

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Please provide an update on the situation regarding the Freedom Party in Bangladesh?**
- 2. Please provide information on the treatment of returnees to Bangladesh who were supporters or members of the Freedom Party? Given the current political situation is it likely that a person with such an association would be targeted by government authorities or any other groups after being outside of Bangladesh since 1995?**

RESPONSE

- 1. Please provide an update on the situation regarding the Freedom Party in Bangladesh?**

Information from the sources available suggests that the Freedom Party in Bangladesh is inactive. The recent media discussion referring to the Freedom Party has surrounded the reopening of the Bangabandhu murder case, relating to the 1975 killing of ‘Bangladesh’s founding father’, Sheikh Mujibur Rahman, and most of his family. Two of the twelve former army officers – Faruq Rahman and Khandakar Abdur Rashid – who were sentenced to death by the High Court in April 2001 reportedly floated the Freedom Party in the mid-1980s. The case has not proceeded in six years allegedly due to legal technicalities and the lack of Appellate Division judges willing to hear the case. Abdur Rashid is still at large, known as one of the ‘fugitive “killer majors”’ and Faruq Rahman is currently in Dhaka jail (‘Bangabandhu murder case hearing resumes today after 6 years’ 2007, *The Daily Star*, 7 August <http://www.thedailystar.net/2007/08/07/d7080701033.htm> – Accessed 21 January 2008 – Attachment 1).

On 22 September 2006, the *Hindustan Times* reported the reappearance of Khandakar Abdur Rashid in Dhaka, allegedly to attend ‘secret’ meetings before leaving the country hastily due to the ‘look out’ notice in existence for his arrest. Rashid’s reappearance ahead of

parliamentary elections allegedly caused concern among political and security circles, seeing that he was linked to a 1999 assassination plot against Sheikh Hasina. Rashid reportedly lives between Libya and Pakistan, “where he lives under the protection of the Inter-Services Intelligence (ISI)” (‘Mysterious reappearance of Mujib’s ‘killer major’ 2007, *Hindustan Times*, 22 September – Attachment 2).

A July 2007 article by *The Statesman* provides background to the events that led to the sentencing of the twelve former army officers for the murder of Sheikh Rahman in 1975. Another of the sentenced, and an associate of the Freedom Party, AQM Mohiuddin Ahmed, was extradited from the United States on 17 June 2007. According to the report, “the present interim government too has not taken any initiative to have the appeals disposed of” (‘The Statesman (India): Is nemesis catching up with Mohiuddin?’ 2007, *The Statesman*, 4 July – Attachment 3).

The most recent mention of the Freedom Party in the Bangladesh media was a *United News of Bangladesh Limited* article published on 16 August 2007. The article announces the Election Commission’s intention to invite eligible political parties to discuss reform of electoral laws. The Freedom Party is listed as one such party eligible for invitation to the reform discussion. However, the source does not expound on the political parties themselves and no further reference to the discussion was found in the sources available (‘Election Commission going to invite 20 political parties to dialogues on poll reforms’ 2007, *United News of Bangladesh Limited*, 16 August – Attachment 4).

2. Please provide any information on the treatment of returnees to Bangladesh who were supporters or members of the Freedom Party? Given the current political situation is it likely that a person with such an association would be targeted by government authorities or any other groups after being outside of Bangladesh since 1995?

Little information was found in the sources available on the treatment of supporters/members of the Freedom Party who have returned to Bangladesh. As outlined above in question 1, the two founders of the Freedom Party have been sentenced to death for their part in the 1975 murder of the then President, Sheikh Mujibur Rahman. Information has been included below that illustrates the current level of political activity in Bangladesh and political arrests in recent months.

A February 2007 article published by the UK-based Asian News website – an online publication aimed at the Indian, Bangladeshi and Pakistani communities in the UK – discusses an asylum claim by a Bangladeshi family associated with the Freedom Party. Mr Alam was allegedly actively involved with the Freedom Party and the family claimed to have been attacked by members of the Awami League in 2001. Mr Alam was deported back to Bangladesh in 2005 and is reportedly in hiding (‘Treated like ‘an animal’ 2007, Asian News website, 22 February http://www.theasiannews.co.uk/news/s/523/523835_treated_like_an_animal_.html – Accessed 23 January 2008 – Attachment 5).

The current level of political activity in Bangladesh was discussed in recent advice provided by the Department of Foreign Affairs and Trade (DFAT) in May 2007. DFAT provided a comprehensive view of the current state of political violence, including retaliation against political opponents:

A. What is the current status and level of activity – formal and informal – of the political parties?

At the time of writing, all political activity is banned under the prevailing State of Emergency. The Caretaker Government has indicated it may partially lift the ban in May 2007 but whether this transpires remains to be seen. Many leaders and senior officials of the political parties have been arrested and corruption charges are being prepared against them. The parties themselves remain extant, although factionalised and the question of their future leadership remains unclear.

The Caretaker Government has announced its intention to hold elections in late 2008 but under new electoral laws which are still being framed, and are not expected to be announced until possibly June or July 2007. It is anticipated that the Election Commission will introduce electoral laws requiring the registration of all political parties, requiring greater transparency of political party finances, and banning those who have been convicted on corruption charges from running for public office.

Under the State of Emergency, all power is vested in the Caretaker Government, which is backed by the military. Political persecution of opponents has been practised by both the BNP and the Awami League (AL) in the past but this has ceased under the State of Emergency, which has deprived all parties of the machinery of state which they used corruptly for political persecution and personal vendettas conducted in the name of politics.

The student wings of all the political parties face the prospect of an outright ban on their activities.

B. In particular, what is the current situation of the Awami League and the BNP and its leaders, national and local?

The parties themselves remain in a state of flux, uncertain about the future political landscape in Bangladesh and their role in it, and the longer-term agenda of the military. The future of the party's leaders, Sheikh Hasina (AL) and Khaleda Zia (BNP), and the levels of patronage they commanded down through the levels of their parties, also remains unclear at this stage.

C. What is the post's prognosis for the evolution of the situation over the next 12-24 months?

The prognosis for the evolution of the situation over the next 1-2 years is also unclear. Given the uncertainty about the future of the parties, and their leaders, and the fact that events are still unfolding, this could well remain the situation for some time. The Caretaker Government has announced plans to hold elections towards the end of 2008. Both parties have publicly acknowledged they recognise they need to reform themselves but their willingness and commitment to doing so is likely to depend on the forthcoming electoral laws and the fates of their senior leaders and officials presently facing corruption charges.

The Caretaker Government is currently working on an agencies of good governance overhaul, including separating the executive from the judiciary, giving teeth to the Anti-Corruption Commission, reforming the Public Service Commission, and establishing a National Human Rights Commission. If these aims can be achieved, they would provide the basis for additional checks and balances in a system which has traditionally had a "winner takes all" mentality.

D. What are the roles presently of the police and army?

The disciplined services have provided full backing to the Caretaker Government and its objectives. They have also been actively pursuing a clean out of the corruption that has bedevilled Bangladesh.

E. What is the current level of political violence, including retaliation against opponents?

Politically motivated violence has all but disappeared under the Caretaker Government. A survey of popular attitudes conducted recently by The Asia Foundation in all districts of Bangladesh found that levels of criminality, particularly extortion which was often conducted with impunity by politically-connected individuals, have fallen dramatically, with former practitioners either arrested, detained, fled or gone underground. Much of the so-called political violence was common criminality being conducted under the guise of politics.

Some salient results from the surveys conducted in February and March as follows:

- About 60 percent of respondents noted improved law and order was the predominant aspect of the current situation that provided assurances to the community;
- Almost 95 percent of respondents noted the virtual disappearance of politically patronised criminals in the community since the Caretaker Government assumed power, while 90 percent reported a decline in the incidence of criminal activities;
- Approximately 80 percent of respondents reported a considerable improvement in the behaviour and practice of the police

F. Who is in charge?

The Caretaker Government is presently running Bangladesh under the relevant provisions of the Constitution. It is being supported by the disciplined services (Department of Foreign Affairs and Trade 2007, *DFAT Report 636: RRT Information Request BGD31628*, 3 May – Attachment 1).

A recent article by the *Far Eastern Economic Review* (FEER), authored by deputy editor Colum Murphy, discusses the emergence of reformists within both the Awami League and the Bangladesh National Party. The interim government's conviction to its anti-corruption drive has reportedly "resulted in the detention of more than 170 politicians [up until August 2007]". The pertinent extracts follow in detail.

Recently, reformists have emerged within both the AL and BNP and are putting forward proposals to overhaul their parties. A driving force is the growing realization that the interim government is serious about its war on graft. In addition, politicians are beginning to understand that the public is increasingly fed up with the corruption, extortion and mismanagement of national affairs that have been the bane of people's lives in Bangladesh for decades. At least in this respect, life under the current military-backed caretaker government has somewhat improved: One waiter at a restaurant in Dhaka voices a common sentiment: "I can now move around the town freely and not have to pay tolls [bribes]?For both the AL and the BNP, the message is simple—reform or suffer the consequences. And it's one that is being received loud and clear by some elements in the parties. Significantly, the pro-reformers seem prepared to press ahead with their plans—with or without the support of their leaders, Ms. Hasina and Ms. Khaleda.

...The interim government's anticorruption drive to date has resulted in the detention of more than 170 politicians. Prosecutors have filed extortion and murder charges against Ms. Hasina and Ms. Khaleda in connection to last year's street protests. Ms. Khaleda's son, Tarique Rahman, is also up on graft charges. Mr. Hosein says that at one point it might have been possible for the two women to quietly leave the country undisturbed. But not any more. "That day has passed,? [sic] he says. A few days after our conversation in June, Ms. Hasina was prevented from leaving the country (Murphy, C. 2007, 'Final Curtain Call For Dhaka's Divas?', *Far Eastern Economic Review*, July/August <http://www.feer.com/articles1/2007/0707/p021.html> – Accessed 23 January 2008 – Attachment 7).

List of Sources Consulted

Internet Sources:

Search Engines

Google search engine <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIMA Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

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

RRT Library Catalogue

List of Attachments

1. 'Bangabandhu murder case hearing resumes today after 6 years' 2007, *The Daily Star*, 7 August <http://www.thedailystar.net/2007/08/07/d7080701033.htm> – Accessed 21 January 2008.
2. 'Mysterious reappearance of Mujib's 'killer major'' 2007, *Hindustan Times*, 22 September. (FACTIVA)
3. 'The Statesman (India): Is nemesis catching up with Mohiuddin?' 2007, *The Statesman*, 4 July. (FACTIVA)
4. 'Election Commission going to invite 20 political parties to dialogues on poll reforms' 2007, *United News of Bangladesh Limited*, 16 August. (FACTIVA)
5. 'Treated like 'an animal' 2007, Asian News website, 22 February http://www.theasiannews.co.uk/news/s/523/523835_treated_like_an_animal_.html – Accessed 23 January 2008.
6. Department of Foreign Affairs and Trade 2007, *DFAT Report 636: RRT Information Request BGD31628*, 3 May.
7. Murphy, C. 2007, 'Final Curtain Call For Dhaka's Divas?', *Far Eastern Economic Review*, July/August <http://www.feer.com/articles1/2007/0707/p021.html> – Accessed