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Country Report on Human Rights Practices 2015 - Bangladesh

EXECUTIVE SUMMARY

Bangladesh is a secular, pluralistic, parliamentary democracy. Prime Minister Sheikh Hasina and the Awami League (AL) retained power in the January 2014 parliamentary elections. Most international observers characterized the elections as controversial and falling short of international standards. The anniversary of the elections precipitated months of a nationwide transportation blockade and violent general strikes by the Bangladesh Nationalist Party (BNP), which also instituted a boycott halfway through April municipal elections in response to numerous allegations of vote rigging and interference. Authorities failed at times to maintain effective control over security forces.

The most significant human rights problems were extrajudicial killings and forced disappearances, the killing of secular bloggers and others by groups espousing extremist views, some restrictions on online speech and the press, early and forced marriage and gender-based violence, and poor working conditions and labor rights.

Other human rights problems included torture and other abuse by security forces, arbitrary arrests and detentions, weak judicial capacity and independence, and lengthy pretrial detentions. Authorities infringed on citizens' privacy rights. Politically motivated and intraparty violence remained serious problems and official corruption remained a problem. Some nongovernmental organizations (NGOs) faced continued legal and informal restrictions on their activities. Women and girls suffered from unequal treatment. Many children were compelled to work, primarily in the informal sector, due to either economic necessity or, in some instances, trafficking. Child workers were at times targets for violence and abuse. Discrimination against persons with disabilities was a problem, especially for children seeking admittance to public school. Instances of societal violence against religious and ethnic minorities persisted, although many government and civil society leaders claimed these acts had political or economic motivations and should not be attributed wholly to religious beliefs or affiliations. Discrimination against persons based on their sexual orientation continued.

Weak regard for the rule of law not only enabled individuals, including government officials, to commit human rights violations with impunity but also prevented citizens from claiming their rights. The government took limited measures to investigate and prosecute cases of abuse and killing by security forces.

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

a. Arbitrary or Unlawful Deprivation of Life

The constitution provides for the rights to life and personal liberty; however, the media and local and international human rights organizations reported the government or its agents committed numerous arbitrary or unlawful killings.

The government neither released statistics on total killings by security personnel nor took comprehensive measures to investigate cases, despite previous statements by high-ranking officials that the government would show “zero tolerance” and fully investigate all extrajudicial killings by security forces. In the few instances in which the government brought charges, those found guilty generally received only administrative punishment, but at least one significant case remained pending at year’s end. Some members of the security forces acted with impunity. The government continued support of an internal inquiries cell within the paramilitary Rapid Action Battalion (RAB) that investigates cases of human rights abuses. Despite continued training of investigators continued, the inquiries cell investigated 16 cases during the year, compared with 24 in 2015.

Suspicious deaths occurred during raids, arrests, and other law enforcement operations. Often security forces claimed they took a suspect in custody to a crime scene or hideout late at night to recover weapons or identify conspirators and that the suspect was killed when his conspirators shot at police. The government usually described these deaths as “crossfire killings,” “gunfights,” or “encounter killings,” terms used to characterize exchanges of gunfire between RAB or police units and criminal gangs, although the media sometimes also used these terms to describe legitimate uses of police force.

In February police took the body of G.M. Nahid to the Dhaka Medical College morgue. The body showed evidence of death by gunshot. Nahid’s father said his son was in police custody but disappeared after the father attempted to negotiate a payment lower than the taka 500,000 (\$6,250) the police demanded in order to release Nahid. Later that month police delivered the bodies of three teenagers to the same morgue. Police claimed a mob caught the youths attempting to throw gasoline bombs at a bus and beat them to death. The autopsy report, in contrast, found 57 bullet wounds in the children’s bodies.

In April 2014 RAB officers in Narayanganj abducted and killed seven individuals. In response to a public outcry, the government forced into retirement and prosecuted the officers responsible. Indian authorities transferred custody of Nur Hossain, accused of hiring the officers to perform the killings, to Bangladesh on November 12. The case continued at year’s end.

Political violence increased early in the year after the anniversary of the January 2014 elections. During nearly three months of a nationwide blockade and general strikes, more than 100 were killed and hundreds more maimed in burning of buses and other violence. Thousands of arrests of BNP activists and allegations of extrajudicial killings, deliberate shootings in the leg by police, and claims of torture accompanied the violence.

Violence committed by student and youth wings of political parties was a problem. In April, two groups of AL-affiliated Chhatra League members in Comilla clashed over the taking of conference photographs. The local Chhatra league president died from knife and bullet wounds, and at least 10 others were injured. In August alleged activists of the AL-affiliated Jubo League attacked secondary school students in Chandpur who were protesting an assault on a teacher. At least 20 students were hospitalized for their injuries.

b. Disappearance

Human rights groups and media reported that multiple disappearances and kidnappings, some committed by security services, continued, especially in the period following the election anniversary violence. The government made limited efforts to prevent or investigate such acts.

On January 14, in Rangpur, men in plain clothes claiming to be security forces beat Al-Amin Kabir and took him, his wife, and their housemaid away. Kabir’s brother stated the security forces were investigating a blockade-related bus arson. As of July the whereabouts of the three were unknown.

On March 10, men in plain clothes allegedly took BNP spokesperson and joint secretary general Salahuddin Ahmed from a Dhaka-area apartment. The BNP claimed he was abducted, and Ahmed’s wife filed habeas corpus actions in the courts. Ahmed’s whereabouts remained unknown until early May, when he mysteriously appeared at a hospital in Shillong, India, where he was facing charges for alleged illegal entry into India.

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

Although the constitution and law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, local and international human rights organizations and the media reported security forces,

including the RAB and police, employed torture and physical and psychological abuse during arrests and interrogations. Security forces reportedly used threats, beatings, and electric shock, and law enforcement officers sometimes committed rapes and other sexual abuses. According to the local human rights NGO Odhikar, security forces tortured three persons to death in the first seven months of the year. The government rarely charged, convicted, or punished those responsible for such actions.

In April, Aatur Rahman, officer in charge of the Sylhet Kotwali Police Station surrendered to a magistrate and was jailed on a charge of torturing a businessman inside the police station in 2014.

The law contains provisions allowing a magistrate to place a suspect in interrogative custody, known as remand, during which questioning of the suspect can take place without a lawyer present.

Security forces at times committed rape and other sexual abuse of detainees and others. In October a Chittagong woman filed an attempted rape case against an officer constable of the Boalkhali police station, alleging the police officer twice tried to rape her while he was investigating a separate rape case the woman had filed.

Prison and Detention Center Conditions

Prison conditions remained harsh and at times life threatening due to overcrowding, inadequate facilities, and lack of proper sanitation. A prominent local NGO stated these conditions contributed to custodial deaths.

Physical Conditions: According to the Department of Prisons, in August there were 69,719 prisoners in a system designed to hold 34,681, and 74 percent of inmates were in pretrial detention or undergoing trial. Authorities often incarcerated pretrial detainees together with convicted prisoners.

Due to overcrowding, prisoners slept in shifts and did not have adequate toilet facilities. Human rights organizations and the media stated some prisoners did not receive medical care or water. Water available in prisons was comparable with water available in the rest of the country, which was frequently not potable.

Conditions in prisons, and often within the same prison complex, varied widely, because authorities lodged some prisoners in areas subject to high temperatures, poor ventilation, and overcrowding. The law allows educated and socially prominent persons to serve their jail sentences in “divisional” custody, which featured better conditions, including increased family visitation rights and access to household staff.

While the law requires holding juveniles separately from adults, many juveniles were incarcerated with adults. Children were sometimes imprisoned (occasionally with their mothers) despite laws and court decisions prohibiting the imprisonment of minors.

Authorities routinely held female prisoners separately from men. Although the law prohibits women in “safe custody” (usually victims of rape, trafficking, and domestic violence) from being housed with criminals, officials did not always provide separate facilities.

Administration: Authorities did not use alternatives to sentencing for nonviolent offenders, and prison ombudsmen were not available to prisoners.

Independent Monitoring: The government did not permit prison visits by the International Committee of the Red Cross or any other independent human rights monitors. The government allowed the Bangladesh Red Crescent Society to visit foreign detainees. 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.

d. Arbitrary Arrest or Detention

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

Mobile courts headed by executive branch magistrates rendered immediate verdicts that often included prison terms; defendants were not afforded the opportunity for legal representation.

