



Home Office

# **Country Policy and Information Note**

## **Bangladesh: Opposition to the government**

**Version 2.0**

**January 2018**

# Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

## Country information

COI in this note has been researched in accordance with principles set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#) and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), namely taking into account its relevance, reliability, accuracy, objectivity, currency, transparency and traceability.

All information is carefully selected from generally reliable, publicly accessible sources or is information that can be made publicly available. Full publication details of supporting documentation are provided in footnotes. Multiple sourcing is normally used to ensure that the information is accurate, balanced and corroborated, and that a comprehensive and up-to-date picture at the time of publication is provided. Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source is not an endorsement of it or any views expressed.

## Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

## Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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# Policy guidance

Updated: 18 January 2018

## 1. Introduction

### 1.1 Basis of claim

1.1.1 Fear of persecution or serious harm by state or by non-state actors due to the person's actual or perceived political affiliation. This can include persecution of:

- leaders or activists of opposition political parties;
- activists of the ruling party fearing non-state actors;
- activists of political parties fearing rival factions within the same party or group; or
- human rights defenders fearing the state.

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## 2. Consideration of issues

### 2.1 Credibility

2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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### 2.2 Assessment of risk

2.2.1 Bangladesh is a parliamentary democracy. Direct elections, in which all citizens aged 18 or over can vote, are held every five years for the unicameral parliament, the Jatiya Sangsad (Jatiyo Shangsad) (see [Political system](#)).

2.2.2 The two principal political parties in Bangladesh are the Awami League (AL) and the Bangladesh Nationalist Party (BNP); other major parties include the Jatiya Party (Ershad) and Jamaat-e-Islami (see [The main political parties](#)).

2.2.3 The Awami League-led 14 Party Alliance, under Prime Minister Sheikh Hasina, has been in government since January 2009. As such, they control the state security system and exert influence over the criminal justice system. The BNP, and the 17 other parties allied to it, boycotted the most recent general election held in January 2014 and thus have no seats in the current parliament (see [The main political parties](#) and [Recent elections](#)).

- 2.2.4 State power has typically been used by whichever party is in government at the time to suppress political opposition. Since 2009, opposition leaders and activists have faced harassment and intimidation in various forms, perpetrated by both the law enforcement agencies and activists of the Awami League. There have also been allegations of politically-motivated torture, enforced disappearances and extra-judicial killings by state agents (see [Treatment of political opponents](#) and [Politically motivated violence](#)).
- 2.2.5 Whilst the law allows for freedom of assembly, the authorities sometimes prevent opposition party activists from holding meetings and protests (see [Freedom of assembly and association](#)).
- 2.2.6 Law enforcement agencies or ruling party activists are also sometimes known to use force to disperse demonstrations (see [Freedom of political expression](#)).
- 2.2.7 Inter-party political violence (mainly between AL and BNP and Jamaat-e-Islami supporters) is continuous, but is most prevalent during the months leading up to national or local elections. Between 2012 and August 2017, political violence had claimed the lives of 1,329 people, with over 71,000 people injured. Most deaths and injuries have occurred in clashes between political party activists. Many of the casualties are members of the student wings of the main parties. The number of people killed and injured peaked in 2013, during the months leading up to the January 2014 general election (see [Treatment of political opponents](#) and [Politically motivated violence](#)).
- 2.2.8 Intra-party violence, involving competing factions within the same party, has increased in recent years and is greatest among the student and labour wings of the AL (see [Student and youth leagues](#) and [Violence between factions in the same party](#)).
- 2.2.9 Whilst the AL and BNP do not publish their membership statistics, each of them has – according to a leading NGO – several million members (see [The main political parties](#)).
- 2.2.10 The number of people who are affected by political violence remains low in proportion to the size of the major parties. In general, evidence does not indicate there is a real risk of state or non-state persecution or serious harm for ordinary party members or supporters. Although there have been reported incidents of harassment and intimidation by the police and security forces and curtailment of meetings/demonstrations, particularly prior to elections, these are not sufficiently serious by their nature and repetition as to amount to persecution or serious harm. Depending on their circumstances and profile, opposition party leaders and activists may face harassment or arbitrary arrest and detention (see [Treatment of political opponents](#)).
- 2.2.11 Human rights defenders, as well as journalists, writers and internet bloggers, may face harassment, threats and prosecution, particularly when reporting on issues sensitive to the government (see [Treatment of Human rights defenders by the state](#) and the Country Policy and Information Note on [Bangladesh: Journalists, publishers and internet bloggers](#)).
- 2.2.12 However, decision makers must consider whether there are particular factors specific to the person which would place them at real risk. Each case must be considered on its facts with the onus on the person to show that they

would be at real risk of serious harm or persecution on account of their actual or perceived political affiliation.

- 2.2.13 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.3 Protection

- 2.3.1 Where the person's fear is of persecution and/or serious harm by the state, they will not be able to avail themselves of the protection of the authorities.
- 2.3.2 Where the person's fear is of persecution and/or serious harm from non-state actors, decision makers must assess whether the state can provide effective protection.
- 2.3.3 Law enforcement agencies, at a senior level, tend to be aligned with the ruling party. Political affiliation at times is a motive for the arrest and prosecution of people on criminal charges. The police and the criminal justice system are functioning, but their effectiveness is undermined by poor infrastructure and endemic corruption. There are reports of incidents in which members of the security forces engaged in human rights abuses (see [Treatment of political opponents](#) and also the Country Policy and Information Note on [Bangladesh: Background information including actors of protection and internal relocation](#)).
- 2.3.4 In general, if the threat comes from a non-state actor, the Bangladeshi authorities are able to provide effective protection. However, their willingness to provide protection may depend on the profile of the person seeking it.
- 2.3.5 For further guidance on assessing the availability of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.4 Internal relocation

- 2.4.1 If the person's fear is of persecution or serious harm at the hands of the state, they may not be able to relocate to escape that risk.
- 2.4.2 If the person's fear is of persecution or serious harm from non-state actors, such as supporters of rival political parties or factions within the same party, that threat may be localised. Middle ranking and junior party officials, in most cases, would not be recognised outside their home district. Relocation to another area of Bangladesh is likely to be reasonable, depending on the facts of the case and the individual circumstances and profile of the person (see the Country Policy and Information Note on [Bangladesh: Background information, including actors of protection, and internal relocation](#)).
- 2.4.3 Women, especially single women with no support network, may be vulnerable if forced to internally relocate (see the Country Policy and Information Note on [Bangladesh: Women](#)).
- 2.4.4 For further guidance on internal relocation and the factors to be considered, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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## 2.5 Certification

2.5.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

2.5.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

Updated: 10 January 2018

## 3. Political system

### 3.1 The Constitution

- 3.1.1 The [Constitution of the People's Republic of Bangladesh](#) was approved by a Constituent Assembly and came into effect on 16 December 1972.<sup>1</sup>
- 3.1.2 Article 7(2) provides, 'This Constitution is...the supreme law of the Republic, and if any other law is inconsistent with this Constitution that other law shall, to the extent of the inconsistency, be void.'<sup>2</sup>
- 3.1.3 Article 142 provides that the support of at least two thirds of Members of Parliament is required for an amendment to the Constitution.<sup>3</sup>

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### 3.2 Parliament, the President, and Prime Minister

- 3.2.1 As noted by Australia's Department of Foreign Affairs and Trade (DFAT) in its July 2016 Country Information Report on Bangladesh, which was based on a range of sources:

'Bangladesh is a parliamentary democracy. Terms for both the unicameral National Parliament and the largely ceremonial presidency are for five years. The Jatiya Sangsad (Parliament) currently comprises 350 seats, 300 of which are directly elected from geographic constituencies on a first-past-the-post basis. Under current arrangements, political parties nominate and vote for an additional 50 female members based on the party's share of elected seats. The President is elected by members of Parliament and can be impeached by a two-thirds majority. Legislation is passed by a simple majority and constitutional amendments are passed by a two-thirds majority.'<sup>4 5</sup>

- 4.2.2 Article 70 of the Constitution provides that an MP must vacate his/her seat if they vote against their party in parliament.<sup>6</sup>

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<sup>1</sup> Laws of Bangladesh. Legislative and Parliamentary Affairs Division, Ministry of Law, Justice and Parliamentary Affairs, 'The Constitution of the People's Republic of Bangladesh', 2011 [http://bdlaws.minlaw.gov.bd/print\\_sections\\_all.php?id=367](http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=367). Accessed 28 November 2017.

