

BANGLADESH

COUNTRY REPORT

October 2004

Country Information & Policy Unit

IMMIGRATION & NATIONALITY DIRECTORATE

HOME OFFICE, UNITED KINGDOM

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1. SCOPE OF DOCUMENT

1.1 This Country Report has been produced by Immigration and Nationality Directorate, Home Office, for use by officials involved in the asylum / human rights determination process. The Report provides general background information about the issues most commonly raised in asylum / human rights claims made in the United Kingdom. It includes information available up to 1 September 2004.

1.2 The Country Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum / human rights determination process.

1.3 The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey.
For a more detailed account, the relevant source documents should be examined directly.

1.4 The structure and format of the Country Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.

1.5 The information included in this Country Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented; rather that information regarding implementation has not been found.

1.6 As noted above, the Country Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. Country Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes

vary and these are simply quoted as per the original text.

1.7 The Country Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent documents. All sources contain information considered relevant at the time this Report was issued.

1.8 This Country Report and the accompanying source material are public documents. All Country Reports are published on the IND section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.

1.9 Country Reports are published every six months on the top 20 asylum producing countries and on those countries for which there is deemed to be a specific operational need. Inevitably, information contained in Country Reports is sometimes overtaken by events that occur between publication dates. Home Office officials are informed of any significant changes in country conditions by means of Country Information Bulletins, which are also published on the IND website. They also have constant access to an information request service for specific enquiries.

1.10 In producing this Country Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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2. Geography

2.1 As noted in the 2004 edition of Europa Regional Surveys of the World: South Asia (Europa South Asia 2004), the People's Republic of Bangladesh is located in south Asia and is bordered almost entirely by India, except for a small frontier in the southeast with Burma and a coastline along the Bay of Bengal in the south. The capital is Dhaka. The country covers an area of almost 57,000 square miles. **[1b](p87)**

2.2 The country is administratively divided into 6 Divisions, 64 Districts, 507 Upazila, or Thana, (sub-districts) and 4,484 Unions/Wards, the WHO website notes. There are over 87,000 villages in Bangladesh. [14d] A particular name might refer to more than one geographical entity; for example, the city of Chittagong is situated in the district of Chittagong, which is in Chittagong Division. The 'Chittagong Hill Tracts' (CHT) area, referred to later in this report, comprises 3 of the 5 districts of Chittagong Division. [25]

2.3 According to the Preliminary Report of the 2001 Population Census, published in August 2001 by the Bangladesh Bureau of Statistics, Bangladesh then had a total population of 129.2 million (statistically adjusted). [43a](p4) According to the 2001 census, 76% of the population resided in rural areas. The metropolitan area of Dhaka had a population of 9.9 million; the populations of the other principal cities (as 'statistical metropolitan areas') were given as follows: Chittagong 6.2 million, Khulna 2.6 million, and Rajshahi 1.3 million. [43a](p6) Europa South Asia 2004 notes that, apart from territories comprising less than 1,200 sq km in area, Bangladesh is the most densely populated country in the world. Bengalis comprise 98% of the country's population, with the remaining 2% comprising 250,000 Biharis and less than 1 million tribal people. [1b](pp87&109) The 1991 census, as summarised in 'Bangladesh: Census Result at a Glance' by the Bangladesh Bureau of Statistics, classified 93.9 million people (88.2% of the total 1991 population) as Muslim, 11.2 million as Hindu, 0.6 million as Buddhist and the remainder as Christian or 'other'. [43b]

2.4 The Europa World Year Book 2004 (Europa 2004) notes that the state language is Bangla (Bengali) and is spoken by about 95% of the population. [1a](p635) A Canadian IRB report of June 1990 stated that Biharis generally speak Urdu, and the tribal populations (Jumma peoples) of the Chittagong Hill Tracts use a variety of dialects. English is also used in commerce and administration. [3a]

For further information on Geography, refer to Europa World Year Book 2004, Volume 1 (source 1a)

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3. Economy

3.1 According to the the Economist Intelligence Unit Bangladesh Country Profile 2003 (EIU Country Profile 2003), GDP per head in 2001/2002 was US$330, compared with $479 for India, $415 for Pakistan and $848 for Sri Lanka. A household income and expenditure survey showed that 44.3% of the population lived below the poverty line in 2000 compared with 58.8% in 1991. During the 1990s, real GDP increased at an average annual rate of 4.9%; real GDP growth for the 2002/2003 fiscal year is estimated to have been 5.3%. [40a](p26 - 27)

3.2 Agriculture (including fisheries) employed about 65% of the labour force and contributed around 22% of GDP in 2001/2002, notes the EIU Country Profile 2003. Bangladesh is the world's largest exporter of jute; other agricultural exports include tea and frozen foods. The share of manufactured goods in the country's exports has risen

since the 1980s as garments have emerged as a leading export commodity. [40a](p26&32) However, an article in the Bangladesh Daily Star of 24 May 2004 cautioned that garment exports may suffer with the phasing out of export quotas under the Multi-fibre Arrangement (MFA) after 2004 and the International Monetary Fund has warned that, as a result, economic growth might slow and Bangladesh's success in poverty reduction might suffer. [38d]

3.3 A BBC News report of 3 August 2004 pointed out that the devastating floods of July 2004, which covered 60% of the country, killed 600 people and left at least 30 million displaced or stranded, also damaged infrastructure and will have disrupted agricultural production and economic activity for several months. [20af]

3.4 The unit of currency in Bangladesh is the 'Taka' (BDT), which is divided into 100 poisha/paisa, informs Europa 2004. [1a](p644 The approximate rate of exchange on 12 September 2004 was £1 sterling = 106 Bangladesh taka (xe.com Universal Currency Converter). [22]

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4. History

Pre-independence: 1947 - 1971

4.1 Europa 2004 notes that present-day Bangladesh was originally one of the five provinces comprising Pakistan, created following the partition of the Indian sub-continent in August 1947. Known as East Pakistan, the province was formed from the former Indian province of East Bengal and the Sylhet district of Assam. [1a](p635)

4.2 East Pakistan became dissatisfied with the distant central government in West Pakistan, and the situation was exacerbated in 1952 when Urdu was declared Pakistan's official language. Discontent continued in the eastern wing, mainly due to under representation in the administration and armed forces. The leading political party of East Pakistan, the Awami League (AL), subsequently demanded autonomy from the West (Europa 2004). [1a](p635)

4.3 Europa 2004 records that a general election in December 1970 gave the AL an overwhelming victory in the East and thus a majority in Pakistan's National Assembly. The AL decided that the province should unilaterally secede from Pakistani and on 26 March [1971] Sheikh Mujib proclaimed the independence of the People's Republic of Bangladesh (‘Bengal Nation’). Civil war immediately broke out. [1a](p635)

4.4 Resistance continued from the Liberation Army of East Bengal (the Mukti Bahini), a group of irregular fighters who launched a major offensive in November 1971. As a result, an estimated 9.5 million refugees crossed into India. On 4 December 1971 India declared war on Pakistan, with Indian forces supporting the Mukti Bahini. Pakistan surrendered to the allied forces of Bangladesh and India on 16 December 1971 and Bangladesh achieved its independence, quickly achieving international recognition (Europa 2004). [1a]

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1972 - 1982

4.5 Europa 2004 states that Sheikh Mujibur became Bangladesh's first Prime Minister in January 1972. A general election for the country's first parliament ('Jatiya Sangsad') was held in March 1973: the AL won 292 of the 300 directly elective seats. Internal stability was however threatened by opposition groups resorting to terrorism. **[1a](p635)**

4.6 Europa 2004 relates that, in January 1975, a presidential government and one-party rule replaced the parliamentary government; Sheikh Mujibur became President, assuming absolute power. **[1a]** However, Mujibur and members of his family were assassinated in a right wing coup (led by Islamist army officers) in August 1975. Martial law was then declared and political parties banned. A subsequent counter-coup on 3 November 1975 brought Khalid Musharaf, a pro-Indian commander of the Dhaka garrison, to power. This proved to be extremely short-lived, as a third coup on 7 November 1975 overthrew Musharaf and power was assumed under a neutral non-party government, with Major General Ziaur Rahman (General Zia) taking precedence. **[1a](p635)**

4.7 Political parties were again legalised in July 1976, according to Europa 2004. General Zia assumed the presidency in April 1977. In the parliamentary elections of February 1979, Zia's Bangladesh Nationalist Party (BNP) won 207 of the 300 directly elective seats in the Jatiya Sangsad. A new Prime Minister was appointed in April 1979, and martial law repealed. The state of emergency was revoked in November 1979. **[1a](p635)**

4.8 Europa 2004 records that Zia was assassinated on 30 May 1981, during an attempted military coup. Political instability ensued and Vice President Abdus Sattar was nominated President. Sattar (finding it difficult to retain civilian control) formed a National Security Council in January 1982, led by Chief of the Army Staff, Lieutenant-General Hossain Mohammad Ershad. On 24 March 1982 Ershad seized power in a bloodless coup. Martial law was again declared, with Ershad as Chief Martial Law Administrator (although in October 1982 Ershad changed his title to Prime Minister), aided by a military Council of Advisers. **[1a](p635)**

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1983 - 1990

4.9 Although the government's economic policies achieved some success, increasing demands for a return to democracy ensued throughout 1983, comments Europa 2004. The two principal opposition groups that emerged were an eight-party alliance, headed by a faction of the AL under Sheikh Hasina (daughter of the late Sheikh Mujibur) and a seven-party group, led by a faction of the BNP under former President Sattar and Begum Khaleda Zia (widow of General Zia). In September 1983 the two groups formed an alliance: the Movement for the Restoration of Democracy. In November 1983, permission was given for the resumption of political activity and a new political party, the Jana Dal (People's Party) was formed to support Ershad as a presidential candidate. Ershad declared himself President on 11 December 1983 (Europa 2004). **[1a](p636)**

4.10 In January 1985, records Europa 2004, a new Council of Ministers was formed,

composed almost entirely of military officers and excluding all members of the Jana Dal (in response to the opposition parties' demands for a neutral government during the pre-election). However, President Ershad refused to relinquish power to an interim government. The National Front (NF), a new five-party political alliance, (comprising the Jana Dal, the United People's Party, the Gonotantrik Party, the Bangladesh Muslim League and a breakaway section of the BNP) was established in September 1985 to promote government policies. **[1a](p636)**

4.11 Europa 2004 notes that the ten-month ban on political activity was lifted in January 1986, and the NF formally became a single pro-government entity: the Jatiya Party (National Party). Although smaller opposition parties participated in the parliamentary elections in May 1986 the elections were boycotted by the BNP. The Jatiya Party won 153 of the 300 directly elective seats in the Jatiya Sangsad. Mizanur Rahman Chowdhury, the former General-Secretary of the Jatiya Party, was appointed Prime Minister in July 1986. **[1a](p636)**

4.12 Ershad joined the Jatiya Party in September 1986, being elected as chairman of the party, relates Europa 2004. In the presidential election of October 1986 (which was boycotted by both the BNP and AL) Ershad received 22 million votes. In November 1986, the Jatiya Sangsad approved indemnity legislation (legalising the military regime's actions since March 1982). Ershad then repealed martial law and formed a new Council of Ministers, including four MPs from the AL. **[1a](p636)**

4.13 Dissension from the opposition continued throughout 1987 and President Ershad declared a nation-wide state of emergency on 27 November of that year. In December 1987, after twelve opposition members had resigned and the 73 AL members had agreed to do likewise, Ershad dissolved the Jatiya Sangsad. The Jatiya Party won a large majority of seats in the parliamentary elections of 3 March 1988. Later that month, Moudud Ahmed, an ally of Ershad, was appointed Prime Minister. Ershad repealed the state of emergency in April 1988, acording to Europa 2004. **[1a](p636)**

4.14 Violence, anti-government demonstrations and strikes occurred throughout the country in 1990, Europa 2004 notes. Ershad re-proclaimed a state of emergency on 27 November 1990, and later resigned on 4 December 1990, simultaneously revoking the state of emergency (again), and dissolving the Jatiya Sangsad. The newly appointed Vice President, Shahabuddin Ahmed, assumed the responsibilities of acting President, and was placed at the head of a neutral caretaker government. In the week following his resignation, Ershad was placed under house arrest. **[1a](p637)**

1991 - 1999

4.15 Europa 2004 records that, on 27 February 1991, the BNP alliance won an overall majority at the parliamentary elections. Later, following discussion with the Jamaat-e-Islami (JI), the BNP ensured a small working majority in the Jatiya Sangsad, and Begum Khaleda Zia assumed office as Prime Minister. Abdur Rahman Biswas was elected as the new President on 8 October 1991. **[1a](p637)**

4.16 All opposition members of the Jatiya Sangsad resigned en masse in December 1994. Nonetheless the Prime Minister, with her party's parliamentary majority, pledged

to maintain constitutional government. On 24 November 1995, the Prime Minister requested that the Jatiya Sangsad be dissolved pending the outcome of the next general election. Although opposition persisted, Begum Khaleda Zia's administration continued in office in an acting capacity. (Europa 2004) **[1a](p637)**

4.17 Europa 2004 notes that the general election, postponed until 15 February 1996, was boycotted by all of the main opposition parties. Consequently, the BNP won 205 of the 207 legislative seats declared. However, the opposition refused to recognise the legitimacy of the polls and announced the launch of a non co-operation movement against the government. Finally, the Prime Minister agreed to hold fresh elections under neutral auspices. **[1a](637)**

4.18 Europa 2004 relates: Begum Khaleda Zia and her government resigned from their posts on 30 March 1996 after making the 13th amendment of the Constitution to ensure a non-party caretaker government would hold the general election, and the Jatiya Sangsad was subsequently dissolved. President Biswas appointed Muhammad Habibur Rahman as acting Prime Minister. Notwithstanding an unsuccessful military coup on 20 May 1996, a further general election was held on 12 June 1996: the AL won 146 of the 300 elective seats in the Jatiya Sangsad. An understanding was rapidly reached between the AL and the Jatiya Party (whose major interest was the release of Ershad). **[1a](p637)**

4.19 Sheikh Hasina was sworn in as the new Prime Minister on 23 June 1996. Her Council of Ministers incorporated one member from the Jatiya Party and included a number of retired officials and army officers. On 23 July 1996, Shahabuddin Ahmed was elected as Bangladesh's new Head of State, records Europa 2004. **[1a](p637 - 638)**

4.20 Ex-President Ershad was released from prison on bail in January 1997. The trial of twenty people accused of direct involvement in Sheikh Mujibur's assassination began in March 1997, states Europa 2004. **[1a]P638)**

4.21 In December 1997 the AL government signed an historic peace accord to end the insurgency in the Chittagong Hill Tracts, according to Europa 2004 and a Reuters article of 2 December 1997. **[1a](p638) [4c]** Opposition to the treaty from the BNP swiftly ensued. **[1a](p638)** However on 10 February 1998 the Shanti Bahini guerrillas formally surrendered their arms to the government, marking an end to the 25-year insurgency, Reuters reported on 10 February 1998. **[4e]**

4.22 The ruling coalition split on 15 March 1998 when the minority Jatiya Party announced that it was leaving the 'national consensus' government, it was recorded in the Keesings Record of World Events of March 1998. **[5b](p42133)**

4.23 Keesings, March 1998, also stated that the BNP returned to the Jatiya Sangsad on 9 March 1998, following the signing of a memorandum of understanding between it and the ruling AL. **[5b]** However, Keesings April 1998 records that the BNP walked out of the Jatiya Sangsad on 12 April 1998, in protest against four bills concerning the December 1997 Chittagong Hill Tracts Peace Accord. **[5c](p42198)** Nonetheless, the Jatiya Sangsad passed the four bills at the beginning of May 1998 - Keesings May 1998. **[5d](p42271)**

4.24 In December 1998 a new anti-government alliance was formed, comprising Begum Khaleda Zia's BNP and the leaders of the Jamaat-e-Islami and the Jatiya Party, as well as Ershad, according to Europa 2004. **[1a](p698)**

4.25 Keesings March 1999 reports that two bombs exploded at a music and culture festival in the town of Jessore on 6 March 1999, killing at least eight people and injuring some 150 others. The president of the group organising the festival (the Udichi Shilpi Gosthi) blamed the bombing on Islamic fundamentalists. **[5h](p42837)**

4.26 Political instability and unrest escalated through 1999, according to Europa South Asia 2004; in mid-1999 the BNP and other opposition parties began a boycott of parliamentary proceedings. Opposition-led strikes took place in October and December 1999 and January 2000, leading to serious economic disruption. In July 2000 an attempt to assassinate Sheikh Hasina was foiled. **[1b](p92)**

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2000 – August 2004

4.27 BBC News reported on 19 July 2000 that twenty-four people had been charged with the March 1999 Jessore bombing, including a former opposition MP. Police suspected a link between the bombing and the murder of prominent investigative journalist Shamsur Rahman the same month. Rahman had exposed the link between organised crime and politics, and police suspected that his murder was a bid to intimidate witnesses in the bombing case. **[20d]**

4.28 Europa South Asia 2004 relates that, in July 2001, Sheikh Hasina and her Government resigned. On 15 July 2001 a caretaker government was sworn in to organise new elections, following a violent two-day transition in which twelve people were killed. **[1b](p92)**

4.29 BBC News reported on 26 September 2001 that a bomb blast in Dhaka had killed at least eight members of the Awami League as the hostile atmosphere in the run up to the general election heightened. In response to the escalating tension the caretaker government deployed more than 50,000 troops to quell the violence. **[20h]**

4.30 Europa 2004 records that the general election proceeded on 1 October 2001, although voting was suspended in several constituencies owing to violence. **[1a](p639)** According to Keesings, October 2001, the entire election campaign had been characterised by violence. At least 140 people were killed in feuding between the AL and BNP, while six died on the polling day. **[5f]** As noted in the U.S. Department of State report 2003 “Domestic and international observers deemed the eighth general election held in 2001 to be generally free and fair, despite sporadic violence and isolated irregularities; post-election violence was widespread.” **[2c](p14)**

4.31 The results of the general election of 1st October 2001, as recorded by the Bangladesh Election Commission, were as follows:

	Seats won	Total votes obtained
Bangladesh Nationalist Party (BNP) **	193	22,833,978
Bangladesh Awami League	62	22,365,516
Jamaat-e-Islami **	17	2,385,361
Islami Jatio Oikya Front (Jatiya Party - Ershad)	14	4,038,453
Bangladesh Jatiya Party (N-F)**	4	621,772
Islamic Oikkya Jote**	2	376,343
Jatiya Party (Manju)	1	243,617
Others	7	2,871,585
	300	**55,736,625**

