectively enforced. The BLA includes provisions protecting unions from employer interference in organizing activities; however, employers often sought to curtail this right, particularly in the ready-made garment industry.

Under the law legally registered unions are entitled to bargain collectively with employers; however, this was rarely implemented in practice. The BLA simplified and clarified the procedure for selecting a collective bargaining agent and specified time limits for steps in the process. Labor organizations reported that in some companies, workers feared reprisals and did not exercise their collective bargaining rights.

The law establishes mechanisms for conciliation, arbitration, and labor court dispute resolution. Workers who are in or belong to a collective bargaining union have the right to strike in the event of a failure to reach a settlement. Civil servants and security forces do not have the recourse of established mechanisms for conciliation, arbitration, and labor court resolution;

however, they may avail themselves of the government service regulation and file cases in a specified court, such as the Administrative Tribunal. In practice few strikes followed the legal requirements, which are cumbersome; strikes or walk-outs often occurred due to the spontaneous decisions of workers.

In 2010 the parliament passed the EPZ Workers' Welfare Society/Association and Industrial Relations Act, which, among other things, specifies association rights in the export processing zones (EPZs). According to the act, Workers Representation and Welfare Committees formed under the previous law expire four years after their constitution. In place of these committees, workers were to form Workers Welfare Societies/Associations (WWS/As), although the act did not set a date for the elections of the leadership of the new WWS/As. Under the act the WWS/As have many of the same basic powers as workers' associations, including the right to engage in collective bargaining. The act also provided that until a separate labor tribunal was established for the EPZs, the existing Labor Court would function as the EPZ Labor Tribunal. EPZ workers can file complaints to enforce broader legal rights in the EPZs.

The WWS/As are prohibited from establishing any connection to outside political parties or NGOs. Under the previous law, no provision barring affiliation with NGOs had existed. It was unclear if the 2010 act would allow several existing labor and health organization programs to continue to operate in the EPZs. Additionally the act prohibited strikes in the EPZs until October 31, 2013.

A 2009 amendment to the labor law affected the Chittagong and Mongla ports. Under the amendment each port can only have one trade union, which had to be organized within six months of the day of enactment of the amendment. All existing trade union bodies were to be dissolved. Only workers who had completed one year's service could be registered as members of these trade unions. The amendment also reduced the penalty for persons who violate the law. Labor activists protested the amendment, alleging that it had been intended to favor the employers, although there was no strict enforcement of the law.

The total labor force was approximately 50 million, of whom approximately 1.9 million belonged to unions, many of which were affiliated with political parties. There were approximately 4,500 garment factories employing three million workers; more than 80 percent were women. No reliable labor statistics were available for the large informal sector in which the majority (nearly 80 percent) of citizens worked.

Protests by garment factory workers were widespread, and demands for increased wages generally were met with riot police. The government arrested union leaders and filed cases against some of them for destruction of property, blocking roads, or for labor unrest, stemming from the June and December minimum wage-related protests. These cases remained unresolved as of year's end.

Labor organizers reported acts of intimidation and abuse, as well as increased scrutiny by security forces and the National Security Intelligence Agency. Sporadic, occasionally intense, labor unrest occurred throughout the country, particularly in the ready-made garment sector. Labor organizers reported frequent acts of intimidation and abuse, arbitrary lockouts, firing of employees, and increased scrutiny by security forces. Authorities sometimes arrested labor organizers for destruction of property and other charges, in what some NGOs considered repression of labor rights activists.

In July the NGO Affairs Bureau sent a letter to the BCWS, stipulating that the center's foreign donation approval, which lapsed in 2010, would be approved only if the BCWS removed two of its leaders from the organization's registration. In 2010 BCWS leaders were arrested for alleged involvement in the violent unrest following the ready-made garment minimum wage announcement. They were released on bail after approximately four weeks in jail amid credible allegations of mistreatment, and their trial was pending at year's end. The NGO Affairs Bureau cited these cases in its correspondence, but the BCWS chose to contest the issue as the two concerned leaders had not been convicted on any charges and maintained the arrests were in retaliation for legitimate labor advocacy. In July the Ministry of Social Welfare also informed the group that they would be deregistered, based on technical lapses. Leaders for the group continue to appeal the step by the ministry, which would effectively bar activity of any kind by the organization.

