

EXTERNAL

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Legal concern / Fear of ill-treatment

27 February 1996

BANGLADESH Begum Motia Chowdhury

Mohammed Nasim

Moudud Ahmed

Tofael Ahmed

Abdul Kader Mollah

and dozens of other opposition activists

Dozens of opposition activists have been arrested in Bangladesh since 24 February 1996 when a three-day strike was called by the main opposition parties.

Amnesty International is concerned that some of the detainees may have been arrested solely on account of their non-violent political activities, and it fears that many of the detainees may be held in police custody where they may be at risk of ill-treatment.

Among those arrested are at least five opposition leaders, who have been served with one-month detention orders under the 1974 Special Powers Act (SPA).

Witnesses reported seeing the police picking up Begum Motia Chowdhury, an Awami League leader, along with a woman opposition activist in a jeep on 24 February.

Two more senior Awami League leaders, Muhammad Nasim and Tofael Ahmed, were reportedly arrested on 25 and 27 February respectively. Moudud Ahmed, a senior leader of the Jatiya Party of the former President Ershad, and Abdul Kader Mollah, a senior leader of Jamaat-e-Islami, have also been arrested.

Communication Minister, Oli Ahmed warned that further arrests may take place saying "from now on all actions of the opposition will be responded to".

Amnesty International is aware that acts of violence have occurred during the strike in clashes between the supporters of the ruling and opposition parties as well as with law enforcement personnel. However, to its knowledge, none of the above named individuals are believed to have been personally responsible for the commission or advocacy of such acts. They are therefore likely to be prisoners of conscience.

Most of those believed to have been arrested for non-violent political activities in the past few days are being held under the SPA. This effectively allows for indefinite detention without charge or trial for a "prejudicial act" on loosely formulated grounds of endangering "public safety or maintenance of public order". The SPA makes no distinction between violent and non-violent activities or between those that might clearly endanger national security and those that could not justifiably be said to do so.

It is not yet clear if the detainees have access to their families or lawyers. The SPA does not automatically provide for access to family visits and legal assistance, and the decision as to whether these should be granted is taken arbitrarily by the detaining authority. Some are believed to be held in judicial custody, but the majority are likely to be detained incommunicado in police stations, where ill-treatment occurs.

BACKGROUND INFORMATION

The opposition walked out of parliament in March 1994 and in December that year 147 deputies formally resigned from the 300-seat parliament. The opposition parties demanded that Prime Minister Begum Khaleda Zia of the ruling Bangladesh Nationalist Party (BNP) should step down and a neutral caretaker government be appointed to ensure an impartial election. Their demand was not met.

All main opposition parties boycotted the general elections on 15 February 1996, but the ruling BNP and a number of minor parties contested. The government party won a landslide victory taking 203 of the parliamentary seats. Although the turnout was reportedly between 10 and 15 per cent. The opposition parties called for a nationwide three-day campaign of civil disobedience from 24 February to urge for fresh elections under a caretaker government. Since then, at least two opposition activists have been killed and scores more have been injured in clashes with the police or supporters of the ruling BNP.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English/Bengali or your own language:

- expressing concern at reports of arbitrary detentions under the Special Powers Act in Bangladesh, including of those named above;
- seeking assurances that all detainees are being treated humanely in accordance with international standards for detention;
- urging that all those detained for their non-violent political activities be immediately and unconditionally released;
- urging that any detainee against whom there is demonstrable evidence of involvement in a recognizable criminal act should be charged and promptly tried under ordinary procedures of law.

APPEALS TO:

President Abdur Rahman Biswas
Office of the President
Dhaka, Bangladesh

Faxes: + 880 2 866 300; if unable to get through on this number try +880 2 869 160 (Minister of Foreign Affairs: mark for attention of President)

Telegrams: President Biswas, Dhaka, Bangladesh

Salutation: Dear President

Prime Minister Begum Khaleda Zia
Office of the Prime Minister
Dhaka, Bangladesh

Telegrams: Prime Minister, Dhaka, Bangladesh

Faxes: + 880 2 813 244; +880 2 811 015

Salutation: Dear Prime Minister

COPIES TO: diplomatic representatives of Bangladesh accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 20 April 1996.