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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 Pasqualina Naipoletano, Robert Evans

on behalf of the PSE Group

on the situation in Bangladesh

**European Parliament resolution on the situation in Bangladesh**

*The European Parliament,*

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

A. whereas the military-backed interim government of Bangladesh, amid violence in the election run-up, on 11 January 2007 imposed a state of emergency and shortly afterwards adopted Emergency Power Rules, giving the army and the paramilitary forces such as The Rapid Action Battalion and the Bangladesh Rifles the same powers to arrest as the police,

B. whereas the imposition of the Emergency Power Rules was accompanied by the suspension of a series of civil rights guaranteed by the Constitution of Bangladesh including the extension of the application of the death penalty, whereas the suspension of these rights has led to an alarming number of recent rulings of the Appellate Division of the Supreme Court with serious implications for individual rights and the principle of legality,

C. whereas under the Emergency Power Rules, on 11 June 2008 a new Counterterrorism Ordinance was adopted, extending overly broadly the definition of 'terrorist acts' including mere property crimes as well as attacks against individuals; whereas this definition is contrary to the recommendations of the United Nations,

D. whereas this new 'anti-terrorism'-ordinance 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 according to international human rights organizations such as Human Rights Watch and Amnesty International the number of reportedly arrested people, since the introduction of the state of emergency 18 months ago, has risen to well over 500.000, whereas the right to seek release under bail is restricted under the Emergency Power Rules, the ongoing wave of mass arrests may result in a total breakdown of the prison system,

F. whereas a large number of those arrested have reportedly been severely tortured, including prominent politicians and political activists as well as journalists,

G. whereas in spite of a recent relaxation of the ban on political activities, this step has, in the wake of a breakdown of prospects for negotiations over planned national elections in December between the government and the two main political parties, the Awami League and the Bangladesh Nationalist Party, deplorably been followed by a fresh wave of mass arrests of political leaders and activists,

H. whereas during the new wave of mass arrests, since 28 May 2008, more than 12.000 people have been arrested, including local-level party leaders and activists; whereas the government has rejected suggestions that the arrests are politically motivated, claiming that it was a planned sweep against criminals,

I. whereas the caretaker government has so far ignored appeals by political parties, civil society

organizations as well as 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,

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 of Bangladesh to amend its new Anti-Terrorism Ordinance in such a way that it responds to internationally recognized legal standards on combating terrorism such as recommended by the UN Special Rapporteur on Counterterrorism and Human Rights; demands that the Anti-Terrorism Law be limited to acts committed with the intention of causing death or serious injury, or taking hostages, but not to property crimes;
3. Insists that any legal provisions for the imposition of the death penalty against members of the public who try to defend the civil rights of the people of Bangladesh be banned;
4. Calls on the Bangladeshi Government to immediately put an end to the recent wave of mass arbitrary arrests and the harassment of political opponents or journalists under the state of emergency; is deeply concerned by reports on severe torture; calls on the government to ensure for the basic due process rights for all detainees,
5. Calls on the caretaker government to ensure that, in preparing for parliamentary elections, it makes essential progress with the reform of the electoral system and to make sure that members of Bangladesh's ethnic and religious minorities be in a position to freely cast their votes;
6. Calls on the European 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 state of emergency, and of all regulations adopted within its context,
7. Instructs its President to forward this resolution to Council, the Commission, the SAARC Member states and the Bangladeshi Government.