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Human rights violations in Bangladesh

Greens/EFA motion for resolution

Tabled by Jean Lambert, Barbara Lochbihler on behalf of the Greens/EFA Group

for a debate on cases of breaches of human rights, democracy and the rule of law

The European Parliament,

– having regard to its previous resolutions on Bangladesh,

– having regard to the Cooperation Agreement between the European Community and the People's Republic of Bangladesh on Partnership and Development,

- having regard to Art. 33 and 35 of the Constitution of Bangladesh which stipulate that no person shall be subjected to torture or cruel, inhumane or degrading punishment or treatment and that no person shall be arrested or detained in custody without being informed of the grounds for such arrest,

- having regard to the Ruling of the Supreme Court which laid down safeguard measures against arbitrary arrests by the police under section 54 of CrPC, which also requires that any death incidents occurring in police custody is enquired by a magistrate and necessary legal proceedings undertaken,

– having regard to the International Covenant on Civil and Political Rights,

- having regard to the United Nations General Assembly (UNGA) adopted resolutions 62/149 and 63/168, calling for a moratorium on the use of the death penalty

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

A. Whereas the Government of Bangladesh (GOB) has announced a "zero tolerance" policy towards any violation of human rights by the law enforcing agencies, enacted a Police Reform Act including a code of conduct, model police stations and victim support centers in key police stations;

B. Whereas the GOB has announced that in collaboration with ICRC it is carrying out advocacy and training programmes for law enforcing agencies and prison authorities on international safeguards against

torture;

C. Whereas disappearances, the use of torture and other ill-treatment persist in Bangladesh despite safeguards in the Constitution, the Penal Code and the Torture and Custodial Death (Prohibition) Act, as well as restrictions on the right to freedom of expression;

D. Whereas the Rapid Action Battalion, created 10 years ago as an emergency measure, to counter threats to security from militant groups, comprises both military and police, effectively bringing the army into civilian law enforcement without any transparent accountability mechanisms; whereas independent human rights organisations allege that RAB is responsible for some 800 deaths with no prosecutions or punishment of officers responsible; whereas apart from recent arrests of several RAB members in a suspected contract killing of a ruling party politician, other egregious abuses go unpunished;

E. whereas the government has adopted new policies to curb freedom of expression and to restrict media freedom; whereas the policy provides little guidance on what is permitted content and contains overly vague language; whereas the government is planning to introduce a legislative framework through which to enforce the policy;

F. Whereas on the instigation of the NGO Affairs Bureau (NGOAB), which is a body authorised to coordinate and regulate the activities of NGOs operating with foreign funding, on 2 June 2014 the government placed and in principle passed “The Foreign Donations (Voluntary Activities) Act 2014” at the Cabinet Meeting, and whereas there is widespread concern among NGOs that the Act will install more government officers as monitors, evaluators and approvers into the process – with the potential for delay and malpractice;

G. Whereas on 27 August, 2014 Hana Shams Ahmed, coordinator of the International Chittagong Hill Tracts Commission (CHTC), and a friend were brutally attacked by 8-10 members of the so-called Somo Odhikar Andolon, during a private visit to Shoilopropat in Bandarban in the Chittagong Hill Tracts; whereas the four members of the Detective Branch (DB) of police who were supposedly providing security to them did not intervene and even disappeared while the assault was ongoing;

H. Whereas at least four bloggers and two human rights defenders have been charged in the last two years under Section 57 of the Information and Communication Technology (ICT) Act;

I. Whereas in May this year, the RAB was, for the first time since its formation in 2004, forced to admit that some of its personnel had been implicated in an enforced disappearance.

J. Whereas it is estimated there are over 1000 people on death row in Bangladesh;

K. whereas following the tragic collapse of the Rana Plaza factory in April 2013, the Bangladesh government and western retailers set up an inspection regime of more than 3,500 garment factories for structural integrity and fire and electrical safety; whereas while inspections through the western retailers have been ongoing and public, the inspections through the Bangladeshi government have not yet been made public;

L. whereas the fund set up through the International Labour Organization to help victims and survivors has not yet reached its target mark of $40 million dollars; whereas in spite of a few reforms to labor laws, workers continue to report harassment and intimidation against joining or forming unions and attacks on trade union organisers continue to be reported;

1. Calls on the Government of Bangladesh to immediately release anyone subjected to an enforced disappearance, unless they can be charged with a recognizably criminal offence, in which case they should be immediately presented before a court; calls on the Bangladeshi authorities to investigate the perpetrators, taking into account command responsibility, and bring those found to be responsible to justice in a fair trial;

