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Bangladesh: COI Compilation

August 2023



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Origin & Asylum Research and Documentation

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This report serves the specific purpose of collating legally relevant information on conditions in countries of origin pertinent to the assessment of claims for asylum. It is not intended to be a general report on human rights conditions. The report is prepared within a specified time frame on the basis of publicly available documents as well as information provided by experts. All sources are cited and fully referenced.

This report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should refer to the full text of documents cited and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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List of abbreviations

AFD	Armed Forces Division
AL	Awami League
BBS	Bangladesh Bureau of Statistics
BCL	Bangladesh Chhatra League
BDT	Bangladeshi Taka
BGB	Border Guard Bangladesh
BNP	Bangladesh National Party
BTRC	Bangladesh Telecommunication Regulatory Commission
DSA	Digital Security Act
GDP	Gross Domestic Product
JP	Jatiya Party
MOD	Ministry of Defense
RAB	Rapid Action Battalion
VDP	Village Defense Party

1 Background information

Bangladesh is a South Asian country and shares international borders with India (4,142 kilometres) and Myanmar (271 kilometres) (CIA, updated 23 August 2023). Bangladesh's capital is Dhaka, it is the country's most populous city and seat of the National Assembly (Encyclopaedia Britannica, updated 30 August 2023b).

The country's territory extends over a total of 148,460 square kilometres, including land and water (CIA, updated 23 August 2023). On Bangladesh's geography the English-language online Encyclopaedia Britannica writes:

"Bangladesh is generally flat, its highest point reaching over 1,000 ft (305 m) above sea level. The landscape is characterized by alluvial plains dissected by numerous connecting rivers. The southern part consists of the eastern sector of the Ganges-Brahmaputra delta. The chief rivers are the Ganges (there known as the Padma) and the Brahmaputra (or Jamuna), which unite as the Padma." (Encyclopaedia Britannica, updated 30 August 2023c)

Bangladesh's climate is tropical with mild winters and hot, humid summers (CIA, updated 23 August 2023). Monsoonal rains occur from May to October and lead to "extreme flooding over much of Bangladesh, often causing severe crop damage and great loss of life" (Encyclopaedia Britannica, updated 30 August 2023c).

In 1947 the British left the South Asian subcontinent and the territory that was known as East Bengal under British rule became East Pakistan, one of two incontinent parts that formed the new state of Pakistan (Encyclopaedia Britannica, updated 30 August 2023c; Strahorn, December 2021). In 1971, after a Liberation War that lasted nine months and was supported by the Indian government, East Pakistan gained independence from Pakistan and became Bangladesh (Strahorn, December 2021; Encyclopaedia Britannica, updated 30 August 2023a, History). The short-lived war for independence claimed many victims: between hundred of thousands and three million people died, hundreds of thousands of women were raped and about 15 million people were forced to flee their homes (Strahorn, December 2021).

Economically, Bangladesh was the second poorest country in the world in 1971, but to date poverty has been cut in half (World Bank, 16 September 2021; Borgen Project, 8 February 2023). On Bangladesh's economic development the Borgen Project, a US-based non-profit organisation that fights extreme poverty, based on several sources states:

"Economic development in Bangladesh in the past 50 years has been impressive, with GDP [gross domestic product] per capita rising to \$2,734 in 2021 from \$134 in 1971. Bangladesh quickly recovered from the aftermath of its War of Independence as one of the poorest countries in the world to achieve a steady growth rate [...]. Over the past two decades, extreme poverty has significantly declined by more than half, dropping from 34% in 2000 to just 11% in 2022. In addition, other key indicators of human well-being, such as maternal mortality rates, life expectancy and primary and secondary education attainment have also shown significant improvement. One important factor is that almost all children go to school, with the primary school net enrolment rate at 97%. Moreover, more women continue to enroll in schools, and thus enter the workforce, contributing to growth in a wide range of economic sectors." (Borgen Project, 8 February 2023)

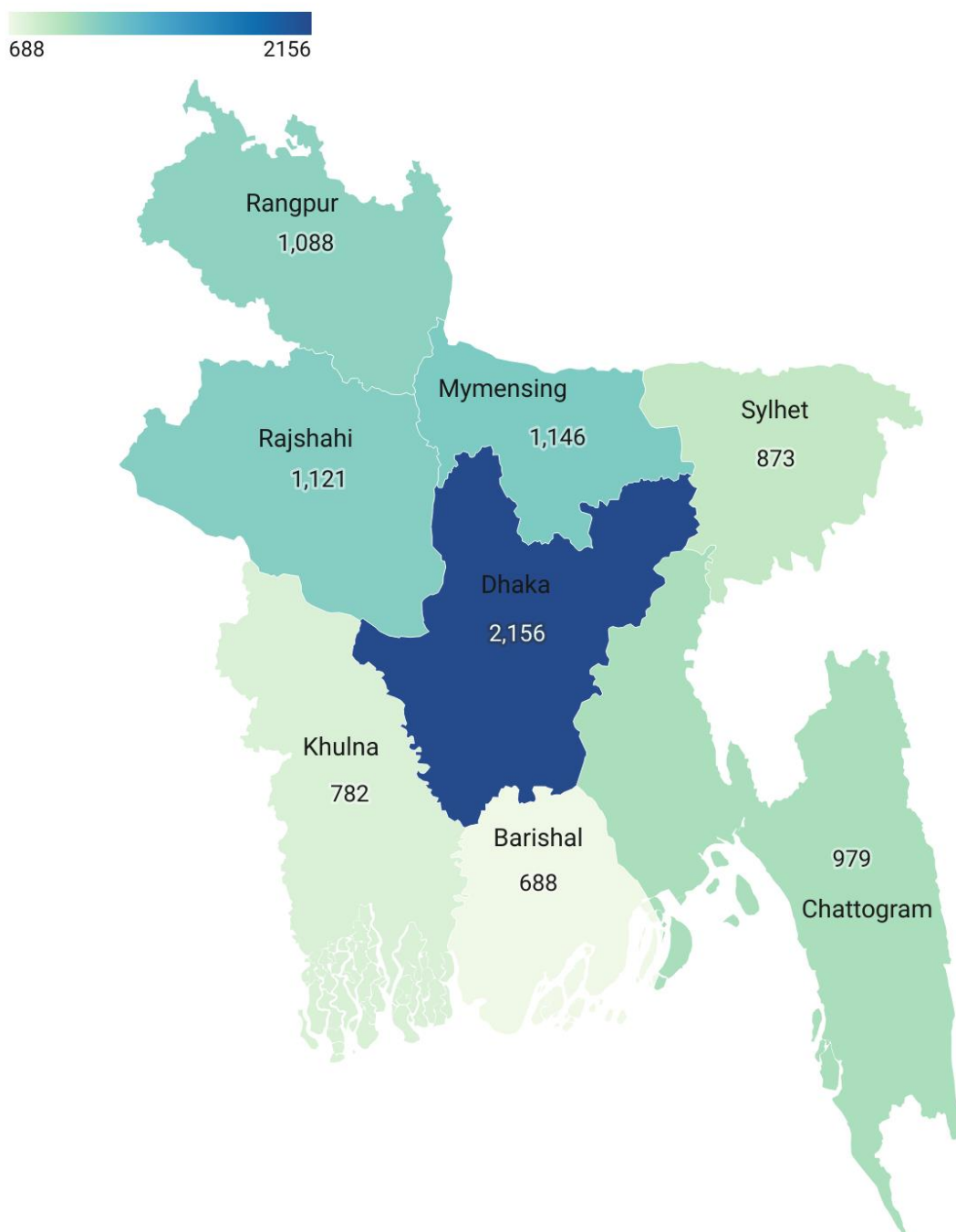
1.1 Map of Bangladesh



Source: [United Nations, 1 January 2004](#)

