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United States Congress

Briefing on Bangladesh

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Bangladesh's political situation remains in crisis. To understand the country's current problems, however, a quick review of recent history is in order. I will provide a brief overview here, before proceeding to the more recent events.

The ruling Awami League, headed by prime minister Sheikh Hasina, has been in power since 2009. In the most recent election, Sheikh Hasina won a second term in January 2014—but this was only after the primary opposition parties boycotted the polls. The opposition had held protests before the election, many of which were violent, demanding that elections be held under an impartial caretaker government, but Hasina refused, leading to the boycott. With half the seats uncontested, the Awami league was unopposed. Since then, the country has effectively been a one-party state.

National elections are once scheduled to be held on December 30, 2018. The government has again rejected opposition demands for a neutral caretaker government appointed, to hold elections. This time, opposition parties have announced their participation but are requesting independent international observers to ensure free and fair polling. The government will not agree to that.

There is no reason to think the elections will be conducted in a free or fair atmosphere. Over the last year, authorities have detained or jailed many senior opposition leaders, lodged politically motivated trumped up cases against thousands of opposition supporters, and violated international standards on freedom of speech by cracking down on media and civil society who are critical of government abuses or supportive of the opposition. Human rights groups have remained under pressure due to restrictions on accessing foreign funding. Journalists have reported threats and intimidation to prevent any criticism of the government.

In this briefing, I will provide details about this continuing and intensifying crackdown, and then offer some recommendations for how the US government might be able to address these abuses. Before doing so, I want to emphasize that Human Rights Watch

is not a partisan organization and takes no position for or against particular political parties. Our record shows that over the last few decades Human Rights Watch has been critical of human rights abuses by the Bangladesh government no matter who is in power, and if you consult our website for publications in the years when the current opposition was in power, you will see that we were critical of abuses in that period as well. Human Rights Watch comes with no political agenda for or against any political party. Our primary concern is with the human rights abuses that are being committed by the current government, and right now, the victims of those abuses are primarily members and supporters of the political opposition, but victims also include journalists, prominent members of civil society, as well as students, and even school children.

The Crackdown

The leader of the primary opposition group, the Bangladesh National Party, Khaleda Zia, is currently in jail. The government jailed her in February in connection with several long-standing corruption cases. Aside from the specific merits of the cases against her, opposition party supporters view Zia's prosecution as motivated by the political agenda of the leader of the ruling Awami League, Sheikh Hasina. Zia's supporters argue that the corruption cases against Zia were first brought many years ago by the military-backed government that ruled before Hasina took power in 2009, and that the previous government had also filed allegations against Hasina. When the Awami League came into office 2009, the cases against Hasina were dropped, while those against Zia proceeded.

The crackdown, however, is about far more than Zia's detention. The government has in recent months filed trumped up charges against thousands of opposition supporters, including senior leaders. The BNP alleges that they have documented at least 5,000 new arrests, including over 1,000 they directly raised with the government. Even beyond arrests, the numbers of persons accused in court documents are so extensive that some media have discovered names of individuals who are dead or critically ill and currently admitted to hospitals.

It is impossible to know the full scope of the arrests, but they appear to be broad. Increases in the overall reported population of the country's jails offer a partial glimpse into its scale. Even taking into account average figures for ordinary criminal cases, a major reported increase in Bangladesh's jail population in recent months—now well over 14,000 new prisoners since September—is large enough to allow us to conclude that a substantial part of the increase is due to the political crackdown. (It should be noted here that jails were already severely overcrowded, even by the government's own admissions, so are even more so now.) It appears that thousands of people have been rounded up for political reasons in the last few months.

But not all prisoners may even be held in official prisons. Numerous opposition supporters have been detained for weeks, even months, and held in unknown facilities.

Several remain disappeared, including the sons of two Jamaat-e-Islami leaders, Mir Ahmad Bin Quasem and Abdullahil Amaan Azmi.

Human Rights Watch has also documented the disappearance of 19 BNP supporters in recent years, people who witnesses told us were detained by Bangladeshi security forces. And there may be additional cases.

A Climate of Fear

The word that many people use, when describing the current atmosphere in Bangladesh, is fear. “Hundreds of people have disappeared,” one opposition leader told us. “We don’t know where they are.” One newspaper editor told us he experiences “fear, suspicion, tension, threats” from the moment he wakes up in the morning. Another editor told us of “a culture of fear, an environment of fear,” and admitted to practicing self-censorship: “As an editor I decide...” should he publish everything he has? “I cannot save my reporters from the intimidation.”