[16]

The governing coalition, with control of over two thirds of the seats in parliament, comprises the BNP, the Jamaat-e-Islami (which propagates transition to the rule of Islamic law), the Bangladesh Jatiya Party N-F (not a religious party) and the Islamic Oikkya Jote (an alliance of seven Islamist groups). **[1a][7k]

4.32 Europa 2004 relates that, on 10 October 2001, Begum Khaleda Zia was sworn in as Prime Minister. At the end of October 2001, the newly elected members of parliament representing the opposition AL took oath of office, but refused to join the opening session of the Jatiya Sangsad (the unicameral legislature) in continuing protest against what they considered a rigged election. **[1a](p639)** Sheikh Hasina announced that the newly elected AL members would continue to boycott the Jatiya Sangsad until the new coalition government stopped its "repression" of AL members and minority communities - Keesings October 2001. **[5f](p44399)**

4.33 Keesings, June 2002, records that on 21 June 2002, President Bardruddoza Chowdhury, who had been elected President on 14 November 2001, resigned under pressure from the ruling BNP after he had failed to visit the grave of Maj-Gen Ziaur Rahman on the anniversary of the latter's assassination in 1981. Rahman was the husband of the present BNP Prime Minister Khaleda Zia and the founder of the ruling BNP. The AL opposition and other observers regarded Chowdhury's resignation as unconstitutional. **[5a](p44843)** BBC News reported on 5 September 2002 that Iajuddin Ahmed, a retired professor from Dhaka University, had been elected President. **[20s]**

4.34 The Government of Prime Minister Khaleda Zia, facing criticism for the rising wave of crime and deteriorating law and order in the country, launched “Operation Clean Heart” on 17 October 2002, according to Amnesty International, 'Accountability needed in Operation Clean Heart', dated 23 October 2002. **[7e]** According to BBC News and International Herald Tribune reports of October 2002, January 2003 and March 2003, Operation Clean Heart involved national deployment of nearly 40,000 soldiers, in all the major cities, to help the authorities restore law and order, arrest "listed criminals" and recover illegal firearms. Several members of the ruling Bangladesh Nationalist Party and the opposition Awami League were detained for their alleged links with criminals. **[20w] [20x] [20y] [21c]**

4.35 On 11 January 2003, BBC News reported that Bangladeshi authorities had ordered a partial pull out of soldiers and ordered the troops to return to their barracks. However,

soldiers remained in six towns and cities, including Dhaka and Chittagong, to assist the civilian administrations if required. [20z] On 19 February 2003, the Government again confirmed redeployment of the army in six divisional headquarters to assist law enforcement agencies in combating crime, reported The Statesman (India) on 19 February 2003. [21a] According to BBC News on 18 February 2003 the operation, this time, was on a smaller scale and the army was instructed not to arrest any suspects but to hand the criminals over to the police. [20ab]

4.36 BBC News articles published in January and February 2003 indicate that more than 11,000 people were arrested during Operation Clean Heart, including 2,500 listed criminals and members of Prime Minister Khaleda Zia's BNP and the opposition, hundreds of weapons were seized, and 40 people died after soldiers detained them. [20z] [20y] [20ab]

4.37 BBC News reported on 9 January 2003 that President Iajuddin Ahmed had signed an order granting the soldiers legal immunity with immediate effect. The President said the government regretted the deaths, but had no alternative to rewarding the soldiers who had helped the authorities restore law and order. [20x][20y] Amid angry protests by the opposition, in February 2003, the Bangladesh Parliament passed the controversial indemnity bill titled, "Joint Drive Force Indemnity Ordinance 2003" to give legal protection to the army-led anti-terrorism operation. The Law Minister Mr Ahmed announced that the indemnity would protect the members of the armed forces from facing the civil justice system. At the same time, they would remain under the purview of their own laws - Financial Times Information, 27 February 2003. [21b]

4.38 Agence France-Presse reported on 28 January 2003 that staggered polls for local elections to 4,267 local councils were taking place from late January to 16 March 2003. The elections were officially held on a non-party basis, but political parties indirectly nominated candidates to ensure a foothold at grass roots level. A total of 198,704 candidates contested the local council seats, including 42,250 women vying for 2,684 seats reserved for them. [15] The local elections were affected by violence and by 17 February 2003, at least 25 people had reportedly been killed, according to a BBC News report of that date. [20aa]

4.39 It was announced by BBC News on 12 March 2003 that police had detained almost 200 people after a bomb attack in the city of Khulna in which two policemen died. The same day BBC news also reported the arrest of five members of an extremist Islamist group, Jamaat ul Mujahideen, on suspicion of being involved in recent bomb attacks. The police denied that there was any link between those arrests and the activities of international terrorist organisations. [20u][20v]

4.40 BBC News reported a number of attacks on Awami League officials in August and September 2003: On 25 August 2003, the president of the AL in the city of Khulna was shot dead. The banned Purbo Banglar Communist Party (Janojuddha) claimed responsibility. The killing sparked a riot by AL supporters who attacked offices of the ruling BNP. The BNP denied any responsibility and ministers condemned the killing. [20n] Also in late August 2003, unidentified assailants killed another AL leader, this time in Dhaka. Police said they considered the shooting to be a criminal act caused by what

they called business rivalries. [20l] A bomb attack in Khulna on the offices of the AL in September 2003 killed another AL party leader and injured 10 other people. [20k]

4.41 A BBC News report on 13 January 2004 stated that Bangladesh police were holding 24 people for questioning following a bomb attack at the Hazrat Shahjalal shrine in the city of Sylhet the previous day, that killed three people and injured about 30. No one had admitted responsibility and authorities had launched an investigation. [20e]

4.42 It was reported in the Bangladesh Daily News on 20, 23 and 27April 2004 that the Awami League had organised a campaign of public demonstrations during April 2004 in an apparent attempt to force the government to resign by 30 April. Between 18 and 27 April the police arrested more than 15,000 people, mainly supporters of the Awami League and the NGO 'Proshika', in an attempt to contain the protests. On 27 April the government called on the police to stop mass arrests and 'not to harass the innocent'. [38g][38h][38i]

4.43 On 7 May 2004 a senior Awami League MP, Ahsan Ullah Master, was assassinated by an unknown gunman, reported BBC News. [20ap]

4.44 BBC News announced on 16 May 2004 that Parliament had approved a Constitutional amendment to increase the number of seats in the Jatiya Sangsad from 300 to 345 for a period of ten years, with the additional 45 seats being reserved for women. The additional woman MPs would be selected in proportion to each party's support at the 2001 general election. [20ae]

4.45 Two people were killed and at least 25 injured in a second bomb attack at the Muslim Hazrat Shahjalal shrine in Sylhet, BBC News reported on 21 May 2004. No parties claimed responsibility. The British High Commissioner to Bangladesh was one of those hurt. [20ah] The Bangladesh Daily Star, on 24 May 2004, gave the number injured as 70 and reported that a team from Scotland Yard had arrived to investigate the incident. [38e]

4.46 In June 2004 Awami League Members of Parliament returned to their seats; almost a year earlier they had declared they would boycott parliamentary sessions, saying they had not been allowed to criticise the government, recorded BBC News on 15 June 2004. [20ag]

4.47 In July 2004 Bangladesh was hit by devastating floods. A BBC News report of 3 August 2004 stated that about 60% of the country had been under water and that some 600 people had been killed and at least 30 million displaced or stranded. [20af]

4.48 On Saturday 21 August 2004, 19 people were killed in a grenade attack at an opposition Awami League party rally in Dhaka, which was addressed by former Prime Minister and opposition leader Sheikh Hasina, according to reports by BBC News on 21 and 22 August. There were about 20,000 people in the crowd and 200 were injured in the explosions and the chaos that ensued. [20ai][20aj][20ak] The Asian Tribune stated on 22 August that a number of AL party leaders had been injured. [44a] BBC News reported

subsequent rioting across the country, during which the police arrested more than 200 protesters. The Awami League called a general strike on 24 and 25 August. A further strike took place on 30 August. There had been a rising trend of bomb attacks in Bangladesh over the past 5 years in which more than 140 people had died; the targets had been varied, including a cinema, a Muslim shrine and newspaper editors and journalists. In all but one case, the police had failed to make any arrests. **[20i][20aj][20ak][20al]**

4.49 An Agence France-Presse article of 31 August 2004 stated that a little-known Islamist group, Hikmatul Zihad, had claimed responsibility for the 21 August 2004 grenade attack and that agents from the United States FBI and Interpol had arrived in the country to assist with investigations. **[23g]**

For further details on History, please refer to Europa World Year Book 2004, Volume 1 (source 1a)

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5. State Structures

The Constitution

5.1 The Europa World Year Book 2004 (Europa 2004) records that a new Constitution for the People's Republic of Bangladesh came into effect on 16 December 1972. Following the military coup of 24 March 1982 the Constitution was suspended and the country placed under martial law. On 10 November 1986, martial law was repealed and the Constitution reinstated. **[1a](p647)** According to the EIU Country Profile 2003, amendments to the Constitution require a two-thirds majority of parliament. **[40a] (p9)**

5.2 Europa 2004 notes that the 1972 Constitution based its fundamental principles on nationalism, socialism, democracy and secularism. The Constitution aimed to establish a society free from exploitation in which the rule of law, fundamental human rights and freedoms, justice and equality were to be secured by all citizens All citizens are equal before the law and have a right to its protection. Arbitrary arrest or detention, discrimination based on race, age, sex, birth, caste or religion, and also forced labour are all prohibited under the Constitution. Subject to the law, public order and morality, every citizen has a right to freedom of movement, of assembly and of association. The Constitution also aims to guarantee freedom of conscience, speech, press and religious worship. **[1a](p647)** Europa 2004 relates that the Constitution was amended in 1977 to replace secularism with Islam. A further amendment in 1988 established Islam as the state religion. **[1a](647)**

5.3 According to a report of September 2002 on behalf of the United Nations Development Programme, titled 'Human Security in Bangladesh' ('UNDP 2002'): "The

Constitution states that all existing laws that are inconsistent with fundamental rights shall be declared void, and the State is forbidden to make any law inconsistent with fundamental rights"…"However, the enjoyment of any right is subject to 'reasonable' restrictions imposed by law in the interest of the State, public order, public health, morality or decency". The UNDP report points out that "reasonable" is a relative term, and what is reasonable in one given set of circumstances may unreasonable in another. **[8b](p15)**

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Citizenship and Nationality

5.4 The Bangladesh Citizenship (Temporary Provisions) Order 1972 introduced the citizenship laws after the country's independence. Article 2 of the Order stipulates that anyone who was born in territories now comprised in Bangladesh or whose father or grandfather was born in these territories and who was a permanent resident in these territories on 25 March 1971, and continues to be resident, is deemed to be a Bangladeshi citizen. **[18a]** According to Article 2A, a person to whom the above article would have applied, but who is resident in the United Kingdom, shall be deemed to have continued to have been permanently resident in Bangladesh. The Government may notify, in the official Gazette, any person or categories of persons to whom this Article shall not apply. **[18a]**

5.5 The Bangladesh Citizenship Order of 1972 further provides that any person who owes, affirms or acknowledges, expressly or by conduct, allegiance to a foreign state, or is notified under the provisions of Article 2A, does not qualify for Bangladeshi citizenship. **[18a]**

5.6 The 1978 Bangladesh Citizenship (Temporary Provisions) Rules allow for the Government to consider an application for citizenship from an applicant who is a foreign woman and married to a Bangladeshi citizen and has resided in Bangladesh for 2 years, or from any other applicant who has resided in Bangladesh for a period of 5 years. **[18b]**

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Political System

Government

5.7 As recorded in the US State Department Report 2003 (USSD 2003), published on 25 February 2004: “The country is a multiparty, parliamentary democracy in which elections by secret ballot are held on the basis of universal suffrage.” **[2c](p14)** Europa 2004 notes that the Jatiya Sangsad (Parliament) is a unicameral legislature; members are directly elected for a five-year term on the basis of universal adult franchise from single territorial constituencies i.e. a member of parliament for each constituency is elected by simple majority, on a 'first-past-the-post' basis. Persons aged eighteen and over are entitled to vote. **[1a](p647)**

5.8 Europa 2004 states that the President is the constitutional Head of State and is elected by Parliament (Jatiya Sangsad) for a period of 5 years; Professor Dr. Iajuddin Ahmed was elected unopposed as President on 5 September 2002. Executive power is held by the Prime Minister, who heads the Council of Ministers. **[1a](pp647 & 640)**

5.9 USSD 2003 notes: "Bangladesh is a parliamentary democracy, with broad powers exercised by the Prime Minister. Khaleda Zia, leader of the Bangladesh Nationalist Party (BNP), became Prime Minister following parliamentary elections in October 2001, deemed to be free and fair by international and domestic observers. The BNP formed a four-party alliance government with Jamaat-e-Islami (JI), Bangladesh Jatiya Party (BJP), and Islami Oikko Jote (IOJ). Two major parties dominate the political scene, the BNP and the Awami League (AL). Political competition is vigorous, and violence is a pervasive feature of politics." **[2c] (p1)**

5.10 BBC News reported on 16 May 2004 that a Constitutional amendment, approved by Parliament that day, increased the number of seats in the Jatiya Sangsad from 300 to 345 for a period of ten years, with the additional 45 seats reserved for women. The amendment provides for the additional 45 members to be selected in proportion to each party's support in the last election. **[20ae]**

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Supervision of Elections

5.11 Europa 2004 notes that the Election Commission, a constitutional body, supervises parliamentary and presidential elections. The Commission also delimits constituencies and prepares electoral rolls. 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. **[1a](647)**

5.12 The United Nations Electoral Assistance Secretariat issued a statement on 2 October 2001 which concluded that the parliamentary elections on 1 October had been generally free, fair, peaceful and orderly, but it was also noted that irregularities during voting had been observed and that there had been sporadic, sometimes serious, incidents of violence on the day. The UN delegation also noted that violence and threats of violence had occurred during the period leading up to the election. **[41]**

5.13 BBC News reported on 2 October 2001 that, following the October 2001 general election, the defeated Awami League had boycotted the parliamentary swearing-in ceremony, claiming that the election was "rigged". **[20j]** It is noted in the EIU Country Profile 2003 that Awami League leader Sheikh Hasina has refused to recognise the general election as legitimate, claiming that the non-partisan caretaker government which had administered the country in the run-up to the election had conspired with the Election Commission to 'oust' the AL. **[40a](p7)**

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Judiciary

5.14 According to USSD 2003: “The Constitution provides for an independent judiciary; however, under a longstanding "temporary" provision of the Constitution, the lower courts remained part of the executive and were subject to its influence. The higher levels of the judiciary displayed a significant degree of independence and often ruled against the Government in criminal, civil, and even politically controversial cases. However, there was corruption within the legal process, especially at lower levels.” **[2c] (p7)**

5.15 Notes USSD 2003:

> “The court system has two levels: the lower courts and the Supreme Court. Both hear civil and criminal cases. The lower courts consist of magistrates, who are part of the executive branch of the Government, and session and district judges, who belong to the judicial branch … The Supreme Court is divided into two sections: the High Court and the Appellate Court. The High Court hears original cases and reviews cases from the lower courts. The Appellate Court has jurisdiction to hear appeals of judgments, decrees, orders, or sentences of the High Court. Rulings of the Appellate Court are binding on all other courts …The law provides the accused with the right to be represented by counsel, to review accusatory material, to call witnesses, and to appeal verdicts. Trials are public.” **[2c](p7)**

5.16 USSD 2003 adds: “In 2001, the Supreme Court reaffirmed a 1997 High Court order to separate the judiciary from the executive. The ruling declared which elements of the 1997 order could be implemented without constitutional amendment and ordered the Government to implement those elements within 8 weeks. On May 26 [2003], the Supreme Court granted the Government its 15th extension for implementation of its directives, and on November 18 [2003] extended the deadline by another 4 months." **[2c](p7)** According to a report of 19 April 2004 from United News of Bangladesh, a further three-month extension was granted on 19 April 2004, with the Supreme Court noting that the Government had made progress in fulfilling its directives with the promulgation of Judicial Service Commission Rules and the preparation of three other rules and an amendment to the Code of Criminal Procedure. **[39b]** Law Minister Moudud Ahmed had commented in 2003 that the full process of separating the judiciary from the executive branch would take at least 6 to 7 years states USSD 2003. **[2c](p7)**

5.17 States USSD 2003: “A major problem of the court system [in 2003] was the overwhelming backlog of cases, and trials underway typically were marked by extended continuances while many accused persons remained in prison. These conditions and the corruption encountered in the judicial process effectively prevented many persons from obtaining a fair trial." **[2c] (p7-8)** Transparency International, in a Household Survey of 2002, found that 7.6% of respondents - representing 231 out of a total of 3030 households - claimed to have had dealings with the Judiciary; 94% of those respondents had been to the lower courts and 3.5% to the high court. A majority (75%) said that they had encountered corruption; 66% reported corruption by court officials/employees, 13% claimed corruption by public prosecutors, 10% by lawyers

representing the opposition and 9% reported corruption by magistrates. [42a](p59-63) In April 2004 it was reported in the press that a High Court judge, Syed Shahidur Rahman, had been removed from his post by the President on the recommendation of the Supreme Judicial Council; he had been accused of accepting money to fix bail for a former client. [20ac][39a]

5.18 The Constitution provides that all citizens are equal before the law and have a right to its protection, according to Europa 2004. [1a] The United Nations Development Programme, in its report of September 2002 "Human Security in Bangladesh" (UNDP 2002) It was pointed out in UNDP 2002 that the High Court Division of the Supreme Court is responsible for enforcing the fundamental rights guaranteed by the Constitution, including the right to equality before the law. Thus, it stated, for enforcement of rights pertaining to human security under the Constitution one has to go to the High Court. But because of the high costs involved, the poor and the vulnerable sections of society seldom access the legal process and ultimately the benefits of the fundamental rights conferred by the Constitution. [8b](p16)

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Informal Systems of Justice, and Village Courts