Role of the Police and Security Apparatus

Police, who fall under the jurisdiction of the Ministry of Home Affairs, have a mandate to maintain internal security and law and order. The Police Special Branch has immigration jurisdiction, while the Border Guard Bangladesh and coast guard--under the same ministry--enforce the country's borders. The army, organized under the Prime Minister's Office, is responsible for external security, but can be called to help with a variety of

domestic security responsibilities when required “in aid to civil authority.” The army and ministry security forces maintained a significant presence in the Chittagong Hill Tracts (CHT) to monitor the 1997 CHT Peace Accord.

Civilian authorities maintained effective control over the military, and the government has mechanisms to investigate and punish abuse and corruption within the security forces. These mechanisms were not regularly employed, however. The government took steps to improve police professionalism, discipline, training, and responsiveness and to reduce corruption. Police basic training continued to incorporate instruction on the appropriate use of force as part of efforts to implement community-based policing.

Despite such efforts, security forces, including the RAB, continued to commit abuses with impunity. Plaintiffs were reluctant to accuse police in criminal cases due to lengthy trial procedures and fear of retribution. Reluctance to bring charges against police also perpetuated a climate of impunity.

Security forces failed to prevent societal violence (see section 6).

Arrest Procedures and Treatment of Detainees

Police may arrest individuals on a court-issued warrant, on observation of a crime in progress, or in an attempt to preserve security and public order under the Special Powers Act. 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 sometimes held detainees for longer periods. A magistrate must inform a detainee of the grounds for detention within 15 days, and regulations require an advisory board to examine a detainee’s case after four months. Detainees have the right to appeal.

There is a functioning bail system in the regular courts. Authorities granted criminal detainees charged with crimes access to attorneys. The government sometimes provided detainees with state-funded defense attorneys. The few legal aid programs for detainees that existed were underfunded. Authorities generally permitted defense lawyers to meet with their clients only after formal charges were filed in the courts, which in some cases occurred weeks or months after the initial arrest.

Arbitrary Arrest: Arbitrary arrests occurred, often in conjunction with political demonstrations, and the government held persons in detention without specific charges, sometimes in an attempt to collect information about other suspects. Allegations of arbitrary arrests increased in the period following the January election anniversary violence and again late in the year. Media reported police arrested approximately 1,500 individuals over two days in November. The reports said most of those arrested were opposition party activists.

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. According to the Bangladesh International Arbitration Center, approximately two million civil and criminal cases were pending in 2014. In some cases the length of pretrial detention equaled or exceeded the sentence for the alleged crime.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, a provision of the constitution that accords the executive branch authority over judicial appointments to lower courts and over compensation and assignments for judicial officials undermines full judicial independence. Some judges reported that they were transferred to less desirable geographic areas in retaliation for unpopular rulings. The 16th constitutional amendment giving parliament impeachment power over high court judges passed in 2014, but as of October, no implementing law had been written.

Corruption and a substantial backlog of cases hindered the court system, and the granting of extended continuances 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.

The Bangladeshi International Crimes Tribunal (ICT) continued to prosecute individuals indicted for committing war crimes during the 1971 independence war.

The April execution of Jamaat-e-Islami (Jamaat) senior assistant secretary general Muhammad Kamaruzzaman, while judicially rigorous, highlighted lingering questions of fairness, transparency, and other due process concerns.

In November the government executed Salauddin Qader Chowdhury and Ali Ahsan Mohammad Mujahid, both convicted of 1971 war crimes by the ICT. Chowdhury’s lawyers said the court did not allow them to present evidence that Chowdhury was out of the country at the time of the crimes.

Trial Procedures

The law provides for the right to a fair trial, but the judiciary did not always protect this right due to corruption and weak personnel and institutional capacities. Judges received base pay from 29,200 taka (\$365) to 39,600 taka (\$495) per month, depending on qualifications. Prosecutors' low monthly retainer of 3,000 taka (\$37.50) plus 200 taka (\$2.50) per hour spent in court led some to accept bribes to influence the outcome of a case.

Defendants are presumed innocent and have the rights to appeal and see the government's evidence. Defendants also have the right to be informed promptly and in detail of the charges against them. The Speedy Trial Act was intended to prevent undue delay of proceedings for certain offenses, such as murder, sexual assault, and robbery, but frequent adjournments contributed to the backlog of cases. No jury system exists. Judges decide cases, and trials are public. Indigent defendants have the right to a public defender. Defendants also have adequate time to prepare a defense. Accused persons have the right to representation by counsel, review accusatory material, call, and question witnesses, and appeal verdicts. The government frequently did not respect these rights.

Political Prisoners and Detainees

While political affiliation at times appeared to be a factor in the arrest and prosecution of members of the opposition parties, the government did not prosecute individuals solely on political charges.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek administrative and judicial remedies for human rights violations; however, the civil court system was slow and cumbersome, deterring many from filing complaints. 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 allowed citizens to present their cases for mediation. According to government sources, the wider use of mediation in civil cases accelerated the administration of justice, but there was no assessment of its fairness or impartiality.

Property Restitution

The government did not take action to compensate individuals, primarily Hindus, who lost their land under the 1974 Vested Property Act (see section 2.d.).

Minority communities reported many land ownership disputes that disproportionately displaced minorities, especially in areas near new roads or industrial development zones, where land prices had recently increased. They also claimed that local police, civil authorities, and political leaders were sometimes involved or shielded politically influential land grabbers from prosecution (see section 6.).

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

The law does not prohibit arbitrary interference with private correspondence; rather, intelligence and law enforcement agencies may monitor private communications with the permission of the Ministry of Home Affairs. Police rarely obtained warrants as required, and authorities did not punish officers who violated these procedures. Human rights organizations alleged the Special Branch of police, the National Security Intelligence, and the Directorate General of Forces Intelligence employed informers to conduct surveillance and report on citizens perceived to be critical of the government. The government also routinely conducted surveillance on opposition politicians. Human rights organizations and news outlets reported police sometimes entered private homes without obtaining proper authorization.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution provides for freedom of speech and press, but the government sometimes failed to respect these rights. There were some limitations on freedom of speech. Some journalists self-censored their criticisms of the government due to harassment and fear of reprisal.

Freedom of Speech and Expression: The constitution equates criticism of the constitution with sedition. Punishment for sedition ranges from three years' to life imprisonment, but the courts did not sentence anyone

under these laws. The law limits hate speech but does not define clearly what constitutes hate speech, leaving the government with broad powers of interpretation. The government may restrict speech deemed to be against the security of the state; against friendly relations with foreign states; and against public order, decency, or morality; or that constitutes contempt of court, defamation, or incitement to an offense.

In an October report, Transparency International Bangladesh (TIB) highlighted concerns about the performance and independence of parliament. TIB's executive director called parliament a "puppet-show theater" and proposed an "inclusive and credible" election to make parliament effective. Government officials responded by warning TIB they would investigate its finances, characterizing the comments as sedition, recommending the cancellation of TIB's registration, and announcing that parliamentarians were considering new legal provisions to punish NGOs for insulting the state or parliament.

Press and Media Freedoms: The independent media were active and expressed a wide variety of views; however, media outlets that criticized the government experienced negative government pressure. For example, independent journalists alleged that intelligence services influenced media outlets in part by withholding financially important government advertising and pressing private companies to withhold their advertising as well. Cell-phone carrier Grameenphone told media that authorities instructed it and other corporations not to advertise in "two leading newspapers."

The government owned one radio station and one television station. The law mandates that the Bangladesh 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 almost 80 percent of citizens received their information from television. The BTV broadcast parliamentary sessions and government programming but rarely broadcast 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.

Violence and Harassment: Authorities, including intelligence services on some occasions, subjected journalists to physical attack, harassment, and intimidation. In January police arrested Ekushey Television (ETV) Chairman Abdus Salam after ETV broadcast a 50-minute speech by exiled BNP Vice-Chairman Tarique Rahman. While initial charges were under the Pornography Control Act, police later filed sedition charges against Salam.

During the year violent extremists killed four bloggers with reputations for secularist or anti-Islamic writing. The government took some steps to investigate the killings and apprehend suspects. Officials condemned the killings but also cautioned that no one should write anything that offends the religious sensitivities of others. Offending religious sensitivities is an offense. In October violent extremists killed one person and injured three in two separate but closely timed attacks on publishers of one of the slain bloggers, Avijit Roy. Extremist organizations claimed responsibility for the attacks on behalf of Al-Qaeda in the Indian Subcontinent (AQIS).

