

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Bangladesh: Lifting some of the emergency restrictions is welcome but more needs to be done to protect freedom of expression and assembly

The Caretaker Government of Bangladesh's decision to ease some of the emergency restrictions on freedom of expression, assembly and association is a welcome step, and must be backed by concrete action.

Amnesty International notes that withdrawal of Clauses 5 and 6 of the Emergency Powers Rules, 2007, which restricted the right to freedom of expression brings Bangladesh one step closer to restoring this right.

However, the partial withdrawal of Clause 3, which restricts the right to freedom of assembly, allows only gatherings and rallies that are specifically election-related, to the detriment of rallies and other campaigning activity by civil society pressure groups and human rights defenders. Such campaigning is fundamental to these groups' ability to seek commitment and support for their human rights related objectives from political parties contesting elections.

Amnesty International recommends that Clause 3 is also fully withdrawn to allow the right to freedom of assembly to be restored.

Amnesty International also welcomes the withdrawal of the army from policing operations. Army personnel, together with other security forces, have been responsible for a series of human rights violations including torture and death in custody. These included the death in army custody of the Garo indigenous leader, Cholesh Richil in March 2007 with no one being prosecuted.

Amnesty International calls upon the authorities to ensure:

- prompt, impartial and effective investigations, within the civilian justice system, into alleged human rights violations by police, RAB and other security personnel, including torture, other ill-treatment and deaths in custody, with a view to bringing perpetrators to justice;

- that law enforcement personnel are fully aware of their obligation to respect and protect human rights.

Although responsibility for protecting human rights primarily rests with the government, all sections of society, including political parties, have a major part in the process.

Amnesty International urges political parties to make clear commitments to promote and respect human rights before, during and after the country's general and sub-district elections in December and publicly urge their party members and supporters to respect the right of all people in Bangladesh to hold and express different opinions without being subjected to human rights abuses.

Background

The current army-backed Caretaker Government imposed a state of emergency in January 2007. It postponed parliamentary elections scheduled for 22 January 2007 until late 2008,

and severely restricted freedom of expression, as well as freedom of association and assembly under the pretext of bringing an end to the violent election-related clashes between supporters of the main political parties. The army was deployed to assist the police in maintaining law and order.

Many civil society groups and the public at large initially welcomed the state of emergency, but human rights groups began to raise concern that its continuation undermines due process of law and reinforces impunity for human rights violations.

Some of the other examples of human rights violations during the emergency include:

- injury of at least 15 political activists during a police attack against a peaceful political rally in July 2008;
- mass arrests of some 30,000 political activists attempting to gather peacefully in their party offices in late May and early June 2008;
- instruction from security forces to TV channels in early 2008 to stop live phone-in programs that were critical of the state of emergency, intimidating phone calls or visits from security forces at frequent intervals to the newspapers telling them not to publish reports critical of the government the arrest of at least three journalists in 2007 for writing what government officials did not like;
- arrest and imprisonment of six Rajshahi University lecturers (arrested in August 2007 and released in December 2007) and four Dhaka University lecturers (arrested in August 2007 and released in January 2008) for peacefully protesting abuse of power by law enforcement agencies at these universities.

Bangladesh is going to hold general elections on 18 December 2008 and sub-district elections on 28 December 2008.

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