5.19 UNDP 2002 noted that about two-thirds of all disputes do not enter the formal court process, instead they are either settled at a local level by local leaders or a village court, or they remain unsettled. The Salish (or informal) local mediation councils provide a traditional alternative to dispute resolution and comprise local leaders who either individually or in groups provide a forum for arbitration and dispute resolution. A study of Salish in two districts in 1996 indicated that the majority of disputes dealt with related to family law, maintenance, second marriage, dowry and land ownership. Village courts deal with both civil and criminal matters; they have the power to summon witnesses and can impose a fine on contempt charges. The officials of village courts are usually chairmen and members of 'union parishads' (the local government authorities, of which there are 4,448 in Bangladesh) and are generally powerful members of the local community. Village courts can be open to outside influences. The main sources of influence are local political leaders, community leaders, wealthy people and other influential individuals in the village. Village courts generally operate in co-operation with the local police. Women and the poor particularly favour Salish and village courts because they feel comfortable about easy access to the resolution process. [8b](p91-100)

Fatwas

5.20 According to USSD 2003: “In 2001, the High Court ruled illegal all fatwas, or expert opinions on Islamic law. While the Court's intention was to end the extrajudicial enforcement of penalties by religious leaders, the 2001 ruling, which generated violent protests, declared all fatwas illegal. Several weeks later, the Appellate Court stayed the High Court’s ruling. No date was set for rehearing the issue.” Only those Muftis (religious scholars) who have expertise in Islamic law can legitimately issue a fatwa. In

practice, however, village religious leaders sometimes make rulings in individual cases and call the ruling a 'fatwa'. Fatwas commonly deal with marriage and divorce, or mete out punishments for perceived moral transgressions. [2c] (p11) A BBC News article of 13 February 2001 noted that punishments could vary from public naming and shaming to physical mutilation. [20g]

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Alternative Dispute Resolution (ADR)

5.21 According to USSD 2003: "Due to the judicial system's million-case backlog, the Ministry of Law in 2001 initiated a pilot program offering Alternative Dispute Resolution (ADR) in some civil cases. Citizens have the opportunity for their cases to be mediated by persons with a background in law before filing their cases. According to government sources, wider use of mediation in civil cases has quickened the administration of justice. In February [2003], the Government approved draft legislation, and in July [2003], Parliament codified the use of ADR and extended its use to Sylhet and Chittagong." [2c] (p8)

Legal Rights / Detention

5.22 The U.S. Department of State Report 2003 confirms that "The Constitution provides that each person arrested shall be informed of the grounds for detention, provided access to a lawyer of his or her choice, brought before a magistrate within 24 hours, and freed unless the magistrate authorizes continued detention. However, the Constitution specifically allows preventive detention, with specified safeguards, outside these requirements. In practice, authorities frequently violated these constitutional provisions, even in non-preventive detention cases." [2c] (p5)

Preventive Detention and its Legislative Framework

5.23 As noted in USSD 2003 "The Government arrested and detained persons arbitrarily, and used the Special Powers Act (SPA) and Section 54 of the Code of Criminal Procedure (CrPC), which allowed for arrest without a warrant and preventive detention. In 2002, the Government replaced the Public Safety Act (PSA), which lacked bail provisions, with the Speedy Trial Act (STA), which provided for quicker disposal of cases and bail." [2c](p2)

5.24 A Canadian IRB report of September 1998, 'Bangladesh: State Protection', informed that Section 107 of Code of Criminal Procedure permits preventive detention when the authorities deem there is strong likelihood of public disorder. Section 54 of CrPC authorizes any police officer to arrest "without an order from a magistrate or without a warrant…. any person ….concerned in any cognisable offence, or against

whom a reasonable complaint has been made or credible information has been received or a reasonable suspicion exists of his having been so concerned". Section 54 of the CrPC lays down certain procedures to be observed once an arrest has been made. This includes that the accused must be produced before a magistrate within 24 hours, and that a magistrate must give prior permission if police want to hold a prisoner for longer. However, it is reported that despite these safeguards, Section 54 effectively allows the police to arrest anyone at any time for almost any reason, and is one of the most easily abused provisions in the Bangladesh legal system. **[3f](p4)**

The Special Powers Act (SPA)

5.25 The Special Powers Act (SPA) of 1974, as described in the September 1998 Canadian IRB report, gives the government powers to detain any person for an initial period of up to 30 days without a formal charge or specific complaint, to prevent him or her performing a 'prejudicial act'. A prejudicial act is broadly defined as "any act… likely to prejudice… the sovereignty and defence of the country, national security, public order or the economic or financial interests of the state". **[3f](p5)** UNDP 2002 notes that the definition of 'prejudicial act', as provided in the Act, is vague and open to wide interpretation. Detention under SPA precludes the possibility of bail. **[8b](p17)**

5.26 According to an Amnesty International Report entitled "Urgent need for legal and other reforms to protect human rights" dated May 2003 "Each year, thousands of people are arbitrarily detained under administrative detention laws which deny them access to judicial remedies. The most commonly used of these laws is the Special Powers Act, 1974 (SPA). The SPA overrides safeguards against arbitrary detention in excess of 24 hours in Bangladeshi laws. It allows the government not only to detain anyone without having to justify the detention before a court, but also to keep the detainee in prison initially for up to four months or, in certain cases, indefinitely, without charge." **[7a] (p2)** USSD 2003 states: "In the past, the Government sometimes used serial detentions to prevent the release of political activists, but there were no reports of serial detention during the year [2003]. **[2c](p6)**

5.27 According to USSD 2003:

> "The magistrate must inform the detainee of the grounds for detention within 15 days, and the Ministry of Home Affairs must agree with the grounds presented for detention within 30 days or release the detainee. The Government does not have to charge the detainee with a statutory crime. In practice, detainees sometimes were held for longer periods. Detainees may appeal their detention, and the Government may grant early release… Detainees are allowed to consult with lawyers, although usually not until a charge is filed; however, they are not entitled to be represented by a lawyer before an advisory board. Detainees may receive visitors. In the past, the Government has held incommunicado prominent prisoners for extended periods of time. There were no such reports during the year [2003]. Historically, the vast majority of SPA detainees were released on orders from the High Court because the SPA cases were so weak and vague

that the court had no alternative but to grant bail." **[2c] (p5-6)**

UNDP 2002 records that 90% of preventative detention cases that came before the High Court between 1974 and 1995 were determined to have been made either 'illegally' or 'without lawful authority'; these detentions were challenged on the basis of *habeas corpus* petitions moved before the High Court under Article 102 of the Constitution and under Section 491 of CrPC. **[8b](pp1 and 18)**

The Law and Order Disruption Crimes Speedy Trial Act (STA) - 2002

5.28 As noted in USSD 2003:

> "In 2002, Parliament rescinded the Public Safety Act (PSA) enacted by the AL Government in 2000. A week after the repeal of PSA, Parliament passed the Law and Order Disruption Crimes Speedy Trial Act (STA) to remain in force for 2 years if not extended. It contains a provision for the trial in special courts of those accused of certain crimes from 30 to 60 days after arrest. Unlike the PSA, the STA has a bail provision with mandatory recording of the grounds for granting bail. As a safeguard against misuse of the law, it provided punishment for bringing false charges with jail terms from 2 to 5 years. In June 2002, in response to a writ filed by Lalmonirhat Bar Association President Matiur Rahman, charged under the STA, the High Court requested the Government to explain why the STA should not be declared unconstitutional. The case remained pending in the High Court [in 2003]. In general, there were no allegations of widespread misuse of the STA." **[2c] (p6-7)**

Pre-trial Detention

5.29 USSD 2003 records: "Lengthy pretrial detention was a problem... Of the entire prison population [in 2003], 45,173 were awaiting trial and 21,251 had been convicted... Pre-trial detainees were not held separately from convicted prisoners." **[2c] (p4 -5)**

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'Safe Custody'

5.30 According to UNDP 2002: "Women and girls who are victims of, or witnesses to, violent offences are imprisoned in many cases on the grounds that they will be in 'safe custody' for their own protection. However, orders to place women in 'safe custody' are issued by magistrates solely exercising their judicial discretion, and do not have a basis in law."…"Thus, the practice of placing women and girls in 'safe custody', against their will, is illegal, having no basis in any law, including the provisions of the Code of Criminal Procedure of 1898". **[8b](p25)**

Death Penalty

5.31 The Amnesty International (AI) Annual Report of 2004 (events of 2003) noted that Bangladesh retains the death penalty. [7i] The 2002 AI Annual Report recorded that after more than three years, the Government resumed executions by hanging 2 men in February 2001. In April 2001, the High Court also upheld the death sentences of the 12 army officers accused of killing Sheikh Mujibur Rahman and his family. [7g] According to the 2003 AI Annual Report, at least 87 people were sentenced to death in 2002, although no executions were reported to have been carried out. [7i] The 2004 AI Annual Report notes that more than 130 men and women were sentenced to death in 2003, and records that two men were hanged on 10 July 2003. [7j]

5.32 The Daily Star [of Bangladesh] reported on 11 March 2004 that an execution by hanging was carried out on an offender who had raped and killed a 7-year old girl in 1995. [38c] In May 2004 it was reported in the press that Ershad Sikder, a man described as 'one of the most notorious serial killers in Bangladeshi history' was executed. [20ad] Agence France Presse reported on 1 September 2004 that two policemen were to be hanged that night for the rape and murder of a teenage girl in 1995. [23h]

Internal Security

5.33 A report of the Canadian Immigration & Refugee Board published in September 1998 noted that the internal security establishment in Bangladesh consists of the police and four auxiliary forces: the paramilitary Bangladesh Rifles (BDR), the Armed Police, the Ansars and the Village Defence Party. However, it is the police and the two paramilitary forces, the BDR and Ansars, who are primarily responsible for maintaining law and order. The police force is divided into gazetted and subordinate ranks, roughly analogous to commissioned and non-commissioned officers in the military. While the gazetted officers are relatively well trained, well-paid and occupy important positions within the bureaucracy, the lower ranks are relatively poorly trained, poorly equipped, poorly paid and overworked. [3f]

5.34 USSD 2003 states that "The civilian authorities maintained effective control of the security forces. The Home Affairs Ministry controls the police and paramilitary forces, which have primary responsibility for internal security. The military, primarily the Army, is responsible for external security but also occasionally has been given domestic security responsibilities." [2c](p1)

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Prisons and Prison Conditions

5.35 According to USSD 2003:

> "Prison conditions were extremely poor and were a contributing factor in some custodial deaths. During the year [2003], 90 persons died in custody. All prisons

were overcrowded and lacked adequate facilities. Government figures indicated that the existing prison population of approximately 67,354 was nearly 300 percent of the official prison capacity of approximately 25,000. Prison population figures included 1,910 women. There were 276 persons in prison under 18 years of age. Of the entire prison population, 45,173 were awaiting trial, and 21,251 had been convicted. In most cases, cells were so crowded that prisoners slept in shifts. A new prison facility in Kashimpur, north of Dhaka, opened in 2001, although the first phase of construction had not been completed at year's end [2003]. There also were reports of rampant corruption and irregularities in the prisons…Juveniles were required by law to be detained separately from adults; however, due to a lack of facilities, in practice many were incarcerated with adult prisoners. A High Court in April [2003] directed the Government to house accused juveniles apart from other prisoners and to transfer them to correctional homes expeditiously…Women were detained separately from men, but faced the same extremely poor conditions" **[2c] (p5)**

5.36 It was recorded in USSD 2002 that are three classes of cells: A, B, and C. "Common criminals and low-level political workers generally were held in C cells which often have dirt floors, no furnishings, and poor quality food. The use of restraining devices on prisoners in these cells is common. Conditions in A and B cells were markedly better - 'A' cells are reserved for prominent prisoners. B cells were considered 'second class' and were reserved for convicted individuals. Those confined to B cells received items like clothing that other detainees and prisoners being tried did not receive." **[2a](p5)**

5.37 As stated in the USSD 2003 "In general, the Government did not permit prison visits by independent human rights monitors, including the International Committee of the Red Cross (ICRC). Government-appointed committees of prominent private citizens in each prison locality monitored prisons monthly, but did not release their findings. District judges occasionally also visited prisons, but rarely disclosed their findings." **[2c] (p5)**

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Military Service

5.38 War Resisters' International, published in 1998, notes that conscription has never existed in Bangladesh, although the 1952 Bangladesh Army Act does provide for the possible introduction of compulsory military service. **[13]** The minimum age for voluntary recruitment in the army is 16 and there are indications that 3% of government armed forces are under 18, according to the website of the Coalition to Stop the Use of Child Soldiers, accessed 13 September 2004. **[35]**

Medical Services

5.39 According to the EIU Country Profile 2003, the public sector provides more than 90% of health services; in 2000 there were 31,872 hospital beds, 30,868 registered

doctors, 17,446 registered nurses and 15,235 midwives in the public sector. Taking into account private-sector facilities, there was one hospital bed per 3,009 persons and one doctor per 4,205 persons. NGOs such as the Bangladesh Rural Advancement Committee also provide health services. The EIU Country Profile notes that access to medical services is more limited in Bangladesh than in neighbouring countries, that government health services are poor and that only about 12% of serious cases are referred to public health services. **[40a](p18)** According to the WHO World Health Report 2004, per-capita expenditure on health services was US $12 in 2001. **[14c]**

5.40 The Government of Bangladesh has been operating a National Integrated Population and Health Programme (NIPHP), or Health and Population Sector Programme (HPSP) according to WHO **[14a]** The health policy is directed at improving equity and accessibility to the Essential Services Package (ESP). **[14a]** Since 1997, USAID has funded the NIPHP employing a network of technical assistance organisations and local NGO's to deliver the Government's ESP. The USAID website, accessed on 12 September 2004, states: "The NGO Service Delivery Program (NSDP) supports 41 local NGOs to deliver an essential package of health services (ESP) including child health, maternal health care, reproductive health care, clinical and non-clinical family planning services, communicable disease control, tuberculosis, safe delivery including first aid emergency obstetric care, post-abortion care, and limited curative care. This network of NGO's works through 346 urban and rural clinics, nearly 8000 satellite clinics and almost 7000 female depot holders nationwide, serving approximately 17% of the national population. Over 1.5 million customers are served each month." **[17]**

5.41 Prior to 1957 there were no psychiatric services in Bangladesh, according to the WHO Project Atlas report of 2002. The first mental hospital opened in 1957. At present, mental health care is provided at the primary level by primary care physicians and health workers, at the secondary level by district hospitals, though only one hospital is equipped to provide the services, and at tertiary level by teaching hospitals. Of the 14 drugs for psychiatric treatment listed in the WHO Project Atlas survey, only 3 were not available in Bangladesh. **[14b]** The British High Commission in Dhaka commented in November 2003 "As requested we have made enquiries into the provision of psychiatric care in Bangladesh. We have been advised by doctors working here that there are practising psychiatrists here who trained in the UK. While that standard of care provided in government hospitals is not necessarily fully up to UK standards, most doctors also run high quality private practices where fees are minimal compared with the UK." **[11f]**

5.42 According to the State Party report of 3 January 2003 to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), life expectancy at birth increased from 56 during 1990-1995 to 58 during 1995-2000 for both males and females. The Infant Mortality rate declined from 92 per-thousand in 1991 to 62 in 2000. **[47b](p4)**

5.43 According to the UNAIDS website, accessed 13 September 2004, Bangladesh is a country with low HIV prevalence but high 'vulnerability'. WHO/UNAIDS estimates that the number of HIV positive cases is approximately 13,000. Bangladesh has documented the lowest condom use, very high numbers of clients of sex workers, low

knowledge of HIV/AIDS, and extensive needle/syringe sharing by drug users in the region. In spite of this, national commitment to HIV/AIDS prevention and care is high. According to UNAIDS, Bangladesh has the key ingredients for a successful response, a nationwide network of NGOs implementing effective interventions, effective examples of government organisation/NGO collaboration, a sector-wide approach to health with mechanisms for donor collaboration, an enabling multi-sectoral policy, and a strong commitment from the government as well as civil society. **[36]**

5.44 In October 2003 it was announced by Espicom Business Intelligence that Beximco Pharmaceuticals Limited, one of Bangladesh's leading pharmaceutical manufacturers, had formally launched five high specification anti-retroviral drugs. This was the first time a local company had manufactured such drugs using its own resources. The drugs in question were Diavix (zidvudine + lamivudine), Avifanz (efavirenz), Avifix (nelfinavir), Triovix (lamivudine + zidovudine + nevirapine) and Avilam (lamivudine), all available in tablet form. **[28]**

5.45 With regard to persons with disabilities, USSD 2003 states:

> "The law provides for equal treatment and freedom from discrimination for persons with disabilities; however, in practice, persons with disabilities faced social and economic discrimination. The Bangladesh Persons with Disability Welfare Act provides for equal rights for disabled persons. The act focuses on prevention of disability, treatment, education, rehabilitation and employment, transport accessibility and advocacy. For the first time, the Government appointed a few disabled persons to official positions during the year [2003]. According to the National Forum of Organizations Working With the Disabled, an umbrella organization consisting of more than 80 NGOs working in various fields of disability, approximately 14 percent of the country's population had some form of disability. The economic condition of most families limited their ability to assist with the special needs of a person with disabilities, and superstition and fear of persons with disabilities sometimes resulted in their isolation." **[2c](p18)**

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Education System

5.46 After independence in 1971, the Bangladesh Constitution recognised the need for basic education as a fundamental human right. Provision of such education was thought to be a state responsibility and the state nationalised 36,000 private schools, according to a paper prepared for the European Network of Bangladesh Studies Workshop (ENBSW) in May 2000. **[26]**

5.47 The Bangla2000 website informs that education is divided into 4 levels: Primary (from grades 1 to 5), Secondary (from grades 6 to 10), Higher Secondary (grades 11 to 12) and Tertiary. In 1998 there were about 52,000 primary schools and 11,000 secondary institutions. The language of tuition in state schools is Bangla. A number of private schools provide an English medium education and offer 'O' and 'A' level courses. **[26a]** There is also a Madrassa system which emphasises an Islamic religious education.

