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Bangladesh: Strengthen human rights safeguards to protect against political violence

Amnesty International strongly condemns the human rights abuses committed during the tide of political violence in Bangladesh this month. Members of the opposition Bangladesh Nationalist Party (BNP) and their ally, Jamaat-e-Islami, held mostly violent, intermittent protests in the first half of December.

Members of the Bangladesh Chhatra League (BCL), the student wing of the ruling Awami League party, were also involved in the violence, attacking and injuring BNP and Jamaat-e-Islami supporters.

Opposition supporters carried out these attacks when enforcing their so-called *hartals* or day-long stoppages in early December. They set buses carrying passengers on fire by hurling petrol bombs at them, smashed dozens of cars and set fire to other vehicles, including an oil tanker. They beat drivers and their passengers for not complying with the stoppage calls.

Bangladeshi media have covered these events in full, providing detailed accounts of the violence. According to these reports, opposition supporters fought pitched battles with police officers who tried to remove the road blockades or prevent damage to buses, cars and buildings. Police responded by beating people with batons, and firing rubber bullets and tear gas to disperse them.

The exact number of those injured during the recent day-stoppages is not known. At least four people were killed and more than 100 injured between 4 and 9 December, including police officers, although the exact number may be far higher. One man died reportedly from knife wounds in Sirajganj district on 8 December. On 9 December, another man was run over by a speeding vehicle near Dhaka airport - the exact circumstances of this death are not clear. A third man died that same day, reportedly during clashes between Jamaat-e-Islami and BCL supporters in Enayatpur.

In one widely reported instance, BCL members were allegedly involved in the death of Biswajit Das on 9 December. The young man tried to run away as he was being kicked and punched but the BCL members apparently grabbed him, beat him some more and stabbed him with knives. He died soon after. The killers can be identified from the video footage of the incident and eyewitness accounts of the news reporters. The Home Minister has promised to bring the killers to justice and reports say some people have been arrested.

The Prime Minister has already denied that BCL members were involved in the killing of Biswajit Das, although investigations are still ongoing. Amnesty International is concerned that BCL members may be excluded from investigations because they are politically linked to the ruling Awami League party. There is a legacy of impunity in Bangladesh and successive

governments have often ignored abuses by members of their own parties and allies, preferring to initiate legal proceedings against members of the opposition only.

While there are conflicting claims about how the current violence began, credible reports indicate that supporters of all parties were involved in human rights abuses. Amnesty International therefore calls on opposition party leaders to urge their followers to refrain from human rights abuses, especially against people choosing not to observe calls for day-long stoppages. Amnesty International also calls on BCL leaders, affiliated to the governing party, to call on their followers to respect human rights.

Police initially announced that more than 300 people have been arrested in connection with their investigation of arson and other attacks, but opposition parties say the number is much higher. Amnesty International urges the Government of Bangladesh to bring the suspected perpetrators of the attacks to justice, ensuring that this is done in full compliance with the international human rights treaties that the country has ratified: that no one accused of committing these crimes is tortured or otherwise ill-treated; that they receive a fair trial; and that no death penalty is imposed. Credible allegations of arbitrary or abusive use of force by police must also be investigated, and where sufficient admissible evidence exists, prosecuted.

Background

The recent wave of violence started on 4 December when Jamaat-e-Islami called for a day-long stoppage to press for the release of their detained leaders. Six high ranking members of Jamaat-e-Islami, including the party's former leader Golam Azam and its current leader Motiur Rahman Nizami are detained and on trial before the International Crimes Tribunal. They are charged with the war crimes committed in 1971 when Bangladesh gained independence from Pakistan.

The tribunal was set up by the government of Bangladesh as a national court in 2010 to try "those who committed crimes, assisted criminals and took part in the genocide during the Liberation War". Amnesty International does not oppose these trials but urges the authorities to ensure that they are based on fair trial standards, the accused is not subjected to torture or other ill-treatment, and the death penalty is not given as punishment. So far the tribunal has not convicted any of the accused. There have been no reports of torture but aspects of the trials appear to conflict with international fair trial standards, such as a constitutional provision that bars the accused from challenging the jurisdiction of the tribunal.

The opposition BNP called for day-long stoppages on 8 December demanding that the upcoming general elections are conducted under a non-party caretaker government. The BNP has been calling for this since June 2011 when the parliament, where the ruling party has an absolute majority, removed the provision for elections to be held under a caretaker government. The government says the provision was unconstitutional because the 13th amendment to the constitution which provided for a caretaker government in 1996, has since been declared void by the Supreme Court. The opposition says there is still room within the Supreme Court declaration to hold elections under a non-party caretaker government, and that not doing so, would allow the governing party to rig the elections. The BNP has boycotted secessions of parliament since the constitutional provision was removed.