<sup>2</sup> Ministry of Law, Justice and Parliamentary Affairs: 'Laws of Bangladesh' website, 'Constitution of the People's Republic of Bangladesh' (Part 1) [http://bdlaws.minlaw.gov.bd/sections\\_detail.php?id=367&sections\\_id=24555](http://bdlaws.minlaw.gov.bd/sections_detail.php?id=367&sections_id=24555). Accessed: 26 June 2017

<sup>3</sup> Laws of Bangladesh. Legislative and Parliamentary Affairs Division, Ministry of Law, Justice and Parliamentary Affairs, 'The Constitution of the People's Republic of Bangladesh', 2011 [http://bdlaws.minlaw.gov.bd/print\\_sections\\_all.php?id=367](http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=367). Accessed 28 November 2017

<sup>4</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraphs 2.16-2.17), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>5</sup> Bangladesh Parliament (website), 'Name and composition of Parliament', 2013, <http://www.parliament.gov.bd/index.php/en/about-parliament/name-and-composition-of-parliament>, Accessed 29 November 2017

<sup>6</sup> United Nations Development Programme, 'Elections in Bangladesh 2006 – 2009, Transforming

4.2.3 Jane's Sentinel Security Assessment noted that the Prime Minister, who is appointed by the President and is head of government, presides over a cabinet that is collectively responsible to Parliament. It is composed of ministers selected by the PM. The President may dissolve parliament upon the written request of the Prime Minister.<sup>7</sup>

See also [Awami League \(AL\)](#)

3.2.4 Bangladesh's political system is characterised by a considerable degree of centralised executive power. Article 55 of the Constitution vests all executive authority in the Prime Minister. This centralisation of authority has been a feature of both Awami League and Bangladesh Nationalist Party (BNP) governments<sup>8</sup>.

4.2.5 Transparency International Bangladesh observed in a report of May 2014:

'Constitutional and legal provisions in Bangladesh provide for a strong parliamentary form of Government. However, confrontational politics, a poor parliamentary culture and the dominant attitude of the party in power and the culture of boycott by the opposition tend to mar the spirit and modality of the operational business of the Parliament. Parliamentary control over the executive is weak and evidence suggests that critical issues are rarely discussed in Parliament. Citizens are devoid of any means to hold elected representatives to account. MPs are reportedly engaged often in patronage distribution and corruption, undermining the law making responsibility.'<sup>9</sup>

See also [Violence during recent elections](#).

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### 3.3 Caretaker Government

3.3.1 Amnesty International noted in a May 2017 report that:

'In 2011, the Awami League-dominated Parliament passed the 15th amendment to the Constitution which abolished the practice of a neutral Caretaker Government assuming power in the lead-up to general elections to ensure their fairness, which had been established in 1996. In protest against the government's abolition of the caretaker government system, the [Bangladesh Nationalist Party and its allies] boycotted the general election in

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failure into success', 2010, [https://aceproject.org/electoral-advice/archive/questions/replies/832062674/675276826/election-in-bangladesh\\_final\\_email.pdf](https://aceproject.org/electoral-advice/archive/questions/replies/832062674/675276826/election-in-bangladesh_final_email.pdf), accessed 29 September 2017

<sup>7</sup> Jane's Sentinel Security Assessment - South Asia, 'Bangladesh – Internal Affairs', updated 5 September 2017, Subscription only. Accessed: 11 September 2017

<sup>8</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraphs 2.16-2.17), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017; Bangladesh Parliament (website), 'Name and composition of Parliament', 2013, <http://www.parliament.gov.bd/index.php/en/about-parliament/name-and-composition-of-parliament>, Accessed 29 November 2017

<sup>9</sup> Transparency International Bangladesh, 'National Integrity System Assessment – Bangladesh', 2014, (page.6), [http://www.ti-bangladesh.org/beta3/images/2014/fr\\_nis\\_NICSA\\_14\\_en.pdf](http://www.ti-bangladesh.org/beta3/images/2014/fr_nis_NICSA_14_en.pdf), Accessed 29 November 2017

January 2014, paving the way for an overwhelming Awami League victory.<sup>10</sup> (see also [General election 2014](#)).

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### 3.4 Supervision of elections

- 3.4.1 The Bangladesh Election Commission (BEC), established under Article 118 of the Constitution, supervises parliamentary and presidential elections. It consists of a Chief Election Commissioner and other commissioners, as appointed by the President. The Election Commission is independent in the exercise of its functions<sup>11</sup>. The BEC is also responsible for the delimitation of constituencies<sup>12</sup> and the preparation of electoral rolls<sup>13</sup>.
- 3.4.2 The EU Election Observation Mission decided not to monitor the 2014 national election, stating that the authorities had ‘failed to create the necessary conditions for transparent, inclusive and credible elections’.<sup>14</sup>
- 3.4.3 It was reported in August 2013 that the High Court had declared the registration of the Jamaat-e-Islami party with the Election Commission to be illegal, on the grounds that the party's charter violated the secular principles of the Constitution. This ruling prevented Jamaat-e-Islami from fielding candidates in the January 2014 General Election<sup>15</sup>.
- 3.4.4 The Election Commission took the initiative to update voters' lists across the country in July and August 2017. But its voters' lists update programme has come under criticism for various reasons, including claims that BEC field officers did not make sufficient effort to locate new voters<sup>16</sup>.

See also [Violence during recent elections](#).

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### 3.5 Local government

- 3.5.1 As noted by the Commonwealth Local Government Forum (CLGF) country profile on Bangladesh's local government system: ‘There are 64

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<sup>10</sup> Amnesty International, ‘Caught Between Fear And Repression Attacks On Freedom Of Expression In Bangladesh’, (page 11), 8 May 2017, <https://www.amnesty.org/download/Documents/ASA1361142017ENGLISH.PDF>. Accessed: 11 September 2017

<sup>11</sup> Bangladesh Election Commission (website), ‘Election Commission’, undated, [http://www.ec.org.bd/English/MenuTemplate1.php?Parameter\\_MenuID=6&ByDate=0&Year](http://www.ec.org.bd/English/MenuTemplate1.php?Parameter_MenuID=6&ByDate=0&Year). Accessed: 23 June 2017

<sup>12</sup> The Delimitation of Constituencies Ordinance, 1976 (as amended to 2013) <http://www.ec.org.bd/MenuExternalFilesEng/348.pdf>. Accessed: 23 June 2017

<sup>13</sup> Bangladesh Election Commission, ‘Phases of Electoral Roll Preparation’, undated [http://www.ec.org.bd/English/MenuTemplate1.php?Parameter\\_MenuID=49&ByDate=0&Year](http://www.ec.org.bd/English/MenuTemplate1.php?Parameter_MenuID=49&ByDate=0&Year). Accessed: 23 June 2017

<sup>14</sup> BDNews24, ‘EU not to monitor Jan 5 elections’, 20 December 2013, <https://bdnews24.com/bangladesh/2013/12/20/eu-not-to-monitor-jan-5-elections>. Accessed: 6 September 2017

<sup>15</sup> Al Jazeera, ‘Bangladesh court declares Jamaat illegal’, 1 August 2013, <http://www.aljazeera.com/news/asia/2013/08/2013819424198348.html>. Accessed 30 November 2017

<sup>16</sup> Odhikar, ‘Bangladesh: Odhikar's August Human Rights Monitoring Report for Bangladesh’, 1 September 2017, paragraph 26 [http://www.omct.org/files/2017/09/24507/odikar\\_hrr\\_august\\_2017\\_eng.pdf](http://www.omct.org/files/2017/09/24507/odikar_hrr_august_2017_eng.pdf). Accessed 3 January 2018

administrative districts (zilas) and below this a tiered system of local government comprising single-tier **urban** authorities made up of 11 city corporations and 324 municipalities (pourashavas); and a three-tiered **rural** local government system comprising ... 489 upazila (sub-district) parishads, 4,552 union parishads, and three hill district parishads.<sup>17</sup>

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## 4. The main political parties and their allies

### 4.1 The nature of political rivalry in Bangladesh

#### 4.1.1 The Bertelsmann Foundation 'Transformation Index BTI 2016' (BTI 2016) report noted:

'Bangladeshi politics is dominated by two parties, the Awami League (AL) and the Bangladesh Nationalist Party (BNP), and is highly polarized. The political polarization is also based on ideological divisions concerning the historical roles of the two major political parties, but they do not differ much on their approach to politics. The level of polarization is so strong that the two political parties do not hesitate to play a game of destructive politics to pressure the government to fulfil their demands; they are even willing to risk the very existence of democracy in Bangladesh. The degree of voter volatility continues to fluctuate between 15% to 20%. This group comprises those who lack party affiliations and can make a difference to the support base of the two major party alliances.'<sup>18</sup>

#### 5.1.2 Whilst the AL and BNP do not publish membership statistics, Transparency International Bangladesh advised in December 2017 that each of these parties have several million members.<sup>19</sup>

#### 4.1.3 The Bertelsmann BTI 2016 report further noted:

'Major political parties have strong organizations, operate in a hierarchical manner and follow well-planned command structures. They have student, youth, labor and women organizations as well as professional groups and cultural organizations. These groups play a vital role in interest aggregation and mobilization and help the party to provide political input for managing diverse interests. A culture of clientelism dominates all parties. Those who contribute money, provide muscle power or organize local-level support enjoy benefits when the party comes to power. These benefits include government contracts, access to jobs and business opportunities. The client groups help organize violence during blockades to help the political party to establish street superiority to pressure the government. They contribute to the volatile political situation. Clientelism is pervasive in Bangladesh,