You can see the fear in the words of civil society leaders, some of which I will now read to you: “They have gone to extremes,” said one. “They have attacked my home. . . my friends and family are fearing there will be more attacks.” Another told us: “We have become a police state.” Another: “There are no human rights, there is no democratic space.”

Many people predict that the election that takes place in December will be rigged to benefit the Awami League, and that widespread violence will occur in the context of subsequent BNP protests.

We condemn any and all violence by political groups and urge all opposition parties not to engage in violent acts during protests. But we also have major concerns about the prospect of excessive violence by security forces and Awami league groups.

In recent years, Human Rights Watch has documented numerous cases of extraordinary brutality by security forces, including deliberate maiming of opposition activists—primarily members of the student wing of the Jamaat. We wrote an entire report about “kneecapping,” cases where security forces take opposition members into custody and then shoot them in the leg or knees, often leading to a permanent disability.

A History of Brutality

Egregious and recent cases of brutality were also seen with a crackdown on a protest in Dhaka that took place earlier this year, in July, after two students were killed by a speeding bus and thousands of students, including school children, took to the streets to demand the government better ensure road safety. Fearing increasing public support and opposition involvement in backing the protest, members of Awami League party

youth wings attacked the protesters with machetes and sticks. Eyewitnesses and journalists also reported that in some areas police stood by while students and school children were beaten up by the Awami League supporters, some of whom wore helmets to hide their identity. Some perpetrators were identified when the attacks were caught on camera.

Among those that documented and criticized the crackdown on the student protests was a journalist, Shahidul Alam. His work appears to have angered the government. He was arrested only hours after he criticized the government's response to the protests in an August interview with Al Jazeera. Even after a sustained international outcry about his detention, the authorities have continued to refuse to release him. It is a case of seemingly unapologetic flat-out media repression: punishment of a journalist for documenting and speaking about human rights abuses. Shahidul has said in court that he was beaten while in custody. Other journalists covering the protests also reported being attacked.

Freedom of Expression in General

As the elections have neared, the government has intensified their crackdown on human rights groups. The group Odhikar, long in the government's cross hairs, has been all but shut down by investigations and freezes on their funding from foreign sources. Another group, Sujon, has more recently been harassed and investigated.

On the media side, Human Rights Watch is also deeply concerned about a new law that government has passed that could severely further curtail freedom of expression. In September, the government passed the Digital Security Act which is designed to monitor all electronic communications. This new law was supposed to address abusive provisions in the Information and Communication Technology Act. However, the new law still retains similar provisions and contains new sections to criminalize free expression. Meanwhile, hundreds continued to face charges under the ICT Act for their social media commentary.

The Rohingya Crisis

We are extraordinarily concerned about the plight of the Rohingya refugee population in Bangladesh. We don't have time to delve into this complex and complicated crisis in this briefing, but I do urge that anyone interested in following it more closely visit our Myanmar page on our website, by searching "HRW Myanmar".

As far as Bangladesh goes, we are deeply troubled by reports that Bangladesh has begun repatriating several hundred refugees to Myanmar just today—possibly simply to demonstrate that it is taking action on repatriation in the lead up to the elections. The conditions in Myanmar are entirely unsafe for returning Rohingya, all of whom will not be returning to their homes but rather to transit camps ringed by fences, where they will

enjoy no freedom of movement nor access to adequate social services or economic opportunities—facilities which are in essence open air prisons, or modern day ghettos or concentration camps. Bangladesh should halt these returns immediately.

Recommendations

What should the US do about the political crisis in Bangladesh?

The Trump administration doesn't have a lot of credibility on raising human rights, in the context of the president's attacks on media and international institutions.

But Congress still has a role to play. Human Rights Watch recommends that members of Congress should communicate to the Bangladesh government—in joint letters, or unilateral outreach, or any other methods—that they are deeply concerned about Bangladesh's crackdown and, more important, make it clear to the Bangladesh government that if it continues to engage in its broad human rights crackdown, Congress will have no choice but to impose restrictions on future US-Bangladesh military-to-military ties and assistance, and possibly impose new penalties on the economic front.

Members of Congress should also consider recommending that the State Department report to them about which Bangladesh government security officials are implicated in the gross human rights abuses I've outlined here today, and then urge the State Department and Treasury Department to use their authority under the Global Magnitsky Act to impose targeted economic sanctions, and travel and banking restrictions, on implicated persons.

Members of Congress should also coordinate with parliamentarians in other countries and in the European Union, to encourage them to press for similar measures.

Thank you for taking the time to hear from us today.