Bangladesh comprises eight administrative divisions: Barishal, Chattogram, Dhaka, Khulna, Mymensingh, Rajshahi, Rangpur and Sylhet (CIA, updated 23 August 2023). The following map, created by ACCORD, shows the eight divisions and also indicates the population density per square kilometre:

Bangladesh: Population Density by Division 2022



Source: BBS, August 2022 • Map data: OSM • Created with Datawrapper

1.2 Demographics

The total population of Bangladesh is approximately 165 million, according to the preliminary report on the Bangladeshi population and housing census 2022, which was published by the Bangladesh Bureau of Statistics (BBS) (BBS, August 2022, p. vii). According to the estimate of the CIA World Fact Book, the total population is approximately 167 million in 2023 (CIA, updated 23 August 2023). The 2022 population and housing census found that with 10.03 percent of the total population “the highest number of the population belongs to the age group 15-19”. Almost half of Bangladesh’s population, 47.72 percent, is younger than 25 (BBS, August 2022, p. 14).

Population density in Bangladesh is very high; in 2020, Bangladesh was the ninth most densely populated country in the world (World Bank, updated 25 July 2023) with an average of 1,119 people per square kilometre in 2022. Population density in the Dhaka division is the highest with 2,156 people per square kilometre (BBS, August 2022, pp. 12-13). Approximately 68 percent of Bangladeshis live in rural, about 31 percent in urban areas (BBS, August 2022, p. vii).

Most of Bangladesh’s population, 91.04 percent, are Muslims, mostly Sunni (BBS, August 2022, p. 16; Encyclopaedia Britannica, updated 30 August 2023a, People). 7.95 percent of Bangladeshis are Hindu, 0.61 percent Buddhist, 0.3 percent Christians and 0.12 percent belong to other denominations (BBS, August 2022, p. 16). 98.8 percent of Bangladeshis speak Bangla, also known as Bengali (CIA, updated 23 August 2023), which is a member of the Indo-Aryan languages and is the national language of the country (Encyclopaedia Britannica, updated 30 August 2023a, People). According to Encyclopaedia Britannica, the term Bengali describes both a linguistic and an ethnic group. Only a tiny fraction of the population is non-Bengali and consists primarily of smaller indigenous groups (Encyclopaedia Britannica, updated 30 August 2023a, People) living in the Chittagong Hill Tracts (MRG, updated June 2019), a hilly area in the far southeast (Encyclopaedia Britannica, updated 30 August 2023a, Land), and in the plains of the north and southeast. Chakmas, Marma and Tripura are the predominant groups (MRG, updated June 2019).

1.3 Political system

The People’s Republic of Bangladesh is a unitary multiparty republic with one legislative house. Head of state is the president, and the prime minister is head of government (Encyclopaedia Britannica, updated 30 August 2023c). The president is elected by the parliament and has a largely ceremonial role (Encyclopaedia Britannica, updated 30 August 2023a, Government and society; Freedom House, 2023, A1). Among other duties, the president is the Commander in Chief of the Armed Forces (President’s Office, updated 6 July 2023). (see also [section 2.1.2](#)) According to Freedom House, a US-based NGO that conducts research and advocacy on democracy, political freedom and human rights, Bangladesh is a “partly free” country (Freedom House, 2023). According to the regime typology used in the Democracy Index 2022 of the Economist Intelligence Unit (EIU), the research and analysis division of The Economist Group, Bangladesh is a “hybrid” regime (EIU, 2023, p. 9). The EIU’s definition of a “hybrid regime” reads as follows:

“Elections have substantial irregularities that often prevent them from being both free and fair. Government pressure on opposition parties and candidates may be common. Serious

weaknesses are more prevalent than in flawed democracies - in political culture, functioning of government and political participation. Corruption tends to be widespread and the rule of law is weak. Civil society is weak. Typically, there is harassment of and pressure on journalists, and the judiciary is not independent.” (EIU, 2023, p. 67)

In its 2022 country report covering the period February 2019 to January 2021 the German non-profit think tank Bertelsmann Stiftung provides the following information on Bangladesh’s stability of democratic institutions:

“While Bangladesh has all the trappings of a democratic country, it is racing toward authoritarianism. As a result of two consecutive controversial elections in 2014 and 2018 and the absence of any opposition in parliament, combined with the unfettered power of the prime minister, the executive’s predominant role in the political realm, and the lack of accountability mechanisms during the period under review, democratic institutions have been hollowed out. Institutions such as the Election Commission and the judiciary lack independence, and the bureaucracy has become partisan to such an extent that it acts like a wing of the ruling party. The subservient role of the coalition partners of the ruling party, a severely weakened opposition due to persecution, and the decimation of civil society contribute to the rapid debilitation of all institutions. Although the ruling AL [Awami League] party pays lip service to democracy and repeatedly professes its commitment to democratic ideas and values, its behavior over the past decade and especially since 2013 has provided evidence to the contrary. Democratic institutions, including the electoral system, have been reduced to a symbolic gesture and have been blatantly abused. [...] The military’s influence on the ruling party clearly demonstrates their ability to shape policy.” (Bertelsmann Stiftung, 23 February 2022, pp. 11-12).

1.3.1 Security forces

Concerning security forces, the US Department of State’s 2023 annual Report on Human Rights Practices covering 2022 states as follows:

“The security forces encompassing the national police, border guards, and counterterrorism units such as the Rapid Action Battalion, maintain internal and border security. The military has some domestic security responsibilities. The security forces report to the Ministry of Home Affairs, and the military reports to the Ministry of Defence. Civilian authorities maintained effective control over the security forces. There were reports members of the security forces committed numerous abuses.” (USDOS, 20 March 2023, executive summary)

The US Central Intelligence Agency’s (CIA) World Factbook states that the Armed Forces of Bangladesh consist of the Bangladesh Army, the Bangladesh Navy and the Bangladesh Air Force. The CIA also notes:

“[T]he Armed Forces of Bangladesh are jointly administered by the Ministry of Defense (MOD) and the Armed Forces Division (AFD), both under the Prime Minister's Office; the AFD has ministerial status and parallel functions with MOD; the AFD is a joint coordinating headquarters for the three services and also functions as a joint command center during wartime; to coordinate policy, the prime minister and the president are advised by a six-

member board, which includes the three service chiefs of staff, the principal staff officer of the AFD, and the military secretaries to the prime minister and president.” (CIA, updated 23 August 2023)

The Border Guard Bangladesh (BGB), the Bangladesh Coast Guard, the Rapid Action Battalion (RAB), the Ansars and the Village Defense Party (VDP) report to the Ministry of Home Affairs (CIA, updated 23 August 2023). On the RAB, the Ansars and the VDP the CIA World Fact Book notes:

“[T]he RAB, Ansars, and VDP are paramilitary organizations for internal security; the RAB is a joint task force founded in 2004 and composed of members of the police, Army, Navy, Air Force, and Border Guards seconded to the RAB from their respective units; its mandate includes internal security, intelligence gathering related to criminal activities, and government-directed investigations.” (CIA, updated 23 August 2023)

In December 2021 the United States imposed sanctions on the RAB and designated the RAB “for being a foreign entity that is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuse. [...] NGOs have alleged that RAB and other Bangladeshi law enforcement are responsible for more than 600 disappearances since 2009, nearly 600 extrajudicial killings since 2018, and torture. Some reports suggest these incidents target opposition party members, journalists, and human rights activists.” (USDT, 10 December 2021). Human Rights Watch (HRW), an international non-governmental organisation headquartered in New York, in an April 2022 article reports on the RAB:

“[...] [T]he Rapid Action Battalion (RAB), [...] has been credibly implicated in extrajudicial killings, torture, and enforced disappearances. Established in 2003 with the support of the US and UK as a counterterrorism force, over the years the RAB morphed into a political death squad. The unit’s record of abuses grew so extensive that more than a decade ago the UK government withdrew its support and training for its members after criticism over human-rights violations, and the US extensively limited its support. Since then, the RAB has been linked to hundreds more cases of disappearances and killings, typically of political opposition figures, dissidents, or others critical of the Bangladeshi government.” (HRW, 13 April 2022)

The German non-profit think-tank Bertelsmann Stiftung in a 2022 country provides the following information on Bangladesh’s military:

“The military has remained highly influential behind the scenes. Enormous benefits accorded to the military by the government and the partisan politicization of officers make them protectors of the current regime, even when its democratic credentials are questionable.” (Bertelsmann Stiftung, 23 February 2022, p. 32)

“The military is involved in various infrastructure development projects and business enterprises.” (Bertelsmann Stiftung, 23 February 2022, p. 8).

“The military’s influence on the ruling party clearly demonstrates their ability to shape policy.” (Bertelsmann Stiftung, 23 February 2022, p. 12)

2 Political background

2.1 Political structure

The political structure of the People's Republic of Bangladesh is laid down in the constitution. According to the 2022 Bertelsmann Stiftung country report, the constitution provides for the separation of legislature, executive and judiciary:

“Bangladesh's constitution provides for the separation of powers. However, the concentration of power in the hands of the prime minister – as the head of government and of the ruling party, with the ability to quash any dissent among members of parliament through Article 70 of the constitution – has made the separation illusory. Beyond this, the rout of the opposition in the 2018 election has created a total absence of legislative checks and balances. Parliamentary oversight on the functioning of the government is missing. The judiciary remains bound to the executive in spite of the separation of powers.”
(Bertelsmann Stiftung, 23 February 2022, p. 9)

An online version of the 1972 constitution in Bengali as well as in English (including all 17 amendments up to today) is provided by the Legislative and Parliamentary Affairs Division of the Ministry of Law, Justice and Parliamentary Affairs:

- Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018
<http://bdlaws.minlaw.gov.bd/act-details-367.html>

2.1.1 Legislature

Articles 65 to 79 of the constitution are dedicated to the parliament, Article 80 regulates the legislative procedure, Articles 118 to 126 address electoral procedures (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Articles 68-79, 80, 118-126).

The parliament is called the Jatiya Sangsad in Bengali and House of the Nation in English. It is a unicameral entity composed of 350 members of which 300 are elected directly, the remaining 50 are reserved for women, based on the parties' share of elected seats and elected by the parliament itself. Members of parliament serve a five-year term (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Articles 65, 72; Parliament of Bangladesh, undated (a); Encyclopaedia Britannica, updated 30 August 2023a, Government and society). Proposals in parliament for making a law must be made in form of a bill. If the parliament has passed a bill, it is presented to the president who must give his/her assent before the bill becomes a law and is called an Act of Parliament (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Article 80).

An election commission is entrusted with the responsibility of supervision, direction, and control of the preparation of the electoral rolls for the elections to the parliament as well as of the president (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Article 119). In the last parliamentary election of December 2018, the Grand Alliance, led by the Awami League, secured 288 of the directly elected seats, the National Unity Front, led by the Bangladesh National Party (BNP), won 8 (Freedom House, 2023, A2).

The website of the Bangladeshi Parliament provides a list with all members of parliament, including party affiliation and constituency:

- Parliament of Bangladesh: Name and Composition of Parliament, undated (b)
<http://www.parliament.gov.bd/index.php/en/mps/members-of-parliament/current-mps/list-of-11th-parliament-members-english>

Regarding political pluralism in Bangladesh's multiparty system the US-based NGO Freedom House which researches and advocates in the field of democracy, political freedom and human rights observes:

"[...] [P]ower has historically alternated between AL [Awami League]- and BNP [Bangladesh Nationalist Party]-led coalitions; third parties have traditionally had difficulty achieving traction. Both parties are led by family dynasties and have little internal democracy." (Freedom House, 2023, B1)

On the Bangladeshi legal system, the Bertelsmann Stiftung in its report states:

"Although secular common law written during the colonial era and amended in the past 50 years forms the basis of the legal system, the incumbent party has increasingly demonstrated its proclivity toward accommodating conservative versions of Islamic thoughts and practices. Religious laws are only applicable for marriage and property issues. [...] Laws are required to confirm to Shariah. Over time, religious organizations, especially the Hefazat-e-Islam, have emerged as political actors." (Bertelsmann Stiftung, 23 February 2022, p. 7)

Bangladesh's next general elections are announced to take place in January 2024 (The Diplomat, 9 June 2023). On the upcoming 2024 elections the US international broadcaster Voice of America (VOA) notes:

"The election comes as the country faces mounting protests over the next general election, scheduled for January 2024. The opposition has staged a series of mass protests in recent months, demanding that Prime Minister Sheikh Hasina step down and let a caretaker government hold a free and fair election. The opposition accuses Hasina, who has been in power since 2009, of rigging the previous two votes. Western countries and rights groups have also raised concerns. Hasina has rejected the demand." (VOA, 24 April 2023)

On the caretaker system and Bangladesh's electoral history since 1990 please refer to a June 2023 article of The Diplomat:

- Diplomat (The): Bangladesh 2024: A New Game in Town, 9 June 2023
<https://thediplomat.com/2023/06/bangladesh-2024-a-new-game-in-town/>

2.1.2 Executive

Articles 48 to 64 of the 1972 constitution address the executive of the republic and regulate presidency (Articles 48-54), the prime minister and the cabinet (Articles 55-58), local governance (Articles 59-60), the defence services (Articles 61-63) and the attorney-general (Article 64) (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Articles 48-64).

The president, who has a largely ceremonial role (Encyclopaedia Britannica, updated 30 August 2023a, Government and society), is elected by members of parliament for a term of five years and is the head of state (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Articles 48, 50). The president "shall act in accordance with the advice of the Prime Minister" (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Article 48). On 24 April 2023 Awami League leader Mohammed Shahabuddin Chuppu took oath as the 22nd president of Bangladesh. He was nominated by the ruling Awami League and elected unopposed (Al Jazeera, 24 April 2023; Dhaka Tribune, 24 April 2023).

According to the constitution, the executive power of the Republic of Bangladesh shall be exercised by the authority of the prime minister (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Article 55). Freedom House in its 2023 report explains that "[t]he leader of the party that wins the most seats in the unicameral National Parliament assumes the position of prime minister and wields effective power" (Freedom House, 2023, A1). In the December 2018 parliamentary election, the Awami League party won a third consecutive five-year term. Sheikh Hasina, leader of the Awami league, remains prime minister to this day (USDOS, 20 March 2023, executive summary).

The prime minister is head of a cabinet that comprises ministers designated by the prime minister (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Article 55) and forms the supreme executive body of the republic (Bangladesh Post, 10 March 2022). According to the Bangladesh National Portal, the official website of the Bangladeshi government, the cabinet of the prime minister comprises 25 ministers (Bangladesh National Portal, updated 18 August 2021), 19 ministers of state (Bangladesh National Portal, updated 8 December 2021) and three deputy ministers (Bangladesh National Portal, updated 20 May 2019), who differ in rank (Bangladesh Post, 10 March 2022). A list of the 58 ministries and divisions is provided by the Bangladesh National Portal:

- Bangladesh National Portal: Ministry / Division list, updated 15 June 2023
https://bangladesh.gov.bd/site/view/ministry_n_directorate_list/Ministries-and-Divisions

On local governments the Australian Department of Foreign Affairs and Trade (DFAT in a November 2022 country report provides the following information:

"Bangladesh is divided into eight administrative divisions, which are in turn divided into 64 districts headed by a District Council (Zila Parishad). Each district is in turn divided into numerous sub-districts (Upazila, formerly 'Thana'), and councils at the village (Union Parishad), town (Municipal) and city (City Corporation) levels. Elections to five-year terms on local government bodies are conducted in phases. Local governments, even at the Union Parishad level, can significantly influence the day-to-day lives of citizens. They have influence and run programs and departments that deal with matters of community development, social welfare and law and order within the limits of their administrative units." (DFAT, 30 November 2022, p. 9)

On the performance of the Awami-League government the Bertelsmann Stiftung states:

"During the period under review [1 February 2019 to 31 January 2021], the incumbent Awami League (AL) has maintained firm control over the country's politics and

administration [...] The government has used the country's police force and the anti-terror unit Rapid Action Battalion (RAB) to persecute its critics, while pro-government activists have enjoyed impunity. [...] The Bangladesh Army remains a pillar of support for the government, which is crucial for a country with a tradition of military regimes. A February 2021 documentary aired by the Aljazeera English broadcaster exposed the government's collusion with criminal forces, but the government has denied this to be the case." (Bertelsmann Stiftung, 23 February 2022, p. 3)

2.1.3 *Judiciary*

Articles 94 to 117 of the Bangladeshi constitution regulate the judiciary and rule the Supreme Court (Articles 94-113), subordinate courts (Articles 114 – 116A) and administrative tribunals (Article 117). They comprise for example, the establishment of the Supreme Court, the appointment of judges to the Supreme Court, its jurisdiction and its superintendence and control over courts (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Articles 94-117).

The International Federation for Human Rights (FIDH), an umbrella organization of human rights NGOs, in a December 2021 report on human rights violations by state authorities and the crisis of rule of law provides the following information on the court structure in Bangladesh:

"The Bangladesh Constitution, adopted in 1972, provides the structure of the Supreme Court, which comprises an Appellate Division and a High Court Division. The High Court holds the authority to interpret the Constitution and enforce fundamental rights. The Appellate Division has the jurisdiction over appeals emanating from judgments, decrees, orders or sentences of the High Court Division. Below the High Court Division of the Supreme Court, there are several subordinate courts and tribunals that have civil, criminal, and special jurisdiction. In the ordinary courts of criminal jurisdiction, criminal cases are heard in Courts of Sessions and Magistrate Courts. In metropolitan areas, the Courts of Sessions are named Metropolitan Courts of Sessions and the Magistrate Courts the Courts of Metropolitan Magistrates. In the civil jurisdiction, courts are classified as Courts of the District Judge, Courts of the Additional District Judge, Courts of the Joint District Judge, Courts of the Senior Assistant Judge, and Courts of the Assistant Judge. In addition, special laws have established ad hoc courts, such as Labor Courts, Juvenile Courts, and Administrative Tribunals. In addition to the 'traditional' court system, newer forms of adjudicatory justice have been implemented in Bangladesh in recent years: village courts and mobile courts. These courts have been established - often with the support of international donors - to address the huge backlog in cases in Bangladeshi courts, which leave defendants and claimants alike often waiting for years before their cases are adjudicated." (FIDH, December 2021, p. 20)

Under the Village Courts Ordinance of 1976 village courts have been established to ensure justice for the common people in villages. In 2006 the Village Courts Act 2006 was passed by the parliament, which was amended in 2013 (UNDP, 1 October 2022). Village courts rule criminal cases as well as civil cases (Murshed, April 2012, p. 10), they "[...] [handle] disputes on issues such as stolen property, recovery of movable property, compensation for destroyed property, loss of crops due to livestock, etc. As a result, disputes regarding small issues no

longer have to go to the police or regular courts for resolution leading to savings of funds and time” (UNDP, 1 October 2022).

DFAT adds the following on the issue of village courts:

“There are hundreds of ‘village courts’ located throughout Bangladesh. Village courts [...] play a central role in providing access to justice for a significant portion of the population. Village courts apply a broad range of traditional rules, often heavily influenced by traditional religious or customary law, and are also subject to traditional power structures in communities – powerful litigants and their families are more likely to get a favourable outcome.” (DFAT, 30 November 2022, p. 35)

For details on the legal framework of village courts please refer to:

- Murshed, Mahboob: Review Report on Village Courts Legal Framework, April 2012, pp. 21-29
<https://archiver.villagecourts.org/Publication/Legal%20Framework.pdf>

Several sources note that while the Bangladeshi judiciary is formally independent, it is compromised by political interference (USDOS, 20 March 2023, section 1e; Freedom House, 2023, F1; SGB, 2023, p. 1). Freedom House in its Freedom in the World 2023 report states:

“Politicization of and pressure against the judiciary persists. The Ministry of Law controls promotions, postings, and transfers of subordinate court judges. Judges face political pressure over their rulings and judicial appointments at all levels are highly politicized.” (Freedom House, 2023, F1)

The USDOS in its 2023 annual report on human rights in 2022 mentions the following concerning the Bangladeshi judiciary:

“The government generally did not respect judicial independence and impartiality. Human rights observers maintained that lower courts sometimes ruled based on influence from or loyalty to political patronage networks, particularly in cases filed against opposition political party supporters. Observers claimed judges who made decisions unfavorable to the government risked [to be transferred] to other jurisdictions.” (USDOS, 20 March 2023, Section 1e)

For more information on the independence of judiciary please refer to [section 14.2](#) of this compilation.

2.2 Major actors:

The 2022 DFAT report shortly summarises the recent political history including the major political actors as follows:

“The Awami League (AL) governed the new country for the first few years [after independence, remark ACCORD] on a platform of Bengali nationalism. Its President, Sheikh Mujibur Rahman (the father of current Prime Minister Sheikh Hasina), was killed in a military coup in 1975. Decades of military rule followed until democracy was restored in the early 1990s. The Bangladeshi Nationalist Party (BNP) won the 1991 election under Prime Minister Khaleda Zia (widow of former president Ziaur Rahman, who was

assassinated in 1981). Power alternated between the BNP and the AL between 1991 and 2006 with Bangladeshi politics being dominated by political violence and the rivalry between Zia and Hasina. After a brief period of caretaker/military rule, the December 2008 election was won by the AL, led by current Prime Minister Hasina, which has been in power ever since.” (DFAT, 30 November 2022, p. 6)

Concerning political parties in Bangladesh, the Bertelsmann Stiftung in its February 2022 report states:

“Although Bangladesh has more than 150 political parties, about 40 parties are registered with the Election Commission. Among them, four political parties have significant electoral presence – the ruling AL [Awami League], the BNP [Bangladesh Nationalist Party], the JP [Jatiya Party], and the JI [Jamaat-i-Islami]. The JI was deregistered in December 2018, ahead of the national election. These parties have support bases across the country and among various social strata. While the vast number of political parties reflects a broad ideological spectrum, they have a number of shared characteristics. Except a small number of left-wing political parties and fringe Islamists, there is an overall consensus on economic policies. Intraparty democracy is mostly absent and the parties’ leadership is often associated with family lineage. Sheikh Hasina, the daughter of Sheikh Mujibur Rahman [Bangladesh’s first president (BBC, 11 February 2018)], has been at the helm of the AL for almost four decades, while Khaleda Zia, the widow of Ziaur Rahman [a key military commander and founder of the BNP, assassinated in 1981 (BBC, 11 February 2018)], has led the BNP since 1984. Bangladeshi politics used to be characterized by the acrimonious relationship between these two leaders, until Khaleda was jailed in 2018. [...] After changing sides several times, the JP has become a close ally of the AL. The JI, on the other hand, has faced the wrath of the government, remaining in the party alliance led by the BNP. A section of the JI has left the party during the period in review and formed a new party called the Amar Bangladesh Party (ABP). Despite the gradual erosion of democracy and shrinking democratic space, opposition parties have managed to survive, albeit barely. Growing authoritarian tendencies of the incumbent government raise serious concerns regarding the future viability of opposition political parties.” (Bertelsmann Stiftung, 23 February 2022, p. 12)

DFAT in 2022 reports that ideology is not the main driver for party support:

“Bangladeshi politics is heavily based on patronage; for most Bangladeshis, patronage of political figures is far more important than ideology. Loyalty, especially to Prime Minister Hasina and other key figures, is very important. In-country sources told DFAT that personal loyalties to local politicians or other influential people is critical; it can mean the difference between accessing basic goods and services (for example related to land, social welfare, jobs) or not accessing them.” (DFAT, 30 November 2022, p. 21)

An August 2014 study on political parties in Bangladesh by Rounaq Jahan, distinguished fellow at the Dhaka-based Centre for Policy Dialogue, provides a comprehensive overview of the

evolution of the most important political parties of Bangladesh since independence, their ideology, organisational structure, leadership and support base, up to 2014:

- Jahan, Rounaq: Political parties in Bangladesh, August 2014
<https://www.cmi.no/publications/file/5229-political-parties-in-bangladesh.pdf>

In a July 2023 e-mail Rounaq Jahan states that the ideology of the parties to date remains the same on paper, as none of the parties have officially changed their party constitution. But in practice the parties do not follow the ideology they profess and ideology does not play an important role in the practice of politics (Jahan, 17 July 2023).

2.2.1 Awami League (AL)

The Awami League was founded in 1949 in what was then still East-Pakistan and was an expression of Bengali nationalism (Encyclopaedia Britannica, updated 7 October 2013). The Awami League was an important force in the struggle for independence (Political Handbook of the World, 2021, p. 131). In the 1970 Pakistani national elections, the Awami League won 167 seats in a parliament of 313, an absolute majority. The military government of Pakistan refused to concede to the demands put forward by the Awami League, which led to a non-cooperation programme by the Awami League, the military crackdown and the subsequent War of Liberation which resulted in a sovereign Bangladesh (The Daily Star, 23 June 2020).

Between November 1975 and December 1990 Bangladesh was under military rule (Jahan, August 2014, p. 5). After in 1991 democracy was again introduced (Jahan, August 2014, p. 4), the AL led the government for the first time from 1996 until 2001. A Grand Alliance led by the Awami League won the December 2008 elections (Jahan, August 2014, pp. 8-9). In the 2014 elections the AL won a two thirds majority, because the BNP-led 18 party alliance was boycotting the election (ORF, 24 January 2014). In the 2018 elections the AL led the Grand Alliance, consisting of 14 parties to victory (The Daily Star, 31 December 2018). Current prime minister Sheikh Hasina has announced that the next general elections will take place in January 2024 (The Diplomat, 9 June 2023).

Sheikh Hasina Wazed is the Awami League's leader since 1981. She was prime minister from 1996 to 2001 and became prime minister again in 2009. Sheikh Hasina continues to fill that post to this day (Encyclopaedia Britannica, updated 20 August 2023).

The Political Handbook of the World provides the following information on the Awami League:

“A predominantly middle-class party [...] Committed to socialism, secularism, and a ‘Westminster-style’ parliamentary system” (Political Handbook of the World, 2020-2021, 2021, p. 131)

The DFAT 2022 country report notes:

“The AL has traditionally been broadly secular, liberal, rural-based and in favour of relations with India.” (DFAT, 30 November 2022, p. 20)

An April 2021 article published on the Indian digital news publication Scroll.in highlights Awami Leagues commitment to secularism:

“While their elections have been heavily questioned for their credibility, election interference is hardly unique to the Awami League. What is unique to them, however, is their commitment to secularism. The Awami League’s efforts to restore the secular ideal have ranged from restoring the constitution, to its original status to putting the perpetrators of genocide in 1971 on trial for crimes against humanity. During the BNP’s last tenure there was brazen promotion of Islam over other religions, persecution and bullying of minorities and even patronization of extremist [...] None of that is happening since Awami League took power again in 2009.” (Scroll.in, 11 April 2021)

However, the 2022 Bertelsmann Stiftung report raises concerns regarding the governments’ relation to Islamist groups:

“The government’s close relationship with conservative Islamist groups such as Hefazat-e-Islam, which frequently demand the imposition of blasphemy laws and a declaration of Ahmadis as non-Muslims, raises serious concerns”. (Bertelsmann Stiftung, 23 February 2022, p. 13)

“[T]he incumbent party has increasingly demonstrated its proclivity toward accommodating conservative versions of Islamic thoughts and practices. [...] The increasingly close relationship between the ultra-conservative Hefazat-e-Islam and the AL creates an environment conducive for the influence of religious dogma on politics and administration”. (Bertelsmann Stiftung, 23 February 2022, p. 7)

Rounaq Jahan in an August 2023 e-mail states the following on AL’s ideology compared to other three main political parties:

“The constitution of four main political parties show a marked difference between the AL on one side and the BNP, JP [Jatiya Party], JI [Jamaat e-Islami] on the other. The AL constitution commits the party to secularism and socialism. The other three parties proclaim commitment to Islamic identity. In practice over the years the policies and actions of the parties have changed. The AL is now committed to market friendly economic policies. Despite its commitment to secularism the AL has entered into electoral alliances with Islamist parties and has accepted some of the demands of Islamists in changing contents of text books.” (Jahan, 8 August 2023)

The 2022 report of the Bertelsmann Stiftung also observes that ideology is not the main driver for party support:

“The AL [...] has become a refuge of fortune seekers rather than appealing to a larger segment with its ideology.” (Bertelsmann Stiftung, 23 February 2022, p. 12)

2.2.1.1 Youth and student wings

The 2022 DFAT country report explains that the Awami League as well as the BNP “have large auxiliary organisations, including wings for students, volunteers, youth, professionals (such as doctors, lawyers), and labourers. These organisations are sometimes known by other names,

such as ‘fronts’, ‘wings’ or ‘leagues’” (DFAT, 30 November 2022, p. 24). The report explains the incentives to join an auxiliary organisation:

“There are strong incentives to join an auxiliary organisation. For student organisations, members have access to better university accommodation, jobs upon graduation or business opportunities. Patronage is an important factor – attending protests or supporting a locally powerful person or politician offers protection. The poor are more vulnerable to these pressures – the rich can get opportunities without such networks. While political patronage and connections can be helpful, it does not guarantee opportunities or services; Bangladesh is a developing country with limited government services and a surplus of graduates for limited graduate jobs.” (DFAT, 30 November 2022, p. 24)

The Awami League’s student wing is the Bangladesh Chhatra League (BCL), which has millions of members (DFAT, 30 November 2022, p. 24). A February 2023 article of The Daily Star, a Bangladeshi daily newspaper published in English, speaks of an “avalanche of media reports” that write about incidents of harassment and torture of rival political activists and ordinary students by the BCL. The article accuses the ruling Awami League of patronage, which results in university administrations and law enforcement agencies being unwilling to take meaningful action against BCL activities (The Daily Star, 15 February 2023).

The USDOS March 2023 report on Human Rights Practices covering 2022 mentions an incident in May 2022:

“[...] the student wings of the BNP and the AL engaged in violent clashes at Dhaka University. This was in response to a BNP student protest regarding previous violence at the hands of the BCL. AL student leaders reportedly patrolled the campus with makeshift weapons and intercepted BNP student protesters, critically injuring several.” (USDOS, 20 March 2023, section 3)

The annual Human Rights Report by the Bangladesh-based human rights organisation Odhikar for the year 2022 reports:

“Chhatra League leaders and activists attacked lawyers and Chhatra Dal [youth wing of the BNP] leaders, seriously injuring them and vandalizing their cars after entering the Supreme Court premises. Chhatra League leaders-activists attacked and stopped a meeting organised by Chhatra Odhikar Parishad [a student organisation without party affiliation; The Daily Star, 23 July 2023] in memory of [...] student Abrar Fahad, who was killed by Chhatra League activists [in 2019]” (Odhikar, 30 January 2023, p. 11)

A recent incident involving Chhatra League members happened on 22 February 2023, as reported by Odhikar in its April 2023 Three-Month Human Rights Monitoring Report on Bangladesh, covering January to March 2023:

“On 22 February 2023, Chhatra League leaders and activists beat at least 35 people, including students and abused them with vulgar language, for not joining the programmes of Chhatra League in Rajshahi College.” (Odhikar, 26 April 2023, p. 9)

A February 2020 query response by the Immigration and Refugee Board of Canada (IRB), an independent tribunal responsible for making decisions on immigration and refugee matters,

based on several sources mentions several other groups that are associated with the Awami League, among them a youth wing Jubo (or Juba) League, the women's wing Bangladesh Mahila (or Mohila), the volunteers' wing Awami Swechhashebok League, the farmers' wing Bangladesh Krishok (or Krishak) League, the workers' wing Jatiyo (or Jatiya) Sramik League (IRB, 10 February 2020).

2.2.2 Bangladesh Nationalist Party (BNP)

The Bangladesh Nationalist Party (BNP) was launched in September 1978, with the military ruler Major General Zia ur-Rahman as chairman (Jahan, August 2014, pp. 5-6). Khaleda Zia, widow of Zia ur-Rahman, assumed BNP's leadership in 1984. She served as prime minister of Bangladesh from 1991 to 1996 and from 2001 to 2006 (Encyclopaedia Britannica, updated 11 August 2023). The DFAT 2022 report also notes that "[t]he BNP has traditionally been broadly more accommodating of political Islam, conservative, broadly against relations with India and urban-based" (DFAT, 30 November 2022, p. 20).

The BNP boycotted the 2014 elections, because it demanded the elections to take place under the auspices of a neutral caretaker government (BBC, 3 January 2014).

The US Institute of Peace (USIP), a nonpartisan, independent institute founded by Congress, published an analysis in June 2023 which touches the subject of election boycotts by the BNP:

"The BNP's boycott of the 2014 parliamentary election, which it enforced with violence, is now commonly viewed as a mistake that cost the party power and popularity. In the lead up to the 2018 parliamentary elections, the BNP again threatened to boycott but reversed course and participated, only to have many candidates withdraw before polls closed. After winning only six seats amid electoral irregularities, the party initially said it would boycott swearing in its victorious members of Parliament (MPs), but, facing internal dissent, backed down and then competed in elections in 2020." (USIP, 15 June 2023)

The DFAT 2022 country report provides the following information on the BNP:

"The BNP is currently the main opposition in Bangladesh. It has formed government several times since Bangladesh was established in the 1970s. The party has significantly reduced in visibility in recent years. In part, this is because the BNP boycotted recent elections, claiming that they were fixed so that AL would win, a tactic the AL also used when the BNP was in power. In local government elections held in phases between 2020 and 2021, BNP candidates won 11 mayoral races (out of more than 800 across the nation) after boycotting most of the elections. The BNP traditionally has more support (but not power at present) in Sylhet, Rajshahi, Bogura, Noakhali, Comilla and Mymensingh." (DFAT, 30 November 2022, p. 22)

In 2018 Khaleda Zia was convicted of corruption and sentenced to 10 years in prison (Encyclopaedia Britannica, updated 11 August 2023) as was her son Tarique Rahman in absentia (Al Jazeera, 8 February 2018). Both are still heading the BNP (India Today, 17 January 2023). Khaleda Zia claimed the verdict was politically motivated. She was released from prison temporarily for health reasons in March 2020 (Encyclopaedia Britannica, updated 11 August 2023). Also in 2018, Khaleda Zia's son Tarique Rahman was in absentia sentenced to life term imprisonment for a grenade attack on an Awami League rally in 2004 (The Daily Star, 20 August

2021). Tarique Rahman left for the UK in 2008 and has not returned since (Outlook, 11 May 2023).

USIP published an analysis in June 2023 on the BNP considering the upcoming 2024 elections, which reads as follows:

“The public popularity and internal cohesion of the BNP are not clear. [...] While some in the party are concerned that its rallies peaked too early, the BNP looks more popular today than it has in years. The BNP also faces internal challenges with a split between its leadership in Dhaka and its acting party chairperson Tarique Rahman in London — exiled since 2008 — who has been de facto party head since Khaleda Zia’s imprisonment in 2018. The BNP denies rumors of internal conflict over strategy and decision making, but they persist. While the BNP is currently holding firm on its electoral boycott, since 2014 the party has vacillated between strategies of political abstention and participation and often struggled to bring along party members in its decisions.” (USIP, 15 June 2023)

In the 2018 elections, the BNP led a party alliance named National Unity Front (Jatiya Oikya Front) which won only seven seats (USDOS, 13 March 2019). The winning candidates decided not to take the oath as new MPs in protest against the election rigging (BenarNews, 31 December 2018).

2.2.2.1 Youth and student wings

For more general information on auxiliary associations please refer to [section 2.2.1.1](#) of this compilation.

The student wing of the BNP is called Chhatra Dal and has been active and involved in violence in the past, according to the DFAT 2022 country report. The two student wings of the AL and the BNP repeatedly engage in violence (DFAT, 30 November 2022, p. 24).

The 2019 version of the DFAT country report lists the following auxiliary organisations affiliated with the BNP:

“Key BNP auxiliary organisations include the Jatiyatabadi Chhatra Dal (student wing), the Jatiyatabadi Jubo Dal (youth wing), the Bangladesh Jatiyatabadi Mohila Dal (women’s wing), the Bangladesh Jatiyatabadi Krishak Dal (farmers’ wing), the Bangladesh Jatiyatabadi Muktiyoddha Dal (freedom fighters’ wing), the Bangladesh Jatiyatabadi Sechchasebak Dal (volunteers’ wing), the Bangladesh Jatiyatabadi Samajik Sangskritik Sangstha (cultural wing), the Bangladesh Jatiyatabadi Sramik Dal (workers’/labour wing), the Bangladesh Jatiyatabadi Tanti Dal (weavers’ wing), the Bangladesh Jatiyatabadi Olama Dal (religious wing), and the Bangladesh Jatiyatabadi Matshayajibi Dal (fishermen’s wing).” (DFAT, 22 August 2019, pp. 28-29)

2.2.3 Jatiya Party (JP)

The Jatiya Party was established in 1986 by Hussein Mohammad Ershad, an army officer who had come to power in a military coup in 1982 (IRB, 12 September 2011; The Guardian, 14 July 2019). The Party united several already existing organisations who were in favour for Ershad (IRB, 12 September 2011) and comprised right-wing Muslims as well as Beijing-oriented Marxists (Political Handbook of the World, 2021, p. 132). In the elections of May 1986, which were boycotted by many opposition parties including the AL and the BNP, Ershad and his Jatiya

Party won most of the seats in parliament (Encyclopaedia Britannica, updated 30 August 2023a, History; The Guardian, 14 July 2019). In 1990 Ershad stepped down and in the following parliamentary elections the BNP emerged as the largest block (Encyclopaedia Britannica, updated 30 August 2023a, History). Ershad was jailed on corruption charges in 1991, nevertheless, his Jatiya Party remained a significant electoral force. Ershad remained the chair of the party until his death on 14 July 2019 (The Guardian, 14 July 2019).

Current chairman of the Jatiya Party is Ghulam Muhammed Qader (Quader, undated). On the JP's website the party describes itself as a conservative party (Jatiyo Party, undated).

As part of the AL-led Grand Alliance (The Daily Star, 2018a), the Jatiya won 22 seats in the 2018 general elections (Political Handbook of the World, 2020-2021, 2021, p. 133) and in January 2019 decided to be part of the AL-led government (The Daily Star, 4 January 2019). Only a day later, Ershad said the party will act as the main opposition party in parliament and not be part of the new cabinet (Asia Times, 22 January 2019).

An April 2021 report on the future of liberal democracy in Bangladesh by Shantanu Majumder, professor in the Department of Political Science at the University of Dhaka, provides a paragraph that refers to the BNP as well as the Jatiya party:

“Two of the country’s bigger political parties, BNP and Jatiya Party, lack the regular practice of a democratic political party. The military rulers formed these parties with the ambition to prolong their regime. In the absence of mastering any requisite for establishing a party, the first-generation leaders of these parties were picked from sharp but opposing political camps—right, left, centrist and religious parties as well. Anti-independence, antisecular, anti-Indian and anti-Awami League personalities were accommodated in the new platforms. War criminals and religious fundamentalists were also offered important positions. [...] In addition, an anti-secular stand and Muslim-sentiment characterized the politics of these parties and was a major compromise with the ideal of liberal democracy. The current party constitution, election manifesto and other documents of these parties reflect the official continuation of this position.” (Majumder, April 2021, p. 4)

2.3 2018 election

In the December 2018 elections the Awami League-led Grand Alliance won 288 out of 300 seats and Sheikh Hasina secured her third consecutive term (BBC, 31 December 2018; The Diplomat, 31 December 2018). The main opposition party BNP and its allies won only seven seats (USDOS, 13 March 2019). Parties and Alliances as well as detailed election results of all constituencies can be found provided by The Daily Star:

- The Daily Star: JS Polls 2018, 2018b
<https://www.thedailystar.net/bangladesh-national-election-2018/seats>

Many sources report that elections have been criticized as being rigged (DW, 31 December 2018; BBC, 31 December 2018; The Diplomat, 31 December 2018; The Guardian, 31 December 2018). Freedom House states that the 2018 elections “were delegitimized by violence, credible allegations of fraud, and the exclusion of nonpartisan election monitors” (Freedom House, 2023, A1). The Solidarity Group for Bangladesh (SGB) which consists of several domestic and

international human rights organisations, in a 2023 joint submission to the UN Universal Periodic Review states:

“Persecution and attacks on the opposition parties occurred in the lead-up to voting day. Across the country, security forces and ruling Awami League party activists attacked and obstructed opposition candidates’ election rallies and meetings. Mass arrests and the filing of criminal cases against opposition leaders and activists also marred the electoral process. Civil society found instances of ballot stuffing during the night before voting day in 47 out of 50 constituencies surveyed.” (SGB, 2023, p. 1)

The 2022 Bertelsmann Stiftung report observes that the 2018 elections were “the most manipulated in the history” of Bangladesh:

“Massive ballot stuffing by the cadres of the ruling party was reported in local and international media. Instances of 100% voting for the ruling party candidates were reported. The true opposition, the BNP and its allies, who contested under the banner of the Jatiya Oikyo (National Unity) Front (JOF) and who were led by Kamal Hossain, won only seven seats. Khaleda Zia, who was in jail for corruption charges, was barred from contesting. The government used the administrative machinery and law-enforcement agencies to intimidate the opposition. Election meetings of the opposition were frequently attacked. Cases were filed against opposition candidates to exclude them from the ballot. The Election Commission paid no regard to the criticisms that its actions were favoring the ruling party. After winning only six seats and alleging that the vote was essentially rigged, the winning BNP candidates initially refused to take their oaths of office. However, they ultimately did so to save their parliamentary seats. Subsequently, local-level elections and parliamentary byelections saw widespread rigging and remarkably low voter turnout. The latter aspect reflects a lack of trust in the Election Commission, frustration with how the election were conducted, and the ruling party’s ruthless commitment to winning by any means necessary. The government held by-elections for three vacant parliamentary seats on March 21, 2020 and for two more on October 17 [...]” (Bertelsmann Stiftung, 23 February 2022, pp. 7-8)

“[...] [A]head of the elections, the government intensified persecution, imposed severe restrictions on media, including social media, and disqualified opposition candidates. The election was the most manipulated election in the history of the nation, due to the fact that the Election Commission, the ruling party, the administration, and the law-enforcement agencies including the military worked together to ensure a victory of the AL. Khaleda Zia was convicted ahead of the election and jailed, while her son and ‘heir apparent,’ Tareque Rahman, has remained in self-exile in London after he was convicted in several cases. In May 2020, Khaleda Zia’s sentence was suspended due to her deteriorating health, on the condition that she can neither travel nor participate in political activities.” (Bertelsmann Stiftung, 23 February 2022, p. 5)

2.3.1 Violence

The Daily Star reports on 31 December 2018 that 18 people were killed on election day (30 December 2018) and 200 were injured in clashes between supporters of the Awami League and BNP. The newspaper continues:

“Eight of the dead were involved with Awami League or its front organisations while four with BNP or its associate bodies and one each with Jatiya Party and Liberal Democratic Party. An Ansar man and three general people are also among the victims. Of the deaths, two each were reported from Cumilla, Chattogram and Rajshahi and one each from Brahmanbaria, Cox's Bazar, Rangamati, Bogura, Sylhet, Noakhali, Dinajpur, Lalmonirhat, Gazipur, Natore, Narsingdi and Jashore.

