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Plenary sitting

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B7-0142/2013

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 122 of the Rules of Procedure

on the situation in Bangladesh
(2013/2561(RSP))

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on behalf of the PPE Group

**European Parliament resolution on the situation in Bangladesh
(2013/2561(RSP))**

The European Parliament,

having regard to its previous resolutions on Bangladesh, in particular those of 17 January 2013¹, 6 September 2007², and of 10 July 2008³;

- having regard to the Cooperation Agreement between the European Community and the People’s Republic of Bangladesh on Partnership and Development⁴;
 - having regard to the statements by the spokesperson of High Representative Catherine Ashton on the death sentence pronounced by the International Crimes Tribunal in Bangladesh of 22 January 2013 and on violence in Bangladesh of 2nd March 2013;
 - having regard to the International Covenant on Civil and Political Rights;
 - having regard to Rule 122 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 on 21 January 2013 the International Crimes Tribunal (ICT) announced its verdict against Abdul Kalam Azad for crimes against humanity committed during the war of independence in 1971 and convicted him to a death sentence following a trial in absentia of the accused;
- C. whereas UN Human Rights experts were concerned that a trial conducted in absentia did not guarantee all aspects of fair trial and due process;
- D. whereas on 5 February 2013, the ICT sentenced Abdul Qader Mollah to life imprisonment which has triggered emotionally charged but largely peaceful protests by government supporting circles who would have favoured a conviction with death penalty;
- E. whereas in the wake of the protests, the government changed the ICT rules to enable an appeals court to overturn a life sentence imposed on Abdul Qader Mollah and impose the death penalty; whereas this form of retroactive legislation violates fair trial standards, undermines the legitimacy of the work of the ICT and violates the prohibition on double jeopardy ("*ne bis in idem*") in international law also laid down in Art 14 (7) of the International Covenant on Civil and Political Rights, of which Bangladesh is a party;
- F. whereas various leaders of the ruling party Awami League, including the Home Minister, have suggested that the Jamaat-e-Islami party should be banned and media outlets

¹ [T7-0027/2013](#)

² OJ C 187 E, 24.7.2008, p. 240.

³ OJ C 294 E, 3.12.2009, p.77.

⁴ OJ L 118, 27.4.2001, p.48.

connected to the party closed;

- G. whereas on 28th February, the ICT announced its decision to sentence Delwar Hossain Sayeedi, who is one of the Jamaat-e-Islami leaders, with the death penalty;
 - H. whereas this latest verdict was followed by a deterioration of the situation leading to violent protests against the verdict by followers of the Jamaat Party leading to over 60 deaths; whereas according to information provided by NGOs, the police responded to attacks by Jamaat members and supporters, including by using live ammunition;
 - I. whereas judicial proceedings in several other cases are underway at the ICT and there might be a risk that the defendants could be sentenced to death;
 - J. whereas there are reports of attacks by Jamaat activists on more than 40 Hindu temples, homes and shops across Bangladesh because they are seen as supporters of the Awami League; whereas Bangladesh's Hindu minority makes up only eight per cent of the population, and has historically been at risk of violence including during the independence war in 1971, and after elections in 2001;
1. Is deeply concerned regarding the recent outbreak of violence in Bangladesh following the verdicts of the International Crimes Tribunal and expresses its sorrow at the recent casualties;
 2. Expresses its condolences to relatives and acquaintances of those killed and injured as a result of the violence;
 3. Acknowledges the need for reconciliation and accountability for the crimes committed during the 1971 war of independence;
 4. Reiterates its strong opposition against the use of the death penalty in all cases and under any circumstances;
 5. Calls on the Bangladesh authorities to commute all death sentences and introduce a moratorium on executions as a first step towards abolition of capital punishment;
 6. Calls on the Bangladesh Government to ensure that the International Crimes Tribunal adheres strictly to national and international judicial standards; in this respect stresses the guarantee of a free, fair and transparent trial as well as victim's right to protection, truth, justice and reparation;
 7. Calls on the Bangladesh Government to redouble its efforts to reinstall the rule of law and order in a fair and partial way;
 8. Urges all political parties in Bangladesh to exercise maximum restraint to avoid further violence, to strictly call on their supporters not to participate in any acts of violence or heinous campaigns against other political groups; calls on all political parties in Bangladesh to enter into political dialogue with each other;
 9. Calls on the EU to provide technical assistance regarding the proceedings of the

International Crimes Tribunal and to play a mediation role in the on-going political crisis in the lead-up to the general elections, due to take place before the end of January 2014

10. Instructs its President to forward this resolution to the Council, Commission, the European External Action Service, the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the European Commission, 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.