Unions were highly politicized but were independent of the government and were strongest in state-owned enterprises, including jute mills, textile mills, chemical industries, and the government-run Port of Chittagong.

Implementation of the collective bargaining law's provisions was uneven, and many private sector employers discouraged union activity. In Khulna's frozen shrimp and fish sector, workers associated with several newly formed unions were terminated from several factories in an apparently coordinated manner in 2010, including entire executive committees. Labor rights NGOs assisting the new unions alleged that terminated union members continued to be unable to find work in the sector and that most of the unions had been effectively dismantled by the 2010 firings. NGOs and workers claimed employers used the promise of reinstatement to gain control of the unions. Government officials in Khulna did not conduct a credible investigation of the terminations or allegations of interference.

The director of labor is charged with ruling on union-organizing discrimination complaints, except in EPZs. However, the ministry itself is alleged to reject legitimate union applications

without cause, and union activists allege that lists of union supporters are shared with enterprises by the ministry, leading to antiunion firings. The labor court can order the reinstatement of workers fired for union activities; however, due to a large backlog of unresolved cases, no workers received reinstatement orders during the year. The majority of workers in such cases, however, sought financial compensation rather than reinstatement. Increasingly, due to the long wait for legal process, labor disputes were settled informally prior to scheduled hearing dates in the labor court.

Despite the ban on strikes in the EPZs, worker unrest in the Chittagong EPZ in mid-December shut the EPZ for several days. Some labor groups welcomed the reauthorization of the industrial relations act in 2010, citing the absence of labor law in the EPZs during the lapse. Others protested its measures and pushed for full rights for unions in the EPZs.

Many workers associations in the EPZ factories were not formally registered because employees attempting to organize associations faced difficulties from some factory owners. Some factory managers strongly discouraged workers from meeting with outside labor organizations and sometimes terminated workers who did.

Federations of workers associations within the EPZs were permitted, but federations with enterprises in other EPZs or with enterprises outside EPZs were banned. The Bangladesh Export Processing Zones Authority failed to provide effective measures to allow the formation of these federations.

EPZ officials narrowly interpreted the regulations and applicable laws of the 2010 industrial relations act and claimed they were exempt from the broader labor law. Labor groups challenged this claim. Workers filed legal cases against EPZ factories that did not follow the BLA, but they remained unresolved at year's end.

b. Prohibition of Forced or Compulsory Labor

The penal code prohibits forced or bonded labor; however, the prescribed penalty of imprisonment for up to one year or a fine was not sufficiently stringent to deter the offense, and the government did not enforce the prohibitions effectively. The BLA created inspection mechanisms to strengthen laws against forced labor, but these laws were not enforced.

Some Bangladeshi men who were recruited for work overseas with fraudulent employment offers were subsequently exploited under conditions of forced labor or debt bondage abroad.

Although relatively uncommon in urban areas, bonded labor remained common in rural areas and in domestic service. Children and adults were forced into domestic servitude and bonded labor, including restricted movement, nonpayment of wages, threats, and physical or sexual abuse. Faced with extreme poverty and unemployment, rural workers, including entire families, were engaged in bonded labor, often facing physical abuse and sometimes death. On December 23, the government promulgated an ordinance enacting the comprehensive antitrafficking law, codifying forced labor as trafficking. The new law is also intended to provide victims of forced labor with access to shelter and other protection services afforded to trafficking victims.

Also see the Department of State's [2011 Trafficking in Persons Report](#).

c. Prohibition of Child Labor and Minimum Age for Employment

By law every child must attend school through grade five or the age of 10 years, but there is no effective legal mechanism to enforce this provision, and child labor was widespread. The BLA regulates child employment depending on the type of work and the child's age. The law specifies penalties for child labor violations, typically nominal fines of less than 5,000 taka (\$63).

The ILO estimated that seven million child workers existed and that 1.3 million worked in hazardous sectors.

During the year Services and Solutions International, a Dhaka-based research institution, found that children frequently worked in the informal sector in areas such as the road transport industry, in rickshaw pulling, automotive repair, and minibus assistance; in machine shops, salt and match factories, and tanneries; and in the manufacturing of bricks, cigarettes, dried fish, footwear, steel furniture, glass, textiles, garments, and soap. Children were engaged in the following hazardous activities: printing, fabrication, stone breaking, ship breaking, dyeing operations, blacksmith assistance, and construction. Children also worked in the service industry in hotels and restaurants. According to a 2003 government survey of urban areas, street children, mostly boys, engaged in various forms of work, such as begging, working as porters, shining shoes, collecting paper, and selling flowers. Boys and girls, often those living on the streets, were exploited in illicit activities, including smuggling and trading arms and drugs.

Children routinely performed domestic work. The government occasionally brought criminal charges against employers who abused domestic servants.

The Ministry of Labor's enforcement mechanisms were insufficient for the large, urban informal sector, and there was little enforcement of child labor legislation outside the export garment and shrimp processing sectors. Agriculture and other informal sectors that had no government oversight employed large numbers of children.

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There was a child labor unit in the Ministry of Labor and Employment to coordinate planning and execution of all child-related labor interventions.

Also see the Department of Labor's *2010 Findings on the Worst Forms of Child Labor*.

d. Acceptable Conditions of Work

For the five-year period 2007-12, the National Minimum Wage Board (NMWB) established the minimum monthly wage at 1,500 taka (\$19) for all economic sectors not covered by industry-specific wages. The NMWB may convene at any time, but it must meet every five years in a tripartite forum to set wage structures and benefits industry by industry. In the garment industry, the Ministry of Labor raised the minimum wage in June 2010 from 1,662 taka (\$21) per month to 3,000 taka (\$38) per month; however, wages were sometimes higher than the minimum wage. Wages in the EPZs were typically higher than general national wage levels. None of the set minimum wages provided a sufficient standard of living for urban dwellers. It was common practice for garment factories to force workers to work overtime, delay their pay for months, and deny full leave benefits. According to the Welfare Monitoring Survey published by the Bangladesh Bureau of Statistics, the poverty rate was 31.9 percent.

By law a standard workday is eight hours, but workers may work 10 hours a day in certain instances. Overtime is permitted, but the employer must pay double the basic wage and interim wages for the overtime work. A standard workweek is 48 hours but can be extended up to 60 hours, subject to the payment of overtime allowances. By law the average workweek should not exceed 56 hours. Workers must have one hour of rest if they work for more than six hours a day, a half-hour of rest for more than five hours a day, and one hour's rest at intervals for more than eight hours' work in a day. Factory workers receive one day off every week. Shop workers receive one-and-one-half days off per week.

In practice these legal limits were routinely violated and enforcement of the provisions was weak. In the ready-made garment sector, employers often required workers to work 12 hours a day or more to meet export deadlines, but they did not always properly compensate workers for their time.

The BLA established occupational health and safety standards. Workers groups stated that legally established standards were sufficient, but they were rarely implemented. Workers may resort to legal action for enforcement of the law's provisions, but few cases were pursued legally. Enforcement by the Labor Ministry's industrial inspectors was weak, due to the low number of labor inspectors. Inspections were unannounced, but in many cases labor groups alleged that factory owners in collusion with inspectors received advance warning. There were 95 inspectors serving nationwide, of which approximately 50 inspectors worked in the factories division. The ministry had not filled 59 vacant positions. Many workers alleged that there was systemic and endemic corruption and inefficiency among inspectors.

Safety conditions at many workplaces were extremely poor. Because of high unemployment rates and inadequate enforcement of laws, workers who demanded redress of dangerous working conditions or who refused to work under hazardous conditions risked losing their jobs.

For example, on March 10, a fire in a garment dying factory in the capital's Shyampur Industrial Area killed eight workers. According to press reports, locked doors blocked some avenues of escape and prevented the expeditious containment of the conflagration.

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