

EXTERNAL (for general distribution)

AI Index: ASA 13/08/90
Distr: UA/SC

3 December 1990

Further information on UA 483/90 (ASA 13/07/90, 28 November 90) - Legal Concern

BANGLADESH: Arrest of opposition leaders:

Sheikh HASINA (f)
Dr Kamal HOSSAIN
Mostafa Mohiuddin MONTTO (also reported as Mostafa Rahman MONTTO)
Mirza ABBAS

Amnesty International has learnt that the original reports of the arrest of Dr Kamal Hossain, a leader of the Awami League, were incorrect. Although police raided his house on the night of 27 November 1990, Dr Kamal Hossain evaded arrest and is currently in hiding.

Sheikh Hasina, President of the Awami League, reportedly remains under house arrest in Dhaka. According to reports, she was placed under house arrest on the afternoon of 27 November, before the state of emergency was declared. Several people have visited her at her home, which is under police guard. Telephone connections to her house have been cut.

Both Mostafa Mohiuddin Monto (also reported as Mostafa Rahman Monto) and Mirza Abbas are both believed to remain in detention. Amnesty International has received no further information about Mirza Abbas, but has learnt more about the circumstances of arrest of Mostafa Mohiuddin Monto. Police went to the home of Mostafa Mohiuddin Monto of the Awami League youth wing at 9am on 27 November and detained him, reportedly without legal authorisation. The police are also reported to have assaulted some members of his family. At about 12.30pm that day a habeas corpus petition was filed in the High Court concerning his detention, and the court ruled that Mostafa Mohiuddin Monto must be produced in court by 29 November. The state of emergency was imposed at about 10.30 that night. Under the emergency, the right to challenge the legality of a person's detention has been removed.

BACKGROUND INFORMATION

Widespread protests against the government and against the imposition of a state of emergency continue in Bangladesh. The three main opposition alliances have called for a continuing joint programme of strikes and demonstrations.

Some professional organizations have called on their members to resign their posts, including the Federation of Univesity Teachers. The Supreme Court Bar Association passed a resolution on 2 December declaring the emergency unconstitutional and calling on members of the bar who work in government to resign their posts within 24 hours. Those who do not will lose their membership of the bar.

Detentions of opposition activists are believed to be continuing in Dhaka, although Amnesty International does not yet have names of those detained. On the night on 2 December police raided the homes of Ali Zaker, a leading member of the theatre movement, and of Dr Kamal Hossain, a leader of the Awami League. Neither person was there. In Sylhet, 20 people have reportedly been detained since the emergency was declared, five of whom are students. Amnesty International does not yet know their names.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/express and airmail letters:

- expressing concern that emergency provisions facilitate the arbitrary detention of prisoners of conscience by removing the right to challenge the legality of a person's detention in the courts;
- expressing concern at reports of arbitrary detentions in Bangladesh, including the house arrest of Sheikh Hasina and the detentions of Mostafa Monto and Mirza Abbas;
- urging that all those detained for their non-violent political activities be immediately and unconditionally released;
- urging that any detainee against whom there is evidence of involvement in a recognizable criminal act should be charged and promptly tried under ordinary procedures of law.

APPEALS TO:

President Hossain Mohammad Ershad
Office of the President
Dhaka
Bangladesh

Telegrams: President Ershad, Dhaka, Bangladesh
Telexes: 642200 PAMA BJ; 642222 PAMA BJ
Faxes: + 880 2 833 597

COPIES TO: Diplomatic representatives of Bangladesh in your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 January 1990.