2. Strongly condemn violent attacks by opposition groups against both civilian and government targets; calls upon opposition groups to only engage in peaceful protests; urges the government to use minimal force to restore public order and to abide strictly by the UN's Basic Principles on the Use of Force and Firearms;

3. Expresses concern about continuing human rights violations by the Rapid Action Battalion and other security forces including enforced disappearances and extrajudicial killings of opposition activists;

4. Urges the Bangladesh government to disband the Rapid Action Battalion and to establish a civilian law enforcement authority with no military component instead, to ensure that its security forces exercise restraint and respect human rights; strongly calls on the Bangladeshi authorities to put an end to RAB's impunity by ordering investigations and prosecutions into alleged illegal killings by RAB forces;

5. Calls on the Government of Bangladesh to establish an independent body to investigate cases of disappearances and extra-judicial killings, complaints of torture and other ill-treatment; calls on the authorities to bring those responsible for torture or other ill-treatment to justice in a fair trial; re-iterates its call on the government to build an effective and fully independent Human Rights Commission;

6. Calls upon the Government to investigate the attack against Hana Shams Ahmet and her friend promptly and impartially and to arrest and bring the perpetrators to justice (one of whom, named Shomrat, has already been identified by an eyewitness); expects in particular that the Government investigates the role of the four Detective Branch policemen who followed the victims but failed to protect them;

7. Urges the Bangladeshi authorities to revoke the new media policy and abide by its obligations to allow free speech and expression; urges the government to withdraw its proposed legislation on increasing regulations over NGO's and ensure that NGO's are allowed to operate without undue restraint and hurdles;

8. Emphasises the importance of an independent, impartial and accessible judicial system to enhance respect for the rule of law and the fundamental rights of the population and reform the war crimes tribunal; recognises that it is more important than ever to create public confidence in the judiciary, security and human rights institutions given the increased threats to such institutions in the region from terrorist organisations like Al Qaeda;

9. Urges the Bangladesh Government to recognise and respect freedom of the press and media and to allow human rights groups to play their important role in strengthening accountability and documenting human rights abuses;

10. Reiterates its calls for the abolition of the death penalty;

11. Urges the Bangladeshi government to allow workers to freely form and join labor unions, and to further reform Bangladesh's labor law to bring it in line with ILO standards and to ensure that promises made in the wake of the Rana Plaza disaster are fulfilled, including those to the victims and family members;

12. Strongly recommends that the Bangladeshi government make public and transparent the safety inspection records of all factories inspected;

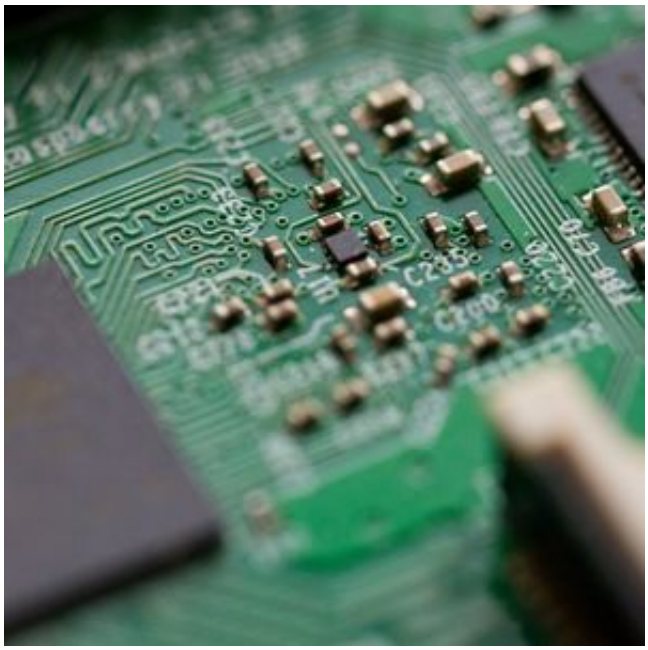
13. Call on the EU Institutions and EU Member States, to ensure a clear and principled EU policy vis-à-vis Bangladesh that addresses the ongoing serious human rights violations, in line with the EU Strategic Framework on Human Rights

14. Instructs its President to forward this resolution to the EU Council, the European Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the UN OHCHR and the government and parliament of Bangladesh.

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