According to a report published by APCSS in 2004 there were, in 2000/1, some 13,400 madrassas in Bangladesh, of which about 6,900 were state-funded. Approximately 3,340,000 pupils attended madrassas. **[27](p105+107)**

5.48 The government provides free schooling for children of both sexes for eight years, states Europa South Asia 2004. Primary education is compulsory and begins at six years of age and lasts for five years. Secondary education begins at the age of eleven and lasts for seven years. **[1b](p117)**

5.49 According to the EIU Country Profile 2003, the level of enrolment in primary schools increased substantially in the 1990s; the number of primary school children increased from 12.0 million in 1990 to 17.7 million in 2001, and the proportion of female students rose from 44.7% to 49.1% over the same period. **[40a](p18)**

5.50 There are 13 state universities and 138 technical institutes, according to Europa South Asia 2004. There is also an Islamic university. **[1b](p106)**

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6. Human Rights

6.A Human Rights Issues

Overview

6.1 Bangladesh is party to most of the principal United Nations international human rights treaties. These are, according to the website of the United Nations High Commissioner for Human Rights (as updated 9 June 2004) : the International Covenant on Economic, Social and Cultural Rights (CESCR), date of accession 5 January 1999; the International Covenant on Civil and Political Rights (CCPR), date of accession 6 December 2000; the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), date of accession 11 July 1979; the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), date of accession 6 December 1984; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW-OP), date of ratification 22 December 2000; the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), date of accession 4 November 1998; the Convention on the Rights of the Child (CRC), date of ratification 2 September 1990; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (CRC-OP-AC), date of ratification 12 February 2002; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC-OP-SC), date of ratification 18 January 2002; and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (MWC), signatory only 7 October 1998. **[8a]**

6.2 According to the US State Department Report 2003 (USSD 2003), published on 25 February 2004**:**

> "The Government's human rights record remained poor, and it continued to commit numerous serious abuses. Security forces committed a number of extrajudicial killings. The police; the paramilitary organization, Bangladesh Rifles (BDR); the auxiliary organization, Ansar; and the army used unwarranted lethal force. The police often employed excessive, sometimes lethal, force in dealing with opposition demonstrators, and the police routinely employed physical and psychological torture during arrests and interrogations. Prison conditions were extremely poor and were a contributing factor in some deaths in custody. Police corruption remained a problem. Nearly all abuses went unpunished, and the climate of impunity remained a serious obstacle to ending abuse and killings. In February [2003], Parliament adopted legislation shielding security forces from any legal consequences of their action, which included numerous abuses during the countrywide anti-crime drive from October 16, 2002, to January 9 [2003]. In the few instances where charges were levied, punishment of those found guilty was predominantly administrative. Violence, often resulting in deaths, was a pervasive element in the country's politics. Supporters of different political parties, and often supporters of different factions within one party, frequently clashed with each other and with police during rallies and demonstrations. Press reports of vigilante killings by mobs were common." **[2c] (p1-2)**

6.3 The Kyodo News Service reported on 31 December 2003 that:

> "A total of 436 people were killed and 6,281 others injured this past year [2003] in political violence and incidents of human rights violations across Bangladesh, according to a report released Wednesday by the human rights group Odhikar. The report showed that 90 people died in jails and police custody while 81 others were killed at the hands of law-enforcing agencies. It said that a total of 477 children were killed, 339 injured, 494 raped, 308 abducted and 46 arrested across the country during the outgoing year [2003]. In addition, some 61 children fell victims to acid attacks and 130 others to trafficking while 101 committed suicide. A total of 1,336 children and women were raped, of whom 142 were killed after being raped and 17 committed suicide. The report revealed that a total of 337 people fell victims [sic] to acid throwing and 384 to dowry. Of the total, 261 were killed and 85 others were tortured. Apart from these figures, 65 journalists were injured, 19 arrested, 41 assaulted and two abducted, the group said. In the Chittagong Hill Tracts, a total of 43 people were killed, 99 injured, 77 arrested, 154 kidnapped and 21 raped in the past year [2003], the report said. The group said it compiled the report by picking up articles in national dailies." **[6]**

6.4 As noted in USSD 2003 "A wide variety of domestic and international human rights groups generally operated independently and without Government restriction, investigating and publishing their findings on human rights cases. Prominent human rights NGOs included: Odhikar (Rights), Bangladesh Society for the Enforcement of Human Rights, Ain O Shalish Kendro (Law Mediation Center), Shishu Adhikar Forum (Civil Rights Forum), Adibashi Forum (Indigenous Peoples Forum), Bangladesh Rehabilitation Center for Trauma Victims (BRCT), and Naari Pokkho (On Women's Sides), Bangladesh Women Lawyers' Association, Bangladesh Mahila Parishad (Women's Council), and Justice and Peace Commission. While human rights groups

were often sharply critical of the Government, they also practiced self-censorship, particularly on some politically sensitive cases and subjects." [2c](p14) The Bangladesh Human Rights Commission (BHRC) is, according to its website accessed 22 August 2004, one of the largest independent human rights bodies with over 500 branches in Bangladesh and abroad. "The BHRC was established in 1987 based on the International Bill of Rights. It is registered with the Government of Bangladesh. BHRC has accredit (sic) with United Nations and member body of OMCT/SOS Torture (Geneva)…The BHRC has been providing legal assistance and advice to about 50,000 people annually concerning violation of human rights in Bangladesh. There are over 5000 regular activists in the country who are carrying out these activities purely on voluntary basis." [58]

6.5 According to an Amnesty International Report entitled "Urgent need for legal and other reforms to protect human rights" dated May 2003 "The failure of successive governments to address human rights violations in a consistent and effective manner points to the desperate need for an independent, impartial and competent human rights watchdog in the country - such as a National Human Rights Commission (NHRC). Human rights defenders and the international community have been urging Bangladeshi governments to set up a NHRC. Both the previous Awami League government and the present BNP government have acknowledged the necessity for its formation, but neither have taken the appropriate action to establish it." [7a](p11) An article of 26 July 2004, from United News of Bangladesh, quoted the Minister of Law, Justice and Parliamentary Affairs as saying that a bill to facilitate the establishment of an independent Human Rights Commission was currently with the relevant cabinet committee for vetting. [39c]

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Torture

6.6 USSD 2003 states:

> "The Constitution prohibits torture and cruel, inhuman, or degrading punishment; however, police routinely employed physical and psychological torture as well as cruel, inhuman, and degrading treatment during arrests and interrogations. Torture may consist of threats and beatings, and the use of electric shock. According to the Bangladesh Rehabilitation Center for Trauma, there were 1,296 victims of torture and 115 deaths due to torture by security forces during the year [2003]. Victims were predominantly from the lowest end of the economic scale. The Government rarely charged, convicted or punished those responsible, and a climate of impunity allowed such police abuses to continue." [2c](p4)

According to an Amnesty International Report entitled "Torture and impunity", dated November 2000:

> "Torture has been widespread under successive governments. Neither governments nor the opposition parties past and present have shown serious determination to confront the practice and prevent it." [7c](p1)
>
> "There is a shared consensus amongst human rights defenders in Bangladesh that torture is a product of political corruption, illiteracy, underdevelopment and

poverty…Political parties are hardly interested in the violation of the human rights of the people who are not their members." [7c](p26)

"Governments in Bangladesh have been keen to maintain old legislation that facilitate torture or to enact new laws which effectively serve the same function. One such legislation is Section 54 of Bangladesh Code of Criminal Procedure (BCCP) 1898, which allows the police to arrest anyone without a warrant of arrest and keep them in detention for 24 hours." [7c] (p22)

Amnesty International's 2004 Annual Report (covering events of 2003) commented: "Torture remained widespread…The government failed to implement safeguards against torture. Victims included suspected criminals, children and people detained on politically motivated grounds. At least 13 people died in police custody. The police reportedly denied allegations that their deaths were the result of torture." [7j](p1)

6.7 According to an Amnesty International Report entitled "Urgent need for legal and other reforms to protect human rights" dated May 2003 "Methods of torture have included beating with rifle butts, iron rods, bamboo sticks, or bottles filled with hot water so they do not leave marks on the body, hanging by the hands, rape, "water treatment" in which hose pipes are fixed into each nostril and taps turned on full for two minutes at a time, the use of pliers to crush fingers, and electric shocks." [7a](p5)

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Politically-motivated detentions

6.8 USSD 2003 notes that "In March 2002, Home Minister Altaf Hossain Chowdhury said the Government had released 11,706 persons in politically motivated cases since the BNP came to power in 2001. In April 2002, the PSA Repeal Law came into effect and gave the Government authority to determine which cases filed under the SPA law would be withdrawn and which ones would be pursued." [2c](p8)

6.9 The Daily Star of Bangladesh reported on 20 April 2004 "Police and paramilitary Bangladesh Rifles (BDR) yesterday cracked down on the activists of Awami league (AL) and workers of Proshika, a non-government organisation, arresting at least 1,363 of them to foil the AL's programme to lay siege to Hawa Bhaban tomorrow." The arrests took place during a concerted Awami League programme of public demonstrations to attempt to unseat the government; 'Hawa Bhaban' is where the offices of BNP leader/Prime Minister Khaleda Zia are situated. The Commissioner of the Dhaka Metropolitan Police was quoted as saying: 'It is nothing new. We are conducting routine raids to keep law and order under control'. [38g] On 23 April, the Daily News informed: "Blanket arrests continued to smother Dhaka yesterday ahead of the Awami League's April 30 deadline for unseating the government, while anxious relatives thronged jail gates with bail documents for the release of the 'victims of mindless political manoeuvring'." Hundreds more people had been arrested since 20 April; police were said to have 'picked up' at least 5000 people arriving at bus, train and launch terminals and sent 2,910 of them to the already overcrowded Dhaka Central Jail. At the same time, 815 people had been released from the prison by the evening of 22 April. [38h] The

Daily News then reported on 27 April 2004: "The government yesterday apparently stopped mass arrests and asked the police not to harass the innocent, after more than 15,000 people were arrested in an eight-day dragnet." [38i]

6.10 The Amnesty International 2004 Annual Report (events of 2003) stated: "Following repeated High Court orders and international appeals, some prominent political detainees were released in January [2003]. They included human rights defenders Shahriar Kabir, Professor Muntasir Mamun and Saleem Samad, as well as Awami League leaders Bahauddin Nasim, Saber Hossain Chowdhury and Tofael Ahmed. However, they continued to suffer harassment and threats of detention. …In June [2003], warrants of arrest were issued against Mahfuz Anam, editor and publisher of the *Daily Star* newspaper; Matiur Rahman, editor of the *Daily Prothom Alo* newspaper; and Abdul Jalil, Secretary General of the Awami League. A senior government official had brought a criminal defamation case against them after publication of a letter in which Abdul Jalil criticized the nomination of the official to an executive post in an international organization. They were not detained but the arrest warrants remained pending." [7j]

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Police and Army Accountability

6.11 According to USSD 2003 “Security forces were rarely disciplined, even for the most egregious actions. Police were often reluctant to pursue investigations against persons affiliated with the ruling party, and the Government frequently used the police for political purposes. There was widespread police corruption and lack of discipline. Members of the security forces committed numerous serious human rights abuses.” [2c] (p1)

6.12 A study published in 2002 by Transparency International Bangladesh, titled 'Corruption in Bangladesh: A Household Survey', found that 84 percent of the respondents who have had dealings with the police claimed to have encountered corruption; in most cases this pertained to bribery. [42a](pp52-58)

6.13 The Daily Star of Bangladesh reported in November 2003 that “After 25 years in service, 302 police officers from inspectors down were forced into retirement on October 7 in the latest in a spate of massive layoffs and transfers in the department since the government changeover in October 2001…Home Ministry sources said some 12,000 policemen will be recruited – 5,000 to fill the vacancies and rest for the 7,000 new posts to be created…According to police records, 19,622 policemen were punished for corruption and other crimes last year, up from 16,913 in 2001...By contrast 14,069 policemen were rewarded for good performance last year”. [38a] The human rights NGO, 'Odhikar', in their 2003 report 'Police Reform in Bangladesh - An Agenda for Action', confirmed that 19,620 police officers had been subject to disciplinary action in 2002 - of those, 1,776 cases were listed under 'major punishment' and 17,844 under 'minor punishment'. [46a]

6.14 A BBC news report of 20 March 2003 stated:

> “A Bangladeshi military court has found four soldiers guilty of torture and

> extortion. The four men, along with eight police officers were reported to have carried out the offences during the recent anti-crime drive, Operation Clean Heart…An army statement said a three-member military court delivered the judgement after a week-long trial. The soldiers were also charged with detaining persons illegally. The statement from the Bangladeshi defence forces said that Captain Atiqur Rahman was given a seven-year prison term. Soldiers Mizanur Rahman and Afzalul Alam were given four-year and three-year jail terms respectively. The fourth soldier was sentenced to 89 days in a military prison but will not lose his job. All four members of the Bangladesh Army were charged with breaking military discipline, collecting money forcibly, lying and detaining persons illegally. The accused policemen will be prosecuted in a civil court." **[20t]**

An article from The Hindu newspaper posted on Global News Wire on 27 February 2003 noted that "Amid angry protests by the Opposition, the Bangladesh Parliament has passed the controversial indemnity bill titled, 'Joint Drive Force Indemnity Ordinance 2003' to give legal protection to the army-led anti-terrorism operation. The law gives the joint forces immunity from legal proceedings in civil courts for their actions during the countrywide 'Operation Clean Heart' anti-crime drive between October 16, 2002 and January 9, 2003. Mr. Ahmed [the Law Minister] said the indemnity would protect members of the armed forces from facing the civil justice system. At the same time, they would remain under the purview of their own laws." **[21b]**

6.15 As noted in a BBC news report of 8 April 2003: "Eight police officers and a police informer in Bangladesh have been jailed for extortion. A special court in the capital Dhaka sentenced the men to four years imprisonment for forcibly obtaining money during an anti-crime drive. The sentences were passed following a brief trial in a special court known as the Speedy Trial Court. All of the men were also fined 10,000 taka ($167) each. The court heard that the policemen, along with four army personnel, extorted the money during the anti-crime campaign known as 'Operation Clean Heart'." **[20p]**

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Freedom of Speech and the Media

6.16 USSD 2003 notes that "The Constitution provides for freedom of speech and of the press; however, the Government did not respect these rights in practice." **[2c](p9)**

6.17 The BBC News Country Profile for Bangladesh (accessed 15 September 2004) notes that "The main broadcast media in Bangladesh - Radio Bangladesh and Bangladesh Television - are state-owned and favourable to the government. Little coverage is given to the political opposition, except in the run-up to general elections when a caretaker government takes control. …Although Bangladesh Television remains the country's sole terrestrial TV channel, private satellite-delivered TV stations [such as 'ATN Bangla' and 'Channel i'] have established a presence." **[20am]** The website of Population Concern informs that there were, in 1995, only 7 television sets-per-thousand people in Bangladesh (compared with 612 per-thousand in the UK). **[49]** According to Country-Data com, statistics from the early 1980s indicated that about 29

per cent of the country's urban households then had radios. **[48]**

6.18 According to USSD 2003:

> "The hundreds of daily and weekly publications provided a forum for a wide range of views. While some publications supported the overall policies of the Government, most newspapers reported critically on government policies and activities…Despite this proliferation of news articles, Reporters Without Borders (RSF) stated that, "Armed rebel movements, militias or political parties constantly endanger the lives of journalists. The state fails to do all it could to protect them and fight the immunity very often enjoyed by those responsible for such violence." Newspaper ownership and content were not subject to direct government restriction. However, the Government influenced journalists through financial means such as government advertising and allocations of newsprint imported at favorable tariff rates. The Government stated that it considered circulation of the newspapers, compliance with wage board standards, objectivity in reporting, and coverage of development activities as factors in allocating advertising. In the past, commercial firms often were reluctant to advertise in newspapers critical of the Government; however, this appeared no longer to be the case." **[2c](p9)**

Treatment of journalists

6.19 The New York-based Committee to Protect Journalists, in its report 'Attacks on the Press 2003', stated: "In 2003, Bangladesh was one of the most violent countries in the world for journalists, with almost daily cases of physical assaults and intimidation—particularly in rural areas. Local journalists say they are increasingly under threat for reporting on political violence, graft, and organized crime, but that the main cause of brutality against the press in Bangladesh is pervasive corruption." **[51a]** Reporters Without Borders (Reporters Sans Frontières) 2003 Annual Report notes: " With more than 110 journalists physically attacked, 130 threatened and 25 arrested, the toll under Prime Minister Khaleda Zia's government was exceptionally heavy. The government's composition - an alliance of conservatives and Islamists - led to greater intolerance toward the independent press." **[9d]**

6.20 According to a report in The Independent of 9 July 2002 obtained via Reuters: "There is no abatement in the killing and maiming of journalists and it has become extremely risky for them to expose the doings of the criminals, the anti-social and outlawed elements…Journalists are victimised by the vested interests, by criminal and underworld gangs, and sometimes even by the police either acting on their own volition or at the instance of the people in power. The libel law is also used as a weapon against journalists." **[4a]**

6.21 USSD 2003 reports that " A human rights group stated that over the course of the year [2003], 65 journalists had been injured, including 41 assaults. There had been 10 attempted killings of journalists, 90 had received death threats, 19 had been arrested, 14 had been the target of abusive lawsuits and prosecutions, and 5 had been abducted." **[2c] (p10)**

6.22 BBC News and the Committee to Protect Journalists announced on 28 June 2004 that Humayun Kabir, editor of the Bengali daily 'Janmabhumi', had been killed in a bomb attack in Khulna the previous day. An underground leftist group known as Janajuddha (Peoples' War), a faction of the Purba Bangla Communist Party, claimed responsibility; police detained nine suspects. Kabir was the sixth journalist to be murdered in the division of Khulna in the past four years.**[20an][51b)**

6.23 Reporters Without Borders had stated on 27 January 2004:

> "An underground Maoist organisation has admitted responsibility for the murder of a BBC stringer and in a letter, apparently from its leader, threatened to kill nine more named journalists in the region. Manik Saha died instantly when a bomb was thrown at his head in a street in Khulna in the country's south-west on 15 January [2004]. Reporters Without Borders (Reporters sans frontieres) called on the authorities, in particular the interior minister, to continue to explore every avenue to track down and punish Saha's killers…The journalist's murder prompted a two-day general strike in Khulna on 16 and 17 January [2004]. Information minister Tariqul Islam, who went to the town, promised to leave no stone unturned to find and punish those responsible". **[9c]**

6.24 On 13 July 2004 the Committee to Protect Journalists (CPJ) announced (via the website of the South Asia Human Development Forum) that at least 24 journalists in Bangladesh had recently received death threats, all apparently from Islamic groups who accused them of being 'enemies of Islam' or 'acting against Islam'. **[51c]** The websites of the CPJ and 'Reporters Without Borders' contain details of several other instances of violence and threats of violence against journalists during 2003 and 2004. **[9][51]**