Censorship or Content Restrictions: The government sought to censor the media indirectly through threats and harassment. On multiple occasions, government officials asked privately owned television channels not to broadcast the opposition's activities and statements. The well-regarded newspapers *Prothom Alo* and *Daily Star* were denied access to prime-ministerial events because they published reports critical of the government and prime minister.

According to some journalists and human rights NGOs, journalists engaged in self-censorship, particularly due to fear of security-force retribution. Although public criticism of the government was common and vocal, some media figures expressed fear of harassment by the government.

The AL government, like its BNP predecessor, issued new broadcast licenses to political supporters and denied them to political opponents.

The government did not subject foreign publications and films to stringent review and censorship, but some foreign correspondents in the country reported pressure to practice self-censorship. A government-managed film censorship 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 it was less strict than in the past. Video rental libraries and DVD shops stocked a wide variety of films, and government efforts to enforce censorship on rentals were sporadic and ineffective.

In September the Supreme Court's appellate panel vacated a stay that prevented showings of a film on the Rana Plaza garment factory disaster, but a new appeal to the film censor board left the film in limbo.

The government at times censored immodest or obscene photographs or objectionable comments regarding national leaders.

National Security: In February the English-language newspaper *Daily Star* printed a photograph of a propaganda poster under the heading, "Fanatics raise their ugly heads again." The prime minister announced in

parliament that the government would take action against the *Daily Star* for “trying to patronize [a] banned militant organization.”

Nongovernmental Impact: In October purported AQIS affiliates sent letters to media threatening outlets that insulted Islam, employed female journalists, showed uncovered women, or otherwise violated the extremists’ sense of Sharia law (see Violence and Harassment).

Internet Freedom

The government restricted some access to the internet and censored online content, and there were credible reports that the government monitored private online communications. Mobile phone operators reported approximately 1.5 million internet subscribers and more than 41.3 million additional mobile internet users. According to the International Telecommunication union, approximately 6.5 percent of the population used the internet in 2013.

Individuals and groups generally engaged in the expression of views via the internet, although some activists stated that fear of prosecution under the Information and Communication Technology Act (ICTA) limited their online speech. The government used the ICTA and the threat of sedition charges, which carry a possible death penalty, to limit online activity. The Bangladesh Telecommunication Regulatory Commission filtered internet content that the government deemed harmful to national unity and religious beliefs. The government also blocked some Facebook pages, including pages depicting the Prophet Muhammad and pages critical of the prime minister or the opposition leader.

Virtual Private Networks (VPNs) and Voice Over Internet Protocol (VOIP) telephony were illegal, but the laws were rarely enforced against individuals. Media reported that during the government-ordered shutdown of Facebook in November and December, government departments and politicians continued to update their pages.

A 2013 amendment to the ICTA increased penalties for cybercrime, made more offenses ineligible for bail, and gave law enforcement officers broader authority to arrest violators without a court order. Opponents of the law stated that section 57, which criminalizes the posting online of inflammatory or derogatory information against the state or individuals stifles freedom of speech. In September the High Court rejected a plea challenging the constitutionality of section 57. In January police arrested university student Firdatul Muntha Sanjida for allegedly posting Facebook images mocking the prime minister and her son. In May police arrested Roman Palwan and filed an ICTA case against him for allegedly posting a cartoon about the prime minister on Facebook.

Academic Freedom and Cultural Events

Although the government placed few restrictions on academic freedom or cultural events, media groups reported authorities discouraged research on sensitive religious and political topics that might fuel possible religious or communal tensions. Academic publications on the 1971 independence war were also subject to scrutiny and government approval.

b. Freedom of Peaceful Assembly and Association

The constitution provides for the freedoms of assembly and association, and the government generally respected these rights; however, there were instances of governmental action to limit freedom of assembly during periods of political protest and unrest, especially around the violence following the anniversary of the 2014 parliamentary elections.

Freedom of Assembly

The government generally permitted rallies, but on occasion it prevented political groups from holding meetings and demonstrations. The law authorizes the government to ban assemblies of more than four persons. A Dhaka Metropolitan Police order requires advance permission for gatherings such as protests and demonstrations. According to human rights NGOs, authorities increasingly used this provision, especially around the election anniversary. Occasionally, police or ruling party activists used force to disperse demonstrations.

During the protracted election anniversary turmoil in March, authorities permitted AL processions in celebration of a national cricket team victory but refused to allow similar BNP events. In September students shut down Dhaka traffic in protest of a value-added tax (VAT) on private university tuition. A restrained police response allowed the protests to continue. The government ultimately cancelled the VAT.

Freedom of Association

The law provides for the right of citizens to form associations, subject to “reasonable restrictions” in the interest of morality or public order, and the government generally respected this right. The government’s NGO Affairs Bureau sometimes withheld its approval for foreign funding to NGOs working in areas the bureau deemed sensitive such as human rights, labor rights, indigenous rights, or humanitarian assistance to Rohingya refugees (see sections 2.d., 5, and 7.a.).

A draft act under consideration, the Foreign Donations (Voluntary Activities) Regulation Act, was the subject of significant and intense media coverage and international comment. It would increase the length of time for which NGO registrations are valid but place additional restrictions on the receipt of foreign funds by NGOs or government officials. The act also would require approval and monitoring of each project by the NGO Affairs Bureau and give the director general of the bureau the authority to impose sanctions, including fines up to three times the amount of the foreign donation or closure of an NGO.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

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, except in two sensitive areas, the CHT and Cox’s Bazar. The government announced some restrictions on foreigners’ access to the CHT, but as of August it was unclear how the government would implement the restrictions.

The government did not fully cooperate with the UN High Commissioner for Refugees (UNHCR) or other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern. For example, the government did not allow UNHCR access to all individuals whom UNHCR deemed persons of concern, particularly the undocumented Rohingya population living in the towns and villages outside of the two official refugee camps in Cox’s Bazar district.

Foreign Travel: Some senior opposition officials reported extensive delays in getting their passports renewed; others reported harassment and delays at the airport when departing the country. The international travel ban continued on war-crimes suspects from the 1971 independence war.

The country’s passports are invalid for travel to Israel.

Internally Displaced Persons

Low-level armed conflict in the CHT in 1973-97 displaced tens of thousands of indigenous persons. During the conflict the government relocated landless Bengalis from the plains to the CHT with the unstated objective of changing the demographic balance in the CHT toward a Bengali majority.

The internally displaced persons (IDPs) in the CHT had limited physical security. Indigenous community leaders maintained that settlers’ violations of indigenous persons’ rights, sometimes with the involvement of security forces, were widespread.

The IDPs in the CHT also lacked sufficient access to courts and legal aid. The CHT Commission composed of experts from inside and outside the country, who sought to promote respect for rights in the CHT, found that a lack of information and lawyers to assist indigenous persons hindered IDP access to justice. The commission reported settlers expropriated indigenous land using false titles, intimidation, force, fraud, and manipulation of government eminent-domain claims (see section 6).

The number of IDPs in the CHT remained disputed. In 2000 a government task force estimated the number to be 500,000, which included nonindigenous as well as indigenous persons. The CHT Commission estimated that there were slightly more than 90,000 indigenous IDPs. The prime minister pledged to resolve outstanding land disputes in the CHT to facilitate the return of the IDPs and to close the remaining military camps, but the task force on IDPs remained unable to function due to a dispute over classifying settlers as IDPs. The commission reported that authorities displaced several indigenous families to create border guard camps and army recreational facilities. No land disputes were resolved during the year.

Protection of Refugees

The government and UNHCR provided temporary protection and basic assistance to more than 32,000 registered Rohingya refugees from Burma living in two official camps (Kutupalong and Nayapara). The government and UNHCR estimated that an additional 200,000-500,000 undocumented Rohingya lived in various villages and towns outside the two official refugee camps. Most of these undocumented Rohingya lived at unofficial sites among the local population in Teknaf and Ukhyia subdistricts of Cox's Bazar District. These sites included approximately 42,000 at the Kutupalong Makeshift site adjacent to the official Kutupalong refugee camp, 15,000 at a site called Leda, and 9,000 at the Shamlapur site. Led by the Ministry of Foreign Affairs, the government continued to implement a national strategy on Rohingya with six key elements: border management, addressing security threats, humanitarian assistance, strengthened engagement with Burma, internal coordination on Rohingya problems, and surveying the undocumented Rohingya.

