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*Plenary sitting*

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**B8-0535/2018**

13.11.2018

## **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 135 of the Rules of Procedure

on the human rights situation in Bangladesh  
(2018/2927(RSP))

**Ignazio Corrao, Rolandas Paksas, Fabio Massimo Castaldo**  
on behalf of the EFDD Group

**European Parliament resolution on the human rights situation in Bangladesh  
(2018/2927(RSP))**

*The European Parliament,*

- Having regard to the Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression of 8 September 2015
  - Having regard to the Delegation of the European Union in Bangladesh, “Joint local statement on the Digital Security Act” of 27 September 2018,
  - Having regard to the United Nation Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
  - Having regard to the International Covenant on Civil and Political rights
  - Having regard to International Convention for the Protection of All Persons from Enforced Disappearance.
  - Having regard to Articles 33 and 35 of the Constitution of Bangladesh, which stipulate that no person shall be subjected to torture or cruel, inhumane or degrading punishment or treatment and that no person shall be arrested or detained in custody without being informed of the grounds for such arrest,
  - Having regard to its previous resolutions
- A. Whereas ahead of the next parliamentary elections Bangladesh government has embarked upon intensive and intrusive surveillance and monitoring of social media; whereas, in this context, the new digital security act of October 10 imposes dangerous restrictions on freedom of expression and section 25(a) and 31 in particular contain measures that could be used to suppress and criminalize free speech; whereas Bangladesh ranks 146th in the Reporters Without Borders world press freedom index
- B. Whereas on October 9, 2018, the government announced the formation of a nine member monitoring cell to "detect rumours" on social media and ordered security agencies to intensify the surveillance of online expression and is considering to task the Rapid Action Battalion with monitoring the social media for four months leading to the general elections; whereas the Rapid Action Battalion has a long record of killing people in custody in a climate of impunity since its creation in 2004
- C. Whereas, in general, there's a widening repression campaign against opposition, including arrests, tortures and enforced disappearances of students, activists and human rights defenders, with right groups claiming that at least 30 people were allegedly picked up by law enforcement agencies in September alone

- D. Whereas the National Broadcast Act, approved on October 15, will put further restriction on television networks providing sentences of up to three years in prison for going against the spirit of the 1971 liberation war or airing misleading or false information and foresees the creation of a seven-member Broadcast Commission that would provide licences to broadcast media, including online ones;
- E. Whereas 2016 Foreign Donations Regulation act continue to be used to curb the activities of civil society as NGOs continue to face harassment and restriction
- F. Whereas a wave of protests began on July 29 with student protesters taking the streets to demand safer roads after two students were killed by a bus; whereas the protesters called for safer roads, accountable governance and the upholding of the rule of law but were met with teargas and rubber bullets from security forces as well as violent attacks by the ruling party supporters with some 20 journalists beaten up for documenting the attacks; whereas Bangladesh police stated they found evidence that agitators had infiltrated the protest ranks and were working to instigate violence and arrested at least 20 people for speaking out against the crackdown
- G. Whereas after the protests the authorities moved to stifle any condemnation of violence conducting raid in residential areas and checking phones for communications related to the protests
- H. Whereas prominent photojournalist Shahidul Alam was arrested in Dhaka on 5 August 2018 and charged under section 57 of Bangladesh's Information and Communication Technology Act (ICT) after giving an interview to Al Jazeera for a media interview with Al Jazeera where he criticised the Bangladesh government and condemned the treatment of student protesters and now faces 14 years behind bars; whereas during his hearing he was in bad health conditions and he informed the court he had been tortured;
- I. Whereas on 12 October during the 73rd session of the UN General assembly in New York, Bangladesh has been elected to the Human Rights Council for the 2019-2021 term
- J. Whereas Bangladesh has failed to implement key recommendations accepted during the country's second Universal Periodic Review of 2013 as well as recommendation from other UN bodies and refused to accept some recommendations at the Universal Periodic Review of May 2018
- K. Whereas there hasn't been any improvement on the amending of the labour law as repeatedly requested by the EU and there has been a deterioration of the registration of union with an increased rejection rate
- L. Whereas the Accord on Fire and Building Safety in Bangladesh, a legally binding agreement between trade unions and clothing companies, is threatened to no longer be allowed to operate in Bangladesh; whereas the Accord leaving Bangladesh would have major consequences for the safety of millions of workers in the clothing industry as the Bangladeshi government does not have the capacity and knowledge to take over the functions of the Accord at the moment