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Freedom of Religion

Introduction

6.25 The U.S. State Department International Religious Freedom Report published in December 2003 records:

> "Sunni Muslims constitute 88 percent of the population. Approximately 10 percent of the population is Hindu. The remainder of the population mainly is Christian (mostly Catholic) and Buddhist … There also are small populations of Shi'a Muslims, Sikhs, Baha'is, animists, and Ahmadis. Estimates of their populations vary widely, from a few hundred up to 100,000 adherents for each faith. Religion is an important part of community identity for citizens, including those who do not participate actively in religious prayers or services; atheism is extremely rare." **[2b](p1)**

According to the 1991 Census, there were then over 11 million Hindus, 623,000 Buddhists and 346,000 Christians in the country. **[43b]**

6.26 The USSD Religious Freedom Report of 2003 states that "The Constitution

establishes Islam as the state religion but also provides for the right - subject to law, public order, and morality - to practice the religion of one's choice, and the Government generally respects this provision in practice. However, although the Government is secular, religion exerts a powerful influence on politics, and the Government is sensitive to the Muslim consciousness of the majority of its citizens. **[2b] (p1)** There were no reports of religious prisoners or detainees" **[2b](p4)**

6.27 As noted in the USSD 2003 "The Government allowed various religions to establish places of worship, to train clergy, to travel for religious purposes, and to maintain links with co-religionists abroad." The law permits citizens to proselytize. However there is strong social resistance to conversion from Islam. **[2c] (p12)** According to the 2003 Religious Freedom Report, "Family laws concerning marriage, divorce, and adoption differ slightly depending on the religion of the person involved. There are no legal restrictions on marriage between members of different faiths." **[2b](p2)** The 2003 Religious Freedom Report further notes that "Religion is taught in government schools, and parents have the right to have their children taught in their own religion; however, some claim that many government-employed religious teachers of minority religions are neither members of the religion they are teaching nor qualified to teach it." **[2b] (p2)**

6.28 The USSD International Religious Freedom Report of 2003 comments: "The generally amicable relationship among religions in society contributed to religious freedom; however, the number of Hindu, Christian, and Buddhist minorities who experienced discrimination by the Muslim majority has increased." **[2b](p1)**

6.29 An article in the Guardian (UK) of 21 July 2003 states, inter alia:

> "Evidence is emerging that the oppression of minorities is becoming systematic. Bangladesh, which is 85% Muslim but has a long tradition of tolerance to religious minorities, is, say local organisations, being pushed towards fundamentalism by the Jamaat-e-Islami, which is growing rapidly in rural areas with the deepest poverty and runs two key ministries."
>
> " 'This is like a silent revolution. We are returning to the dark ages', a leading lawyer said, asking not to be named.' …'I think the backdrop is being created for the introduction of strict sharia laws. You see extremist rightwing fundamentalists infiltrating every professional area, in the appointment of the judiciary, the law, medicine and in education. They are capturing key positions in government, the universities and institutions'."
>
> "Thousands of Bangladeshis are thought to have crossed the border to India in the past two years. It is impossible to verify numbers because New Delhi will not release records, but Dhaka's statistics show the Muslim majority increasing dramatically and the Hindu, Buddhist, Christian and other minorities declining."
>
> "Leading Islamic scholars are appalled by the repression and the rise of fundamentalism. 'What we are seeing is the Talibanisation of Bangladesh,' Maolama Abdul Awal, former director of the Bangladesh Islamic Foundation, said. 'If we allow them to continue ... [minorities] will be eliminated. Bangladesh will become a fascist country'." **[55a]**

6.30 A Time Magazine (Asia) article, in the 12 April 2004 issue, described the extent of

corruption and criminal violence in the country and commented: "Making the violence more toxic is the spread of a brand of intolerant Islamic fundamentalism in a country with a history of religious intolerance. Bangladesh's Hindus, who constitute about 10% of the population of the predominantly Muslim nation, say they are increasingly being intimidated by gangs of Islamic fundamentalists, who attack them in their homes, warn them to pack up and leave for India and, for good measure, extort ransom from them." **[54a]**

6.31 The UK Bangladesh Hindu Baudha Christian Unity Council, an independent human rights organisation, has provided a report (dated 24 June 2004) listing 80 incidents of violent and other crimes which occurred in Bangladesh during the period January - May 2004, in which the victims were members of minority religious communities. Each of the entries has been attributed to a press or other source and dated. **[56a]** (A copy of the BHCUC report [56a] is enclosed with the source material.)

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Hindus

6.32 The Global IDP report, 'Profile of Internal Displacement: Bangladesh' updated December 2003, quotes various primary sources as follows:

> "In the weeks following the 1 October general elections, Bangladesh witnessed an outburst of systematic attacks on the minority Hindu community across the country, in addition to attacks on activists of the freshly ousted Awami League… By 8 October 2001, at least 30 people had been killed and more than 1,000 others injured. Their houses were torched, ransacked and in many cases seized, women were raped, and temples were desecrated… The Hindu-dominated areas in Barisal, Bhola, Pirojpur, Satkhira, Jessore, Khulna, Kushtia, Jhenidah, Bagerhat, Feni, Tangail, Noakhali, Natore, Bogra, Sirajganj, Munshiganj, Narayanganj, Narsingdi, Brahmanbaria, Gazipur and Chittagong were the worst hit… Many Hindu families have reportedly fled their homes and sought refuge in areas considered 'safe'. The Bangladesh Observer reported that at least 10,000 people of the minority community from Barisal district ran away from their homes following attacks by activists of the fundamentalist Jamaat-e-Islami party and took shelter in neighbouring Gopalganj district, the electorate of the former Prime Minister Sheikh Hasina. Many others fled to the Indian State of Tripura and West Bengal. (HRF March 2002)…Post election violence and oppression against minority (sic) has displaced more than 15 thousand minority families in Barishal and Bagerhat districts."…"Islamic fundamentalists have initiated a rain (sic) of terror forcing minorities to endure living in a nightmare condition in those areas. (HRCBM)"…"Women are particularly targeted - in many cases rape of female family members made it impossible for families to stay in their villages."… "The Human Rights Congress for Bangladeshi Minorities estimated that dozens of people were killed, more than 1,000 women from minority groups were raped and several thousand people lost their land in the three months around the [2001] election. (Guardian Unlimited, 21 July 2003, 'Britain ignores Bangladeshi persecution')" **[45]p10-11]**

6.33 The 2003 International Religious Freedom Report states:

"The BNP acknowledged reports of atrocities committed between Muslims and Hindus [following the 2001 election]; however, the BNP claimed that they were exaggerated. The Home Minister was unable to confirm reports that Hindus had fled the country and insisted that there was no link between religion and the violence. He also dismissed allegations that the BNP was linked to the perpetrators. In late November 2001, the High Court ordered the Government to look into and report on attacks on religious minorities, and to demonstrate that it is taking adequate steps to protect minorities. The Government submitted its report to the High Court on August 5, 2002. The report claimed that some of the incidents of post-election violence were not connected to communal relations. It also alleged that some of the reports of violence were fabricated or exaggerated. Since the October 2001 elections, religious minorities reportedly have continued to be targeted for attacks. However, many such reports have not been verified independently. The Government sometimes has failed to investigate the crimes and prosecute the perpetrators, who are often local gang leaders." **[2b] (p3)**

6.34 As outlined in the 2003 Religious Freedom Report "Inter-communal violence caused many Hindus to emigrate to India between 1947 and 1971 and continued on a smaller scale throughout the 1980s. Since the 1991 return to democracy, emigration of Hindus has decreased significantly, which generally can be attributed to the significant reduction in the Hindu population over the last 30 years. In recent years, emigration has been primarily motivated by economic and family reasons. Nevertheless, incidents of communal violence continue to occur." **[2b] (p4)**

6.35 According to the 2003 Religious Freedom Report:

"Many Hindus have been unable to recover landholdings lost because of discrimination in the application of the law, especially under the now-defunct Vested Property Act. The Act was a Pakistan-era law that allowed "enemy" (in practice Hindu) lands to be expropriated by the Government. Approximately 2.5 million acres of land were seized from Hindus, and almost all of the 10 million Hindus in the country were affected. Property ownership, particularly among Hindus, has been a contentious issue since partition in 1947. However, in April 2001, Parliament passed the Vested Property Return Act. This law stipulated that land remaining under government control that was seized under the Vested Property Act be returned to its original owners, provided that the original owners or their heirs remain resident citizens. Hindus who fled to India and resettled there are not eligible to have their land returned, and the Act does not provide for compensation for or return of properties that the Government has sold…On November 26, 2002, the Parliament passed an amendment to the Vested Property Act, allowing the Government unlimited time to return the vested properties. The properties are to remain under the control of Deputy Commissioners until a tribunal settles ownership. The amendment also gives the Deputy Commissioners the right to lease such properties until they are returned to their owners. The Government claimed that this provision would prevent the properties from being stolen." **[2b] (p2-3)**

6.36 A particularly serious attack took place in November 2003: According to the U.S. Department of State Report 2003: "On November 19 [2003], 11 members of a Hindu

family burned to death after arsonists set ablaze their home [situated in Banskhali upazila] near the port city of Chittagong. The local human rights NGO Odhikar reported that the attack was not robbery, as police had initially claimed, but a planned assault on the family because of its Hindu faith. According to Odhikar, police took 3 hours to respond". [2c](p13) The Amnesty International 2004 Annual Report (events of 2003) commented: "The government called it an act of banditry, but evidence suggested it was a motivated attack against the family because of their identity as Hindus. Police filed a case but despite repeated demands from civil society groups, no independent inquiry was set up." [7j](p2)

6.37 The Press Trust of India, on 2 January 2004, relayed a report in the newspaper 'The Daily Janakantha' that 30 Hindu people had been injured and 20 houses burnt down in an attack on a village in Natore district. The attackers, numbering about 50, were said to have been led by Moslemuddin, a local BNP leader. Victims said the attack had been centred around the possession of a pond and some land. [56a] According to the same article, the Government has given taka 4 lakhs (Tk 400,000) to relatives of the victims of the 19 November 2003 attack near Chittagong, towards their rehabilitation. [56a]

6.38 The Daily Star reported on 25 August 2004 that 22 houses belonging to Hindus had been set ablaze in a remote village in Pirgachha upazila, apparently by 30 to 40 armed 'mobsters' with alleged links to the ruling BNP. The perpetrators left with a 'booty' of 18 cows and about Tk 60,000 in cash. [38k]

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Ahmadis

6.39 The Ahmadiyya community was founded in the 1880s by Mirza Ghulam Ahmad in the Punjab town of Qadiyan, according to a report of the Canadian IRB dated June 1991. It later split into two groups, of which Qadiani/Kadiani is the larger; the other is the Lahore branch. While they identify as an Islamic sect, Ahmadis are considered heretics by mainstream Islam because of the founder's claim that he was a prophet. [3m] In an Amnesty International (AI) report of 23 April 2004, titled 'The Ahmadiyya Community - their rights must be protected', it is estimated that there are about 100,000 Ahmadis in Bangladesh. [7k]

6.40 According to the U.S. Department of State International Religious Freedom Report 2003, members of the Ahmadi sect have been the target of attacks and harassment. An Ahmadiyya mosque in Kushtia was captured by mainstream Muslims in 1999 and remained under police control for approximately 3 years, preventing adherents there from worshipping. In August 2002, the Ahmadiyyas regained control of the mosque. [2b](p5)

6.41 The Amnesty International report of 23 April 2004 states:

> "Members of the 'Ahmadiyya Muslim Jamaat', a religious community which considers itself a sect of Islam, has been the target of a campaign of hate speech organized by a number of Islamist groups in the country in recent months. These groups have mobilised crowds to chant anti-Ahmadiyya slogans, have sought confiscation of Ahmadi mosques, and have demanded that the government declare the sect non-Muslim. Members of the Ahmadiyya community

in Bangladesh, about 100,000 in number, have been living in fear of attack, looting and killing since around October 2003 when the Anti-Ahmadi agitations began…The agitators have been involved in "excommunication" and illegal house arrest of Ahmadis, the killing of an Ahmadi Imam (preacher), beating of Ahmadis, and marches to occupy Ahmadi mosques… While the Government of Bangladesh has acted to prevent the crowds from entering Ahmadi mosques, it has taken no action against the perpetrators of the hate campaign. Fundamental rights of the Ahmadis have been further violated by a government ban on their publications."

The AI report records that on 31 October 2003, the Imam of an Ahmadi mosque in Jessore district was beaten to death after he refused to recant his faith; no charges had been brought against his attackers by the time the AI report was published. **[7k](p1)**

6.42 USSD 2003 records:

"In a separate incident of communal violence on November 22 [2003], police stopped a mob of about 5,000 attempting to destroy an Ahmadi mosque in Dhaka. After the attack, police filed two cases for destruction of police property against several activists associated with a nearby mosque, and a senior police official condemned the attack and said that destruction of Ahmadi property was against the law. In December [2003], Anti-Ahmadi activists killed a prominent Ahmadi leader in Jessore and announced a January 23, 2004 deadline for the Government to declare Ahmadis non-Muslims or face serious agitation." **[2c] (p13)**

6.43 On 9 January 2004 Agence France Presse announced: "Bangladesh banned publications of the Ahmadiyas, a minority Muslim movement, from Friday after pressure from rival Islamic hardliners, officials said. The home ministry banned the sale, distribution and possession of publications by the Ahmadiyas, estimated to number 100,000 in Bangladesh."…"The ban was imposed in view of objectionable materials in such publications that hurt or might hurt the sentiments of the majority Muslim population", a Home Ministry statement said late Thursday [8 November]." **[23f]** The AI report of 23 April 2004 detailed that the ban on Ahmadiyya publications included any translations or interpretations of the Koran. The report commented: "The ban highlighted the possibility that the government had yielded to pressure from anti-Ahmadi Islamist groups. According to reports in Bangladeshi newspapers, it had been imposed at the instigation of Islami Oikya Jote, a political party and junior partner in the coalition government." **[7k](p2)**

6.44 The Daily Star of 29 August 2004 reported that the police had 'foiled' plans by religious extremists to lay siege to the Ahmadiyya headquarters in Dhaka on Friday 27 August. **[38j]** (An Amnesty International release of 25 August 2004 had stated that Islamist leaders had threatened to attack the Ahmadiyya headquarters on 27 August unless the government declared the sect to be 'non-Muslim'. **[7l]**) According to a Financial Times Information report of 28 August 2004, fourteen platoons of police had been deployed to protect the Ahmadiyya complex the previous day. **[21d]**

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Christians

6.45 A report from the Canadian IRB, dated 5 August 2003, states as follows:

"An Associated Press article estimates that there are approximately 300,000 to

350,000 Christians in Bangladesh (1 Mar. 2002)."…" According to Open Doors International (ODI), an evangelical Christian organization that provides religious materials, training, and support to Christians around the world, Christian practice in Bangladesh is ethnically divided into the Underground Church, which consists of those who converted from Islam, and the Visible Church, which consists of those who converted from Hinduism (n.d.). Moreover, the Underground Church can be divided into those who worship in secret and those who worship openly, such as when an entire village converts to Christianity (ODI n.d.). Article 41 of the constitution of Bangladesh states that all citizens have the right "'to profess, practice or propagate any religion'" (ICC 6 June 2003). However, Open Doors International maintains that the predominantly lower income Christian population relies on foreign aid and 'as a result, many people in Bangladesh, including the government, consider the Christians as foreign...[which] makes it easier for the regime to impose restrictions' (n.d.). International Christian Concern (ICC) reports [certain] limitations for members of the Christian community in Bangladesh: All Christian organizations need to be registered as a Non-Government Organization (NGO), whose charter and board need to be presented to the government for approval; the board may be dismissed at any time and be replaced by another board appointed by the government. [Secondly], the NGO Affairs Bureau has imposed restrictions on Bible printing and importation. Distribution of Bibles must be limited to Christians."

The Canadian IRB report notes that proselytizing is permitted under the law, but strong social resistance to conversion from Islam means most proselytizing tends to be aimed at Hindus and tribal groups. **[3n]**

6.46 As related in the U.S. Department of State International Religious Freedom Report 2003 "In June 2001, in Baniachar, Gopalganj District, a bomb exploded inside a Catholic church during Sunday Mass, killing 10 persons and injuring 20 others…A judicial commission was formed in December 2001 to investigate the Baniachar bombing. In September 2002, the commission submitted its report to the Government. The commission's final report blamed Sheikh Hasina and other AL party members for six of the seven bomb attacks that occurred in 1999, 2000, and 2001, including the June 2001 attack. However, two of the three commission members dissented, alleging that the head of the commission, Judge Abdul Bari Sarkar, had inserted his personal views in the final report." **[2b] (p4)**

6.47 According to an article in the Guardian (UK) of 21 July 2003: "In the village of Fhainjana, a mob of 200 fundamentalists recently looted 10 Christian houses, allegedly assaulting many women and children. Christians were seriously beaten and others molested after refusing to give money to thugs in the village of Kamalapur, near Dhaka. **[55a]**

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Freedom of Assembly and Association

6.48 According to USSD 2003:

"The Constitution provides for freedom of assembly, subject to restrictions in the

interest of public order and public health; however, the Government frequently limited this right. Section 144 of the CrPC [Criminal Procedure Code] allows the Government to ban assemblies of more than four persons. According to 1 human rights organization, the Government imposed 58 such bans during the year [2003]. The Government sometimes used bans to prohibit rallies for security reasons, but many independent observers believed that such explanations usually were a pretext. Supporters of the ruling party frequently scheduled their own rallies at the same venue and time, thus providing the Government a basis for imposing a ban…The Constitution provides for the right of every citizen to form associations, subject to 'reasonable restrictions' in the interest of morality or public order, and the Government generally respected this right. Individuals were free to join private groups." **[2c](p11)**

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Employment Rights

6.49 As noted in the USSD 2003:

"The Constitution provides for the right to join unions and, with Government approval, the right to form a union; however, the Government did not always respect this right in practice. The total work force was approximately 58 million persons, of whom 1.8 million belonged to unions, most of which were affiliated with political parties…According to the law, a workplace must have 30 percent union participation for union registration. Would-be unionists technically are forbidden to engage in many activities prior to registration, and legally are not protected from employer retaliation during this period. Labor activists protested that this requirement severely restricted workers' rights to organize, particularly in small enterprises and the private sector, and the International Labor Organization (ILO) requested the Government to amend the 30 percent provision…Civil Service and security force employees were forbidden to join unions because of their highly political character. Teachers in both the public and the private sector were not allowed to form trade unions." **[2c] (p19)**