The irregular migration crisis in the Bay of Bengal and Andaman Sea affected both Rohingya and Bangladeshi victims. The government worked to include registered Rohingya refugees among the victims repatriated to Bangladesh.

Access to Asylum: The law does not provide for granting asylum or refugee status, nor has the government established a formal system for providing protection to refugees. The government provided some protection to Rohingya refugees from Burma already resident in the country, but it continued to deny asylum to the undocumented Rohingya, whom it categorized as illegal economic migrants. The government cooperated with UNHCR in providing temporary protection and basic assistance to registered refugees already resident in two official camps. Although significant protection problems remained, delivery of humanitarian assistance to the undocumented Rohingya improved with the implementation of the national strategy, as did special assistance to registered Rohingya victims of the maritime irregular migration crisis.

Refoulement: Continued violence and human rights abuses against the Rohingya in Burma prevented them from safely and voluntarily returning to their homes. Between January and September, according to UNHCR, Bangladeshi authorities forcibly turned back an estimated 4,719 Rohingya to Burma, compared with 5,521 in all of 2014. According to UNHCR, which maintained a field presence in both countries, many of these individuals were likely entitled to refugee status and protection. Despite these expulsions the border remained porous, and UNHCR noted the existence of considerable daily cross-border movement for trade, smuggling, and illegal migration.

Refugee Abuse: UNHCR reported cases of refugee abuse, including rape, assault, and domestic violence, deprivation of food, arbitrary detention, and documentation problems.

Employment: The government did not authorize Rohingya refugees living in the country to work locally. Refugees had limited freedom of movement beyond the camps and had to obtain permission for all movement outside the camps. Despite these constraints, some refugees worked illegally as manual laborers or rickshaw pullers in the informal economy. Undocumented Rohingya also worked illegally, mostly in day-labor jobs.

Access to Basic Services: Working with 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. Some basic needs remained unmet, and the camps remained overcrowded, with densities on par with the country's urban slums. A 2014 nutrition survey report from UNHCR and World Food Program stated the prevalence of malnourished (stunted) and underweight children in refugee camps remained higher than in the rest of the country and above the emergency threshold levels set by the World Health Organization.

Public education, while mandatory as of 2010 through eighth grade throughout the country, was offered only through seventh grade in the camps, compared with fifth grade in previous years. Government authorities did not allow refugees outside the camps to attend school, but some did so.

Government authorities did not allow registered or unregistered Rohingya formal and regular access to public health care. Instead, UNHCR and NGOs provided basic health services in the official camps to registered refugees, and the International Organization for Migration provided health services to the unregistered Rohingya in the makeshift sites. Although NGOs provided humanitarian assistance to registered Rohingya refugees, undocumented Rohingya, and the local population, the government's restrictions on NGO activities outside the camps limited the unregistered population's access to basic medical care and other services.

International NGOs faced difficulties in providing basic services to undocumented Rohingya and to the surrounding impoverished host communities due to extended delays by the NGO Affairs Bureau in granting permission for them to operate. In 2014 the government issued a temporary authorization allowing international organizations and international NGOs to continue providing basic assistance, such as water, sanitation, health care, and education, to registered, and some unregistered, Rohingya.

Registered refugees did not have access to the formal legal system, although they were able to take legal complaints to a local camp official who could mediate disputes. Members of the unregistered population had no

legal protection and were sometimes arrested because the government viewed them as illegal economic migrants.

Stateless Persons

The Rohingya in Bangladesh are legally stateless. They cannot derive citizenship from birth in the country, marriage with local citizens, or any other means.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, but recent elections were marred by tampering and an opposition boycott.

Elections and Political Participation

Recent Elections: The main opposition party boycotted the January 2014 parliamentary elections, leaving more than half of all seats uncontested and many more only nominally contested. Because there were few contests, many voters were unable to exercise their choice. Months of political turbulence and violence preceded the elections. Independent election observers witnessed incidents of violence in or near polling stations, obstruction of voters, and forced voting. Prime Minister Sheikh Hasina and the ruling AL party retained power with 235 of 300 elected seats. After its boycott of the elections, the BNP held no seats in parliament. The official opposition party, the Jatiya Party, which had 36 elected seats, was also part of the ruling coalition. Parties that supported the government held most of the remaining seats. Sheikh Hasina's cabinet included representatives from the other parties in her coalition.

The April 28 Dhaka and Chittagong municipal elections, according to multiple sources, were marred by vote rigging, intimidation, and violence. The BNP-backed mayoral candidates withdrew from the elections three hours into balloting in response to the irregularities. The nonpartisan civil society network Bangladesh Election Working Group described the overall integrity of the polling process as not credible based on the extent of malpractice and irregularities observed.

The December 30 local elections were preceded by months of arrests and other actions against opposition political figures. Polling was largely free and fair, with observers reporting irregularities in approximately 8-12 percent of polling places. There were some incidents of violence between political rivals, but regular voters were not the targets.

Political Parties and Political Participation: Voter participation in the January 2014 national election was low, following the boycott by the BNP. Election Commission figures showed an average 40 percent turnout in the 147 constituencies that had contests, compared with more than 80 percent in 2009. No votes were cast in 153 constituencies that had only a single candidate.

In some instances the government interfered with the right of opposition parties to organize public functions and restricted the broadcasting of opposition political events. Jamaat's appeal of a 2012 Supreme Court decision cancelling the party's registration continued.

Participation of Women and Minorities: There is no provision to reserve parliamentary seats for minorities.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively. Officials frequently engaged in corrupt practices with impunity. Human rights groups, the media, the Anticorruption Commission (ACC), and other institutions reported government corruption.

Corruption: According to a 2010 World Bank report, the government undermined the ACC's work and hampered the prosecution of corruption. The report stated the government filed far fewer corruption cases than the previous caretaker government and that a government commission recommended the ACC drop thousands of corruption cases. TIB cited a statement in report by the UN Convention Against Corruption Civil Society Coalition that in 2011 the government asked the ACC to withdraw 10,536 cases. The 16th constitutional

amendment extended parliament's power to impeach officials to include the ACC, Election Commission, National Human Rights Commission (NHRC), and other constitutional commissions. Some in civil society stated the government was not serious about fighting corruption and that it used the ACC for politically motivated prosecutions. TIB asserted that political interference in the ACC's operations had rendered it a "toothless tiger." A 2013 amendment to the ACC Law removed the ACC's authority to sue public servants without prior government permission.

The government took steps to address widespread police corruption. The inspector general of police continued to train police to address corruption and create a more responsive police force. No assessment of the training's effect on corruption within the police force was available.

According to media and rights groups, the election anniversary turmoil at times emboldened police corruption. A police subinspector shot businessman Fayeze Ali in the hip on January 12. The subinspector claimed the shooting occurred during a scuffle at a political protest. Ali's wife said the subinspector shot Ali after Ali refused to give him the more than 100,000 taka (\$1,250) Ali was carrying to pay construction wages and material bills.

The government subjected the judiciary to political pressure (see section 1.e.), and cases involving opposition leaders often proceeded in an irregular fashion.

Corruption remained a serious problem within the judiciary and was a factor in lengthy delays of trials, which facilitated 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.

Financial Disclosure: Candidates for parliament file statements of personal wealth with the Election Commission. The ACC dropped investigations of some politicians for amassing wealth unexplained by known sources of income after the subject politicians stated they made mistakes on their wealth affidavits.

Public Access to Information: The law provides for public access to government information, but it was not effective. The Information Commission is responsible for implementing the law, which lists a few exceptions (e.g., national security) and establishes nominal processing fees. The commission has the authority to issue summonses compelling individuals who do not comply with a request for information to give oral or written evidence under oath. Observers noted that the government filed few cases during the year due to citizens' limited understanding of the law and limited capacity to file and pursue requests for information. The commission conducted public outreach and training of public officials to encourage effective use of 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, investigating and publishing their findings on human rights cases. Although human rights groups often sharply criticized the government, they also practiced some self-censorship. Government officials generally were not cooperative or responsive to their views.

The government continued to restrict the funding and operations of the human rights organization Odhikar since the 2013 publication of an Odhikar report that many independent observers believed significantly exaggerated the government's use of force during a Hefazat-e-Islam rally. The report included a count of resulting deaths that differed considerably from the official number and other estimates. Odhikar secretary Adilur Rahman Khan and president Nasiruddin Elan, arrested in connection with the NGO's reporting, were free on bail but charges against them stemming from the NGO's reporting were pending. Odhikar reported investigations into its finances that it regarded as harassment and a block on its receipt of foreign funds. Family members and Odhikar staff reported additional harassment and claimed their telephone calls, e-mails, and movements were under constant surveillance by security officers.

The government required all NGOs, including religious organizations, to register with the Ministry of Social Welfare. Local and international NGOs working on sensitive topics, such as human rights, indigenous people, Rohingya refugees, or worker rights, faced both formal and informal governmental restrictions. International NGOs that assist Rohingya refugees reported the government impeded their work. These groups also claimed intelligence agencies monitored them. The government sometimes restricted international NGOs' ability to operate through delays in project registration, cease-and-desist letters, or visa refusals.

The government countered NGO criticism through the media, sometimes with intimidating or threatening remarks, and through the courts (see section 1.e.). In August police issued a statement calling Odhikar's reporting on extrajudicial killings subversive propaganda that threatened the rule of law. In October another

police statement called a newspaper article based on the reporting on extrajudicial killings by the legal aid and human rights NGO Ain o Salish Kendra's (ASK) defamation and a challenge to the law of the land.

The United Nations or Other International Bodies: The intergovernmental International Organization for Migration reported increased cooperation by the government later in the year.

Government Human Rights Bodies: The NHRC has seven members, including five honorary positions. Observers noted that the NHRC's small government support staff was inadequate and underfunded. The NHRC's primary activity was educating the public about human rights, and the NHRC chairman made numerous media appearances. The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights found that the NHRC did not fully comply with international standards for such bodies. Specifically, the coordinating committee focused on the lack of transparency in selecting NHRC commissioners and the NHRC's lack of hiring authority over its support staff. In August the NHRC chairman made a public plea for greater freedom and independence for the commission.

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

The law specifically prohibits certain forms of discrimination against women, provides special procedures for prosecuting persons accused of violence against women and children, calls for harsh penalties, provides compensation to victims, and requires action against investigating officers for negligence or willful failure of duty. Enforcement was weak. Laws regarding divorce, custody, and rape differed according to an individual's religion and were often discriminatory toward women and girls. Women, children, minority groups, persons with disabilities, indigenous people, and sexual minorities often confronted social and economic disadvantages.

Women

Rape and Domestic Violence: The law prohibits rape and physical spousal abuse. Marital rape is not a crime. Gender-based violence remained a serious challenge. The Bangladesh Bureau of Statistics' *Report on Violence Against Women Survey 2011* stated that 26 percent of women were victims of spousal rape by their current husband at some point in their lives. Of the rape cases tabulated by ASK during the year, 28 percent were gang rapes and 7 percent of victims were killed after the rape; 17 percent of victims were between ages 13 and 18, 19 percent were between ages seven and 12, and 5 percent were age six or younger. At least one child six years old or younger was gang raped. According to human rights monitors, many victims did not report rapes due to lack of access to legal services, social stigma, or fear of further harassment and the legal requirement to furnish witnesses. As a result the prosecution of rapists was weak and inconsistent. In August a government committee created by order of the High Court recommended replacing the "two-finger" rape test with other examinations by medical professionals. The Bangladesh National Woman Lawyers' Association (BNWLA) reported some perpetrators distributed photographs and videos of the rapes via cell phones and the internet to humiliate victims and their families.

A UN multiagency study on violence against women, released in 2013, surveyed almost 2,400 men between the ages of 18 and 49 in one urban and one rural area of the country. According to the study, 55 percent of urban male respondents and 57 percent of rural respondents reported they themselves had perpetrated physical and/or sexual violence against women. The study concluded that the low prosecution rate of rapists supported a culture of impunity and encouraged further criminal acts by respondents who admitted to perpetrating rape. In total, 88 percent of rural respondents and 95 percent of urban respondents reported they faced no legal consequences for rape charges.

Multiple, public, sexual assaults occurred during the April 14 Pohela Boishakh (Bengali New Year) celebrations. Approximately 30 youth assaulted an estimated 20 women on the Dhaka University campus and beat bystanders who tried to help the women. The attackers ripped clothes off the victims, including one 10-old-girl on whom they left bite marks. Nearby police did nothing to stop the assaults. Two women were assaulted on the campus of Jahangirnagar University, and other women were assaulted on a Jagannath University bus. The assaults triggered widespread social outcry and a public discussion of the factors driving sexual violence.

Rights groups said minority populations were at times targeted for rape due to their generally lesser societal influence. In May a 21-year-old indigenous Garo woman was gang-raped by five men on a microbus while returning home from work in Dhaka. The High Court ordered the police to take action in the case and the government to pay compensation to the victim.

Following the rape of a 13-year-old girl in Rangunia, local police imprisoned the rape survivor, her brother, and family in May and exonerated the police officer accused of destroyed evidence in the case. The High Court subsequently issued a rule calling for punishment for police for failing to report rape and protect the accused.

The law criminalizes domestic violence. The government operated a confidential hotline and several crisis centers for victims of domestic violence. Women's rights groups criticized the government for its overall inaction on domestic violence. NGOs, with little assistance from the government, funded most efforts to combat domestic violence. Courts sent most victims of domestic violence to shelter homes, such as those run by the BNWLA. In a few cases, the BNWLA sent victims to prison as a transitory destination for short periods. There were some support groups for victims of domestic violence. According to a 2013 survey by the Bangladesh Bureau of Statistics, 87 percent of married women were abused by their husbands, with 50 percent reporting serious injuries.

Other Harmful Traditional Practices: Some NGOs reported violence against women related to disputes over dowries. In February a Thakurgaon husband strangled his wife and dumped her body in a septic tank in a conflict over unmet dowry demands.

A Supreme Court Appellate Division ruling allows the use of fatwas (religious edicts) only to settle religious matters; fatwas may not be invoked to justify punishment, nor may they supersede secular law. Islamic tradition dictates that only those religious scholars with expertise in Islamic law may declare a fatwa. Despite these restrictions village religious leaders sometimes made such declarations. The declarations resulted in extrajudicial punishments, often against women, for perceived moral transgressions.

Incidents of vigilantism against women occurred, sometimes led by religious leaders enforcing fatwas. The incidents included whipping, beating, and other forms of physical violence. In October village arbitrator Mohammad Jalal Uddin of Gazipur and his accomplices beat a woman with sticks until she was unconscious for disobeying his summons to a meeting. The woman was hospitalized for her injuries.

Acid attacks, although less common than in the past, remained a serious problem. Assailants threw acid in the faces of victims--usually women--leaving them disfigured and often blind. Acid attacks were often related to a woman's refusal to accept a marriage proposal or in connection with land disputes. The law 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 its effect. The government made efforts to punish offenders and reduce the availability of acid to the general public. The Commerce Ministry restricted acid sales to buyers registered with relevant trade organizations; however, the government did not enforce the restrictions universally. To facilitate speedier prosecution of acid-throwing cases the law provides special tribunals and generally does not allow bail. According to the Acid Survivors Foundation, the special tribunals were not effective, and conviction rates remained low.

A prominent local NGO reported 25 acid attacks from January through June. In January, Mohammad Shamim of Mymensingh threw acid on a second-year higher-secondary-school student for rejecting his romantic advances. The girl was hospitalized with burns to her forehead and one eye.

Sexual Harassment: Sexual harassment in public and private, including in educational institutions and workplaces, is prohibited by a High Court guideline. Monitoring and enforcement of the guideline were poor; harassment remained a problem and sometimes prevented girls from attending school or work. In June 12-year-old Momtaz Khatun of Sirajganj committed suicide after a young local man stalked her to and from school and harassed her over the telephone.

Reproductive Rights: Couples and individuals had the right to decide the number, spacing, and timing of their children, manage their reproductive health and had access to the information and means to do so, free from discrimination, coercion, or violence, although civil society organizations reported that victims of child marriage often lacked the means to access services. Couples and individuals had access to a full range of contraceptive methods, including long-acting reversible contraception and permanent methods. Pharmacies carried a wide range of family planning options and sold 33 percent of the family planning supplies distributed in the country, according to the 2011 Bangladesh Demographic and Health Survey. While low levels of income and education and traditional family roles sometimes served as barriers to access, and most low-income families relied on public family planning services offered free of cost, the survey showed no link between socioeconomic status and the use of family planning.