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<sup>17</sup> Commonwealth Local Government Forum, 'Country Profile: The local government system in Bangladesh', undated, [http://www.clgf.org.uk/default/assets/File/Country\\_profiles/Bangladesh.pdf](http://www.clgf.org.uk/default/assets/File/Country_profiles/Bangladesh.pdf). Accessed: 11 September 2017

<sup>18</sup> Bertelsmann Stiftung, 'Transformation Index BTI 2016 – Bangladesh Country Report' covering the period 1 February 2013 to 31 January 2015, (page 12), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 13 June 2017

<sup>19</sup> Transparency International Bangladesh, Email to CPIT from Dr Iftekhar Zaman, 22 December 2017.

affecting administrative efficiency and governance and contributing to the further marginalization of the people at the bottom of the society.<sup>20</sup>

- 4.1.4 The Armed Conflict Location & Event Data Project (ACLED) cited 'historic rivalries' between the two main political parties, describing the AL as secular and socialist and the BNP as having an Islamic orientation<sup>21</sup>.
- 4.1.5 According to Amnesty International, there has been a 'long standing conflict between the governing Awami League party, led by Prime Minister Sheikh Hasina, and the opposition Bangladesh Nationalist Party (BNP), led by Khaleda Zia. Both leaders have alternated in government since the early 1990s.'<sup>22</sup> The BTI 2016 report noted 'The extensive polarization of Bangladeshi politics can be traced back to the bitter personal rivalry between Khaleda Zia of the BNP and Sheikh Hasina of the AL.'<sup>23</sup>
- 4.1.6 The main parties do not always support their student wings; for example, in 2017 the BNP was apparently in conflict with its own student wing, Jatiotabadi Chhatra Dal (JCD)<sup>24</sup> (See also [Treatment of political opponents](#)).

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## 4.2 The Awami League (AL)

### 4.2.1 Jane's Sentinel Security Assessment's overview of the Awami League:

'The AL is a secular, centre-left political party. The country's oldest party, it was established in 1949 and was at the forefront of campaigning for East Pakistan's independence, which was finally achieved in 1971. The party has moved closer to the centre and has reduced its inclination for left wing policies. The party is dominated by Sheikh Hasina Wajed, who has led the party since 1981 and been prime minister since 2008.

'The AL is currently by far the largest political force in Bangladesh after sweeping the January 2014 parliamentary election with 230 [out of 300] seats due to the BNP's boycott.... Although there are no geographic or societal trends for AL support, the party tends to be supported by religious and ethnic minorities.

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<sup>20</sup> Bertelsmann Stiftung, 'Transformation Index BTI 2016 – Bangladesh Country Report' covering the period 1 February 2013 to 31 January 2015, (page 12), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 13 June 2017

<sup>21</sup> Armed Conflict Location & Event Data Project, 'Conflict Trends (No. 2) Real-Time Analysis of Asian Political Violence', (page 3), May 2015, available at [https://www.ecoi.net/file\\_upload/90\\_1447663961\\_acled-asia-conflict-trends-report-no-2-may-2015.pdf](https://www.ecoi.net/file_upload/90_1447663961_acled-asia-conflict-trends-report-no-2-may-2015.pdf). Accessed: 11 September 2017

<sup>22</sup> Amnesty International, 'Bangladesh: Human Rights Deteriorate as Political Violence Escalates', 20 January 2015, <https://www.amnesty.org/download/Documents/ASA1300012015ENGLISH.pdf>. Accessed: 11 September 2017

<sup>23</sup> Bertelsmann Stiftung, 'Transformation Index BTI 2016 – Bangladesh Country Report' covering the period 1 February 2013 to 31 January 2015, (page 12), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 13 June 2017

<sup>24</sup> UK Home Office, 'Report of a Home Office Fact-Finding Mission to Bangladesh', conducted 14-26 May 2017, (paragraph 2.2.1 and page 73), published September 2017, <https://www.gov.uk/government/publications/bangladesh-country-policy-and-information-notes>.

'The AL has increasingly consolidated power – particularly after the 2014 election. While in government, it has also been accused of being authoritarian and heavy-handed in its approach against opposition parties by domestic and international critics.'<sup>25</sup>

- 4.2.2 The AL has separate student and youth wings, the Bangladesh Chhatra League (BCL) and Jubo League respectively<sup>26</sup>. Other associate organisations of the Awami League included: Bangladesh Mahila Awami League – women's wing<sup>27</sup>; Shechchasebok League – volunteer wing; Krishok League – peasant wing<sup>28</sup>; Jatio Sramik League – workers/labour wing<sup>29</sup>; Awami Ainjibi Parishad – lawyers wing<sup>30</sup>.

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### 4.3 Bangladesh Chhatra League (BCL) and Jubo League

- 4.3.3 The Bangladesh Chhatra League, the student wing of the Awami League, was founded in 1948 and is active on college and university campuses<sup>31</sup>. It has a President, Vice President and a 301-member Central Committee. Sheikh Hasina appoints Chhatra League leaders on the advice of local AL leaders. Members do not pay fees<sup>32</sup>. The Dhaka Tribune also noted that, in recent years, the Chhatra League's image has been tarnished because of its leaders and activists getting involved in violence, extortion and other criminal activities<sup>33</sup>.

- 4.3.4 DFAT noted that:

'Credible sources have described the Ch[h]atra League as the 'sword arm' of the AL, as well as a key source of funding and power. Most senior AL members have been members of the Ch[h]atra League. DFAT understands

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<sup>25</sup> Jane's Sentinel Security Assessment - South Asia, 'Bangladesh – Internal Affairs', updated 5 September 2017, Subscription only. Accessed: 11 September 2017

<sup>26</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraph 3.46), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>27</sup> Immigration and Refugee Board of Canada, Bangladesh: The Awami League (AL); its leaders; subgroups, including its youth wing; activities; and treatment of AL supporters by the authorities (2004-2006), 27 July 2006, BGD101503.E, available at: <http://www.refworld.org/docid/45f146f528.html>. Accessed: 26 October 2017

<sup>28</sup> BRAC Institute of Governance and Development (BIGD), BRAC University, Dhaka, 'The State of Governance Bangladesh 2013 Democracy, Party, Politics', (page xii), August 2014, <http://bigd.bracu.ac.bd/jdownloads/STATE%20OF%20GOVERNANCE%20SOG%20REPORT/1.%20sog%20report-%202013-%20democracy%20party%20politics.pdf>. Accessed: 26 October 2017

<sup>29</sup> The Finance Today, '47th anniversary of Jatio Sramik League observed', 15 October 2016, <http://www.thefinancetoday.net/2016/10/15/47th-anniversary-of-jatio-sramik-league-observed/>. Accessed: 26 October 2017

<sup>30</sup> The Daily Observer, 'Pro-AL lawyers announce protest programme', 13 August 2017, <http://www.observerbd.com/details.php?id=89498>. Accessed: 26 October 2017

<sup>31</sup> Banglapedia, 'Bangladesh Awami League', updated 19 February 2015, [http://en.banglapedia.org/index.php?title=Bangladesh\\_Awami\\_League](http://en.banglapedia.org/index.php?title=Bangladesh_Awami_League). Accessed 3 January 2018

<sup>32</sup> The Dhaka Tribune, 'BCL full-fledged central committee announced', 22 February 2016, <http://www.dhakatribune.com/bangladesh/politics/2016/02/22/bcl-full-fledged-central-committee-announced/>. Accessed: 22 September 2017

<sup>33</sup> The Dhaka Tribune, 'Chhatra League continues to be violent', 21 November 2014, <http://www.dhakatribune.com/bangladesh/politics/2014/11/21/chhatra-league-continues-to-be-violent/>. Accessed: 22 September 2017

that the Ch[h]atra League has declined in importance because of the AL's increasing reliance on law enforcement agencies to control the activities of opposition party members. Like the student wings of the BNP and JI [Jamaat e-Islami], the Ch[h]atra League has experienced difficulties in recruiting new members.

'People must be 18 years of age to join. Although Chhatra League members have previously been up to 45 years in age, credible sources have told DFAT that age restrictions now apply. These members are drawn from all over Bangladesh and do not pay membership fees.

'The Jubo League has a President, General Secretary and Secretary for Foreign Affairs. Members of the Jubo League have previously participated in protests and inter-party clashes, including along-side Chhatra League members.'<sup>34</sup>

#### 4.3.5 DFAT added

'Credible sources have told DFAT that the ruling party's fronts – student or otherwise – have historically controlled all public institutions. In this vein, DFAT understands that the AL's student wing (the Chattra League) has effectively controlled public university campuses and restricted the activities of BNP and JI student wing members since 2009. Chattra League members have reportedly prevented JCD [Jatiyatabadi Chhatra Dal] and ICS [Islami Chhatra Shibir] members from sitting university examinations.'<sup>35</sup> (See also [Violence involving supporters of opposing political parties](#)).

#### 4.3.6 Members of the press and Western officials, consulted during the Home Office FFM to Bangladesh of May 2017 stated that Bangladesh Chhatra League and Jubo League members were engaged in violence and extortion<sup>36</sup>. (See also [Treatment of political opponents](#)).