6.50 According to the USSD 2003: "The right to strike is not recognized specifically in the law, but strikes were a common form of workers' protest and are recognized as a legitimate avenue for addressing unresolved grievances in the Industrial Relations Ordinance of 1969. In addition, opposition political parties used general strikes to pressure the Government to meet political demands…Wildcat strikes were illegal but occurred, and wildcat strikes in the transportation sector were particularly common." **[2c] (p20)** USSD 2003 adds "Collective bargaining by workers is legal on the condition that unions legally registered as collective bargaining agents by the Registrar of Trade Unions represent them…The Essential Services Ordinance permits the Government to bar strikes for 3 months in any sector it declares essential…The Government is empowered to prohibit a strike or lockout at any time before or after the strike or lockout begins and to refer the dispute to the Labor Court. " **[2c](p20)**

6.51 The 2004 Annual Report of Amnesty International (events of 2003) states: "Police

continued to use excessive force during opposition or trade union demonstrations. Hundreds of protesters were injured, some critically." On 10 October 2003 police officers attacked and beat unemployed and student nurses when the demonstrators - who were from 38 government nursing institutions - attempted to enter the Directorate of Nursing Services. Over 50 nurses were reportedly injured, with three of them in a critical condition. The nurses had been protesting against changes in the terms and conditions of their employment. **[7j](p1)**

6.52 USSD 2003 notes that "The law sets a standard 48-hour workweek with 1 day off mandated. A 60-hour workweek, inclusive of a maximum 12 hours of overtime, was allowed. The law was enforced poorly." **[2c](p22)** Following a trip to Bangladesh, the entrepreneur Dame Anita Roddick was quoted by BBC News on 15 April 2004 as saying that she was angered by the low pay, long hours and denial of basic rights for the estimated two million women making up the vast majority of workers in Bangladesh's textile industry. She blamed the Western corporations who use textile factories in the developing world for putting pressure on local owners, who in turn impose 'slave labour' conditions on staff in order to keep costs down. She also commented: "In Bangladesh, the garment workers have the legal right to three months' maternity leave with full pay. Yet, in over 90% of the factories, where women were sewing some of the best-known labels in Europe and America, this right to maternity leave with benefits is routinely violated." **[20ao]**

6.53 According to the International Labour Organization website "In the field of labour legislation, the various minimum ages, fixed by different labour laws regarding children's admission to work makes it difficult to implement and enforce the labour laws. The Factories Act of 1965, for instance, set the minimum age at 14 years for admission to work in any factory. The Employment of Children Act of 1938 set the minimum age at 15 years while the Shops and Establishment Act of 1965 set the minimum age at 12 years for admission to work. Thus, to bring uniformity in the laws, the Government has prepared a new Labour Code, which currently awaits approval by the Parliament. The draft Labour Code has prescribed a uniform minimum age of 14 years for admission to work which is in conformity with ILO Minimum Age Convention, 1973 (No.138)." **[32]**

6.54 As noted in the USSD 2003 "The Constitution prohibits forced or bonded labour, including by children; however the Government did not enforce this prohibition effectively." **[2c] (p20)**

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People Trafficking

6.55 According to USSD 2003:

> "The law prohibits trafficking in persons; however, trafficking was a serious problem. There was extensive trafficking in both women and children, primarily to India, Pakistan, and destinations within the country, mainly for the purpose of prostitution and in some instances for labor servitude. Some children also were trafficked to the Middle East to be used as camel jockeys. During the year [2003], police made arrests for trafficking in young boys to the Middle East, and at year's

end [2003] these cases were pending before the courts…Trafficking in children for immoral or illegal purposes carries the death penalty or life imprisonment. However, few perpetrators were punished…The exact number of women and children trafficked was unknown, but human rights monitors estimated that more than 20,000 women and children were trafficked annually from the country for the purpose of prostitution." **[2c] (p22)**

Trafficking in women for purposes of prostitution carries sentences ranging from 10 years in prison to the death penalty. **[2c] (p23)**

6.56 USSD 2003 records:

"The Government developed a set of policies and plans regarding the trafficking issue, and initiated a program across a number of ministries to address the problem. Arrests and prosecutions increased significantly, and the Government launched a major national anti-trafficking prevention campaign to increase awareness of the problem among vulnerable groups. Nevertheless, the Government's capacity to address this issue remained limited. Government projects included conducting awareness campaigns, research, lobbying, and rescue and rehabilitation programs. While the Government provided support for returning trafficking victims, government-run shelters were generally inadequate and poorly run." **[2c] (p22)**

6.57 USSD 2003 notes, "Besides law enforcement agencies, a number of NGOs recovered and assisted victims of trafficking. The BNWLA rescued 61 trafficking victims, and 76 alleged traffickers were arrested and detained in prisons, and 16 traffickers were convicted during the year [2003]." **[2c] (p22)**

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Freedom of Movement

6.58 According to USSD 2003 "The Constitution provides for the right of free movement within the country, foreign travel, emigration, and repatriation. In practice, the Government generally respected these rights, allowing citizens to move freely within the country and to travel abroad, to emigrate, and to repatriate. There were, however, instances in which the Government restricted these rights…The movement of major opposition political leaders was restricted occasionally, and the Government did little to assist them." **[2c] (p13)**

6.59 USSD 2003 records that:

"The Bangladesh Constitution does not provide for the granting of asylum and refugee status to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government provided protection against refoulement but did not routinely grant refugee or asylum status. The Government granted temporary asylum to individual asylum seekers whom the UNHCR interviewed and recognised as refugees on a case-by-case basis. The Government also generally co-operated with the UNHCR and other humanitarian organisations in assisting refugees." **[2c](p14)**

The US Committee for Refugees 'World Refugee Survey 2004' notes:

> "At the end of 2003, Bangladesh hosted nearly 119,900 refugees and asylum seekers. These included nearly 19,800 Myanmarese Rohingya, most recognized as prima facie refugees by Bangladesh and the UN High Commissioner for Refugees (UNHCR); over 100,000 other Rohingya who have fled to Bangladesh since 1993, and who are considered illegal immigrants by the Bangladeshi government not assisted by UNHCR; 49 persons of other nationalities recognized as refugees by UNHCR; and 8 other Myanmarese with claims pending before UNHCR." **[37b](p1)**

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6.B Human Rights - Specific Groups

Ethnic Groups

Biharis

6.60 According to the US State Department Report 2003 (USSD 2003), published on 25 February 2004**:** "Approximately 300,000 Bihari Muslims live in various camps throughout the country. They have been in the camps since 1971 awaiting settlement in Pakistan. Biharis are non-Bengali Muslims who emigrated to what formerly was East Pakistan during the 1947 partition of British India. Most supported Pakistan during the country's 1971 War of Independence. They later declined to accept citizenship and asked to be repatriated to Pakistan. The Government of Pakistan historically has been reluctant to accept the Biharis." **[2c] (p13)**

6.61 As stated in the 1998 article 'Fifty Years in Exile: The Biharis Remain in India', on the U.S. Committee for Refugees (USCR) website "The Biharis are Muslims who originated in what is now India's state of Bihar. In 1947, at the time of partition, they, along with millions of other Muslims, moved to East Pakistan (today's Bangladesh). Unlike the majority of those other Muslims, however, the Biharis were not Bengali-speakers, but Urdu-speakers with closer links to Muslims who moved to West Pakistan (today's Pakistan). Between 1947 and 1971, as citizens of greater Pakistan, the Biharis enjoyed the same rights as other residents of East Pakistan and lived amicably alongside the Bengali speaking majority." **[37d]**

6.62 An article in the Dhaka Courier dated 5 May 2000 "During an official visit of Begum Zia to Pakistan in August 1992, an agreement was signed between the two governments to take back 3,000 stranded Pakistani families from Bangladesh to Pakistan. The repatriation process began in early 1993. But after the repatriation of only 325 families, Pakistan on the plea of fund constraint suspended the process."**[12c]**

6.63 An undated report entitled “A Forsaken Minority: The Camp Based Bihari Community in Bangladesh” issued by the Refugee and Migratory Movements Research Unit, Dhaka, states:

> “The legal status of the Biharis has been the subject of a major controversy. Although there is a general perception that Biharis are Pakistanis, Biharis appear to be eligible under the laws of citizenship of Bangladesh. Article 3(d) of the Bangladesh Citizenship Act, 1951 provides citizenship eligibility criterion. It states that “who before the commencement of this Act migrated to the territories now included in Bangladesh from any territory in the Indo-Pakistan sub-continent outside those territories with the intention of residing permanently in those territories”. Article 2 of the Bangladesh Citizenship (Temporary Provisions) Order, 1972 stipulates: “who or whose father or grandfather was born in the territories now comprised in Bangladesh and who was a permanent resident of the territories now comprised in Bangladesh on the 25th March 1971, and continues to be so resident;” or “who was a permanent resident of the territories now comprised in Bangladesh on the 25th day of March 1971, and continues to be so resident and is not otherwise disqualified for being a citizen by or under any law, for the time being in force.” Under such broad sweep of these laws everyone residing permanently before 25 March 1971, including the Biharis, is entitled to Bangladesh citizenship. Article 2B of the Bangladesh Citizenship (Temporary Provisions) Amendment Ordinance 1978, however, contains a disqualification clause which states that a person shall not be qualified to be a citizen of Bangladesh if he "owes, affirms or acknowledges, expressly or by conduct, allegiance to a foreign state, or…". Perhaps the most noteworthy judgements pertaining to citizenship of Bangladesh were passed with respect to [the] Bangladesh vs. Professor Golam Azam Case. The Appellate Division judgement made some important observations "There is no power under Article 3 denuding a person of his citizenship for the offence of collaboration with the Pakistan Occupation Army…Article conferred citizenship on a body of persons by legal fiction, not by the Government or any other executive authority, but by the legislature….it is not a power in the hands of the Government to 'cancel' a person's citizenship or to review one’s citizenship under Article 2.". The above judgements establish the fact that under Bangladesh citizenship law Biharis are entitled to Bangladeshi citizenship. Their “option” to go Pakistan, collaboration with the Pakistan occupation army and their persistent demand for repatriation to Pakistan are not sufficient grounds for denying their right to Bangladeshicitizenship” **[31] (p12-14)**

6.64 According to a Canadian IRB report of 9 April 2003, between 240,000 and 300,000 Biharis were estimated to be living in 66 to 81 camps in Bangladesh in 2001/2002. Living conditions were described as follows: "Although the Bangladesh government provides the camps with free electricity, water and provides a ration of wheat (*New York Times* 13 May 2000), conditions are poor (IJRL 2000, 64; USCR 1998; *Asia Times* 21 Mar. 2000). Most Biharis live either in one-room dwellings built by the Bangladeshi government in 1971 or in apartment buildings taken over by the government (USCR 1998). Despite the fact that the population has more than doubled in many of the camps, housing has not similarly increased (ibid.). Water is scarce and sanitation inadequate (*Asia Times* 21 Mar. 2000). In Geneva Camp in Mohammadpur, Dhaka, for example, ten to twelve people per family live in shacks measuring some eight by ten

feet (IPS 25 July 2002). Additionally, the camp only has 240 toilets and 36 bathing facilities to service a population of 18,000 to 20,000 people (ibid.). Many Bihari children do not attend school (USCR 1998). Schools outside the camps tend to be beyond the financial means of many Biharis and those schools available in some of the camps require students' families to pay the teachers' salaries and buy all the school materials (USCR 1998). **[3l]**

6.65 A 1998 article 'Fifty Years in Exile: The Biharis Remain in India', on the U.S. Committee for Refugees (USCR) website, noted further

> "Ironically, the Biharis are not technically "refugees" either. They have not been persecuted, nor do they have reason to fear persecution, in their "home" country, Pakistan. In theory, they could safely live there. They are not at risk in Bangladesh either. However, as "Pakistanis", they do not have the privileges and benefits accorded Bangladesh citizens, and many Bangladeshis still regard them as unwelcome foreigners. Since the Biharis face many of the same problems as refugees, USCR includes the Biharis among populations it considers to be in "refugee-like circumstances"…The traditional Bihari leadership maintains that the Biharis still want to move to Pakistan. It continues to demand that Pakistan permit and assist them to move there, and that Bangladesh and the international community pressure Pakistan to honor its obligations toward the Biharis. However, many Biharis clearly are more concerned with how they live than where they live, and have a more pragmatic attitude toward moving to Pakistan. Bihari groups advocating local integration have become active, and many individual Biharis say that they do not want to move to Pakistan, but to live more normal lives in Bangladesh, the only home they have ever known." **[37d]**

6.66 According to the USCR World Refugee Survey 2004:

> "The Bangladeshi High Court [in 2003] recognized 10 Biharis as citizens of Bangladesh, after they sued to vote in the 2001 elections arguing that all Biharis born in the camps and residing in Bangladesh since 1947 were citizens, and that their citizenship could not be taken away simply because they lived in a camps or wished to go to Pakistan. The Bangladeshi Minister for Law, Justice, and Parliamentary Affairs said that the government would comply with the court judgment on Bangladesh-born Bihari. Legal experts said the landmark judgment would help other Bihari gain citizenship. However, the government appealed the case and it was pending at the end of the year [2003]." **[37b](p2)**

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The Jumma peoples of the Chittagong Hill Tracts

6.67 Amnesty International (AI), in a report of 1 March 2004, states:

> "The Chittagong Hill Tracts (CHT) is a hilly, forested area in southeastern Bangladesh which for many hundreds of years has been home to people from 13 indigenous tribes [collectively known as the Jumma people]. These tribal people differ significantly from the rest of the population of Bangladesh in terms of their appearance, language, religion and social organisation.
>
> Pressure for land to cultivate and encouragement from successive governments

have led to the migration of large numbers of non-tribal Bengali people to the CHT. Tribal people have viewed the movement of Bengali settlers to the CHT as a threat to their way of life and their customs and traditions.

Armed rebellion in the Chittagong Hill Tracts began in mid-1970s. A peace accord signed in 1997 ended the armed conflict, but human rights violations against the tribal people which began during the armed conflict have continued on a smaller scale." **[7m]**

(Specifically, the Chittagong Hill Tracts (CHT) covers about 10 per cent of the total land area of Bangladesh; it includes the districts of Khagrachhari, Rangamati and Bandarban within the Division of Chittagong.)

6.68 The Global IDP report 'Profile of Internal Displacement: Bangladesh', updated December 2003, quotes from various primary sources as follows: "Prior to the creation of Bangladesh in 1971, the population of the area consisted almost entirely of people from 13 different indigenous tribes. The tribal people who differ significantly from the majority population of Bangladesh are of Sino-Tibetan descent, have a distinctive appearance with Mongoloid features and are predominantly Buddhists, with small numbers of Hindus. They differ linguistically and in their social organization, marriage customs, birth and death rites, food, agriculture techniques and other social and cultural customs from the people of the rest of the country." (AI February 2000, section 2)"…"The three largest groups are the Chakma, the Marma and the Tripura
The total population of the CHT, in the 1991 census, was 974,445 of which 51,43% were indigenous Jumma people and 48,57% were non-indigenous Bengalis. At the time of the independence of India in 1947, only 9% of the population of the CHT was non-indigenous." (UNPO 1997, web page)". **[45](p13)**

6.69 The Europa World Year Book 2002, Volume 1, records:

"In December 1997 the Bangladesh Government signed a peace agreement with the political wing of the Shanti Bahini ending the insurgency in the Chittagong Hill Tracts. The treaty offered the rebels a general amnesty in return for the surrender of their weapons and gave the tribal people greater powers of self-governance through the establishment of three new elected district councils (to control the area's land management and policing) and a regional council (the chairman of which was to enjoy the rank of state minister). The peace agreement, which was strongly criticized by the opposition for representing a 'sell-out' of the area to India and a threat to Bangladesh's sovereignty, was expected to accelerate the process of repatriating the remaining refugees from Tripura (who totalled about 31,000 at the end of December 1997). According to official Indian sources, only about 5,500 refugees remained in Tripura by early February 1998. By the end of 2000 most of the Chakma refugees had been repatriated, the district and regional councils were in operation, and a land commission had been established…In June [2001] it was reported that rioting in the Chittagong area had caused a new flow of refugees to Tripura. Following the accession to power of the BNP-led alliance in October [2001], there were reports of thousands of members of Buddhist, Christian and Hindu minorities fleeing to Tripura." **[1a] (p640)**

6.70 As stated in USSD 2003: “Tribal people have had a marginal ability to influence decisions concerning the use of their lands. The 1997 Chittagong Hill Tracts (CHT) Peace Accord ended 25 years of insurgency in the CHT, although law and order problems and accusations of human rights violations continued. The Land Commission that was to deal with land disputes between tribal individuals and Bengali settlers lacked a legal basis until 2001 and did not function effectively in addressing critical land disputes. Tribal leaders also expressed disappointment at the lack of progress in providing assistance to those who left the area during the insurgency.” **[2c] (p18)**

6.71 The Global IDP report, as updated December 2003, observes that the ownership of tribal land has remained at the core of the conflict in the CHT:

> "In the mid-1980s, Muslim settlers' appropriation of land belonging to ethnic minorities in Bangladesh's Chittagong Hill Tracts (CHT) region caused some 64,000 members of those groups, the vast majority of them Chakma, to flee to India and more than 60,000 others to become internally displaced…Subsequently, the entire refugee population returned from India. However, the situation of more than 60,000 internally displaced Chakma remained unresolved at the end of 2002, despite provisions in the 'accord' for the 'rehabilitation' of both the refugees and the internally displaced. (USCR 2003)… The settlers confiscated their land and in many instances obtained official certificates of ownership.(AI February 2000)... Most of the 64,000 tribal refugees who returned home from India on the heels of the peace pact are yet to get back their lands (Daily Star 21 May 2003)." **[45](p24)**

> "A major problem is to determine the ownership of tribal land. Among the tribal population many did not possess any documentation of land ownership [tribal communities owned land on a communal basis and little documentation was deemed necessary], while Bengali settlers taking over their land obtained official certificates …The Land Commission, which was supposed to resolve land disputes, has not been functioning for two years, but a new chairperson has recently been appointed." **[45](p36)**

6.72 The AI report of 1 March 2004 records as follows:

> "More than six years after the signing of the Chittagong Hill Tracts Peace Accord, the tribal inhabitants of the area continue to live in fear of attacks from Bengali settlers often carried out with the apparent connivance of army personnel. [One of these attacks] took place in August 2003 in the Mahalchari area of the Khagrachari District. According to testimonies given to Amnesty International by eyewitnesses, nine women were sexually assaulted, one of whom was subjected to gang rape; a man was killed in front of his family, a nine month old baby was strangled to death and several people sustained serious injuries; hundreds of houses were burnt down and dozens were looted."…" According to witnesses, police initially refused to accept complaints from the tribal people but filed complaints on behalf of the Bengali settlers against thousands of tribal inhabitants of the area, highlighting long standing discriminatory practices in the administration of justice." **[7m]**

