

P7_TA-PROV(2013)0516

Bangladesh: human rights and forthcoming elections

European Parliament resolution of 21 November 2013 on Bangladesh: human rights and forthcoming elections (2013/2951(RSP))

The European Parliament,

- having regard to its previous resolutions on Bangladesh, in particular those of 23 May 2013¹, 14 March 2013², 17 January 2013³, 10 July 2008⁴ and 6 September 2007⁵,
 - having regard to the letter sent by the European Union Heads of Mission to mark the European Day against the Death Penalty on 10 October 2013,
 - having regard to the statement issued by the EU Delegation to Bangladesh on 12 August 2013 on the detention of Adilur Rahman Khan,
 - having regard to the statement of United Nations High Commissioner for Human Rights Navi Pillay of 6 November 2013 on Bangladesh's sentencing of 152 soldiers to death over the bloody mutiny in 2009,
 - having regard to the UN Declaration on Human Rights Defenders, adopted by the UN General Assembly on 9 December 1998,
 - having regard to the Universal Periodic Review on Bangladesh of 2013,
 - having regard to Rules 122(5) and 110(4) of its Rules of Procedure,
- A. whereas the EU has good, long-standing relations with Bangladesh, including through the Cooperation Agreement on Partnership and Development;
- B. whereas parliamentary elections are to be held in Bangladesh before 25 January 2014, following five years of rule by an elected, civilian government; whereas free, fair and transparent elections are essential in order to strengthen the relatively stable democratic governance that the country has developed over the past five years;
- C. whereas so far some 30 Bangladeshis have been killed, and hundreds wounded, in political violence during general strikes ('hartals') called for by the Bangladesh Nationalist Party (BNP) led by former Prime Minister Begum Khaleda Zia, with its ally, the Jamaat-e-Islami party, demanding that the forthcoming election be overseen by a 'non-party' caretaker government and calling for the resignation of Prime Minister Sheikh Hasina;
- D. whereas these shutdowns have led to five senior opposition leaders being arrested by the government, along with – according to BNP sources – the arrest of approximately 1 000

¹ Texts adopted, P7_TA(2013)0230.

² Texts adopted, P7_TA(2013)0100.

³ Texts adopted, P7_TA(2013)0027.

⁴ OJ C 294 E, 3.12.2009, p. 77.

⁵ OJ C 187 E, 24.7.2008, p. 240.

BNP followers in rural areas since Friday, 8 November 2013;

- E. whereas the incumbent ministers have resigned and Prime Minister Hasina, of the Awami League, has offered to form an 'all-party government', but whereas the principal opposition party has not taken up this offer so far;
- F. whereas over the years both the BNP and the Awami League have held contradictory and changing views on the merits of a caretaker government, while in May 2011 the Supreme Court declared illegal the 15-year-old constitutional provision mandating an elected government to transfer power on completion of its term to an appointed non-partisan caretaker administration which would oversee a new parliamentary election; whereas, however, the Supreme Court stated that the voided system could be continued for another two parliamentary terms for the sake of the 'safety of the state and its people'; whereas the system was discredited by the last military-backed caretaker government in 2007-2008, when it refused to hold elections for nearly two years and sent the leaders of the two main parties, Sheikh Hasina and Begum Khaleda Zia (along with her son Tarique Rahman), to jail;
- G. whereas, following this judgment, the Awami League introduced the 15th Constitutional Amendment Bill and scrapped the caretaker system, notwithstanding the refusal of the BNP opposition to cooperate on the reform;
- H. whereas, since Sheikh Hasina came to power, five regional elections have been held in Bangladesh which the Awami League has lost and which have not given rise to any claims of irregularities;
- I. whereas the impoverished part of the Bangladeshi population, which is dependent on daily pay to survive, is severely affected by the strikes, and whereas Bangladesh's fragile economy, which has already had to cope with the recent traumatic accidents in the garment sector, is likely to suffer further;
- J. whereas there are allegations that Jamaat-e-Islami is promoting the strikes in order to obstruct the proceedings of war crimes cases against its leaders;
- K. whereas on 5 November 2013, in one of the largest trials in history, 152 soldiers were handed death sentences by the special court set up to prosecute crimes committed during the 2009 mutiny, when 74 people, including 57 army officers, were brutally murdered; whereas UN High Commissioner for Human Rights Navi Pillay expressed alarm at these death sentences, following reports that the accused had been tortured and that the mass trials fell short of human rights standards;
- L. whereas NGO activists, lawyers, journalists and trade unionists who defend civil rights continue to be put under pressure, and whereas the authorities have failed to launch effective investigations into extrajudicial killings, torture and disappearances, as in the case of labour leader and human rights defender Aminul Islam;
- 1. Expresses its serious concern over the continuing paralysis of everyday life in Bangladesh as a result of general strikes organised by the BNP and Jamaat-e-Islami opposition and the confrontation between the two political camps - the Awami League and the opposition - in the run-up to the parliamentary elections;