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### 4.4 The 14-Party Alliance

#### 4.4.1 Also known as the 'Grand Alliance', it consists of the Awami League, Jatiya Samajtantrik Dal, Workers Party, Bangladesh Tariqat Federation and 10 smaller political parties<sup>37</sup>.

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### 4.5 Bangladesh Nationalist Party (BNP)

#### 4.5.1 According to Jane's Sentinel Security Assessment:

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<sup>34</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraphs 3.46-3.48), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>35</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraphs 3.55), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>36</sup> UK Home Office, 'Report of a Home Office Fact-Finding Mission to Bangladesh', conducted 14-26 May 2017, (paragraph 2.2.1 and pages 73 and 96), published September 2017, <https://www.gov.uk/government/publications/bangladesh-country-policy-and-information-notes>.

<sup>37</sup> The Dhaka Tribune, 'Allies plan to ask Awami League for 100 seats in the next polls', 5 October 2017, <http://www.dhakatribune.com/bangladesh/politics/2017/10/05/allies-awami-league-seats/>. Accessed 2 October 2017,

'The BNP follows a broad centre-right policy combined with a nationalist ideology. It has positioned itself more inclined towards the population of the country which wants to see a stronger role for Islam in society. However, while its nationalist credentials have remained undiminished, over the years, the BNP has sought to reduce its image as a political party with an Islamic orientation.

'The party draws its political support from across the country, although initially its support was strongest among urban voters. As with the AL, the BNP has generally been able to secure 30% of the electorate in elections since 1991. However, the party has recently faced significant challenges. It fared extremely poorly in the December 2008 elections, winning only 30 of 300 seats. The BNP subsequently boycotted the following election in 2014 over a dispute with the AL, pushing it further onto the political sidelines. That said, support for the BNP remains strong and the party is likely to be a contender if it takes part in future elections.

'The BNP led a boycott of the January 2014 election and therefore has no representation in parliament. It is a decision that is likely regretted by the party leadership given that the BNP's political standing has diminished as a result. This has undermined the party's attempts to galvanize opposition to the AL government.'<sup>38</sup>

- 4.5.2 According to DFAT 'The BNP has historically enjoyed greater levels of support in urban areas than the AL.'<sup>39</sup>

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#### 4.6 Jatiyatabadi Chhatra Dal (JCD) and Jatiyatabadi Jubo Dal

- 4.6.1 DFAT noted 'The BNP has separate youth and student wings; the Jatiyatabadi Jubo Dal and Jatiyatabadi Chhatra Dal, or JCD, respectively, as well as a volunteer front, the Jatiyatabadi Swechhasebok Dal. Both wings have Presidents and Secretaries General, and the JCD also has a Central Committee. Senior BNP members appoint JCD members, who must be over the age of 18.'<sup>40</sup>

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#### 4.7 The 18-Party Alliance

- 4.7.1 Formed in April 2012, the '18-Party Alliance' comprises the BNP, Jamaat-e-Islami, Islami Oikya Jote (later withdrawn), Bangladesh Jatiya Party (BJP), Jamiyate Ulamaye Islam, Khilafat Majlish, Liberal Democratic Party, Kalyan Party, Jatiya Ganatantrik Party, National People's Party, Bangladesh Labour

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<sup>38</sup> Jane's Sentinel Security Assessment - South Asia, 'Bangladesh – Internal Affairs', updated 5 September 2017, Subscription only. Accessed: 11 September 2017

<sup>39</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraph 3.49), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>40</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraph 3.49), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

Party, National Democratic Party, Bangladesh NAP, Muslim League, Islamic Party, National Awami Party and People's League<sup>41</sup>.

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#### 4.8 Jatiya Party (Ershad) (JP)

##### 4.8.1 Jane's Sentinel Security Assessment noted:

'The National (Jatiya) Party was created in 1986 by military ruler General Hussain Muhammad Ershad to win popular support for his government following a bloodless coup in 1982. It split into three factions over the following decade, with Ershad's faction repositioning itself as a centre-left party in alliance with the AL, despite its ideologies being more in line with the BNP.

'The party...is not in a position to challenge either the AL or the BNP electorally ... While Ershad still envisions himself as an alternative, the party is riddled with factionalism and therefore has little actual chance.

'Although nominally in opposition in parliament [following the 2014 general election], the party has three members in the current cabinet. Ershad's wife Begum Raushan Ershad is the Leader of the Opposition.'<sup>42</sup>

##### 4.8.2 In May 2017, Ershad announced a new alliance, with the aim of taking part in the next parliamentary election. The coalition – the United National Alliance (UNA) – was formed with 57 minor political parties which do not currently have any seats in Parliament.'<sup>43 44</sup>

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#### 4.9 Jamaat-e-Islami Bangladesh (Jel or BJel or JI)

##### 4.9.1 While Jamaat-e-Islami is a member of the BNP-led 18-party alliance, it is a major political party in itself.

##### 4.9.2 Jane's Sentinel Security Assessment noted:

'Jamaat-e-Islami was originally established in Lahore (now Pakistan) in 1941. During the Bangladesh war of liberation in 1971, Jamaat-i-Islami joined with the Pakistan occupation army and acted as its auxiliary force, apparently being complicit in genocide and other war crimes. After the emergence of an independent Bangladesh, Jel ceased to exist as a party due to a prohibition on religion-based political parties. The party was officially reconstituted in 1979 when the prohibition was withdrawn.'<sup>45</sup>

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<sup>41</sup> BdNews24.com, 'BNP-led 18-Party Alliance emerges', 18 April 2012, <https://bdnews24.com/politics/2012/04/18/bnp-led-18-party-alliance-emerges>. Accessed 2 October 2017

<sup>42</sup> Jane's Sentinel Security Assessment - South Asia, 'Bangladesh – Internal Affairs', updated 5 September 2017, Subscription only. Accessed: 11 September 2017

<sup>43</sup> Dhaka Tribune, 'Ershad announces 58-party alliance', 7 May 2017, <http://www.dhakatribune.com/bangladesh/politics/2017/05/07/japa-announces-58-party-alliance/>. Accessed: 13 September 2017

<sup>44</sup> Bdnews24.com, 'Ershad launches Jatiya Party-led alliance', 7 May 2017, <http://bdnews24.com/politics/2017/05/07/ershad-launches-jatiya-party-led-alliance>. Accessed: 13 September 2017

<sup>45</sup> Banglapedia, 'Jamaat-e-Islami Bangladesh', updated 26 May 2015, [http://en.banglapedia.org/index.php?title=Jamaat-e-Islami\\_Bangladesh](http://en.banglapedia.org/index.php?title=Jamaat-e-Islami_Bangladesh). Accessed 30 November 2017

- 4.9.3 Jane's observed that Jel 'continues to maintain a strong Islamist stance but supposedly rejects violent extremism.'
- 4.9.4 Jel was one of the BNP's coalition allies, securing 18 seats in the 2001 general election. However, the party won only two seats in the December 2008 election, 'perhaps indicating the electorate's disenchantment with more radical Islamist ideals', according to Jane's'<sup>46</sup>.
- 4.9.5 In August 2013 the High Court declared Jel's registration as a political party to be illegal, on the basis that its charter contained elements contrary to the country's Constitution and election rules. Jel was accordingly barred from fielding candidates in the January 2014 general election.<sup>47</sup>
- 4.9.6 In 2013, nine members of the party's senior leadership, including its leader, were charged with war crimes committed during Bangladesh's war of independence in 1971.<sup>48</sup> DFAT noted, 'Many [Jel] leaders and activists participated in Pakistani military operations during the 1971 war and have been implicated in war crimes, including mass murders, rapes and forced conversions to Islam.'<sup>49</sup> According to a UK House of Commons Library, Briefing Paper of October 2017, 'Six prominent opposition figures have been hanged since the Tribunal began its work – most recently, Jamaat-e-Islami's ...Mir Quasem Ali in September 2016.'<sup>50</sup>

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#### 4.10 Islami Chhatra Shibir (ICS)

- 4.10.1 DFAT stated Jamaat-e-Islami's student wing, the Islami Chhatra Shibir (ICS), '... has an Executive Council and Secretariat and is organised into six divisions (Dhaka, Chittagong, Sylhet, Rajshahi, Khulna and Barisal).'<sup>51</sup>
- 4.10.2 Lawyers, consulted during the Home Office FFM to Bangladesh, stated that some public gatherings were banned, adding that the Islami Chhatra Shibir faced restrictions and were prohibited by the authorities from participating in rallies openly; instead they organised indoor rallies, which were not a problem providing permission was obtained from the Administrative Court or the police<sup>52</sup>.

