



Plenary sitting

B8-1275/2015

24.11.2015

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on the freedom of expression in Bangladesh
(2015/2970(RSP))

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on behalf of the GUE/NGL Group

**European Parliament resolution on the freedom of expression in Bangladesh
(2015/2970(RSP))**

The European Parliament,

- having regard to the United Nations Universal Declaration of Human Rights of 1948, in particular to its Article 19, on freedom of opinion and expression,
 - having regard to the International Covenant on Civil and Political Rights of 1966, ratified by Bangladesh in 2000, in particular articles 18 and 19, meaning that signatories do have the legal duty to protect the right to freedom of religion or belief, and freedom of expression of its citizens,
 - having regard to The Cooperation Agreement between the European Community and the People's Republic of Bangladesh on Partnership and Development, in particular its Article I containing the so-called Human Rights Clause, signed on 22 May 2000 and entered into force on 1 March 2001,
 - having regard to Articles 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 Bangladesh Supreme Court ruling which laid down safeguard measures against arbitrary arrests by the police under Section 54 of the Code of Criminal Procedure, which also requires that any death incidents occurring in police custody be investigated by a magistrate, and the necessary legal proceedings taken,
 - having regard to the statements made by the HR of the European Union on 29 September 2015 with respect to the human rights situation in Bangladesh,
 - having regard to its previous resolutions on Bangladesh,
 - having regard to Rule 135 of its Rules of Procedure,
- A. whereas according to The Universal Declaration of Human Rights everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;
- B. whereas the EU has a long-standing relations with Bangladesh, including through the Cooperation Agreement on partnership and development; whereas the respect for human rights and democratic principles underpins the domestic and international policies of the parties and is an essential part of The Cooperation Agreement between the European Community and the People's Republic of Bangladesh;
- C. whereas military coups, repression and brutal crack downs against trade unions, political activists, journalists, members of the political opposition as well as against

ethnic and religious minorities have been part and parcel of Bangladesh's young history as an independent state;

- D. whereas violation of the right of freedom of religion or belief and freedom of speech have dramatically increased over the last years in Bangladesh;
- E. whereas several international organisations reported the evidence of the horrific pattern of violence against people exercising their freedom of expression in Bangladesh, people who have sought to critique or express scepticism about religious viewpoints, targeted and hacked to death;
- F. whereas in 2015 five secular and humanist bloggers were hacked to death, apparently for openly criticizing Islam: Rajib Haider, Niladri Chatterjee, Ananta Bijoy Das, Washiqur Rahman Babu and Avijit Roy;
- G. whereas it has been reported that over the last weeks, several acts of unbearably high intolerance took place in Bangladesh: an Italian aid worker -Cesare Tavella- and a Japanese -Konio Hoshi- killed, as well as publishers and bloggers attacked;
- H. whereas this violence is a sign of a deep political crisis between the Bangladesh Liberation Party and the Awami League that has allowed religious and militants groups to execute their plans and crush voices of dissent;
- I. whereas trade union and workers' rights are an integral part of human rights; whereas leading human rights organisations refer to a further deterioration of human rights, including social and labour related rights, in Bangladesh since the January 2014 elections;
- J. whereas human rights organisations have long been documenting extrajudicial executions, disappearances and torture by the Rapid Action Battalion (RAB), an elite anti-crime and anti-terrorism unit of the Bangladesh Police created in 2004. Considering that disappearances (allegedly often involving state security forces), the use of torture and other forms of ill-treatment persist in Bangladesh despite the safeguards laid down in the Constitution, the Penal Code and the Torture and Custodial Death (Prohibition) Act, as do restrictions on the right to freedom of expression;
- K. whereas on June 2, 2014, the Government of Bangladesh approved the draft "Foreign Donations (Voluntary Activities) Regulation Act, 2014", a new regulation that imposes severe restrictions on nongovernmental organisations (NGOs). While this act regulates operations and funding for any group with foreign funding and would give the NGO Affairs office situated in the prime minister's office approval authority over foreign funded projects; whereas this act requires prior approval before anyone involved in voluntary activities travels out of the country for purposed related to their work on a project;
- L. whereas Bangladesh ranks 154 in UNDP Human Development Ranking; whereas around 50% of the population lives in poverty; whereas inequalities are extreme and the Inequality-adjusted index is 0.396;
- M. whereas on 24 April 2013, 1134 people were killed and hundreds were injured when the

Rana Plaza factory building collapsed in Savar, Bangladesh. The Rana Plaza collapse constitutes one of the world's biggest industrial disasters; whereas according to figures published by the Clean Clothes Campaign and The Centre for Research on Multinational Corporations (SOMO), garment factory fires and collapses have killed at least 1800 workers since 2005 in Bangladesh alone; whereas, the government (and the powerful Bangladesh Garment Manufacturers and Exporters Association, the BGMEA) agreed to some changes in labor law after Rana Plaza, according to ILO and Trade Unions these are modest, do not dramatically alter the facts of life on the ground and compliance with international labour standards is still very poor in Bangladesh;

