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Bangladesh

Greens/EFA motion for resolution

Tabled by Jean Lambert, Barbara Lochbihler, Nicole Kiil-Nielsen, Raül Romeva i Rueda on behalf of the Greens/EFA Group

The European Parliament,

– having regard to European Parliament Resolution on labour conditions and health and safety standards following the recent factory fires and building collapse in Bangladesh, 23 May 2013 and on the situation in Bangladesh, 14 March 2013

- having regards to the European Union Heads of Mission Statement to mark the European Day against the Death Penalty, 10 October 2013

- having regard to the EEAS Delegation Statement on the detention of Mr Adilur Rahman Khan, 10 August 2013

- having regard to the statement of UN human rights commissioner Navi Pillay of 6 November 2013 on Bangladesh's sentencing of 152 soldiers to death over the bloody mutiny in 2009

- having regard to the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on December 9, 1998

– having regard to continuing obstacles for the activities of civil society organisations such as trade unions in the Penal Code; the Anti-Terrorism Act, 2009; the Anti-Terrorism (Amendment) Act, 2012, the Bangladesh Telecommunication (Amendment) Act; the Information and Communication Technology Act, 2006; the Information and Communication Technology (Amendment) Act, 2013; the Voluntary Social Welfare Agencies (Registration and Control) Ordinance, 1961; the Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978; the Foreign Contributions (Regulation) Ordinance, 1982; the Labour Act, 2006; and the Labour Law Reform Package, 201

– having regard to

– having regard to Rule 122 of its Rules of Procedure,

A. Whereas so far some 30 Bangladeshis have been killed and hundreds wounded in political violence during strikes ('hartals') called for by the BNP under former Prime Minister Begum Khaleda Zia, the allied Jamaat-e-Islami demanding that the election under a constitutional deadline.of January 25, 2014 be overseen by a 'non-party' caretaker government and calling for the resignation of Prime Minister Sheikh Hasina

B. Whereas the present ministers have resigned and Awami League Prime Minister Hasina has formed an 'all-party government' to see through the elections with her staying as head of government,

C. Whereas over the years both BNP and Awami League have held contradictory and changing views on the merit of a caretaker government, while the Supreme Court in May 2011 declared illegal the 15-year-old constitutional provision that mandates an elected government to transfer power to an unelected non-partisan caretaker administration to oversee a new parliamentary election on completion of its term, however said the voided system may be practiced for another two parliamentary terms for the sake of "safety of the state and its people"; whereas the system was discredited by the last military-backed caretaker in 2007-08, when it refused to hold elections for nearly two years and send the leaders of the two main parties Hasina and Khaleda (with son Tarique) to jail;

D. Whereas the Awami League immediately after the judgment introduced the 15th constitutional amendment bill and scrapped the caretaker system under the refusal of the BNP opposition to cooperate on the reform;

E. Whereas since Sheikh Hasina came to power, five regional election have been held in Bangladesh which the Awami League has lost and which have not raised any claims of irregularities;

F. Whereas the impoverished part of the Bangladeshi population who is dependent on daily income to survive is severely affected by the hartals and Bangladesh's fragile economy which already had to cope with the recent traumatic accidents in the garment sector, risks to suffer further;

G. Whereas there are allegations that the Jammat-e-Islami is pushing the hartals in order to delay the proceedings of the war crimes cases against Jamaat leaders;

H. Whereas on 5 November 2013 after a mass trial of 847 suspects, 152 soldiers were sentenced to death while 161 others were given life sentences as a follow-up to the 2 day mutiny in February 2009 during which time seventy-four people, including 57 army officers, were brutally murdered, their bodies dumped in ditches and some wives of army officers were sexually assaulted;

I. Whereas this mutiny of thousands of soldiers initially in protest over low salaries and other grievances, spread from the capital Dhaka to bases around the country and threatened to destabilise the newly elected government of Sheikh Hasina; whereas however this does not justify the lack of rule of law which has allegedly characterized the mass trial: death of some suspects in custody, reports of widespread abuse and torture of detainees, lack of adequate and timely access to lawyers and the use of evidence obtained under duress in court

J. Whereas NGO activists, lawyers, journalists and trade unionists who defend civil rights are under increasing pressure and suffer harrassment; whereas, two members of the human rights organization Odhikar, Adilur Rahman Khan, Secretary of Odhikar and a member of the General Assembly of the World Organisation Against Torture (OMCT), and Nasiruddin Elan, Director of Odhikar, are facing prosecution for publishing a report on police repression;

K. Whereas the authorities fail to launch effective investigations into extrajuridical killings, torture and disappearance, as in the case of labor leader and human rights defender Aminul Islam;

1. Expresses its serious concern over the continuing paralysation of everyday-life in Bangladesh through 'hartals' organised by the BNP Jamaat e-Islami opposition and the confrontation between the two political camps in the run-up to the presidential elections,

2. Severely regrets that the parliament did not managed to agree on a new mechanism for the transfer during elections, considering that most democracies manage this phase without a caretaker government, and urgently calls on the government and the opposition to put the best interests of Bangladesh first and to find a compromise which would give a chance to the Bangladeshi people to express their democratic will;

3. Recognises Bangladesh's reputation as a tolerant society, and in this frame condemns groups and factions trying to stir up inter-communal tensions for their own ends; calls on all groups and individuals to exercise tolerance and restraint, especially in the lead up to, during, and post elections;

4. Calls on all parties not to boycott the elections as this would rob the citizens of a political choice, and undermine Bangladesh's social and economic stability and its impressive development progress made notably on MDGs, disaster management, labour rights, women's empowerment; whereas an EU election observation mission under such circumstances would be compromised;

5. Expresses alarm over Bangladesh's increasing number of people on death row and notably the sentencing of 152 soldiers to death over a bloody mutiny in 2009;

6. Calls on the Bangladeshi government to restore the enabling environment for civil society organisations. including human rights defenders, which has contributed much to Bangladesh's development, so they can carry out their activities freely - such as excessive obstacles in obtaining authorisation - put an end to acts of violence and harassment, and bring legislation in conformity with international standards;

7. Expresses in this context amazement over the recent campaign of the Islamic Foundation, a government religious body, to hold demonstrations against one of the most renowned and respected Bangladeshi citizens, Nobel Laureate Professor Muhammad Yunus, for having signed a joint statement along with three other Nobel laureates back in April 2012 against the prosecution of gay people in Uganda ;

8. Equally calls on the authorities to stop legal proceedings against the director and the secretary of Odhikar, Nasiruddin Elan and Adilur Rahman Khan for their reporting on human rights abuses by government security forces;

9. Urges to carry out prompt, independent and transparent investigations into cases of violations of the rights of human rights defenders, including threats, attacks, killings, torture and ill-treatment, in order to identify all those responsible and bring them to justice; underlines in particular the case of labour leader Aminul Islam, as well as journalists Mr. Sagar Sarowar and Ms. Meherun Runi;

10. Asks to scrap the 30 per cent “representativity” requirement for the registration of trade unions, to extend the coverage of the Labour Act to categories of workers currently excluded; to adopt a prohibition for employers to interfere in internal trade union affairs; to extend the scope of the Labour Act to apply to Export Processing Zones and grant collective bargaining rights to Workers' Welfare Associations (WWA), while making it easier for WWAs to be registered;

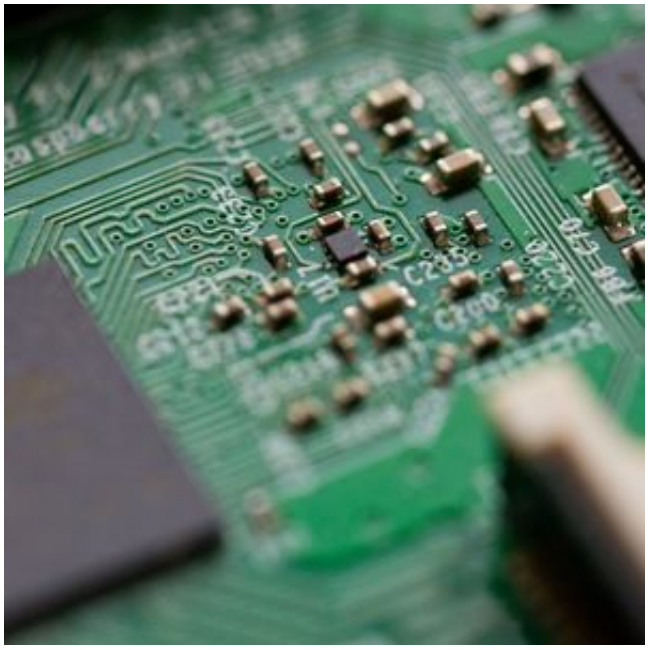
11. Is looking forward to Bangladesh fully cooperating with the UN Treaty Bodies and and extend a standing invitation to the Special Procedures of the UN Human Rights Council;

12. Instructs its President to forward this resolution to the Council, Commission, the European External Action Service, the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the UN Secretary General, the UN Human Rights Council and the Government and Parliament of Bangladesh.

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Responsible MEPs



Jean Lambert

Member



Barbara Lochbihler

Member

Contact person



Sabine Meyer

Advisor on Foreign Affairs

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