<sup>46</sup> Jane's Sentinel Security Assessment - South Asia, 'Bangladesh – Internal Affairs', updated 5 September 2017, Subscription only. Accessed: 11 September 2017

<sup>47</sup> The Hindu, 'Jamaat-e-Islami ineligible for next polls – Bangladesh EC', 7 November 2013, <http://www.thehindu.com/news/international/south-asia/jamaateislami-ineligible-for-next-polls-bangladesh-ec/article5325546.ece>. Accessed: 13 September 2017

<sup>48</sup> Jane's Sentinel Security Assessment - South Asia, 'Bangladesh – Internal Affairs', updated 5 September 2017, Subscription only. Accessed: 11 September 2017

<sup>49</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraphs 3.50-3.52), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>50</sup> House of Commons Library, 'Briefing Paper Bangladesh: October 2017 update', (section 1.3), 25 October 2017, <http://researchbriefings.files.parliament.uk/documents/CBP-7452/CBP-7452.pdf>. Accessed: 25 October 2017

<sup>51</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraphs 3.50-3.52), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>52</sup> UK Home Office, 'Report of a Home Office Fact-Finding Mission to Bangladesh', conducted 14-26 May 2017, (page 80), published September 2017,

- 4.10.3 The International Crisis Group noted in 2016 ‘Shibir’s violence is different in brutality, if not volume, from that of other parties’ youth wings ... They were allegedly also responsible for some of the worst attacks during election-related violence in late 2013 and the early months of 2015. Many Shibir leaders and activists have joined banned militant groups, such as Jagrata Muslim Janata Bangladesh (JMJB), Jamaat-ul Mujaheedin Bangladesh (JMB) and Ansarullah Bangla Team.’

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## 5. Recent elections

### 5.1 General election 2014

- 5.1.1 The USSD 2016 report noted that most international observers considered the January 2014 parliamentary elections as controversial and falling short of international standards<sup>53</sup>.
- 5.1.2 The BTI 2016 report noted ‘Voter turnout reached an historic low: 39% according to the Bangladesh Election Commission (BEC), while press reports claim turnout was about 20%. A total of 153 candidates, more than half of the parliamentary seats, ran unopposed.’<sup>54</sup>
- 5.1.3 DFAT noted ‘The AL won by a wide margin, securing 234 seats (153 of which were uncontested because of a BNP election boycott) and becoming the first party in Bangladesh’s history to achieve consecutive terms in Government. The Jatiya Party secured 34 seats and independents 13. The rest of the 300 elected positions (19 seats) were divided among smaller parties, including the Bangladesh Nationalist Front and the Workers Party of Bangladesh.’<sup>55</sup>

See also [Violence before and during recent elections](#).

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## 6. Treatment of political opponents

- 6.1.1 Amnesty International reported in May 2017:
- ‘The years since the 2014 elections have been marked by an increasing tendency to penalize dissent. The ruling Awami League party in an apparent attempt to tighten its grip on power has arrested thousands of opposition

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<https://www.gov.uk/government/publications/bangladesh-country-policy-and-information-notes>.

<sup>53</sup> US Department of State, ‘Country Report on Human Rights Practices 2016’, (Executive summary), 3 March 2017, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265532>. Accessed: 23 June 2017

<sup>54</sup> Bertelsmann Stiftung, ‘Transformation Index BTI 2016 – Bangladesh Country Report’ covering the period 1 February 2013 to 31 January 2015, (page 7), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 13 June 2017

<sup>55</sup> Australian Government, Department for Foreign Affairs and Trade, ‘DFAT Country Information Report – Bangladesh’, (paragraph 2.18), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

members and supporters. Many key BNP leaders are either in prison, facing criminal charges or have been forced into exile.’<sup>56</sup>

6.1.2 According to a Human Rights Watch (HRW) report of July 2017:

‘Since 2013, law enforcement authorities in Bangladesh have illegally detained scores of opposition activists and held them in secret without producing them before courts, as the law requires. In most cases, those arrested remain in custody for weeks or months before being formally arrested or released.

‘Bangladesh law enforcement agencies have a long history of human rights violations. The ruling Awami League party took office in January 2009 with the promise to end such abuses. However, according to Odhikar, a Dhaka-based human rights organization, Bangladesh law enforcement agencies have since “disappeared” over 320 people, including suspected criminals, militants, and, more recently, opposition members. Of these, 50 were later killed, and dozens remain [missing]. The rest were either released or formally produced in court...’<sup>57</sup>

6.1.3 The USSD Report 2016 stated:

‘Human rights groups and media reported that multiple disappearances and kidnappings continued, some committed by security services.

‘Targets of disappearances included individuals affiliated with opposition political parties.

‘Security forces reportedly used torture to gather information from alleged militants although members of political opposition parties claimed that security forces also targeted activists within their parties.’<sup>58</sup>

The USSD Report was not clear to what extent disappearances and kidnappings during 2016 were attributable to the security forces, or the proportion of such incidents that may have been politically motivated.

6.1.4 According to the HRW report of July 2017:

‘[D]isappearances continue, but many of the targets are now political opponents.

‘The Awami League has taken contradictory approaches to allegations of disappearances. In November 2016, confronted with cases of enforced disappearances mostly involving political opponents, Home Minister Asaduzzaman Khan Kamal told Voice of America the allegations were baseless; those missing, he said, were hiding “to embarrass the government globally.” In March 2017, Law Minister Anisul Huq however acknowledged to

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<sup>56</sup> Amnesty International, ‘Caught Between Fear And Repression Attacks On Freedom Of Expression In Bangladesh’, (page 11), 8 May 2017, <https://www.amnesty.org/download/Documents/ASA1361142017ENGLISH.PDF>. Accessed: 11 September 2017

<sup>57</sup> Human Rights Watch, ‘ “We Don’t Have Him” - Secret Detentions and Enforced Disappearances in Bangladesh’, 6 July 2017 <https://www.hrw.org/report/2017/07/06/we-dont-have-him/secret-detentions-and-enforced-disappearances-bangladesh>. Accessed 26 July 2017

<sup>58</sup> US Department of State, ‘Country Report on Human Rights Practices 2016’, (Section 1e), 3 March 2017, <https://www.state.gov/j/drl/rls/hrrpt/2016/sca/265532.htm>. Accessed: 23 June 2017

the UN Human Rights Committee that disappearances had taken place, but claimed their numbers had been brought down to “a very low level”.<sup>59</sup>

- 6.1.5 The International Crisis Group (ICG) noted in a report of April 2016 that there were ‘allegations’ that the security forces, including the paramilitary Rapid Action Battalion (RAB), had used torture against the government’s ‘political opponents and critics’, and were also responsible for extra-judicial killings and enforced disappearances.<sup>60</sup>

The ICG report was not clear about who was covered by the term ‘political opponents and critics’; in particular, whether it included members of armed extremist groups.

- 6.1.6 According to the USSD Report 2016, political affiliation sometimes appeared to be a reason for the arrest and prosecution of people on criminal charges, including through spurious charges under the pretext of responding to national security threats. The report noted, ‘Opposition party members claimed that security forces arrested approximately 2,000 of their members during mass arrests in early June [2016], although in general they were not charged or imprisoned; some were reportedly released after paying bribes.’<sup>61</sup>

- 6.1.7 The ICG reported that at least 8 top BNP leaders were arrested in 2015; opposition leader Zia Khaleda and her son faced corruption and other criminal charges that could potentially imprison them for life<sup>62</sup>. Odhikar alleged that the Government collected personal information about leaders of the opposition BNP through the police’s Special Branch<sup>63</sup>.

- 6.1.8 The USSD 2016 report stated ‘Media outlets critical of the government and AL were subject to government intimidation, lawsuits, and forced closure [see also the [Country Policy and Information Note Bangladesh: Journalists, publishers and internet bloggers](#)]. AL-affiliated organizations (such as the student wing) reportedly carried out violence and intimidation around the country, including against individuals affiliated with opposition groups.’<sup>64</sup>

- 6.1.9 DFAT reported in July 2016:

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<sup>59</sup> Human Rights Watch, ‘ “We Don’t Have Him” - Secret Detentions and Enforced Disappearances in Bangladesh’, 6 July 2017 <https://www.hrw.org/report/2017/07/06/we-dont-have-him/secret-detentions-and-enforced-disappearances-bangladesh>. Accessed 26 July 2017

<sup>60</sup> International Crisis Group, ‘Political Conflict, Extremism and Criminal Justice in Bangladesh’, 11 April 2016, Executive summary, <https://d2071andvip0wj.cloudfront.net/277-political-conflict-extremism-and-criminal-justice-in-bangladesh.pdf>. Accessed: 27 October 2017

<sup>61</sup> US Department of State, ‘Country Report on Human Rights Practices 2016’, (Section 1e), 3 March 2017, <https://www.state.gov/j/drl/rls/hrrpt/2016/sca/265532.htm>. Accessed: 23 June 2017

<sup>62</sup> International Crisis Group, ‘Political Conflict, Extremism and Criminal Justice in Bangladesh’, (pages i, 1 and 3), 11 April 2016, <https://d2071andvip0wj.cloudfront.net/277-political-conflict-extremism-and-criminal-justice-in-bangladesh.pdf>; Bertelsmann Stiftung, ‘Transformation Index BTI 2016 – Bangladesh Country Report’ covering the period 1 February 2013 to 31 January 2015, (page 5), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 27 October 2017

<sup>63</sup> Odhikar, ‘Human Rights Monitoring Report: April 1 – 30, 2017’, 1 May 2017, <http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/05/human-rights-monitoring-report-april-2017-english.pdf>. Accessed: 7 November 2017

<sup>64</sup> US Department of State, ‘Country Report on Human Rights Practices 2016 – Bangladesh’, (Section 3), 3 March 2017, <https://www.state.gov/j/drl/rls/hrrpt/2016/sca/265532.htm>. Accessed: 23 June 2017

'Authorities have restricted BNP meetings and protests in rural areas, and have responded violently to Jel-led anti-ICT protests. Bangladesh Police also reportedly arrested BNP candidates prior to municipal and mayoral elections in 2015 and were responsible for instances of vote rigging. DFAT understands that AL activists backed by law enforcement agencies pressured BNP candidates to withdraw from these elections and prevented BNP candidates from submitting election nominations.