- N. whereas on 6 August 2014 the Government of Bangladesh published its new media policy. Considering that such policy is reported to be aimed at significantly curtailing critical reporting by banning speech that is "anti-state", "ridicules the national ideology" and is "inconsistent with Bangladesh's culture", and this constitutes a severe limitation of the most basic democratic rights of freedom of expression and speech. Thus, elements of this policy impose limits on media freedom, for example by banning speech that is 'anti-state', 'ridicules the national ideology' or 'is inconsistent with Bangladesh's culture' and restricting the reporting of 'anarchy, rebellion, or violence';
- O. whereas Bangladesh ranks 146th of 180 countries on the 2015 World Press Freedom Index; whereas the independent non-profit Freedom House judged the country's media as "partly free";
- P. whereas criminalisation of online expression continues with the application of the Information, Communications and Technology Act 2006 (as amended in 2013); promoting a culture fear and shrinking the spaces for online expressions. This act is applicable to almost every journalist since many media companies publish online editions;
- Q. whereas hostility towards all kind of communications reporters is continuous, specifically against women. In particular, hostility towards women includes work place discrimination, gender based harassment, physical violence and obstruction to holding public office and carrying out professional duties;
- R. whereas as part of such violence, also non-lethal violence against LGBTi people has been reported as the case of a lesbian woman reportedly arrested and allegedly raped by police while in custody;
- S. whereas such a deteriorated climate for free expression has accompanied the rise of intolerance and extremist violence in Bangladesh, even in religious terms with nationwide protests calling for the execution of atheist bloggers and the creation of an anti-blasphemy law;
- T. whereas certain actions of the International Crimes Tribunal of Bangladesh have raised free expression concerns since its establishment in 2010 as a tribunal to examine war crimes committed during the independence war. This institution has been sending messages so as to understand that dissent will not be tolerated and it is reported that during last years there has been an alarming increase in harassment through unwarranted application of laws in 2014;

1. Condemns the murders and the cycle of violence against freedom of expression and the impunity of the attackers; reiterates its deep concerns on the situation of human rights in Bangladesh, including labor and social right and freedom of expression rights;
2. Calls all relevant authorities to take immediate action to identify the attackers of the aforementioned crimes so as to bring them to justice through a thorough, effective, rigorous and independent investigation;
3. Calls on the Bangladesh authorities to urgently ensure the protection of innocent people under such an assault against freedom of expression; ensuring and protecting the aforementioned rights and guarantee the integrity of those facing threats for exercising those rights;
4. Reiterates its condemnation of the government of Bangladesh, led by Sheikh Hasina continuous crackdown against members of the political opposition, trade unionists, human rights defenders, journalists and bloggers; insists that basic democratic rights, such as the right of freedom of assembly and freedom of speech must be respected protected and fulfilled at all times not limiting media freedom and independent reporting;
5. Insists that the independence of journalists and bloggers must be safeguarded and that their right to operate without fear of harassment or intimidation by state forces must be guaranteed; and calls on the Bangladeshi authorities to revoke the new media policy and to respect fundamental democratic and human rights as an integral part of a democratic society;
6. Expresses serious concerns about on-going human rights violations that include continuing reports about extrajudicial killings, enforced disappearances and torture;
7. Calls for the setting up of an independent commission of inquiry that can truly investigate those crimes, end impunity and bring the perpetrators to justice; urges the Bangladesh government to take immediate steps to disband the Rapid Action Battalion (RAB);
8. Shares the concern of the International Trade Union Confederation that reports of serious shortcomings and failures by the Bangladeshi authorities to live up to its commitments in relation to improving workers' rights, including rights relating to health and safety at work; defends the rights of workers in Bangladesh to form, register and join independent trade unions without fear of harassment; considers the existence of democratic trade union structures to be a vital instrument in the struggle for better health and safety standards and working conditions, including higher wages; calls on the government of Bangladesh to guarantee these fundamental rights; Urges Bangladesh government to enhance labor rights and comply with ILO core standards;
9. Calls on the Bangladeshi authorities to effectively commit to the achievement of the recently internationally adopted sustainable Development Goals, especially in order to

reduce inequalities and ensure gender equality and women rights including access to free and safe abortion services;

10. Reiterates its paramount concern on women's and children's rights;
11. Asks for a solid respect for every minority in Bangladesh so as to preserve the multicultural roots of the country. Therefore calls for the effective implementation of the Chittagong Hill Tracts Accord; to keep improving the situation of Rohingyas; to observe the discrimination towards Hindu population dwindling down over the last decades; as well as to prevent attacks on Shiites communities;
12. Call on the European Union, in line with The Cooperation Agreement between the European Community and the People's Republic of Bangladesh's Article 1, to take all the necessary diplomatic measure to effectively enhance Human Rights respect by Bangladesh's authorities;
13. Call on the European Commission the European Council and the Member States to introduce a legislative proposal for binding and enforceable mechanisms on Corporate Social Responsibility for EU based companies operating in third countries in line with the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises.