

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Are the mass round ups of political opponents that were taking place by the caretaker government in May/June 2008 still a feature of politics in Bangladesh in October 2008 or, have things settled down?**
- 2. Elections were due to be held in Bangladesh in October 2008, but apparently they were postponed. When are they now due to be held?**

RESPONSE

- 1. Are the mass round ups of political opponents that were taking place by the caretaker government in May/June 2008 still a feature of politics in Bangladesh in October 2008 or, have things settled down?**

Sources indicate that the roundups or mass arrests which began on 28 May 2008 occurred during a limited period, variously reported as having been between 15 days and 4 weeks.

The UK Home Office's *Country of Origin Information Report – Bangladesh* dated 25 September 2008 refers to the "intensive wave of arrests ... between 28 May and 12 June 2008" as follows:

- 4.39 An intensive wave of arrests took place between 28 May and 12 June 2008, when between 18,000 and 25,000 people (based on media estimates) were arrested by police and 'joint forces' in what the government described as a drive against 'miscreants, criminals and those wanted by the law'. Those arrested included political leaders and activists (of both major political parties) at district, sub-district and municipal level. It is not known how many were subsequently released. Some human rights organisations, political parties and media characterised the arrests as a tactic of political repression, perhaps arising from the refusal of

the major parties to engage in a dialogue with the Caretaker Government until their leaders were released (UK Home Office 2008, *Country of Origin Information Report – Bangladesh*, 25 September, Paragraph 4.39 – Attachment 1).

In an article dated 21 August 2008 on the website of the Asian Legal Resource Centre reference is made to “the four-week crackdown that started on May 28, 2008”. According to the report:

Astounding numbers of persons have been arrested since the State of Emergency began. The unconvincing response of the government to these allegations has been to deny that they have space to detain this number of persons. Bangladesh already has a well-documented track record of serious over-crowding in its prisons. Persons are arrested en-masse in order to intimidate, and, in general, are not detained for long periods.

An example of the scale of the problem is the four-week crackdown that started on May 28, 2008, resulting in the arbitrary arrest and detention of more than 50,000 Bangladeshis. During this, the Inspector General of Police (IGP) admitted to the media, on June 9, 2008, that the police have to use the emergency laws, as these do not permit bail, therefore avoiding courts releasing suspects. The ALRC notes that courts typically release suspects when there is no evidence against them. The IGP also admitted that an average of 1,667 persons have been being arrested in the country each day since the beginning of the emergency. The detention of so many individuals, even for relatively short periods, is leading to severe overcrowding in the country’s prisons. Reports indicate that most persons arrested are subjected to some form of ill-treatment, including beatings, and that torture is also being used on a significant number of detainees, during which the police extract money or confessions (Asian Legal Resource Centre 2008, *Bangladesh: Prolonged State of Emergency threatening the judiciary and human rights defenders’ ability to work*, 21 August – Attachment 2).

A Fast Track RRT Research Response prepared on 1 October 2008 provides a recent update on the political situation in Bangladesh (RRT Research & Information 2008, *Research Response BGD33880*, 1 October – Attachment 3).

2. Elections were due to be held in Bangladesh in October 2008, but apparently they were postponed. When are they now due to be held?

Information on the website of the Bangladesh Election Commission advises that “[t]he proposed date of 9th National Parliamentary Election is the last of December 2008” (‘Parliamentary Elections’ 2008, Bangladesh Election Commission website, 14 October http://www.ecs.gov.bd/English/QLTemplate1.php?Parameter_QLSCat_ID=44&ByDate=0&Year – Accessed 20 October 2008 – Attachment 4).

It has, however, been reported by the news media that the election date of 18 December 2008 was announced on 20 September 2008 (see for example ‘Bangladesh elections on December 18: head of government’ 2008, *Agence France Presse*, 21 September – Attachment 5).

An article dated 8 October 2008 sourced from the *New Age* newspaper reported that “[t]he military-controlled interim government will keep the state of emergency in force to ensure security for voters during the ninth parliamentary elections scheduled to be held on 18 December” (‘Bangladesh polls to be held under state of emergency – official’ 2008, *BBC Monitoring Online*, source: *New Age* newspaper, 8 October – Attachment 6).