'AL members and activists have also reportedly extorted BNP business owners in rural areas, threatening them with violence if they fail to comply with demands for money. DFAT understands that JI members are generally subjected to greater levels of harassment and intimidation than members of the BNP. According to the International Crisis Group, the AL pressured Jatiya Party leaders into contesting general elections in 2014 to create the appearance of a competitive contest.

'Apart from the instances listed above, DFAT is not aware of any other, credible reports of authorities harassing Jatiya Party members or relatives and associates of Jatiya Party, BNP and JI members.

'DFAT assesses that under the current AL Government BNP leaders and JI members are subjected to a high level of official discrimination during periods of heightened political tension, particularly national elections... BNP supporters or members in rural areas are subjected to a low level of violence associated with AL extortion.'<sup>65</sup>

6.1.10 The Bangladesh human rights organisation, Odhikar, reported in its Annual Report for 2016 on criminal and violence by ruling party activists that:

'Across the country, criminal activities of the leaders and activists of the ruling party affiliated [student] organisations, Chhatra League and Jubo League reportedly increased during this period. They attacked leaders and activists of opposition political parties, women and children and ordinary citizens, members of minority communities and dissenters and engaged in many internal conflicts and violence. Most of the criminal activities and violence were linked to vested interest. In many cases they were seen attacking opponents with lethal weapons which was publicised in the print and electronic media. Several incidents of extortion, clashes over tender bids, land grabbing, violence in educational institutions and violence against women occurred during this period.'<sup>66</sup>

6.1.11 DFAT assessed that 'JCD and ICS members are subjected to a moderate level of harassment from members of the Chhatra League.'<sup>67</sup> Members of the press, consulted during the Home Office FFM to Bangladesh in May

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<sup>65</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraphs 3.53-3.57), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>66</sup> Odhikar, Annual Human Rights Report 2016, (pages 9-10) January 2017, [http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016\\_Eng.pdf](http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016_Eng.pdf). Accessed: 22 September 2017

<sup>67</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraph 3.57), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

2017, observed that student activists, particularly members of the opposition, were most likely to be the targets of politically motivated violence and legal charges. Ain o Salish Kendra (ASK), a legal aid and human rights organisation, opined that a complaint against the ruling party would ‘go nowhere’, whereas the police would follow through a case against the political opposition. ASK noted that the police usually show allegiance to the ruling political party regardless of who is in power<sup>68</sup>.

See also [Politically motivated violence](#).

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## 7. Restrictive legislation

- 7.1.1 A Joint NGO Alternative Report to the UN Human Rights Committee on Bangladesh stated ‘A number of sections of the Penal Code punish, in some cases with life imprisonment, those who commit acts that are considered “prejudicial to the state”, “sedition” or “defamation”. These provisions are often broadly interpreted by law enforcement agencies and the judiciary, and have led to the criminalisation of freedom of expression, including that of human rights defenders and journalists.’<sup>69</sup>
- 7.1.2 According to sources consulted during the Home Office FFM to Bangladesh in May 2017, the [Special Powers Act \(SPA\), 1974](#), was still used against opponents, but rarely. A human rights organisation opined that the [Information and Communication Technology Act of 2006 \(amended in 2009\)](#) had been used to charge political opponents<sup>70</sup>.

For further information on sedition and defamation laws, see the Country Policy and Information Note on [Bangladesh: Journalists, publishers and internet bloggers](#).

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## 8. Politically motivated violence

### 8.1 Incidence of political violence

- 8.1.1 The BRAC Institute of Governance and Development (BIGD) report on the State of Governance in Bangladesh for 2013 noted that ‘...surveys on political parties reveal that student fronts are mostly responsible for political violence in Bangladesh.’<sup>71</sup> (See [Student and youth leagues](#)).

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<sup>68</sup> UK Home Office, ‘Report of a Home Office Fact-Finding Mission to Bangladesh’, conducted 14-26 May 2017, (paragraphs 2.2.2 and 3.5.1; page 67), published September 2017, <https://www.gov.uk/government/publications/bangladesh-country-policy-and-information-notes>.

<sup>69</sup> World Organisation Against Torture, Joint NGO Alternative Report to the UN Human Rights Committee on Bangladesh (119th Session – 6-29 March 2017), (paragraph 2a), 29 March 2017, available at: <http://www.refworld.org/docid/58b03421d.html>. Accessed 11 September 2017

<sup>70</sup> UK Home Office, ‘Report of a Home Office Fact-Finding Mission to Bangladesh’, conducted 14-26 May 2017, (paragraphs 2.4.1 and 2.4.4), published September 2017, <https://www.gov.uk/government/publications/bangladesh-country-policy-and-information-notes>.

<sup>71</sup> BRAC Institute of Governance and Development (BIGD), BRAC University, Dhaka, ‘The State of Governance Bangladesh 2013 Democracy, Party, Politics’, (page 48), August 2014, <http://bigd.bracu.ac.bd/jdownloads/STATE%20OF%20GOVERNANCE%20SOG%20REPORT/1.%20sog%20report-%202013-%20democracy%20party%20politics.pdf>. Accessed: 26 October 2017

8.1.2 According to an Odhikar report of 1 September 2017, 54 people were killed and 3,082 people were injured in political violence during the period January – August 2017.<sup>72</sup> During the same period, Ain o Salish Kendra (ASK) documented 39 deaths and 3,129 people injured in 234 incidents of political violence<sup>73</sup>.

8.1.3 Odhikar recorded a total of 1,275 deaths in political violence during the years 2012 to 2016; over 68,000 people were injured during the same period.<sup>74</sup>

See also [Violence during recent elections](#)

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## 8.2 Violence involving supporters of opposing political parties

### 8.2.1 DFAT reported:

‘Most inter-party violence (AL versus BNP) occurs during periods of heightened political unrest, particularly during national elections and ‘hartals’ (strikes). JI-led anti-ICT [Information and Communication Technology Act] protests have also resulted in violence, although these protests have been less violent and have garnered less support since 2013. Credible sources have told DFAT that inter-party violence is most prevalent outside Dhaka, particularly in northwest and southeast Bangladesh.

‘National elections in January 2014 were the most violent in Bangladesh’s history, with months of violence leaving hundreds dead and injured across the country. This violence resurfaced in 2015 following the AL’s decision to forcibly confine Khaleda Zia to her party office in Dhaka on 3 January [2015] in anticipation of BNP protests marking the anniversary of the 2014 polls. The BNP responded by implementing a nation-wide transport blockade, during which BNP and AL supporters, including violent elements of their student and labour wings, clashed. Local government and council elections on 28 April 2015, 31 December 2015 and 23 March 2016 were similarly marred by violence.

‘According to a credible local NGO, Ain o Salish Kendra (ASK), in 2015 153 people died and 6,318 were injured in 865 separate incidents involving political violence. The victims included AL, BNP and JI members (but not Jatiya Party members), as well as civilians. Hartals and blockades accounted for 102 deaths and 2,129 injuries (from 466 incidents), while clashes with law enforcement agencies resulted in 11 deaths and 1,478 injuries (from 128 incidents).’<sup>75</sup>

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<sup>72</sup> Odhikar, ‘Human Rights Monitoring Report’ covering the period 1 – 31 August 2017, (page 3), 1 September 2017, [http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/09/human-rights-monitoring-report-August-2017\\_Eng-.pdf](http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/09/human-rights-monitoring-report-August-2017_Eng-.pdf). Accessed: 25 September 2017

<sup>73</sup> Ain o Salish Kendra, ‘Political Violence: January-August 2017’, 14 September 2017, <http://www.askbd.org/ask/2017/09/14/political-violence-january-august-2017/>. Accessed: 25 September 2017

<sup>74</sup> Odhikar, ‘Bangladesh: Annual Human Rights Report 2016’, p.11, <http://odhikar.org/annual-human-rights-report-2016/>. Accessed 29 November 2017

<sup>75</sup> Australian Government, Department for Foreign Affairs and Trade, ‘DFAT Country Information Report – Bangladesh’, (paragraphs 3.58-3.60), 5 July 2016, <http://dfat.gov.au/about->

- 8.2.2 DFAT assessed that ‘AL, BNP and Jamaat members are subjected to a low level of inter-party violence but notes that, despite the increase in inter-party violence since 2013, the number of casualties remains relatively low in proportion to the size of these parties.’<sup>76</sup>

See also [Parliamentary elections and election violence](#) and [Student and youth leagues](#).

