

EUROPEAN PARLIAMENT

2004



2009

Session document

8.7.2008

B6-0360/2008

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 Jean Lambert

on behalf of the Verts/ALE Group

on Bangladesh

European Parliament resolution on Bangladesh

The European Parliament,

- having regard to its previous resolutions on Bangladesh, notably the one of 16 November 2006 and of 4 September 2007,
- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas Bangladesh has been under a state emergency since January 11 of 2007, when Fakhruddin Ahmed took over as head of the country's military-backed 'caretaker'-government, issued a Emergency Power Ordinance, and shortly afterwards proclaimed stringent Emergency Power Rules,

B. whereas the imposition of emergency rule was accompanied by suspension of a whole series of civil rights which the Constitution of Bangladesh guarantees to its citizens; moreover, some of the suspensions, and alleged violations, of constitutional rights by the caretaker government have meanwhile been supplemented by amendments to the Emergency Power Rules adopted earlier this year,

C. whereas the severity of the emergency regulations is underlined by the extension of the application of the death penalty - including for public protests, by provisions such as barring any person accused in any case under the emergency rules from seeking bail during the inquiry, investigation and trial of a case and by the blanket impunity that has been granted to all members of the country's 'law and order' forces,

D. whereas the new 'anti-terrorism'-ordinance which the government has approved in June contributes to the creation of a climate of fear in Bangladeshi society and whereas human rights organizations and lawyers associations have expressed concern that the ordinance will be employed towards the aim of political persecution,

E. whereas international human rights organizations estimate the number of people who have been arbitrarily arrested since the imposition of emergency rule at least 300 000, whereas the level of human rights violations has further dramatically deteriorated since the beginning of 2007 with large numbers of people reportedly being severely tortured, including journalists, Adivasi leaders and other activists, as well as prominent politicians,

F. whereas the government, in an apparent gesture to create goodwill, has relaxed the ban on political activities somewhat, by allowing for the holding of indoor political meetings, this step deplorably has been followed by a fresh wave of mass arrests of political leaders and activists, intended to pre-empt political protests and whereas starting 30 May 2008, some 12 000 people have been rounded up within just a few days,

G. whereas the caretaker government has so far ignored appeals by political parties, civil society organizations, and even by the Election Commission, to pave the way for the speedy holding of national elections and sticks to the absolute deadline which has been set at December 2008,

H. whereas in a welcome move the longstanding demand for the prosecution of former war criminals has received much more public attention since the installation of the semi-military government, considering that people who bear responsibility for the mass killings of civilians, carried out during

Bangladesh's liberation war of 1971 have been able to re-establish themselves in Bangladeshi politics,

I. whereas the semi-military government has agreed to ban those who are proven war criminals from participation in the local elections has however, so far fallen short of responding to the demand, voiced amongst others by the Sector Commanders Forum (SCF) formed last year, that an *Enquiry Commission* be constituted, so as to initiate the trial of war criminals under Bangladesh's legal system (The Genocide Act of 1973),

J. whereas the hardship faced by Bangladesh's general population has been compounded by the fact that prices of basic food items such as rice have increased by a third or more in recent months and considering that for a large part of the population food expenses have already accounted for over 60% of their budget before the price explosion,

K. whereas estimates by UNDP for coastal and island regions of the world's South indicate that, unless emissions of greenhouse gases are speedily and radically brought down, as much as a quarter of Bangladesh's territory threatens to be permanently submerged by rising levels of sea water in the Bay of Bengal, whereas climate scientists warn that Bangladesh may have 20 to 25 million climate refugees by 2050 and that moreover, the frequency and intensity of cyclones, which are traditionally of great threat to the country, is likely to increase, and could affect inland areas which so far have been exempted from the effects of cyclones,

M. whereas the government of Bangladesh has initially responded to the growing threat of climate change, by instituting a Climate Change Cell which has devised a provisional policy stating the need for measures of 'adaptation' and 'mitigation', whereas, however, prospects for the poor and marginalized, in particular in Bangladesh's South-Western and South-Eastern regions, are extremely bleak, unless all sectors of society become active to mobilize in favour of the mitigation of climate change and its negative effects,

1. Calls on the government of Bangladesh to immediately and completely lift the state of emergency, as the most important step required in order to prepare for the holding of the country's next parliamentary elections;
2. Calls on the government to speedily withdraw its new Anti-Terrorism Ordinance and cancel any legal provisions for imposition of the death penalty against members of the public who try to defend the civil rights of the people of Bangladesh;
3. Calls on the caretaker government to ensure that, in preparing for parliamentary elections, it specifically makes sure that members of Bangladesh's ethnic and religious minorities are in a position to cast their votes freely;
4. Calls on the Bangladeshi Government to release all those who have been arbitrarily arrested under the state of emergency and ensure that due processes of law and adherence to constitutional provisions be maintained whenever trials are held against politicians charged with corruption;
5. Repeats its call expressed in its resolution of September 2007, that an end be put to the creeping militarization of the country; insists that the military intelligence services (DGFI) should refrain from any harassments of journalists and other public opinion builders and that the army refrains from any activities aimed at depriving the indigenous population of the Chittagong Hill Tracts, or other sections of the country's poor, of their lands and other basic rights;
6. Calls on the Commission and the Council to play a more pro-active role and to impress on the Bangladeshi Government the need for a speedy and complete withdrawal of the emergency, and of all

regulations adopted within the context of, or during, the state of emergency;

7. Calls on the Bangladeshi Government to follow up on its positive step of alerting the United Nations on the issue of war criminals by forming an official Enquiry Commission so as to initiate the trial of war criminals;

8. Calls on the Commission to act upon the demands expressed in the resolutions adopted by the European Parliament in 1994 and 2005 and to provide active support to the formation of an official Enquiry Commission in the framework of the Human Rights Instrument;

9. Calls on the Bangladeshi Government to provide maximum scope for a large-scale mobilization of all sectors of society, notably peasant, environmental and other non-governmental organizations, journalists and scientists, in order to prepare the country for the upcoming climate change-induced disasters and considers the emergency rule as an alarming obstacle on the way to achieving this goal;

10. Insists that the G8 Summit next week has an enormous responsibility to avert further acceleration of the climate change and catastrophes that threaten the lives of millions in Bangladesh and elsewhere by adopting effective and far-reaching measures to curb CO2 emissions;

11. Instructs its President to forward this resolution to Council, the Commission, the SAARC Member states and the Bangladeshi Government.