Most recently, an article dated 20 October 2008 on the *New Age* website reports that the Bangladesh Nationalist Party (BNP) intends submitting its application for registration to the Election Commission on the closing date of 20 October, but also quotes the BNP secretary general as having said that a decision on whether the party will contest the National Elections “will be taken later on after considering the overall atmosphere”. According to the article:

The Bangladesh Nationalist Party and its allies Jamaat-e-Islami and Islami Oikya Jote will apply for registration with the Election Commission before the submission deadline expires this afternoon, alliance leaders said.

The highest policy making bodies of BNP and Jamaat-e-Islami Sunday evening approved draft amendments to party constitutions in line with the criteria set by the Election Commission under the amended Representation of People Order.

...

BNP chairperson Khaleda Zia presided over the one-and-half-hour meeting beginning at 9:00 pm at her Gulshan office.

The party, which was to decide on registration after holding the second round of formal dialogue with the commission, suddenly changed its stance as the commission and the military-controlled interim government stuck to their position not to defer the deadline for registration again, according to party insiders.

‘Tomorrow [Monday] is the last date for applying for registration. So we will apply for registration to thwart the conspiracy to keep us away from elections on the excuse of non-registration,’ BNP secretary general Khandaker Delwar Hossain said Sunday afternoon.

‘There were attempts in the past to split the BNP. And now a conspiracy is on to keep the party out of the incoming general elections,’ he added.

According to the latest amendments to the Representation of People Order, registration with the commission is mandatory for the parties to contest the elections.

...

Asked about the party’s stance on participating in the polls under the state of emergency, he said the registration with the EC and the question of participation in the elections were not the same.

‘We will apply for registration to qualify for participating in elections. The decision on contesting the elections will be taken later on after considering the overall atmosphere,’ he said.

The BNP will not participate in any stage-managed elections, he reiterated. ‘We want lifting of the state of emergency before the polls, participated by all parties, including two leaders — Khaleda Zia and Sheikh Hasina,’ he said.

...

The EC extended the deadline for submitting application for registration from October 15 to October 20 responding to requests from BNP and Jamaat. Chief election commissioner ATM Shamsul Huda earlier said that the commission would not further extend the deadline for applying for registration.

A total of 192 political parties and groups collected forms for registration and 43 of them including the Awami League submitted applications to the EC until Sunday ('BNP, allies to apply for registration today' 2008, *New Age*, 20 October <http://www.newagebd.com/2008/oct/20/front.html> – Accessed 20 October 2008 – Attachment 7).

List of Sources Consulted

Internet Sources:

Government Information & Reports

Bangladesh Election Commission website <http://www.ecs.gov.bd/English/index.php>

US Department of State website <http://www.state.gov>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org>

Human Rights Watch website <http://www.hrw.org>

Odhikar website <http://www.odhikar.org>

International News & Politics

BBC News website <http://news.bbc.co.uk>

International Herald Tribune <http://www.iht.com>

National News Agency of Bangladesh website <http://www.bssnews.net/index.php>

New Age website <http://www.newagebd.com>

The Daily Star website <http://www.thedailystar.net>

Search Engines

Copernic search engine

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

List of Attachments

1. UK Home Office 2008, *Country of Origin Information Report – Bangladesh*, 25 September.
2. Asian Legal Resource Centre 2008, *Bangladesh: Prolonged State of Emergency threatening the judiciary and human rights defenders' ability to work*, 21 August. (CISNET Bangladesh CX212259)
3. RRT Research & Information 2008, *Research Response BGD33880*, 1 October.
4. 'Parliamentary Elections' 2008, Bangladesh Election Commission website, 14 October http://www.ecs.gov.bd/English/QLTemplate1.php?Parameter_QLSCat_ID=44&ByDate=0&Year – Accessed 20 October 2008.
5. 'Bangladesh elections on December 18: head of government' 2008, *Agence France Presse*, 21 September. (FACTIVA)

6. 'Bangladesh polls to be held under state of emergency – official' 2008, *BBC Monitoring Online*, source: New Age newspaper, 8 October. (CISNET Bangladesh CX212075)
7. 'BNP, allies to apply for registration today' 2008, *New Age*, 20 October <http://www.newagebd.com/2008/oct/20/front.html> – Accessed 20 October 2008.