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### 8.3 Violence between factions in the same party (intra-party violence)

- 8.3.1 Members of the Bangladeshi press consulted during the Home Office FFM to Bangladesh in May 2017 were of the view that there were no real ideological differences between factions within the Awami League and BNP, and disputes were primarily about control and power<sup>77</sup>.
- 8.3.2 According to Odhikar’s 2016 Annual Report, 73 people were killed and 3,586 were injured in clashes between factions of the Awami League in 2016. Within the BNP, 3 people were killed and 232 were injured in 2016 in intra-party violence. A total of 221 Awami League supporters were killed and 19,027 were injured in intra-party violence during the 5-year period 2012 - 2016<sup>78</sup>.
- 8.3.3 The AL’s student and junior wings are faction-ridden and often use violent means to settle their disputes<sup>79</sup>. Intra-party violence has increased with the decline of the BNP, and is greatest among factions of the students’ and labour wings and centres on competition over resources; factions have increasingly and violently competed over contracts, tenders, and appointments to senior positions within the student and labour wings<sup>80</sup>. Such groups commonly operate above the law<sup>81</sup>, increasingly in criminal enterprises focussing on extortion of local business owners and land

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[us/publications/Documents/country-information-report-bangladesh.pdf](#). Accessed: 6 September 2017

<sup>76</sup> Australian Government, Department for Foreign Affairs and Trade, ‘DFAT Country Information Report – Bangladesh’, (paragraph 3.62), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>77</sup> UK Home Office, ‘Report of a Home Office Fact-Finding Mission to Bangladesh’, conducted 14-26 May 2017, (paragraph 2.1.5), published September 2017, <https://www.gov.uk/government/publications/bangladesh-country-policy-and-information-notes>.

<sup>78</sup> Odhikar, ‘Bangladesh Annual Human Rights Report 2016’, (page 11), January 2017 [http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016\\_Eng.pdf](http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016_Eng.pdf). Accessed: 3 August 2017

<sup>79</sup> CHR Michelsen Institute and Centre for Policy Dialogue, ‘Political Parties in Bangladesh’, (page 29), August 2014, <https://www.cmi.no/publications/file/5229-political-parties-in-bangladesh.pdf>. Accessed: 27 October 2017

<sup>80</sup> Australian Government, Department for Foreign Affairs and Trade, ‘DFAT Country Information Report – Bangladesh’, (paragraph 3.61), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>81</sup> International Crisis Group, ‘Political Conflict, Extremism and Criminal Justice in Bangladesh’, (page 4), 11 April 2016, <https://d2071andvip0wj.cloudfront.net/277-political-conflict-extremism-and-criminal-justice-in-bangladesh.pdf>; Bertelsmann Stiftung, ‘Transformation Index BTI 2016 – Bangladesh Country Report’ covering the period 1 February 2013 to 31 January 2015, (page 5), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 27 October 2017

grabbing<sup>82</sup>. Criminal activities of leaders and activists associated with AL's student and youth wings increased during 2016<sup>83</sup>; AL central leaders have not been able to control the rent-seeking and violent behaviour of the members of these associate organisations<sup>84</sup>. Intra-party AL violence accounted for over half of all recorded incidents of political violence in the January 2017 – September 2017 period<sup>85</sup>.

8.3.4 DFAT observed that intra-party violence '... has occurred throughout Bangladesh, but is most prevalent in Dhaka. According to ASK, 33 people died and 2,378 were injured in 226 incidents involving intra-AL violence in 2015. This compares with 58 injuries in six incidents involving intra-BNP violence and 26 injuries in three incidents involving intra-Jatiya Party violence over the same period.'<sup>86</sup>

8.3.5 DFAT assessed that 'Members of the AL's student and labour wings are subjected to a moderate level of intra-party violence, while members of the BNP and Jamaat student and labour wings face a low risk of intra-party violence.'<sup>87</sup>

See also [Student and youth leagues](#).

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## 8.4 Violence before and during recent elections

8.4.1 The number of casualties in recent political violence peaked in 2013, in the months leading up to the January 2014 general election<sup>88</sup>.

8.4.2 Human Rights Watch stated in a report of April 2014:

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<sup>82</sup> Odhikar, 'Bangladesh Annual Human Rights Report 2016', (page 10), January 2017 [http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016\\_Eng.pdf](http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016_Eng.pdf); CHR Michelsen Institute and Centre for Policy Dialogue, 'Political Parties in Bangladesh', (page 29), August 2014, <https://www.cmi.no/publications/file/5229-political-parties-in-bangladesh.pdf>; International Crisis Group, 'Political Conflict, Extremism and Criminal Justice in Bangladesh', (page 4), 11 April 2016, <https://d2071andvip0wj.cloudfront.net/277-political-conflict-extremism-and-criminal-justice-in-bangladesh.pdf>; Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (page 15), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>83</sup> Odhikar, 'Bangladesh Annual Human Rights Report 2016', (page 11), January 2017

[http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016\\_Eng.pdf](http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016_Eng.pdf). Accessed: 3 August 2017

<sup>84</sup> CHR Michelsen Institute and Centre for Policy Dialogue, 'Political Parties in Bangladesh', (page 29), August 2014, <https://www.cmi.no/publications/file/5229-political-parties-in-bangladesh.pdf>. Accessed: 27 October 2017

<sup>85</sup> Ain o Salish Kendra, 'Political Violence: January-September 2017', 22 October 2017, <http://www.askbd.org/ask/2017/10/22/political-violence-january-september-2017/>. Accessed: 27 October 2017

<sup>86</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraph 3.61), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>87</sup> Australian Government, Department for Foreign Affairs and Trade, 'DFAT Country Information Report – Bangladesh', (paragraph 3.62), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>88</sup> Odhikar, 'Bangladesh: Annual Human Rights Report 2016', p.11, <http://odhikar.org/annual-human-rights-report-2016/>. Accessed 29 November 2017

'The run-up to Bangladesh's general elections on January 5, 2014, and election-day itself, were marred by extensive violence, much of it initiated by members of the opposition. On October 25, BNP leader Khaleda Zia announced a series of general strikes (known in Bangladesh as hartals), protests, and traffic blockades (known as abarudh), halting transport links to the capital, Dhaka. The strikes and traffic blockades had a significant impact on the economy...

'In many incidents, opposition party workers attacked those not heeding the calls with petrol bombs and homemade grenades, and set off improvised grenades in busy streets without warning. As detailed below, in some cases members of opposition groups recruited street children to carry out the attacks. On election-day, opposition groups attacked hundreds of polling station.

'Many Bangladeshis lost their lives or suffered horrific burns. At least 25 people had died of burns and 97 had been admitted to hospital by the end of December, according to media reports compiled by the human rights organization Ain O Salish Kendra. A report by Odhikar, another human rights organization, put the number at 21 dead and 65 injured between November 25, 2013, and January 10, 2014.'<sup>89</sup>

See reports by [Amnesty International](#), the [Foreign and Commonwealth Office](#), [Human Rights Watch](#) and [Odhikar](#) for further information on election-related violence in 2014.

8.4.2 A Joint NGO Alternative Report to the UN Human Rights Committee on Bangladesh stated 'Widespread vote rigging, including "capturing" of polling stations, casting fake votes and other illegal and irregular activities perpetrated by the ruling party activists during the Upazila Parishad elections in 2014 and City Corporation and Municipality elections in 2015, were reported.'<sup>90</sup>

8.4.3 Citing the 2014 Upazila Parishad elections, the BTI 2016 report noted: 'Allegations of irregularities, vote rigging, snatching of ballot papers and attacks on opponent groups marred the elections. Candidates of opposition parties, especially the BNP and the JI, did well in the first two phases, which were reportedly not influenced by the BEC; subsequent phases saw a high rate of irregularities. The BEC turned a blind eye to these irregularities while the ruling party candidates achieved relatively better results. The parliamentary election and the upazila elections have demonstrated the lack of BEC neutrality.'<sup>91</sup>

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<sup>89</sup> Human Rights Watch, 'Democracy in the Crossfire', 29 April 2014, <https://www.hrw.org/report/2014/04/29/democracy-crossfire/opposition-violence-and-government-abuses-2014-pre-and-post>. Accessed 28 November 2017

<sup>90</sup> World Organisation Against Torture, Joint NGO Alternative Report to the UN Human Rights Committee on Bangladesh (119th Session – 6-29 March 2017), (footnotes 65 and 66), 29 March 2017, available at: <http://www.refworld.org/docid/58b03421d.html>. Accessed 11 September 2017

<sup>91</sup> Bertelsmann Stiftung, 'Transformation Index BTI 2016 – Bangladesh Country Report' covering the period 1 February 2013 to 31 January 2015, (page 7), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 13 June 2017

