



Plenary sitting

B8-0544/2018

13.11.2018

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 human rights situation in Bangladesh
(2018/2927(RSP))

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on behalf of the PPE Group

**European Parliament resolution on the human rights situation in Bangladesh
(2018/2927(RSP))**

The European Parliament,

- having regard to its previous resolutions on Bangladesh,
 - having regard to the EU Guidelines on Human Rights Defenders,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the International Covenant on Civil and Political Rights of 1966,
 - having regard to the Declaration on the Protection of all Persons from Enforced Disappearance, as adopted by General Assembly resolution 47/133 of 18 December 1992,
 - having regard to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted on 20 December 2006 by the UN General Assembly, which entered into force on 23 December 2010,
 - having regard to the International Day of the Victims of Enforced Disappearances, which was established by the UN General Assembly resolution 65/209,
 - having regard to joint press release issued after the biennial meeting of the Sub-group on Good Governance and Human Rights in the framework of the EU-Bangladesh Cooperation Agreement held on 24 April 2018,
 - having regard to the EU Annual Report on Human Rights and Democracy in the World 2017, adopted by the Foreign Affairs Council on 28 May 2018,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the European Union and Bangladesh held their biennial meeting of the Sub-group on Good Governance and Human Rights in the framework of the EU-Bangladesh Cooperation Agreement on 24 April 2018 in Dhaka; whereas both sides reaffirmed the commitment to strengthen cooperation in the field of human rights on the basis of shared principles and internationally recognized human rights standards;
- B. whereas the International Convention for the Protection of All Persons from Enforced Disappearance was designed as a legally binding instrument against the disappearance of persons; whereas according to the Convention no one shall be subjected to enforced disappearance; whereas no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance;

- C. whereas the Convention recognizes the right of victims and their families to know the truth regarding the circumstances and fate of the disappeared person; whereas it also treats the unlawful abduction of children whose parents were victims of enforced disappearance as well as the faking of these children's identities and their adoption;
- D. whereas families and activists around the world commemorated the International Day of the Victims of Enforced Disappearances, on 30 August 2018, and called upon governments to resolve these cases, provide answers and accountability; whereas since its inception in 1980, the [UN Working Group on Enforced or Involuntary Disappearances](#) has transmitted 56,363 cases across 112 countries, but thousands of the cases are not reported to the UN system;
- E. whereas on 5 August 2018, journalist and human rights defender Shahidul Alam was arrested at his home by plain cloth members of the Detective Branch of Police, but his family members and lawyers were not informed of his whereabouts after his arrest; whereas he appeared in court on 6 August, charged with “spreading propaganda and false information against the government” under the controversial section 57 of the Information and Communication Technology Act; whereas during his hearing Alam informed the court that he had been tortured in detention;
- F. whereas an “enforced disappearance” is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State; whereas it is followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law;
- G. whereas Alam's application for bail on 6 August was rejected, and refused again on 11 September, and his appeal has been repeatedly postponed since;
- H. whereas in 2016 Bangladeshi security forces took Mir Ahmad Bin Quasem away in front of his wife, sister and two daughters; whereas a few weeks before he disappeared, Bin Quasem, was worried for his safety; whereas the young lawyer was defending his father against allegations of war crimes during the country's war for independence;
1. Underlines that the Bangladeshi government must guarantee in all circumstances that all human rights defenders in Bangladesh are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment;
 2. Stresses that the EU and Bangladesh reaffirmed their commitment to strengthen cooperation in the field of human rights on the basis of shared principles and internationally recognized human rights standards;
 3. Deplores the fact that Bangladeshi authorities deny the disappearances even after witnesses saw that security forces took away people; notes that the authorities are arguing that the disappeared persons are hiding to evade their obligations or that they are criminals who stave off the arrest;

4. Calls on Bangladesh to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and to incorporate its provisions into national law;
5. Points out that disappearances are a particularly egregious form of human rights violation; stresses that the victims, removed from legal protections, remain at the mercy of their captors, at severe risk of torture or inhumane treatment, and of extrajudicial killings; notes that families face emotional and legal problems (no access to bank accounts, inheritance, pension and insurance benefits) when they have no conclusive evidence of the persons passing;
6. Calls on the Bangladeshi government to order independent and impartial investigations of all reported cases of enforced disappearance and hold those responsible to account, including the case of Mir Ahmad Bin Quasem awa; underlines that until their whereabouts are determined, families of the disappeared should have access to effective remedies and reparations, including regular updates on the status of the investigations;
7. Calls on Bangladeshi authorities to immediately and unconditionally release Shahidul Alam and drop all charges against him, and allow him to continue his legitimate human rights work;
8. Insists that Bangladeshi authorities take all necessary measures to guarantee Alam's physical and psychological integrity and security and integrity, as well as that of his family and ensure that the treatment of Shahidul Alam, while in detention, adheres to the conditions set out in the "Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment", adopted by UN General Assembly resolution 43/173 of 9 December 1988;
9. Urges the Bangladeshi authorities to carry out an immediate, thorough and impartial investigation into any instances of torture against Shahidul Alam with a view to publishing the results of any such investigation and bringing the perpetrators to justice in line with Bangladesh's international human rights obligations;
10. Invites the Bangladesh authorities to continue to address human rights challenges; notes that human rights issues will be further discussed at the EU-Bangladesh Joint Commission, to be held in Dhaka in the first half of 2019;
11. Instructs its President to forward this resolution to the Government and Parliament of Bangladesh, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Commission, the Council and the governments and parliaments of the EU Member States.