According to the 2010 Bangladesh Maternal Mortality Survey, the maternal mortality ratio declined by 40 percent during 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 or prolonged labor. According to the 2013 Utilization of Essential Service Delivery (UESD) survey, a skilled birth attendant delivered 34 percent of births, and 33 percent of the deliveries occurred at a health facility, compared with 32 and 29 percent, respectively, in 2011. Although 55 percent of women received at least one antenatal checkup from a medically trained provider, only 26 percent of women received the recommended four checkups following live births. Only 27 percent of the mothers received a postnatal checkup from a trained provider within two days of delivery.

Discrimination: The constitution declares all citizens equal before the law, with entitlement to equal protection of the law. It also explicitly recognizes the equal rights of women “in all spheres of the state and of public life.” Nevertheless, women do not enjoy the same legal status and rights as men in family, property, and inheritance law. Under traditional Islamic inheritance law, daughters inherit only half of what sons do, and in the absence of sons, they may inherit only what remains after settling all debts and other obligations. Under Hindu inheritance law, a widow’s rights to her deceased husband’s property are limited to her lifetime and revert to the male heirs upon her death.

Women faced difficulty being promoted in factory jobs, obtaining access to credit, and other economic opportunities, but the government’s *National Women’s Development Policy* included commitments to provide opportunities for women in employment and business. Employment discrimination towards women occurred (see section 7.d.).

Children

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 in or after 1971. Birth registration is required to obtain a national identity card or passport.

Education: Primary education was free and compulsory through fifth grade, and the government offered subsidies to parents to keep girls in class through 10th grade. While teacher fees and uniforms remained prohibitively costly for many families, the government distributed hundreds of millions of free textbooks to increase access to education. Enrollments in primary schools showed gender parity, but educational attainment was low for boys and girls and the percentage of girls declined in later secondary years. The 2010 Education Policy extended compulsory primary education to the eighth grade; however, in the absence of legal amendments to reflect the policy, it remained unenforceable. Government incentives to families who sent children to school contributed significantly to increased primary school enrollments in recent years, but hidden school fees at the local level created barriers to access for the poorest families, particularly for girls. Many families kept children out of school to become wage earners or to help with household chores, and primary school coverage was insufficient in hard-to-reach and disaster-prone areas. Early and forced marriage was a factor in girls’ attrition from secondary school.

Child Abuse: Despite strong children’s rights legislation, there was a general lack of enforcement due to limited resources and capacity to implement and monitor these laws. Governance remained weak, with responsibility for children held by one of the least-resourced ministries, the Ministry of Women and Children’s Affairs. Many forms of child abuse, including sexual abuse, physical and humiliating punishment, child abandonment, kidnapping, and trafficking, continued to be serious and widespread problems. Children were vulnerable to abuse in all settings: home, community, school, residential institutions, and the workplace. Local human rights groups reported numerous instances of rape and attempted rape of girls under age 17 during the year (see also section 1.c.).

In May a court gave a life sentence and 200,000 taka (\$2,500) fine to a teacher who raped a five-year-old girl student in the Mirpur area of Dhaka in March 2014.

Despite advances, including establishing a monitoring agency in the Ministry of Home Affairs, trafficking of children and inadequate care and protection for survivors of trafficking continued to be problems. Child labor and abuse at the workplace remained problems in certain industries, mostly in the informal sector, and child domestic workers were vulnerable to all forms of abuse at their informal workplaces (see section 7.c.).

In July a group of men who accused 13-year-old vegetable seller Samiul Alam Rajon of stealing a rickshaw beat him to death with metal rods. The men posted a 28-minute video of the fatal beating on social media. Less than a month later, 12-year-old motorcycle workshop helper Mohammad Rakib died after his former employer inserted a compressed air hose in his rectum, rupturing Rakib’s intestines and lungs. Police made multiple arrests in both cases, and the two killings ignited social outcry over vigilantism and violence against child workers. In November courts issued death sentences to four individuals in the Rajon case and two in the Rakib case.

Early and Forced Marriage: The legal age of marriage is 18 for women and 21 for men, but underage marriage was a serious problem. The draft Child Marriage Restraint Act, which was the subject of intense national debate, increases penalties for those arranging underage marriages but may also create a parental-consent exemption, which could allow legal marriage by girls as young as 16. Reliable statistics concerning underage marriage were difficult to identify, because marriage and birth registrations were sporadic. The UN’s *State of the World’s Children 2013* report stated that between 2002 and 2011, 32 percent of women between the ages of 20 and 24 in Bangladesh were married by age 15 and 66 percent were married by age 18. In an effort to reduce

child marriages, the government offered stipends for girls' school expenses beyond the compulsory fifth-grade level. The government and NGOs conducted workshops and public events to teach parents the importance of their daughters waiting until age 18 before marrying.

Other Harmful Traditional Practices: Because the average age of marriage for females was less than 18, children were among the victims of dowry and other marital violence.

Sexual Exploitation of Children: The penalty for sexual exploitation of children is 10 years' to life imprisonment. The 2013 Children's Act defines a child as anyone under age 18. Child pornography and the selling or distributing of such material is prohibited. The Pornography Control Act sets the maximum penalty at 10 years in prison and a fine of 500,000 taka (\$6,250). In 2009, the most recent year for such data, the International Labor Organization (ILO) and Bangladesh Bureau of Statistics completed a baseline survey on commercial sexual exploitation of children. According to the survey, of 18,902 child victims of sexual exploitation, 83 percent were girls, 9 percent were transgender children, and 8 percent were boys. The survey reported that 40 percent of the girls and 53 percent of the boys were under age 16, the age of consent when the survey was conducted.

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 travel.state.gov/content/childabduction/en/legal/compliance.html and country-specific information at travel.state.gov/content/childabduction/en/country/bangladesh.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 *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The Disability Rights and Protection Act of 2013 provides for equal treatment and freedom from discrimination for persons with disabilities; however, persons with disabilities faced social and economic discrimination. The law focuses on prevention of disability, treatment, education, rehabilitation, social protection, employment, transport accessibility, and advocacy.

The law requires persons with disabilities to register for identity cards to track their enrollment in educational institutions and access to jobs. Giving unequal treatment for school, work, or inheritance based on disability is punishable with fines up to 500,000 taka (\$6,250) or three years' imprisonment. The law also created a 27-member National Coordination Committee charged with coordinating relevant activities among all government organizations and private bodies to fulfill the objectives of the law.

According to the NGO Action against Disability, 90 percent of children with disabilities did not attend public school. The government trained teachers about inclusive education and recruited disability specialists at the district level. The government also allocated stipends for students with disabilities.

The law contains extensive accessibility requirements for new buildings. Nevertheless, authorities approved construction plans for new buildings that did not meet these requirements.

The law affords persons with disabilities the same access to information rights as those without disabilities, but family and community dynamics often influenced whether or not these rights were exercised. The law contains provisions for information and communications technology to be accessible to persons with disabilities through video subtitling, sign language, screen readers, or text-to-speech systems in public and private media outlets. The state television channel used sign language, but general practice by the media did not meet the requirements of the law.

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. Due to problems of accessibility and to discrimination, persons with disabilities were sometimes excluded from mainstream government health, education, and social protective services. The government reduced taxes on several hundred items, such as wheelchairs, hearing aids, braille machines, orthotics, and prostheses, designed to assist persons with disabilities.

Government facilities for treating persons with mental disabilities were inadequate. The Ministry of Health established child development centers in all public medical colleges to assess neurological disabilities. Several private initiatives existed for medical and vocational rehabilitation as well as for employment of persons with disabilities. National and international NGOs provided services and advocated for persons with disabilities. The government established service centers for persons with disabilities in all 64 districts, where local authorities provided free rehabilitation services and assistive devices. The government also promoted autism research and awareness.

National/Racial/Ethnic Minorities

Violent attacks against religious minority communities continued, although the motivations for such attacks often appeared to be economic and/or political. Discrimination against minorities in land tenure combined with the lack of witness protection at times made it difficult to stem land grabbing and to prosecute detained suspects.

Some members of religious minorities reported private discrimination in employment and housing. NGOs reported that national origin, racial, and ethnic minorities faced discrimination. For example, some Dalits (lowest-caste Hindus) had restricted access to land, adequate housing, education, and employment.

Indigenous People

The indigenous community experienced widespread discrimination and abuse, despite government quotas for participation of indigenous CHT residents in the civil service and higher education as called for in the 1997 Peace Accord. Indigenous persons from the CHT were unable to participate effectively in decisions affecting their lands due to disagreements regarding the structure and policies of the land commission. Strict security measures prevented some indigenous individuals and activists from combating discrimination.

Indigenous persons also suffered from societal violence, including rape and killing. This violence was sometimes associated with land grabbing. According to the Kapaeeng Foundation, an indigenous rights NGO, indigenous women and girls were increasingly targeted for rape and other assaults, and the justice system often failed to protect victims or punish offenders.

In January a dispute related to land ownership between indigenous Santal villagers in Dinajpur and members of the majority community escalated into an armed conflict. Most of the Santal houses were destroyed or looted, and attackers carried off the hand pumps for the village's wells. Local authorities distributed relief supplies to the victims. Police arrested some villagers but reportedly were reluctant to arrest anyone from the majority community.

The constitution allows for affirmative action in favor of indigenous people, but indigenous groups reported effective affirmative action did not occur. Some NGOs reported discrimination against indigenous people in government hiring and promotions. According to the CHT Commission, fewer than half of indigenous children ages six through 10 were enrolled in school, in part due to a lack of indigenous-language instruction. Indigenous people at times lacked access to adequate housing and health care.

Indigenous groups and NGOs reported monitoring by civilian and military intelligence agencies.

The central government retained authority over land use. The land commission, designed to investigate and return all illegally acquired land, did not resolve any disputes during the year. Bengalis and indigenous persons questioned the structure and impartiality of the commission.

Indigenous communities in areas other than the Hill Tracts reported the loss of land to Bengali Muslims. The government continued construction projects on land traditionally owned by indigenous communities in the Moulvibazar and Modhupur forest areas.

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

Consensual same-sex sexual activity is illegal, but the law was not enforced. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) groups reported police used the law as a pretext to bully LGBTI individuals, particularly those seen as effeminate men. Some groups also reported harassment under a suspicious behavior provision of the police code. While the transgendered "hijra" population has long been a marginalized but recognized part of society, the government acknowledged the existence of the LGB population in its April 2013 Universal Periodic Review. This was contrary to its stance in the 2009 review, during which the foreign minister stated there were no LGB individuals in the country.

A person known as Dithi became the country's first third-gender candidate for office when she competed in a December local election in Satkhira.

There were several informal support networks for gays, but organizations specifically to assist lesbians were rare.

Attacks on LGBTI persons occurred occasionally, but those offenses were difficult to document because victims desired confidentiality. Strong social stigma based on sexual orientation was common and prevented open discussion of the subject. Some public events, such as a rainbow-themed march during the capital's main Bengali new year's celebration, elicited little reaction from mainstream society.

HIV and AIDS Social Stigma

Social stigma against HIV and AIDS and against higher-risk populations could be a barrier for accessing health services, especially for the transgender community and men who have sex with men. Gender norms sometimes prevented women from accessing HIV information and services. According to the People Living with HIV Stigma Index, HIV-positive persons at times faced social ostracism, detention, and denial of inheritance rights. The overall HIV infection rate was less than 0.1 percent.

There were limited reports of violence against HIV/AIDS patients. NGOs believed this was partly a function of the refusal of victims to identify themselves and an absence of research due to the relatively low rate of HIV/AIDS in the country.

Other Societal Violence or Discrimination

Vigilante killings occurred. Local human rights organizations acknowledged the number of reported cases probably represented only a fraction of the actual incidents. Illegal fatwas and village arbitration, which a prominent local NGO defined as rulings given by community leaders rather than religious scholars, also occurred. In January local individuals beat to death seven suspected robbers in Narsingdi.

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 high requirements for union registration remained. For example, the law requires a minimum of 30 percent of an enterprise's total workforce to agree to be members before the Ministry of Labor and Employment may grant approval for a union, and the ministry may request a court to dissolve the union if membership falls below 30 percent. The law allows only wall-to-wall (entire factory) bargaining units. The labor law definition of workers excludes managerial, supervisory, and administrative staff. Firefighting staff, security guards, and employers' confidential assistants may not join a union. Civil service and security force employees are prohibited from forming unions. The ministry may deregister unions for other reasons with the approval of a labor court. The law affords unions the right of appeal in the cases of dissolution or denial of registration.

The Ministry of Labor and Employment registered more than 400 new unions since 2013, but according to the Solidarity Center, a significant number of those unions were no longer active during the year due to factory closures or alleged unfair labor practices on the part of employers. During the year the application rate decreased significantly, the rejection rate increased, and many prospective unions reported rejections based on reasons not listed in the labor law. The ministry reported a 2015 union registration rejection rate of 73 percent (137 of 188) in Dhaka and 20 percent in Chittagong (4 of 20). According to the Solidarity Center, as of September the ministry registered 59 unions and rejected 48, compared with 178 registrations and 66 rejections in all of 2014.

The law provides for the right to conduct legal strikes but with many limitations. For example, the government may prohibit a strike deemed to pose a "serious hardship to the community" and may terminate any strike lasting more than 30 days. The law additionally prohibits strikes for the first three years of commercial production or if the factory was built with foreign investment or owned by a foreign investor.

Legally registered unions are entitled to submit charters of demands and bargain collectively with employers; this occurred rarely, but instances were increasing. The law provides criminal penalties for unfair labor practices such as retaliation against union members for exercising their legal rights. Labor organizations reported that in some companies workers did not exercise their collective bargaining rights due to their unions' ability to address grievances with management informally or due to fear of reprisal.

After workers at the Raj Washing Plant registered a trade union in January 2014, management terminated 60 workers and filed criminal charges against union leaders that union leaders claim are false. The union filed unfair labor practice complaints regarding the firings with the Ministry of Labor on two separate occasions in 2014, but there were no responses or changes in the case at years end.

According to the Solidarity Center, as of October still-active garment sector unions and their management reached 15 collective bargaining agreements.

After workers at Prime Sweaters received their union registration in February, they reported antiunion retaliation. The union filed repeated unfair labor practice complaints with the Labor Ministry as harassment continued. As of October the situation remained unresolved.

The law includes provisions protecting unions from employer interference in organizing activities; however, employers, particularly in the ready-made garment industry, often interfered with this right. Labor organizers reported acts of intimidation and abuse, the termination of employees, and scrutiny by security forces and the National Security Intelligence. Labor rights NGOs alleged that some terminated union members were unable to find work in the sector because employers blacklisted them.

Amendments to the labor law that took effect in 2013 require every factory with more than 50 employees to have an elected Workers' Participation Committee (WPC). On September 15, the government passed the implementing Bangladesh Labor Rules called for in the amended law. The rules include an outline of the process for WPC elections.

A separate legal framework under the authority of the Bangladesh Export Processing Zone (EPZ) Authority (BEPZA) governs labor rights in the EPZs. EPZ law specifies certain limited associational and bargaining rights for worker welfare associations elected by the workers, such as the rights to bargain collectively and represent their members in disputes. While an earlier provision of the EPZ law banning all strikes under penalty of imprisonment expired in 2013, the law continues to provide for strict limits on the right to strike, such as the discretion of the BEPZA's chairman to ban any strike he views as prejudicial to the public interest. The law provides for EPZ labor tribunals, appellate tribunals, and conciliators, but those institutions were not established; instead eight labor courts and one appellate labor court heard EPZ cases. The BEPZA has its own inspection regime with labor counselors that function as inspectors. EPZ worker associations are prohibited from establishing any connection to outside political parties, unions, or NGOs.

There were no reports of legal strikes in the EPZs. The BEPZA reported that of 114 EPZ labor-related cases filed in 2014, 42 were settled and the remainder were pending in labor courts.

With the exception of limitations on the right of association and worker protections in the EPZs, national labor law prohibits antiunion discrimination. A labor court may order the reinstatement of workers fired for union activities.

The government did not always enforce applicable law effectively or consistently. For example, labor law establishes mechanisms for conciliation, arbitration, and dispute resolution by a labor court and workers in a collective-bargaining union have the right to strike in the event of a failure to reach a settlement. In practical terms few strikes followed the cumbersome legal requirements, and strikes or walkouts often occurred spontaneously, especially at workplaces without unions.

Labor ministry resources were inadequate to inspect and remediate problems effectively, and the ministry lacked authority to sanction employers directly without filing a court case. The ministry nonetheless took steps to increase its staff and technical capacity. The government increased the ministry's budget by 370 percent in the 2014-15 fiscal year and a further 72 percent in 2015-16. The ministry hired and trained new inspectors, bringing the total to 284. Ministry officials reported that in 2014 they imposed taka 1,546,420 (\$19,330) in fines for labor violations.

Penalties for violating the law increased in 2013, and these penalties were enabled by the issuance of implementing rules. The maximum fine for a first violation is taka 25,000 (\$313); the fine doubles for a second offense. The law also allows for imprisonment of up to three years. If a violation results in death, the law allows a fine of up to taka 100,000 (\$1,250), four years' imprisonment, or both. Administrative and judicial appeals were subject to lengthy delays.

In February the Ministry of Labor and Employment rejected the registration application of a nascent union at Versatile Textiles Limited because factory management--not the prospective union--refused entry to ministry officials.

Workers at Dhaka Dyeing Garments attempted to register their union three times. The labor ministry rejected the application twice for what workers said were nonlegal or illegitimate grounds. After the third registration attempt, ministry officials visited the factory and allegedly tried to turn workers against the union. Workers also claim ministry supervisors offered the organizing trade union federation money to cease registration efforts.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. Penalties for forced or bonded labor offenses are five to 12 years' imprisonment and a fine of not less than taka 50,000 (\$625). Inspection mechanisms that enforce laws against forced labor did not function effectively. Resources, inspections, and remediation efforts were inadequate. The law also provides that victims of forced labor have access to shelter and other protective services afforded to trafficking victims.

Some individuals recruited to work overseas with fraudulent employment offers subsequently were exploited abroad under conditions of forced labor or debt bondage.

Some instances of bonded labor and domestic service were reported, predominately in rural areas. Children and adults were forced into domestic servitude and bonded labor that involved restricted movement, nonpayment of wages, threats, and physical or sexual abuse (see section 7.c.).

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law regulates child employment, and the regulations depend on the type of work and the child's age. The minimum age for work is 14, and the minimum age for hazardous work is 18. The law allows for certain exceptions, permitting children who are ages 12 or 13 to perform restricted forms of light work. Minors can work up to five hours per day and 30 hours per week in factories or up to seven hours per day and 42 per week in other types of workplaces. By law every child must attend school through fifth grade; 2013 amendments to the Labor Act further restrict adolescents' work in hazardous areas.

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

Under the ministry's 2012-16 Child Labor National Plan of Action, the National Child Labor Welfare Council is charged with monitoring child labor. The council first met on May 26. The government mandated child protection networks at district and subdistrict levels to respond to a broad spectrum of violations against children, including child labor; monitor interventions; and develop referral mechanisms.

The law specifies penalties for violations involving child labor, including nominal fines of less than taka 25,000 (\$313). These penalties were insufficient to deter violations. The government occasionally brought criminal charges against employers who abused domestic servants. The labor ministry filed 40 child labor cases in 2014; in general, resources, inspections, and remedial action were inadequate.

In October, after extensive public outcry, police arrested national cricket team member Kazi Shahadat Hossain and his wife on charges of abusing Mahfuza Akhter, an 11-year-old girl they employed as a domestic servant. Hossain had been in hiding for three weeks after Akhter was found on a street near Hossain's home with burns and other signs of physical abuse.

Child labor was widespread, particularly in the informal sector and in domestic work. The ILO estimated that 3.7 million children worked and that 1.3 million worked in hazardous sectors. Children were engaged in the worst forms of child labor, primarily in dangerous activities in agriculture. Children working in agriculture risked using dangerous tools, carrying heavy loads, and applying harmful pesticides. Children frequently worked long hours, were exposed to extreme temperatures, and suffered high rates of injury from sharp tools. Children also worked in such hazardous activities as stone and brick breaking, dyeing operations, blacksmith assistance, and construction. Forced child labor was present in the fish-drying industry, where children were exposed to harmful chemicals, dangerous machines, and long hours of work. In urban areas street children work such as pulling rickshaws, garbage picking, recycling, vending, begging, repairing automobiles, and working in hotels and restaurants. These children were vulnerable to exploitation, for example, in forced begging or being used to smuggle or sell drugs.

Children frequently worked in the informal sector in areas including the unregistered garment, road transport, manufacturing, and service industries.

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with respect to Employment or Occupation

The labor law prohibits wage discrimination on the basis of sex or disability, but it does not prohibit other discrimination based on sex, disability, social status, or similar factors. The constitution prohibits adverse discrimination by the state on the basis of religion, race, caste, sex, or place of birth and expressly extends that prohibition to government employment; it allows affirmative action programs for the benefit of disadvantaged populations.

Employment opportunities increased for women in the lower-wage garment sector. Women represented the majority of garment sector workers, but their workforce participation remained limited to jobs on factory floors and low in other parts of the formal economy. Women were sometimes subjected to abuse in factories, including sexual harassment. There were some gender-based wage disparities in the overall economy, but wages of women and men were comparable in the garment sector.

While wages for similar work within the garment sector were equal, women were generally underrepresented in supervisory and management positions. Some religious, ethnic, and other minorities reported discrimination, particularly in the private sector (see section 6.).

e. Acceptable Conditions of Work

The National Minimum Wage Board established minimum monthly wages on a sector-by-sector basis. The board may convene at any time, but it is supposed to meet at least every five years in a tripartite forum to set wage structures and benefits industry by industry. By law the government may modify or amend existing wage structures through official public announcement in consultation with employers and workers. In the garment industry, the board set the minimum monthly wage at taka 5,300 (\$66) in 2013. Wages in the apparel sector often were higher than the minimum wage, and wages in the EPZs typically were higher than general wage levels. Among the lowest minimum wages were those for tea packaging set in 2013 at taka 69 (\$ 0.86) per day established by a Memorandum of Understanding. None of the set minimum wages provided a sufficient standard of living for urban dwellers. The minimum wage was not indexed to inflation (which averaged 7 to 8 percent annually), but the board occasionally made cost-of-living adjustments to wages in some sectors.

By law a standard workday is eight hours. A standard workweek is 48 hours but may be extended to 60 hours, subject to the payment of an overtime allowance that is double the basic wage. Overtime cannot be compulsory. Workers must have one hour of rest if they work for more than eight hours a day or a half-hour of rest for more than five hours' work a day. Factory workers are supposed to receive one day off every week. Shop workers receive one and one-half days off per week. The law establishes occupational health and safety standards, and recent amendments to the law created mandatory worker safety committees.

Labor law implementing rules outline the process for the formation of occupational safety and health (OSH) committees in factories. The committees will include both management and workers nominated by the union or the factory's WPC. Where there is no union or WPC, the labor ministry will arrange an election among the workers for their representatives.

The government did not effectively enforce minimum wage, hours of work, and occupational safety and health standards in all sectors. Although increased focus on the garment industry improved compliance in some garment factories, resources, inspections, and remediation were generally not adequate across sectors, and penalties for violations were not sufficient to deter violations.

The 2013 Rana Plaza building collapse killed 1,138 workers and injured more than 2,500. In July authorities issued arrest warrants for building code violations for six persons believed to be responsible, including building owner Sohel Rana and the local municipal chief executive. The court returned a separate criminal complaint to the police because the court believed the complaint did not list all implicated government officials. As of early November, Rana remained in custody. In the aftermath of the collapse, private companies, foreign governments, and international organizations worked with the government to inspect 3,660 garment factories as of December, leading to 37 closures for imminent danger to human life. Many factories began to take action to improve safety conditions.

Workers' groups stated that OSH standards established by law were sufficient and that more factories took steps toward compliance. The law provides for a maximum fine of taka 25,000 taka (\$313) for noncompliance, but this did not deter violations.

Legal limits on hours of work were violated routinely. In the ready-made garment sector, employers often required workers to labor 12 hours a day or more to meet export deadlines, but they did not always properly compensate workers for their time. According to the Solidarity Center, workers often willingly worked overtime in excess of the legal limit. Employers commonly delayed workers' pay or denied full leave benefits. Labor ministry inspections did not report any overtime violations.

Safety conditions at many workplaces were extremely poor, but the Solidarity Center and others reported significant safety improvements in the garment sector. The Bangladesh Fire Service and Civil Defense reported 30 garment factory fires but no casualties as of November, compared with 152 fires in 2014.

In September a court indicted 13 persons, including factory owner Delwar Hossain of Tazreen Fashions, where a 2012 fire killed 112 workers.

Few reliable labor statistics were available on the large informal sector in which the majority of citizens worked, and it was difficult to enforce labor laws in the sector. The Bangladesh Bureau of Statistics 2010 Labor Force Survey reported the informal sector employed 47.3 million of the 56.7 million workers in the country.

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