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MOTION FOR A RESOLUTION

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

pursuant to Rule 115 of the Rules of Procedure

by Jan Tadeusz Masiel, Konrad Szymański, Wiesław Stefan Kuc, Ewa Tomaszewska, Mieczysław Edmund Janowski, Hanna Foltyn-Kubicka, Adam Bielan

on behalf of the UEN Group

on Bangladesh

European Parliament resolution on Bangladesh

The European Parliament,

- having regard to its previous resolutions on Bangladesh on 6 September 2007,
 - having regard to the state of emergency which was decreed by the Caretaker Government of Bangladesh on 11 January 2007,
 - having regard to the Declaration of 16 January 2007 by the Presidency on behalf of the EU on the recent political developments in Bangladesh,
 - having regard to the EU Troika's visit to Bangladesh in June 2007,
 - having regard to the statement of 17 July 2007 by the UN Secretary-General on Bangladesh,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas the parliamentary elections which were to be held in Bangladesh on 22 January 2007 were postponed after poll-related violence by a High Court decision of 29 January 2007 and it has now been announced that they will take place in December 2008,
- B. whereas Bangladesh's new counterterrorism ordinance violates fundamental freedoms and basic fair trial rights and there is no justifiable reason to continue the State of Emergency and, as such, it should be lifted immediately,
- C. whereas the law's definition of terrorist acts is overly broad and acts that cause "damage to any property of any person" may be deemed terrorist under the law if they are carried out for the specified purpose,
- D. whereas the law allows the imposition of the death penalty for certain offences that cannot be considered among the "most serious crimes", as required by international law,
- E. whereas the Appellate Division of the Supreme Court should take effective steps to reverse the judgment on restraining of granting bail and restore supremacy of the constitution,
- F. whereas frequent violations of freedom of the press, including arrests and cases of torture, have been reported, involving journalists and media personnel,
- G. whereas the current state of food crisis has increased household spending on food to 60% of income,
- H. whereas Bangladesh's longstanding tradition of secular democracy, including respect for

human rights and especially women's rights, freedom of speech and religious tolerance is increasingly under threat,

- I. whereas about 170 political prisoners should be released, if there are cases against any person, trials should be conducted respecting human rights and ensuring due process of the law, in an open and transparent manner to ensure justice,
 - J. whereas the Bangladesh's army-backed interim government detained almost 25,000 people over the past six weeks in a hunt for criminals and suspected troublemakers ahead of a parliamentary election in December,
 - K. whereas there is lack of proper humanitarian treatments of prisoners due to the fact of overcrowded prisons that should allowed maximum 27, 000 prisoners and in reality there is around 90,000,
 - L. whereas 68 people died in extrajudicial killings called "crossfire" until half of 2008 as well as tortures are very often practised,
- 1. Calls on the government to immediately make public a draft version of the Anti-Terrorism ordinance for close scrutiny and comments;
 - 2. Is deeply concerned about the arrest and justification for a son of the Bangladesh Nationalist Party president Khaleda Zia, charged with corruption; calls on the Bangladeshi authorities to conduct the trial in a transparent way and according to the rule of law; more particularly, calls on the government to base its anti-corruption campaign solely on facts relevant in the context of criminal proceedings concerning corruption;
 - 3. Calls on the Bangladeshi authorities to allow access to all tribunals by international human rights organisations, interested parties and international observers such as EU Member State diplomats or the Commission delegation staff, to ascertain that proceedings are fair and impartial;
 - 4. Calls on the Election Commission to hold free, fair, participatory and credible elections;
 - 5. Calls for a return to democracy and the lifting of the state of emergency in Bangladesh; calls in particular for the lifting of the ban on all political activity, in order to enable all parties and political organisations to prepare for open and fair elections, as provided for under the constitution;
 - 6. Calls for a stronger EU commitment to help to solve the situation and to organise fair elections; calls for the EU Election Observation Mission to resume its long-term activities as soon as this is feasible and advisable;
 - 8. Demands that an end be put to the creeping militarisation of the country; is deeply concerned about the role of the Bangladeshi Military Intelligence Service ('DGFI'), the allegations of torture of persons held in custody;
 - 9. Instructs its President to forward this resolution to the Council, the Commission, the Caretaker Government of Bangladesh and the Secretary-General of the United Nations.