



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2005/NGO/174  
4 March 2005

ENGLISH ONLY

---

COMMISSION ON HUMAN RIGHTS  
Sixty-first session  
Item 9 of the provisional agenda

**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL  
FREEDOMS IN ANY PART OF THE WORLD**

**Written statement\* submitted by the International Federation for Human Rights (FIDH),  
a non-governmental organization with special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 2005]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## BANGLADESH

The International Federation for Human Rights (FIDH) expresses its deep concern about the human rights situation in Bangladesh. The focus of this written intervention is on freedom of expression and association as well as on women rights.

**Freedom of expression and association**

In Bangladesh, the conservative and nationalist government perceives critics as being supporters of the Awami League, an opposition party subjected to vigorous repression. Civil society is extremely polarised, the NGOs perceived to be pro-BNP (ruling party) work unhindered, whereas those perceived to be pro-Awami are constantly targeted. Pressure on the latter is permanent and creates a very vulnerable environment for those NGOs, whose leaders are regularly detained and sued, and who face repeated attempts, through administrative, legal, fiscal and other means to curb their activities<sup>1</sup>.

This was notably the case with Proshika, whose President, **Mr. Qazi Faruque**, was detained four days in May 2004 and still faces 17 cases against him personally, including one for sedition; moreover, a total of 42 cases are pending against Proshika officials. International Voluntary Services (IVS)-Bangladesh and its executive director, **Mr. Abdul Matin**, face a similar type of harassment. Mr. Matin faces five cases filed by the authorities, including three filed in September 2004 on charges of corruption. In 2004, several human rights defenders have been arbitrarily arrested. E.g., on August 21, 2004, **Mr. Rafique al Islam**, co-ordinator of the International Campaign to Ban Landmines in Bangladesh, was illegally arrested and conducted to the Joint Interrogation Cell in Dhaka. He was released on September 19, 2004.

Foreign funding for a number of development NGOs is blocked because of pending judicial procedures, thereby hindering their activities.

The government is contributing to the dangerous climate faced by human rights defenders by discrediting human rights NGOs through slanderous statements. Extremist religious groups and mafia linked to local politicians who attack human rights defenders benefit from a total impunity.

In January 2004, the government proposed an Amendment Bill to the Foreign Donations (Voluntary Activities) Regulations Ordinance, which, in its current form, constitutes a serious threat to the independence of NGOs and an attempt to place them under strict political control. Up to now, the Bill has not been passed. However, it is like a Damocles sword on the head of NGOs.

The situation of journalists is worrying as well. In October 2004, Reporters Sans Frontières reported that four journalists were killed while doing their jobs in 2004. Papers and media outlets perceived to be supporting the opposition are discriminated against in the allocation of government-funded advertisements, and their directors are often personally targeted, as was the case with the daily Janakantha, and the daily Prothom Alo.

---

<sup>1</sup> For more information on human rights defenders, see the Annual report of the Observatory for the protection of Human Rights defenders (FIDH/OMCT)

Freelance journalists working on “sensitive” issues, such as religious minorities or the rise of extremism in the country, are harassed and intimidated – and sometimes physically attacked. Academics who have defended universal values and/or opposed religious groups have also faced harassment, notably through anonymous death threats, with little or no protection from the authorities.

### **Police violence**

A special force, the Rapid Action Battalion (RAB), was established under the Armed Police Battalions (Amendment) Act, 2003 and went into operation from 21 June, 2004. It is under joint police and army command and includes members of the armed forces, the police, and Bangladesh Rifles and Ansars, both paramilitary groups. RAB was launched as a special elite force as part of the government's new anti-crime initiative to clamp down on criminals and crime.

The number of custodial deaths has increased in an alarming rate since the government deployed RAB. By the end of October 2004, Ain O Salish Kendro (ASK) considered that the number of death in custody while or after being interrogated by the RAB stood at 39 since RAB started its operations.

### **Women's rights**

Violence against women is of major concern as domestic violence is believed to be widespread. A report released by the U.N. Population Fund in 2002 asserted that 47 percent of adult women report physical abuse by their male partner. Disputes over dowries have resulted in not only gross violence but also hundreds of reported deaths in Bangladesh every year. The law prohibits rape and physical spousal abuse, but it makes no specific provision for spousal rape as a crime.

Although Bangladesh has acceded to the U.N. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women, and on paper, several specific laws relating to discrimination against women, such as Anti-Dowry Prohibition Act of 1980, the Cruelty to Women Law of 1983 are in place, domestic law has long proven inadequate and law enforcement remain very weak. Longstanding cultural practices have also given impetus towards discrimination and the subordination of women in society.

Crushing poverty, profound oppressiveness and a serious overpopulation problem has resulted in escalating numbers of trafficked women. While many are lured and forced into prostitution, within and outside the country, not enough efforts are being initiated into tackling the problem and understanding the complex issues involved.

For the most part, women remain in a subordinate position in society, and the Government has not acted effectively to protect their basic freedoms. Literacy rates are 31 percent for women, compared with 50 percent for men (UNDP, Human Development Report 2004), although in recent years, female school enrollment has improved.

Women often are ignorant of their rights because of continued high illiteracy rates and unequal educational opportunities; in addition, strong social stigmas and lack of economic

means to obtain legal assistance frequently keep women from seeking redress in the courts.

### **Minority rights and refugees**

Persons belonging to minorities in Bangladesh are regularly victims of attacks by extremist religious groups, which are not duly investigated and prosecuted by the authorities.

NGOs working in the field of religious minorities (mainly Christians and Hindus) reported a definite increase in the harassment they face in their daily work, which has left them feeling extremely vulnerable to non-state pressure, especially stemming from fundamentalist groups. The government (which includes religious parties) has not offered them any protection or recourse in this regard.

It should also be noted that the living conditions in the refugee camps for the Rohingyas (Muslim minority from Burma) have seriously deteriorated during 2004, while the government of Bangladesh has refused the self-sufficiency plan proposed by the UNHCR for those refugees. Fears that Rohingyas be victims of forced repatriation in the coming year are on the rise.

The Commission on Human Rights should consequently express its concern on the situation of human rights in Bangladesh, asking the government:

- to put an end to the impunity of human rights violators, be they officials, members of the RAB or non-state actors
- to enquire on all allegations of torture and make sure that those responsible are held accountable and brought to justice
- reduce the number of crimes entailing the capital punishment as a first step towards the adoption of a moratorium and then the abolition of capital punishment
- to provide proper assistance to the Rohingyas who are refugees on its territory and to ensure their security in the camps
- to duly establish the National Human Rights Commission as foreseen in a 1999 legislation
- to cooperate with the UN Treaty bodies, and in particular submit the initial state reports to CAT, ICCPR and ICESCR
- to fully implement the recommendations addressed to the authorities of Bangladesh by the UN Special Rapporteur on the Right to food, by the Committee on the Rights of the Child, the CEDAW and the Committee on the Elimination of Racial Discrimination
- to extend a standing invitation to the Thematic Special Procedures of the United Nations Commission on Human Rights
- to ratify the Statute of the International Criminal Court (Bangladesh was the first South Asian state to sign the Rome Statute in September 1999).

- - - - -