A report of 25 August 2004 from the Asian Centre for Human Rights (ACHR) states that ten Jumma villages were destroyed in this attack. Hundreds of Jumma people fled and

became displaced. Two parliamentary teams - one from the ruling BNP and one from the Awami League - visited the area… "Yet, both justice and effective rehabilitation eluded the victims." [53a]

6.73 The Asian Centre for Human Rights report also details an incident on 3 August 2004 in which about 50 Bengali settlers attacked and killed a Jumma man and his wife in the Rangamati hill district. The report comments: "In the post Chittagong Hill Tracts Peace Accord period since December 1997, such attacks on indigenous Jumma peoples have replaced the organised massacres that characterised the repression on the Jummas between 1976 and 1992. The attacks are aimed to terrorise indigenous Jummas to grab their land. …The root of the CHT's crisis lies in the policies of the government of Bangladesh which seek to establish homogeneous Bengali Muslim society by destroying the district identity of the indigenous Jumma peoples. About 500,000 illegal plain settlers were implanted into the CHTs during 1979-1983 by providing inducements. The CHT Accord not only failed to address the [problem] of the implanted illegal settlers, but settlement of illegal settlers intensified." [53a]

6.74 The Global IDP report, updated December 2003, quotes an article in the Bangladesh Daily Star of 4 September 2003:

> "According to The Daily Star, over 1,500 indigenous people have been displaced by recent ethnic violence in the southeastern district of Khagrachhari. The IDPs (internally displaced persons) have been living in the open and in forests 7 days after Bengali settlers burned and looted 8 villages in revenge for the recent kidnapping of a Bengali businessman in the area. Army and police personnel have been reportedly deployed to the raided villages, however, the IDPs have not yet returned due to security fears. In addition, 5 villages were reportedly completely burnt down. The indigenous people claim that both Hindu and Muslim Bengali settlers torched and looted about 350 houses, killing two and raping at least 10 women. In addition, they allege that police stood by during the attacks. Police claim they could not control the attacking mobs." [45](p21)

A press release of 12 September 2003, from the International Federation of the Red Cross, was also quoted from in the above Global IDP report:

> "On 26 August 2003, in the remote Upazila1 of Mahalchhari of Khagrachori District in the Chittagong Hill Tracts, violent clashes occurred between two groups involving indigenous tribal people and Bengali settlers over the abduction of a local businessman. As a direct consequence of this incident, one person was killed and more than 10 people wounded. More than 1,500 people (575 families) have been affected. Some 274 houses and three Buddhist temples were ransacked and one burned to the ground." (IFRC 12 September 2003) [45](p21)

6.75 According to USSD 2003, extortion and kidnapping for ransom have been 'rampant' in the CHT. [2c](p16)

6.76 United News of Bangladesh reported on 29 August 2004 that six persons had been sentenced to death for the April 2002 murder of a Buddhist monk, Gyan Jyoti Mohasthobir, in Raojan upazila. [39d]

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Rohingyas

6.77 The US Committee for Refugees Country Report for 2002 noted:

> "Some 250,000 Rohingya fled to Bangladesh from Burma in late 1991 and early 1992. The Rohingya, who are Muslim, claim religious and other forms of persecution in Burma. Although the refugees were initially welcomed by Bangladeshis who share ethnic and cultural links with the Rohingya, relations between the refugees and the local residents quickly turned sour. Between mid-1992 and 1999, more than 230,000 Rohingya repatriated to Burma. Although some returned voluntarily, Bangladesh coerced most into returning. At the end of 2001, only 22,061 of the Rohingya who entered Bangladesh in 1991 to 1992 remained, mostly living in UNHCR-run camps." **[37c]**

The USCR World Refugee Survey 2004 estimated that by the end of 2003, Bangladesh was hosting nearly 19,800 Burmese Rohingya, most recognised as prima facie refugees by the UN High Commissioner for Refugees (UNHCR) and over 100,000 other Rohingya who had fled to Bangladesh since 1993 and who are considered illegal immigrants by the Bangladeshi government and are not assisted by UNHCR. **[37b]**

6.78 Notes USSD 2003:

> "Since 1992, approximately 236,000 Rohingya (Muslims from the northern Burmese state of Arakan) have been repatriated voluntarily to Burma. An additional 22,700 have left the camps and are living among the local citizens. More than 19,000 refugees remained in 2 camps administered by the Government in co-operation with the U.N. High Commissioner for Refugees (UNHCR). Beginning in 1999, the UNHCR has urged the Government to allow any refugees who could not return to Burma to be allowed to work in the country, benefit from local medical programs, and send their children to local schools. The Government continued to refuse these requests, insisting that all Rohingya refugees must remain in the camps until their return to Burma. Refugees were forced to return to Burma where they fear persecution. There was a pattern of abuse of refugees. There were also claims of discrimination from the local population towards the Rohingya. The rate of refugee repatriation accelerated dramatically with 3,231 refugees being returned to Burma during the year [2003]." **[2c] (p13)**

6.79 According to the USCR World Refugee Survey 2004:

> "During the year [2003], 3,200 Rohingya repatriated to Myanmar [Burma]. Médecins Sans Frontières (MSF), who received over 550 complaints, and other non-governmental organizations (NGOs) reported that the government imprisoned, evicted from homes, seized ration books for food and medicine, and threatened to physically attack or imprison Rohingya to force return. UNHCR acknowledged some coercion but disputed its severity, and the government denied it. MSF also reported that many repatriated refugees from Myanmar had returned to Bangladesh and were seeking shelter outside of the camps. Other NGOs reported that thousands of Myanmarese came to Bangladesh during the year, fleeing arbitrary taxation, extortion, restricted movement, and lack of citizenship…UNHCR announced that as of December [2003] it would no longer participate in the repatriation of refugees to Myanmar. Since the government

refused to grant refugees permanent status, UNHCR planned to encourage and assist self-sufficiency until the refugees could repatriate. A local Bangladeshi official reportedly told the South Asia Forum that this decision had caused officials to try to speed up repatriations of the Myanmarese…In October [2003] the government sealed the border fearing an influx of refugees following clashes in Myanmar between Muslims and Buddhists. In November, an estimated 6,000 fled to the border. After initially denying them entry, the local Bangladeshi authorities let them in." **[37b]**

6.80 A Médecins Sans Frontières (MSF) Report of March 2002, entitled '10 Years for the Rohingya Refugees in Bangladesh', adds: "For 10 years running, the majority of the Rohingya refugees have been malnourished. In a closed-camp setting, the refugees still do not have enough food. Today, 58 percent of the refugee children and 53 percent of the adults are chronically malnourished. **[29](p12)**

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Women

6.81 The State party report to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), dated 3 January 2003, comments: "Bangladesh is a gradually changing society where the position, status and roles of men and women have primarily been shaped by the stereotype of male predominance and authority over women." **[47a](p16)** The report notes: "Traditional socio-cultural values and practices work against raising the status of women. Women still have limited opportunities for education, technical and vocational training, employment and activities." **(p5-6)** …"According to the Constitution, women enjoy the same status and rights as men in terms of education, health, political process, employment, development processes and social welfare. However, in practice, they do not enjoy the fundamental rights and freedom to the extent as men do. The unequal status of women in society and in public life is largely due to the fact of having unequal status in the family life. Women's lower socio-economic status, lower literacy, lesser mobility are some of the practical obstacles to the establishment of their fundamental rights." **(p10)** The same report details recent initiatives both by the government and by NGOs to reduce discrimination and gender-based oppression. **[47a](pp7, 10-18)** CEDAW, in its 'Concluding Comments' dated 26 July 2004, urged the Bangladesh Government to implement comprehensive awareness-raising programmes to change stereotypical attitudes and norms about the roles of women; CEDAW also expressed concern over the unequal status of Bangladeshi women within the family and the fact that personal laws, derived from religious precepts which are discriminatory to women, continued to exist in the country. **[47b](p5)**

6.82 USSD 2003 notes:

"Laws specifically prohibit certain forms of discrimination against women, including the Dowry Prohibition Act, the Cruelty to Women Law, and the Women and Children Repression Prevention Act. However, enforcement of these laws was weak. The Women and Children Repression Prevention Act provides special procedures for persons accused of violence against women and children. The

law calls for harsher penalties, provides compensation to victims, and requires action against investigating officers for negligence or wilful failure in duty. An amendment to this act was passed on July 20 [2003], weakening provisions for dowry crimes and attempting to address the issue of suicide committed by female victims of acts of "dishonor."" **[2c] (p16)**

6.83 USSD 2003 adds:

"In recent years, female school enrolment has improved. Approximately 50 percent of primary and secondary school students were female. Women often were ignorant of their rights because of continued high illiteracy rates and unequal educational opportunities. Strong social stigmas and lack of means to obtain legal assistance frequently kept women from seeking redress in the courts. Many NGOs operated programs to raise women's awareness of their rights, and to encourage and assist them in exercising those rights. The Government also expanded incentives for female education by making education free for girls up to grade 12 (approximately age 18) and using a stipend system from grades 6 to 12. By comparison, boys received free education up to grade five." **[2c] (p16-17)**

6.84 As noted in USSD 2003 "Domestic violence was widespread, although violence against women was difficult to quantify because of unreliable statistics and societal inhibitions about reporting such violence. Much of the reported violence against women was related to disputes over dowries. According to human rights organizations, there were 261 dowry-related killings during the year [2003]…Incidents of vigilantism against women-sometimes led by religious leaders (i.e. via fatwas) - at times occurred, particularly in rural areas. These included punishments such as the whipping of women accused of moral offences." **[2c](p16)** The Bangladesh Daily Star of 14 August 2003 reported that the results of a study conducted by the United Nations Population Fund (UNFPA), titled 'Assessing male psycho-socio attitudes towards violence against women', were presented at a workshop in Dhaka on 13 August; the former deputy representative of UNFPA was quoted as saying: "Sixty-five per cent of Bangladeshi males think it is justifiable to beat up their wives, 38 per cent have no clear idea what constitutes physical violence and 40 per cent support keeping women socially dormant". **[38f]** According to a report of the Canadian Immigration and Refugee Board dated 12 January 2004, a study reported by UNFPA's 'The State of the World Population' for 2000 found that 47 per cent of the women surveyed in Bangladeshi villages claimed physical abuse by their male partners. **[3i]** A State Party report to the UN Convention on the Rights of the Child (CRC), published 14 March 2003, notes that under the Suppression of Violence against Women and Children Act 2000 violence against a wife by, or on behalf of, a husband carries a penalty of 5-14 years imprisonment if injury is caused, and a maximum penalty of life imprisonment for causing or attempting to cause the wife's death. **[52a](p31)** USSD 2003 states: "The Women Affairs Department ran six shelters, one each in the six divisional headquarters, for abused women and children." **[2c](p16)**

6.85 BBC News reported on 16 May 2004 that Parliament had approved a Constitutional amendment to increase the number of seats in the Jatiya Sangsad from 300 to 345 for a period of ten years, with the additional 45 seats being reserved for women. **[20ae]** The State party report to CEDAW dated 3 January 2003 notes that 6

women were elected to general seats in Parliament in 2001 and that the current Prime Minister and the former Prime Minister are women. At the local government level, three seats on each of the 4,479 Union Parishad councils and three seats on each Zila (district) council are reserved for women. **[47a](pp5,23)**

6.86 USSD 2003 adds that "Employment opportunities were greater for women than for men in the last decade, largely due to the growth of the export garment industry in Dhaka and Chittagong. Approximately 80 percent of the 1.4 million garment sector workers were women. Women worked in the agriculture, fisheries, and livestock sectors, as manual laborers on construction projects, and in general manufacturing. Programs extending micro-credit to rural women improved their economic power. Pay was generally comparable for men and women performing similar work." **[2c](p17)**

Rape

6.87 As stated in USSD 2003 "The law prohibits rape and physical spousal abuse, but it makes no specific provision for spousal rape as a crime. During the year [2003], 1,336 rapes were reported. Prosecution of rapists was uneven. Many rapes were unreported. In some cases, rape victims committed suicide to escape the psychological aftermath, including social stigma." **[2c](p16)** According to the State Party report dated 14 March 2003 to the UN CRC, the Suppression of Violence against Women and Children Act 2000 carries the death penalty or life imprisonment for rape if death or injury results or is intended. Attempted rape is subject to a penalty of 5-10 years imprisonment. **[52a](p31)** Amnesty International's 2004 Annual Report (covering events of 2003) stated: "Women's rights groups blamed the low rate of convictions for violence against women on a lack of government institutions to support the victims and a lack of trained police officers to investigate the cases." **[7j](p2)**

6.88 According to the USSD 2003 "There were no reports of rape in official custody during the year [2003], but 31 cases of rape by either police or other officials were recorded." **[2c] (p2)** The Suppression of Violence against Women and Children Act 2000 specifies a prison term of 5-10 years for the rape of a woman by a police officer who is responsible for her safe custody. **[52a](p31)**

Acid Attacks

6.89 As stated in the U.S. Department of State Report 2003 "Acid attacks were a concern. Assailants threw acid in the faces of women and a growing number of men, leaving victims horribly disfigured and often blind. Approximately 337 acid attacks occurred this year [2003]. Over one-half of the victims were female and one-third were children. The most common motivation for acid throwing attacks against women was revenge by a rejected suitor. Few perpetrators of the acid attacks were prosecuted. In March 2002, the Government enacted legislation to control the availability of acid and reduce acid violence directed towards women, but lack of awareness of the law and poor application limited its impact. The new Acid Crime Control Law provides for speedier prosecutions in special tribunals and generally does not allow bail." **[2c] (p16)**

6.90 The State party report to CEDAW dated 3 January 2003 confirms that two new laws were introduced in 2002 - the Acid Crime Prevention Act 2002 and the Acid

Control Act 2002 - to restrict the import and sale of acid in open markets, allow for trials in acid throwing cases by a special tribunal (with a right of appeal to a higher court) to make the maximum punishment for acid throwing offences the death penalty and to provide for the treatment and rehabilitation of victims. [47a](p20) The Canadian Immigration and Refugee Board, in a report of 12 January 2004, quoted NGO representatives to a 2003 meeting on violence against women as alleging that police, in return for money, had been charging perpetrators under the Women and Children Repression Prevention Act instead of the more severe Acid Control Act. [3i] In a statement by the Asian Legal Resource Centre to the UN Economic and Social Council, dated 10 March 2003, it was stated that the Bangladesh National Women Lawyers Association and the Bangladesh Acid Survivor's Foundation estimated that only 10 per cent of attackers were ever brought to trial. Further, that the total number of acid attacks against women was difficult to document because many cases went unreported for fear of reprisals. [8c]

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Children

6.91 According to the USSD 2003 “The Government undertook programs [in 2003] in the areas of primary education, health, and nutrition. Many of these efforts were supplemented by local and foreign NGOs. These joint efforts allowed the country to make significant progress in improving health, nutrition, and education; however, slightly more than one-half of all children were still chronically malnourished…According to human rights groups, 575 children were abducted, nearly 1,300 suffered unnatural deaths, and over 3,100 children fell victim to serious abuses such as rape, sexual harassment, torture, and acid attack during the year [2003].” [2c] (p17)

6.92 As noted in USSD 2003 “Because of widespread poverty, many children were compelled to work at a very young age. This frequently resulted in abuse of children, mainly through mistreatment by employers during domestic service and occasionally included servitude and prostitution; this labor-related child abuse occurred at all levels of society and throughout the country…According to a 2002 report published by the Government news agency BSS, there were approximately 400,000 homeless children, of which as many as 150,000 had no knowledge of their parents.” [2c] (p17)

6.93 The State Party report to the UN Convention on the Rights of the Child (CRC), published 14 March 2003, states:

> In 1995-1996, the Bangladesh Bureau of Statistics carried out the first ever comprehensive national household survey on child labour, covering children aged 5 to 14 years. According to the survey, there are 6.6 million child workers in Bangladesh (including those looking for work but excluding students). Of these, 14 per cent work as child domestics. A higher proportion of boys (22 per cent) than girls (16 per cent) work, and the proportion of child workers in rural areas (20 per cent) is higher than in urban areas (15 per cent). More than 90 per cent of working children operate in the informal sector. Two thirds of children work in agriculture, the other main occupations being domestic service, selling, collecting waste, construction work and work in small workshops and factories.