2. Regrets the fact that the Bangladeshi parliament did not manage to achieve an all-party consensus for the exercise of power by the government in the pre-election period, bearing in mind that most democracies manage this phase without a caretaker government, and urgently calls on the Bangladeshi Government and the opposition to put Bangladesh's best interests first and to find a compromise which would give the Bangladeshi people a chance to express their democratic will;
3. Recognises Bangladesh's reputation as a tolerant and multi-confessional society, and condemns groups and factions trying to stir up inter-community tensions for their own ends; calls on all groups and individuals to exercise tolerance and restraint, especially in the lead-up to, during, and after the elections;
4. Calls on all parties not to boycott the elections, as this would deprive citizens of a political choice and undermine Bangladesh's social and economic stability and its impressive development progress, notably on the Millennium Development Goals, disaster management, labour rights and the empowerment of women;
5. Calls on the Bangladesh Election Commission to organise and oversee the next general elections in a fully transparent manner; supports the recognition of new political parties that intend to participate in the next general elections and meet reasonable criteria for political participation and representation;
6. Calls on all political parties to refrain from any violence or instigation of violence during the electoral process and to prevent a repetition of the politically motivated violent clashes that occurred in the first half of 2013; expresses its serious concerns, in this connection, about the recent flare-up of politically motivated violence that left dozens of people dead at the end of October 2013;
7. Acknowledges the need for reconciliation, justice and accountability for the crimes committed during the 1971 war of independence; stresses and supports the important role of the International Crimes Tribunal in this respect;
8. Deplores, however, the increasing numbers on death row in Bangladesh and the mass death sentences handed down in the trials of those involved in the 2009 border guard mutiny; insists on the application of national and international standards relating to fair trials and due process;
9. Reiterates its strong opposition to the use of the death penalty in all cases and under any circumstances, and calls on the competent authorities in Bangladesh to introduce an official moratorium on executions as a first step towards the abolition of capital punishment;
10. Calls on the Bangladeshi Government to restore the enabling environment for civil society organisations, including human rights defenders, which has contributed much to Bangladesh's development, so that they can carry out their activities freely;
11. Urges the Bangladeshi authorities to carry out prompt, independent and transparent investigations into cases involving violations of the rights of human rights defenders, including threats, attacks, killings, torture and ill-treatment, in order to identify all those responsible and bring them to justice; underlines, in particular, the case of labour leader Aminul Islam, as well as those of journalists Sagar Sarowar and Meherun Runi;

12. Welcomes the joint initiative by the Government of Bangladesh and the International Labour Organisation (ILO), in collaboration with government, employers' and workers' representatives, on 'Improving Working Conditions in the Ready-Made Garment Sector'; urges European and other international clothing brands to fulfil the promises and pledges made in the aftermath of the Rana Plaza factory collapse, including under the Accord on Fire and Building Safety in Bangladesh;
13. Calls on the Bangladeshi Government to scrap the 30 % 'representativity' requirement for the registration of trade unions, to extend the scope of the Labour Act to cover categories of workers currently excluded, to adopt a prohibition on employers interfering in internal trade union affairs, to extend the scope of the Labour Act to apply to export processing zones, and to grant collective bargaining rights to Workers' Welfare Associations (WWA), while making it easier to register WWAs;
14. Is looking forward to Bangladesh fully cooperating with the UN Treaty Bodies and extending a standing invitation to the UN Human Rights Council Special Procedures;
15. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the UN Secretary-General, the UN Human Rights Council and the Government and Parliament of Bangladesh.