- 8.4.4 DFAT noted: ‘Local government and council elections on 28 April 2015, 30 December 2015 and 23 March 2016 were [...] marred by violence, electoral irregularities, and suspension of voting. The municipal polls in December 2015 marked the end of the BNP’s election boycott, with BNP candidates contesting elections for the first time since 2013. AL candidates won 177 of the 234 municipal posts.’<sup>92</sup>
- 8.4.5 The Union Parishad (UP) local elections were conducted in 6 phases from March to June 2016. Odhikar reported that violence between political opponents during the polls resulted in 143 deaths and numerous casualties<sup>93</sup>.
- 8.4.6 The BRAC Institute of Governance and Development (BIGD) reported in 2016 that:

‘According to a report by the Daily Prothom Alo, over the course of six phases of this year’s [2016] UP elections, a total 116 people died. Chittagong had the highest number of casualties with eight murders, followed by Pirojpur district with seven murders, and then Jamalpur and Cox’s Bazar with five each. In comparison, 27 people died during the 2011 UP elections and 3,136 were injured. The number of casualties during the seventh UP election in 2003 was 80 people with 7,029 injured (Democracy Watch 2011) ... Most of the murders [in 2016], about 60, were due to intra-party violence in the ruling party.’<sup>94</sup>

See also [Politically motivated violence](#)

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## 9. Freedom of assembly and association

- 9.1.1 Bertelsmann Foundation’s Transformation Index (BTI) 2016 observed:

‘The constitution allows citizens to exercise their fundamental right of assembly “subject to any reasonable restrictions imposed by law.” However, during recent years, opposition activists have increasingly faced adverse situations including being indicted on frivolous charges. The government forbade the opposition to assemble in Dhaka immediately before the [January 2014 parliamentary] election. In December 2013, the BNP leader Khaleda Zia was put under virtual house arrest until the election was over. Throughout 2014, the opposition was regularly denied permission to hold public gatherings. The denial of the permission to hold a public protest meeting on the anniversary of the controversial election of 5 January [2014]

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<sup>92</sup> Australian Government, Department for Foreign Affairs and Trade, ‘DFAT Country Information Report – Bangladesh’, (paragraph 2.19), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>93</sup> Odhikar, ‘Bangladesh Annual Human Rights Report 2016’, (page 7), January 2017 [http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016\\_Eng.pdf](http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2017/01/AHRR-2016_Eng.pdf). Accessed: 3 August 2017

<sup>94</sup> BRAC Institute of Governance and Development (BIGD), BRAC University, Dhaka, ‘The State of Governance Bangladesh 2016: Regulation Process Performance’, (page 11), November 2016, <http://bigd.bracu.ac.bd/jdownloads/STATE%20OF%20GOVERNANCE%20SOG%20REPORT/SoG%202016%20converted.pdf>. Accessed: 27 October 2017

and the subsequent closure of the party's central office indicate the absence of constitutionally guaranteed rights.'<sup>95</sup>

9.1.2 The Code of Criminal Procedure, under section 144, provides the power for a Magistrate to prohibit meetings and gatherings in order 'to prevent obstruction, annoyance or injury, or risk or obstruction, annoyance or injury, to any person lawfully employed, or danger to human life, health or safety, or a disturbance of the public tranquillity, or a riot, or an affray.'<sup>96</sup>

9.1.3 The USSD 2016 Report stated:

'The constitution provides for the freedoms of assembly and association, but the government did not respect these rights for opposition political parties. The government limited both freedom of assembly and association for political reasons, ostensibly in the interest of national security.

'The government generally permitted rallies of non-political entities and its political allies, but on occasion, it prevented political opposition groups from holding meetings and demonstrations. The law authorizes the government to ban assemblies consisting 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, and pre-emptively banned gatherings around the [general] election anniversary. Occasionally, police or ruling party activists used force to disperse demonstrations (see also [Treatment of political opponents](#)).

'Police prevented opposition party members from holding events in several cases. For example, police allegedly stopped BNP rallies on July 27 [2016] in four sub-districts of Narayanganj, which were organized to protest the sentencing of BNP's senior vice chairman, Tarique Rahman, on corruption charges. Police prevented another BNP rally on October 2 [2016] to protest a government action against a BNP leader despite having given initial permission for the event.'<sup>97</sup>

9.1.4 Regarding freedom of association, the USSD 2016 Report stated, '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.'<sup>98</sup> (See also [Human rights defenders](#))

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<sup>95</sup> Bertelsmann Stiftung, 'Transformation Index BTI 2016 – Bangladesh Country Report' covering the period 1 February 2013 to 31 January 2015, (page 8), May 2016 [https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI\\_2016\\_Bangladesh.pdf](https://www.bti-project.org/fileadmin/files/BTI/Downloads/Reports/2016/pdf/BTI_2016_Bangladesh.pdf). Accessed: 13 June 2017

<sup>96</sup> Bangladesh Ministry of Law, Justice and Parliamentary Affairs: 'Laws of Bangladesh' website, 'Code of Criminal Procedure, 1898' (section 144), [http://bdlaws.minlaw.gov.bd/sections\\_detail.php?id=75&sections\\_id=20789](http://bdlaws.minlaw.gov.bd/sections_detail.php?id=75&sections_id=20789). Accessed 13 June 2017

<sup>97</sup> US Department of State: Country Report on Human Rights Practices 2016', published 3 March 2017 (Section 2b) <https://www.state.gov/j/drl/rls/hrrpt/2016/sca/265532.htm>. Accessed 23 June 2017

<sup>98</sup> US Department of State: Country Report on Human Rights Practices 2016', published 3 March 2017 (Section 2b) <https://www.state.gov/j/drl/rls/hrrpt/2016/sca/265532.htm>. Accessed 23 June 2017

## 10. Treatment of human rights defenders by the state

### 10.1.1 DFAT noted:

‘Although Bangladesh has an active civil society sector, authorities have restricted the activities of human rights organisations and their employees after they have published reports on sensitive issues involving the Government. In 2014-15, the Government blocked funding to Odhikar, Transparency International Bangladesh (TIB) and the Bangladesh Center for Workers Solidarity (BCWS); charged Odhikar executives under the Information and Communication Technology (ICT) Act for allegedly publishing false information about the Government, and temporarily froze the Director’s bank account; recommended the deregistration of TIB for criticising the Government; and continued to control the activities of NGOs through license distribution procedures. Human rights defenders have told DFAT these actions have created an atmosphere of fear and intimidation, leading to greater levels of self-censorship.

### 10.1.2 ‘DFAT assesses that human rights defenders who report on sensitive issues involving the Government may be subjected to indirect harassment in the form of spurious legal proceedings or targeted financial restrictions.’<sup>99</sup>

### 10.1.3 Jane's Sentinel Security Assessment reported that:

‘[U]nder successive governments, NGOs have come under increasing pressure. Odhikar, Proshika, and Ain o Salish Kendra (ASK) are significant examples of NGOs that have come under government scrutiny. Odhikar, an internationally recognised human rights organisation, has faced scrutiny from the current Awami League (AL) government in particular for a number of years, primarily because of its reporting on human rights violations and forced disappearances. Since May 2013, this has resulted in its work being significantly impeded because of stringent government restrictions. The head of Odhikar, Adilur Rahman, was imprisoned and then released in 2013, but remains under strict surveillance. Conversely, the ASK has not faced the same sort of pressures from the government, although its human rights agenda has been problematic for the AL administration. In general, the tolerance for dissent or any form of criticism from civil society pressure groups has diminished significantly since the elections in January 2014.’<sup>100</sup>

### 10.1.4 A Joint NGO Alternative Report to the UN Human Rights Committee on Bangladesh stated ‘Human rights defenders, including Odhikar members and staff have faced escalating repression, harassment, threats, and prosecution for the past several years for having published information on human rights violations in the country.’ The report provided examples of the reprisals and violations of their right to free expression<sup>101</sup>.

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<sup>99</sup> Australian Government, Department for Foreign Affairs and Trade, ‘DFAT Country Information Report – Bangladesh’, (paragraphs 3.63-3.64), 5 July 2016, <http://dfat.gov.au/about-us/publications/Documents/country-information-report-bangladesh.pdf>. Accessed: 6 September 2017

<sup>100</sup> Jane's Sentinel Security Assessment - South Asia, ‘Bangladesh – Internal Affairs’, updated 5 September 2017, Subscription only. Accessed: 11 September 2017

<sup>101</sup> World Organisation Against Torture, Joint NGO Alternative Report to the UN Human Rights Committee on Bangladesh (119th Session – 6-29 March 2017), (paragraph 54), 29 March 2017, available at: <http://www.refworld.org/docid/58b03421d.html>. Accessed 11 September 2017

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# Version control

## Clearance

Below is information on when this note was cleared:

- version **2.0**
- valid from **26 January 2018**

## Changes from last version of this note

Updated country information, in particular to include estimated membership numbers of political parties, and information taken from the report of a Home Office Fact-Finding Mission to Bangladesh', conducted 14-26 May 2017, published September 2017.

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