The report details various statutes which stipulate the minimum ages at which children can legally work in certain sectors: Mines, 15 years (with medical certificate); shops and other commercial establishments 12 years; factories, 14 years (with medical certificate); workshops where hazardous work is performed 12 years; tea plantations 15 years. **[52a](p73-76)**

6.94 The State Party report to CRC dated 14 March 2003 notes that the Suppression of Violence against Women and Children Act 2000 lays down severe penalties for various kinds of offences against children (up to 14 years) including rape, sexual harassment, kidnapping and detention for ransom. The same report mentions that it is an offence under the Children Act for a person who has custody, care or charge of a child to assault, ill-treat, neglect, abandon or expose the child or to cause such things to happen to him or her in a way likely to cause the child unnecessary suffering or injury to their health. **[52a](p30)**

6.95 An Agence France Presse report of 11 June 2003 stated that "The number of children working both in the formal and informal sectors in Bangladesh is more than 6.3 million.…Bhattacharya [Dhaka's International Labour Organisation representative] said extreme poverty, rapid growth of population, especially among the poor, and loose enforcement of laws allowing unrestricted access of children into the job market were some of the reasons for trafficking in Bangladesh." **[23a]**

6.96 The U.S. Department of State Report 2003 states "UNICEF estimated that there were 10,000 child prostitutes working in the country, but other estimates placed the figure as high as 29,000. The minimum age requirement of 18 for legal prostitution commonly was ignored by authorities and circumvented by false statements of age. Procurers of minors rarely were prosecuted, and large numbers of child prostitutes worked in brothels. **[2c] (p17)** The law stipulated a maximum sentence of life imprisonment for persons found guilty of trafficking a child into prostitution." **[2c] (p23)**

Child Care Arrangements

6.97 The Child Rights Information Network (CRIN) website has noted that Bangladesh is a signatory to the UN Convention on the Rights of the Child and the state is thus obliged to ensure proper care, protection, mental and physical treatment of children and regular review of treatment for the child victims of armed conflict, torture, neglect, maltreatment or exploitation. **[30]**

6.98 According to research carried out by the Bangladeshi human rights group Odhikar in 2001 "The Department of Social Services, under the Ministry of Social Welfare has a major programme named Child Welfare and Child Development in order to provide access to food, shelter, basic education, health services and other basic opportunities for hapless children. There are 73 state orphanages for approximately 9,500 orphan children, three Baby Homes for Abandoned Children with the capacity for 250 babies, one Destitute Children's Rehabilitation Centre for 400 children, one Vocational Training Centre for Orphans and Destitute Children for 100 children, sixty-five Welfare and Rehabilitation Programmes for children with disability for about 1400 children…In many Government run orphanages children are deprived of government grant allocation." **[46b]**

6.99 The State Party report of 14 March 2003 to the UN Convention on the Rights of the Child (CRC) confirmed that there were, in 2001, 73 state-run orphanages and also 3 'baby homes' for abandoned children aged 1 to 5 years. The report added that there were another 950 orphanages run by NGOs, some with government funding. These included institutions linked to various religions: over 300 Muslim orphanages attached to madrassah schools, 9 Hindu, 5 Buddhist and 4 Christian orphanages. **[52a](p29)**

6.100 An Odhikar study in 2001 noted: "There are two correctional services for juvenile offenders. The capacity of these two units is 350 persons. In Bangladesh, however there are no non-governmental or semi-governmental correction homes. Most of the persons detained in the correction home are street children…There are approximately 4.5 million street children in Bangladesh." **[46b]**

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Homosexuals

6.101 According to the International Lesbian and Gay Association (ILGA) website, accessed 24 September 2004, same-sex male and same-sex female relationships are both deemed to be illegal. Section 377 of the Penal Code provides: "Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may be extended to ten years, and shall also be liable to fine". A Bangladeshi lawyer, in a statement to the Swedish Embassy in Dhaka, stated: "You will notice that the word 'homosexual' or 'homosexuality' have not been used in the statute. The instances of prosecution under this section is extremely rare. In my twenty years of law practise, I have not known or heard of a case where a person has been prosecuted for or convicted of homosexuality under the aforesaid section. Such a prosecution in fact would be extremely difficult, if not impossible, for lack of witness or evidence". **[24]**

6.C Human Rights - Other Issues

Authentication of Documents

6.102 Information received from the British High Commission in Dhaka in December 2003 was as follows:

> "Forged and fraudulently obtained documents are readily available in Bangladesh and are frequently submitted in support of entry clearance applications. Such documents include forged passports, birth, death and marriage certificates, bank statements (local and British), business plus employment related documents and educational certificates. Maintenance of official records in Bangladesh tends to be haphazard. Most records are kept in hand written logs, with very little in the way of computerised records. There is no local equivalent of the UK Police National Computer system. Instead, records are kept at local police stations with no national link. With regard to birth and death certificates, and marriage and divorce certificates, local municipal corporations or union councils, and local

registrars issue these respectively. As with police records, there is no national link up between any of these records. Most banks have similar poor maintenance of accounts, and most rural branches lack computers or even telephones." **[11g]**

6.103 The Country Information Service of the Australian Department of Immigration and Multicultural Affairs noted in a 1998 document entitled 'Bangladesh: Profile of Asylum Claims and Country Conditions:

"Asylum applicants from all [Bangladeshi political] parties submit voluminous documentation to support their claims, including in particular outstanding warrants for their arrest if they return to Bangladesh and other alleged court and police documents. Arrest warrants are not generally available to the public, and all such documents should be scrutinised carefully. Many 'documented' claims of outstanding arrest warrants have proved to be fraudulent. As of December 1997, the Embassy had examined several hundred documents submitted by asylum applicants; none proved to be genuine."

6.104 In a response to a query, the Canadian Immigration and Refugee Board advised in January 2004:

"Specific information on whether civilians bribe newspapers to publish fraudulent articles, or the frequency of this practice in Bangladesh, could not be found among the sources consulted by the Research Directorate. However, a research report commissioned by the Florida-based Institute for Public Relations and the United Kingdom-based International Public Relations Association, that was sponsored by the Turkish newspaper, *Hurriyet*, found that, among the 66 nations surveyed, there was a high likelihood in Bangladesh of print journalists seeking or accepting money for news coverage from a variety of sources (IPR 21 July 2003, Table 1; ibid. n.d.)."

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Annex A: Chronology of Events [20o]

1947 - British colonial rule over India ends. A largely Muslim state comprising East and West Pakistan is established, either side of India. The two provinces are separated from each other by more than 1,500 km of Indian territory.
1949 - The Awami League is established to campaign for East Pakistan's autonomy from West Pakistan.
1970 - The Awami League, under Sheikh Mujibur Rahman, wins an overwhelming election victory in East Pakistan. The government in West Pakistan refuses to recognise the results, leading to rioting.
Independence
1971 - Independence of the province of East Pakistan as the People's Republic of Bangladesh was proclaimed on 26 March following Army crack down by the Pakistan Government. Awami League formed the government-in-exile on 17 April with Sheikh Mujibur Rahman, imprisoned in Pakistan, as the President.
1972 - Sheikh Mujibur becomes Prime Minister. He begins a programme of nationalising key industries in an attempt to improve living standards, but with little success.
1974 - Severe floods devastate much of the grain crop, leading to an estimated 28,000 deaths. A national state of emergency is declared as political unrest grows.
1975 - Sheikh Mujibur becomes president of Bangladesh. The political situation worsens. He is assassinated in a military coup in August. Martial law is imposed.
1976 - The military ban trade unions.
1977 - General Zia Rahman assumes the presidency. Islam is adopted in the constitution.
1979 - Martial law is lifted following elections, which Zia's Bangladesh Nationalist Party (BNP) wins.
1981 - Zia is assassinated during abortive military coup. He is succeeded by Abdus Sattar.
The Ershad era
1982 - General Ershad assumes power in army coup. He suspends the constitution and political parties.
1983 - Ershad's proposal that all schools should teach Arabic and the Koran leads to demonstrations. Limited political activity is permitted. Ershad becomes president.
1986 - Parliamentary and presidential elections. Ershad elected to a five-year term. He lifts martial law and reinstates the constitution.
1987 - State of emergency declared after opposition demonstrations and strikes.
1988 - Islam becomes state religion. Floods cover up to three-quarters of the country. Tens of millions are made homeless.
1990 - Ershad steps down following mass protests.
1991 - Ershad convicted and jailed for corruption and illegal possession of weapons. Begum Khaleda Zia, widow of President Zia Rahman, becomes prime minister. Constitution is changed to render the position of president ceremonial. The prime minister now has primary executive power. Cyclonic tidal wave kills up to 138,000.
Awami League returns
1996 - Two sets of elections eventually see the Awami League win power, with Sheikh Hasina, the daughter of Sheikh Mujibur Rahman, becoming prime minister.
1997 - Ershad is released from prison. The opposition BNP begins campaign of strikes

against the government.
1998 - Two-thirds of the country devastated by the worst floods ever. Fifteen former army officers sentenced to death for involvement in assassination of President Mujibur in 1975.
2000 September - Sheikh Hasina criticises military regimes in a UN speech, prompting Pakistani leader General Musharraf to cancel talks with her. Relations strained further by row over leaked Pakistani report on 1971 war of independence.
2000 December - Bangladesh expels Pakistani diplomat for comments on the 1971 war. The diplomat had put the number of dead at 26,000, whereas Bangladesh insist nearly three million were killed. Bangladesh wants Pakistan to apologise for alleged genocide that it says Pakistani forces were guilty of during the war.
2001 July - Sheikh Hasina steps down and hands power to caretaker government. She was the first prime minister in the country's history to complete a five- year term.
BNP Back in Power
2001 October – Following the most violent election campaign in the country's 30-year history, a BNP-led coalition won an overwhelming victory in the general election. Khaleda Zia once again became Prime Minister. **[20i]** More than 300 international monitors declared the poll to have been free and fair. **[1a] [5f]**
2001 November - Law repealed which guaranteed lifelong security to former prime minister Sheikh Hasina and her sister Sheikh Rehana.
2002 March - Government introduces law making acid attacks punishable by death.
2002 April - Government approves temporary law that speeds up legal process for dealing with violent crime. Opposition says it will be used to stifle dissent and help establish a one-party state.
2002 June - President Chowdhury resigns after ruling Bangladesh Nationalist Party accuses him of taking an anti-party line.
The opposition Awami League ends its boycott of parliament and attends for the first time since losing the general election of October 2001.
2002 September - Iajuddin Ahmed, a retired professor from Dhaka University, was announced as the new president. **[20s]**
2002 17 October – "Operation Clean Heart" is launched by the Government in response to criticism over rising crime and deteriorating law and order. This involves the deployment of nearly 40,000 soldiers in all major cities to help restore law and order, arrest "listed criminals" and recover illegal firearms. More than 11,000 people were arrested during the Operation, and between 31 and 40 people died after soldiers detained them.
2003 February – The Joint Force Indemnity Ordinance 2003 is passed by Parliament to give legal protection to the army who took part in Operation Clean Heart.
2003 January to March – Local elections to 4,267 local councils are held. By 17 February 2003, 25 people had reportedly been killed in election-related violence.
2004 January – Bomb attack on a shrine in Sylhet.
2004 January – Three local politicians killed in as many days in Khulna.
2004 May - A Constitutional amendment increases the number of seats in Parliament from 300 to 345, the additional 45 being reserved for nominated women members.
2004 May - A bomb attack at a Muslim shrine in Sylhet kills 2 and injures 25, including the British High Commissioner.
2004 July - Devastating floods hit Bangladesh: 600 people killed and an estimated 30 million people displaced or stranded; 60% of the country, including half of Dhaka, was under water at one stage.

2004 August - On 21 August a grenade attack at an Awami League rally in Dhaka, addressed by Sheikh Hasina, kills 19 people and injures about 200. No group claims responsibility. Rioting by Awami League supporters subsequently erupts across the country; the Awami League calls three days of general strikes.

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Annex B: Political Organisations

Main political parties

Awami League (AL)
Founded 1949. Currently headed by Sheikh Hasina. Advocates socialist economy, but with a private sector, and a secular state. Has about 1,025,000 members. The AL governed Bangladesh between June 1996 and July 2001. [1b] Despite obtaining the votes of 22,365,516 people in the 2001 general election (40% of all votes cast), the AL holds only 62 seats in the 300-seat parliament due to the 'first-past-the-post' electoral system. [16]

Bangladesh Nationalist Party (BNP) ('Bangladesh Jatiyatabadi Dal')
Founded in1978 by a former president, General Zia, and is now led by his widow and current Prime Minister, Khaleda Zia. [40a] The BNP won 193 of the 300 parliamentary seats in the 2001 general election and formed a government in coalition with Jamaat-e-Islami, the Jatiya Party and the Islamic Oikkkya Jote. [16] According to the Economist Intelligence Unit Country Profile 2003: The BNP espouses Bangladesh nationalism with anti-Indian and pro-Islamic nuances; however, these nuances have not been evident in its policymaking since coming to power in October 2001. The BNP, with close links to business, is committed to fostering a market economy and liberal democracy, and encourages private sector-led economic growth. [40a](p11)

Islami Oikya Jote (IOJ) (alternatively Islami Oikkya Jote)
Won 2 seats in 2001 election and is currently a member of the BNP-led coalition government. Seeks to implement Islamic doctrine and draws support from traditional religious groups. [40a](p11)

Jamaat-e-Islami (alternatively Jamat-e-Islami)
Founded 1941. A fundamentalist party that espouses an Islamic state. Opposed to Bangladesh's independence in the 1971 civil war with Pakistan. [1b][40a] Led by Matiur Rahman Nizami. [40a] The party was banned after independence but got its rights back after General Zia allowed them and other fundamentalist parties to enter politics after the first AL-led government had banned them from politics. [4b] Won 17 seats in the October 2001 election to form part of the ruling BNP-led coalition. [20m]

Jatiya Party (National Party)
Founded 1983 as Jana Dal; reorganised 1986 when the National Front (founded 1985) formally converted itself into a single pro-Ershad grouping. [5g] The JP's main faction is led by the deposed former president, General Ershad. Stood in the 2001 general election as **'Islami Jatio Oikya Front'** and won 14 seats. [40a][16]

Bangladesh Jatiya Party (N-F): This faction, led by Naziur Rahman Manzur, secured 4 seats in the 2001 election and is currently a member of the BNP-led governing coalition. The party is secular.

Jatiya Party (Manju) is a separate party/faction which broke away from the Jatiya

party in 1999 and won 1 seat in 2001. [1b]

A full list of the 95 political parties allocated symbols for the 2001 general election is on the website of the Bangladesh Election Commission:
http://www.bangla2000.com/Election_2001/150_symbols.shtm
Another extended list of political parties can be found at: http://elive.matamat.com/ppb.php

Student/youth Organisations

Bangladesh Chhatra League-BCL (Sha-PA)
Affiliated to Awami League. [11c]

Gonotantrik Chhatra League
Affiliated to the Democratic League. [11c]

Islami Chhatra Shibir
Affiliated to Jamaat-e-Islami (Jamaat). [11c]

Jatiya Chhatra Samaj
Affiliated to Jatiya Party. [11c]

Jatiyatabadi Chhatra Dal (JCD)
Affiliated to Bangladesh Nationalist Party. [11c]

Proscribed or Extremist Organisations

Biplobi Communist Party (before 1971 known as the Communist Party of East Pakistan)
Maoist movement. Fought against both Pakistan army and Awami League during independence struggle. By mid-1970s largely suppressed by State; revived 1980s. [11a]

Purba(r) Bangla Communist Party (PBCP)
A proscribed radical Maoist movement. Seeks communist revolution by violent means. Responsible for the murder of police, officials, merchants and others; also engaged in robbery and extortion. According to the South Asia Terrorism portal of the Institute for Conflict Management (accessed 20 October 2004), current leader is Mofakkar Chowdhury. The PBCP was founded in 1968 following a split in the Bangladesh Communist Party. Further details at
http://www.satp.org/satporgtp/countries/bangladesh/terroristoutfits/PBCP.htm [11a][59a]

Swadhin Bangabhumi Movement ('Free Land of Bengal')
Hindu separatist movement. Founded in Calcutta by former Awami League MP, who fled to India in August 1975. Seeks separate state in south west Bangladesh (where there is a large Hindu minority). Responsible for attempted take-over of Bangladesh High Commission in Calcutta in 1984. [11a]

Shanti Bahini ('Peace Force')

Armed wing of the Parbattya Chattagram Jana Sanghati Samity (PCJSS), a tribal insurgency which operated in the Chittagong Hill Tracts. Founded in 1972 by two brothers, Shantu and Manobendra Larma. Stood for political independence for the Chittagong Hills Tracts, and drew support from Chakma tribes. [11a] However, following the Peace Accord of 2 December 1997, [4c] Shantu Larma reportedly declared an end to the Shanti Bahini. [4e] On 10 February 1998 the Shanti Bahini formally surrendered their arms to the government, marking an end to the 25-year insurgency. [4e] The group is now considered to have disbanded, having surrendered their arms and had criminal cases against them dropped as part of the Peace Accord. [7b]

Jagrata Muslim Janata of Bangladesh (JMJB)

According to an article in the Bangladesh Daily Star of 17 May 2004, this is the same group previously known as the **Jama'atul Mujahedin Bangladesh (JMB or JuM)** [38l] It is also known by other names like Mujahidin Alliance Council, Islami Jalsha and Muslim Raksha Mujahideen Oikya Parishad. [59b]

JMJB is a fundamentalist 'vigilante' group whose aim is Islamic revolution through jihad. It is claimed that the group was first founded in 1998; the present name (JMJB) first became apparent in April 2004. According to the South Asia Intelligence Review of 31 May 2004, its highest decision-making body is the 7-member 'Majlis-e-Shura' (also referred to as the 'Sura Board'); the first tier of the organisation has activists called 'Ehsar' who are recruited on a full-time basis and act at the directive of top echelons. The second tier, 'Gayeri Ehsar', has over 100,000 part-time activists. The third tier involves those who indirectly co-operate with the JMJB. The organisation has apparently established training camps in the north-western districts of the country. Moulana Abdur Rahman is said to be the 'spiritual leader' of the JMJB. Siddiqul Islam, also known as 'Bangla Bhai', is a senior member who has assumed command of various JMJB operations. In August 2003 armed JuM cadres clashed with police in Jaipurhat. There have been violent clashes between the JMJB and the Purba Bangla Communist Party (PBCP); during May 2004, for example, JMJB operatives killed six members of the PBCP; the PBCP retaliated by killing two JMJB men and injuring six others. The PBCP is suspected of having carried out the bomb attack at the Hazrat Shahjalal Muslim Shrine in Sylhet on 21 May 2004. On 22 May 2004 several thousand JMJB activists armed with bamboo and hockey sticks staged a rally in Rajshahi city, under police escort, threatening journalists with death for reporting against them. [38l][19a][59b] On 17 May 2004 the Daily Star reported that the government had instructed the police to arrest Bangla Bhai; it is not known whether this has since been carried out. [38m] Other JMJB activities are detailed at http://www.satp.org/satporgtp/countries/bangladesh/terroristoutfits/JMJB.htm

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Annex C: Prominent People

AHMED Prof. Iajuddin
President of Bangladesh since 6 September 2002. [20s]

ERSHAD General Hossain Mohammed
Leader of the main faction of the Jatiya Party. Came to power following a military coup in March 1982 and ruled as an autocrat until December 1990. [1a][40a]

HASINA Sheikh
The leader of the opposition Awami League. Prime Minister in 1996-2001. A daughter of Bangladesh's founder, Sheikh Majibur Rahman, Sheikh Hasina Wajed became leader of the AL in 1981. [40a][1a]

NIZAMI Motiur Rahman
Leader of Jamaat-e-Islami, Bangladesh's largest Islamist party and a member of the BNP-led coalition government. [40a]

RAHMAN Sheikh Mujibur (Mujib)
Bangladesh's first Prime Minister; assassinated August 1975. [1a]

RAHMAN Ziaur (General Zia)
Assumed presidency April 1977; assassinated May 1981. [1a]

ZIA Begum Khaleda
Leader of the Bangladesh Nationalist Party (BNP) and Prime Minister since October 2001. She was previously prime minister from 1991 to 1996. The wife of former President Ziaur Rahman, who was assassinated, she assumed the leadership of the BNP in 1981. [20i][40a]

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