- M. Whereas Bangladesh has trade preferences under the "Everything But Arms" mechanism, which links a preferential trade tariff with a progress on a number of human rights, including right to life and safety on the workplace; whereas the expulsion of the only instrument that has delivered progress in Bangladesh on the issue would be in contrast to this agreement
1. Expresses its worries at the deteriorating human rights situation in Bangladesh ahead of next general elections and in particular at the ongoing crackdown on the freedom of expression, speech and media and on the opposition; is worried by reports of forced disappearances of journalists or people speaking up against the government and of the use of torture becoming endemic, and routinely used by the state as a tool to intimidate and oppress political opponents, dissenting voices, vulnerable groups and ordinary citizens alike
  2. Urges Bangladeshi authorities to make sure that citizens are allowed to protest peacefully and journalists are able to do their jobs without fear of imprisonment; reminds Bangladesh authorities that criticism is part of a vibrant and healthy democracy and should never be met with violence but used to improve law-making processes; calls on the authorities to restore an enabling environment for free and fair elections by providing space for the opposition to campaign and for dissenting voices to express their opinions freely and safely.
  3. Urges the authorities to fight against impunity by investigating the violence perpetrated during the protests and prosecuting those involved in violent attacks as well as to immediately release those detained just for speaking out in support of the protests;
  4. Calls on the Bangladesh government to ensure that security forces respect basic human rights standards on the use of force, including in dispersing demonstrations, according to the United Nation Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
  5. Reminds Bangladesh that under the International Covenant on Civil and Political rights it is obliged to protect its citizens from arbitrary arrest (article 9), from arbitrary or unlawful influence with their privacy and correspondence (article 17) and their free freedom of expression (article 19) and that any interference with the rights to privacy and free expression should be based on clear law, a legitimate reason and be proportionate.
  6. Calls on Bangladesh government to prevent and put an end to all acts of harassment and reprisals, including at the judicial level, against all Human rights defenders, journalists, and activists in Bangladesh, to ratify the International Convention for the Protection of All Persons from enforced disappearances (ICPPED), to criminalize enforced disappearances in accordance with international standards and take effective measures to recover those disappeared and return them to their families
  7. Calls on Bangladesh Government to immediately and unconditionally release Shahidul Alam, withdraw all cases against him as he is a prisoner of conscience, detained solely for peacefully expressing his opinions, and to immediately order an

independent and efficient investigation into his torture's allegations and, if found to be true, prosecute those responsible in fair proceedings; calls likewise to release all others who have been imprisoned solely for peacefully exercising their right to freedom of expression

8. Insists that Bangladeshi authorities must take all necessary measures to guarantee Alam's physical and psychological integrity and security, including giving him immediate medical assistance, as well as that of his family and ensure that the treatment of Shahidul Alam, while in detention, adheres to the international standards
9. Underlines that the Bangladeshi government must guarantee in all circumstances that all human rights defenders in Bangladesh are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment
10. Expresses its strong concerns on recent history of the use of existing laws covering sedition and criminal defamation to threaten and detain journalists for exercising free expression and peaceful speech; is worried, in this context, that the broad worded new Digital Security Act and National Broadcast Act could be used to crack down on peaceful social media content and the opposition before general elections
11. Calls upon the Government of Bangladesh to continue consultations on these laws and pursue the commitments taken during the Universal Periodic Review last May, to ensure that they are in accordance with the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, as well as the Constitution of Bangladesh.
12. Laments the absence of justice for the murders of several bloggers since early 2015 and for the general climate of impunity for threats and attacks against journalists; urges Bangladesh authorities to create an environment conducive to ensuring that Bangladeshis are able to express their view in a peaceful way and participate in elections without fear
13. Notes that Bangladesh has submitted a list of 30 voluntary human rights pledges and commitments as part of its candidature for an HRC seat; expresses its regret that at the same time and despite being elected in the Human rights council the human rights situation in the country is deteriorating; urges Bangladesh government to respect its pledges; reminds to Bangladesh that, as a member of the Human Rights Council, it should lead by example
14. Calls upon the Government of Bangladesh to undertake legislative changes to the Bangladesh Labour Act and its implementing rules to bring them in line with International Labour Standards of ILO and to allow full freedom of association.
15. Calls on the Government of Bangladesh to do everything in its power to allow the Accord Foundation office to continue its operations in the country until its goals are achieved;

16. Stresses that respect for fundamental human rights is a prerequisite for Bangladesh to continue to benefit from the EU's preferential EBA scheme; calls on the VP/HR and the Commission to review Bangladesh's obligations under the conventions in Article 19 of the EBA regulation, and to report the findings to the European Parliament;
17. Instructs its President to forward this resolution to the Government and Parliament of Bangladesh, the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, and the governments and parliaments of the Member States