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Bangladesh: Arrest of BNP Members Could Be Politically Motivated

Last week's arrest of four leading members of the Bangladesh Nationalist Party (BNP) appears to be politically motivated and a measure to intimidate the opposition, Amnesty International said today.

The former ministers in the previous BNP government were arrested on 20 March under the Special Powers Act (SPA) -- a law which allows the authorities to detain anyone without any charge for up to 120 days.

"Once again, it seems that the government is using the SPA to detain people on vaguely formulated grounds without charge or trial -- these detainees should be either released or charged with a recognizably criminal offence," Amnesty International said.

"Detention under the SPA has been used by successive governments in Bangladesh to circumvent the normal judicial process and, at times, to intimidate and silence their opponents."

The four men -- Khandaker Mosharraf Hossain, Abdul Mannan, Goyeswar Roy and former mayor of Dhaka, Mirza Abbas -- were arrested at their homes around 3am. Each house was surrounded by about 30 police personnel before the arrests were made. The police did not show any arrest warrant. The four men are currently held at Dhaka Central Jail with a one month detention order under the SPA.

The arrests were made ahead of a nationwide general strike on 23 March called by the BNP. The eight-hour stoppage was the first major strike called by the opposition since the Awami League government was elected to office in June 1996. Three people, reportedly ruling Awami League party supporters, were killed during the strike and about 100 were injured. Subsequently, police arrested more than 150 BNP supporters. Some were detained under the SPA while others were charged with criminal offences. According to reports, many of those arrested have been released. The exact number of those detained is not known.

The BNP secretary general, Abdul Mannan Bhuiyan has declared that his party *"has no link now, neither had any in the past nor will it have any links with any acts harmful to the country and its people in the future"*. The BNP claims that the government detained the four politicians to prevent the general strike.

The government has denied that the arrests were linked to the strike. Prime Minister Sheikh Hasina Wajed was quoted by *Agence France-Presse (AFP)* as saying that she had *"received specific information that four arrested BNP leaders had links with acts of sabotage. The arrests had nothing to do with the strike."* Yet, so far, no recognizably criminal charges have been brought against the detainees.

“In a climate of intense political tension and in the absence of specific charges or evidence against the detainees, it is difficult to establish the truth about government allegations against the detained BNP leaders and the refutation of these by the opposition,” Amnesty International said.

“In any case, it should be a court of law following fair trial procedures which decides the truth of such allegations, or frames charges against anyone accused of a criminal offence.”

Under the SPA, constitutional safeguards designed to protect the rights of prisoners -- that they be promptly informed of the reasons for their arrest, permitted to consult a lawyer of their choice and be brought before a magistrate within 24 hours of arrest -- do not apply.

“Awami League leader Sheikh Hasina Wajed herself referred to the SPA as a ‘*black law*’ while in opposition and urged its repeal. Now in power her government is using its sweeping provisions against its opponents,” Amnesty International said.

Amnesty International is urging the Government of Bangladesh to demonstrate adherence to international human rights law which prompt that detainees are either released or charged without delay with a recognizably criminal offence. In all cases, the detainees should have prompt access to a lawyer of their own choice. This will be particularly relevant to Article 9 of the Universal Declaration of Human Rights which states that: “*No one shall be subjected to arbitrary arrest, detention or exile*”.

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