Apart from the killing, opposition candidates were attacked and their houses and cars vandalised in different districts.” (The Daily Star, 5 January 2022)

The USDOS 2019 Report on Human Rights Practices covering 2018 refers to data assembled by an NGO and reports that “there were 1,324 acts of violence against the opposition BNP and its political allies and 211 acts of violence against the ruling AL and its allies during the month prior to the election” (USDOS, 13 March 2019, section 3).

3 Freedom of expression and freedom of assembly

Articles 37 to 39 of the Bangladeshi constitution guarantee freedom of assembly, freedom of association, freedom of thought and conscience and freedom of speech as fundamental rights (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Articles 37-39). The right to freedom of thought and conscience and freedom of speech is "[s]ubject to any reasonable restrictions imposed by law in the interests of the security of the State, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence [...]" (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Article 39).

Human Rights Watch (HRW) in a May 2023 article notes that the government is increasingly acting in contravention of the constitutional right to freedom of expression:

"The increasing repression and curtailment of the right to freedom of expression is having a chilling effect on journalists and civil society, and seriously stifling journalistic freedoms. [...] The Bangladesh government's suppression of free speech and media freedom is inconsistent with Article 39 of the country's constitution and Article 19 of Bangladesh's obligations under the International Covenant on Civil and Political Rights (ICCPR)." (HRW, 3 May 2023)

In its human rights report covering 2022 the USDOS also observes that the constitutional right to freedom of expression is frequently contravened by the government and adds:

"There were significant limitations on freedom of expression both online and offline. Members of media and bloggers self-censored their criticisms of the government due to harassment and fear of reprisal." (USDOS, 20 March 2023, section 2a)

Defamation, libel, slander and blasphemy are criminal offenses in Bangladesh and "most often employed against individuals speaking against the government, the prime minister, or other government officials", according to the USDOS (USDOS, 20 March 2023, section 2a).

Sources report that media platforms have come under increasing attack (AI, 12 April 2023; IFJ, 24 February 2023; CPJ, 12 July 2023). Bangladesh's largest daily newspaper Prothom Alo was called "an enemy of the Awami League, democracy, and the people of Bangladesh" by the prime minister in April 2023, after publishing an article on living costs in Bangladesh. The author of the article was arrested and charged under the Digital Security Act 2018 (DSA) (see section 3.3 of this compilation) (AI, 12 April 2023). The Bengali-language newspaper Dainik Dinkal, publishing for 35 years, employing hundreds of journalists and a mouthpiece of the Bangladesh Nationalist Party (BNP) (IFJ, 24 February 2023), received a government suspension order in December 2022 and stopped publishing in February 2023 (IFJ, 24 February 2023; CPJ, 12 July 2023).

The Bangladesh Post, a daily English-language Bangladeshi newspaper, in a July 2023 article reports that the prime minister Sheikh Hasina addressed the journalist community "not to publish any such news or criticise in such a way so that the country's advancement and image are hampered" (Bangladesh Post, 11 July 2023).

The World Press Freedom Index 2023 compiled by Reporters Without Borders, a Paris-based international non-governmental organisation devoted to protecting freedom of expression, ranks Bangladesh 163rd out of 180 countries (RSF, 2023).

3.1 Protests

On the right to freedom of peaceful assembly and protests the USDOS in its annual report on human rights in 2022 notes:

“The law provides for the right to peaceful assembly, but the government generally did not respect this right. The law gives the government broad discretion to ban assemblies of more than four persons. The government requires advance permission for gatherings such as protests and demonstrations.” (USDOS, 20 March 2023, section 2b)

2021

Sources report on nationwide protests in 2021 that lasted for weeks following the death of writer Mushtaq Ahmed while he was held in prison, charged under the DSA. Allegedly Ahmed died of torture (USDOS, 12 April 2022, section 1c; CPJ, 28 February 2022). Clashes with the police and security forces during these protests as well as arrests are also reported by several sources (DW, 27 February 2021; AFP, 27 February 2021).

The USDOS in its annual human rights report covering 2021 refers to two protests of workers in April and June, involving police violence, injured protesters and fatalities:

“On April 17, media reported at least seven workers were killed, and dozens injured after police opened fire on a crowd of workers demanding payment of unpaid wages and a pay raise at a Chinese-backed power plant. Police opened fire after approximately 2,000 protesters began hurling bricks and stones at officers at the construction site of the coal-fired plant in the southeastern city of Chittagong.” (USDOS, 12 April 2022, section 7a)

“On June 13, a female ready-made-garments (RMG) factory worker, Jesmin Begum, died and 35 others were injured as police clashed with 500-600 former workers demonstrating peacefully for the payment of arrears [...]. Police fired tear gas, rubber bullets, and used charged batons and water cannons to disperse the workers [...], some of whom in return threw bricks at police, according to a local trade union leader. Union leaders said Begum died after being hit by rubber bullets, although police alleged she critically injured her head as she bumped into a pole while fleeing. In January the three referenced factories allegedly closed without clearing workers arrears, and thereafter former workers periodically demonstrated to protest.” (USDOS, 12 April 2022, section 7a)

In June 2021 protesting Rohingya refugees were allegedly beaten by security forces. The protests arose because refugees were denied access to UNHCR-officials visiting Bhasan Char. Allegedly hundreds (Reuters, 3 June 2021) or several thousand (Al Jazeera, 1 June 2021) refugees protested and were beaten by the police. The police rejected these allegations (Al Jazeera, 1 June 2021).

The USDOS reports on the death of six persons in October 2021 due to clashes with security forces ensuing violence between Muslim protesters and Hindus. Allegedly Muslim protesters attacked Hindus and Hindu temples after a picture depicting a Quran in the lap of a Hindu deity went viral in social media (USDOS, 12 April 2022, section 6).

In its human rights report covering 2022, Amnesty International (AI) notes the following on the right to free assembly and protests in Bangladesh:

“Severe crackdowns on freedom of expression and peaceful assembly continued to be reported, including police use of excessive or unnecessary force to suppress protests. [...] The police cracked down on several protests during the year. In Sylhet in January, police clashed with hundreds of students from a public university demanding the resignation of the vice-chancellor, who had earlier ordered police action against a student-led blockade of the premises. The police reportedly used batons, sound grenades and rubber bullets against students, leading to several injuries, and filed a case against 200 students.

In February, police fired bullets and tear gas shells to disperse garment workers protesting against a factory closure. In March, police used tear gas and water cannons against demonstrators from leftist organizations, during protests against rising prices of essential services and basic commodities. In June, police suppressed protests by workers from several garment factories in the capital, Dhaka, who were calling for an increase in the 2018-set national monthly minimum wage of BDT 8,000 (USD 80), due to rising inflation.” (AI, 27 March 2023)

The Office of the United Nations High Commissioner for Human Rights (OHCHR) published an end of mission statement by the Special Rapporteur on extreme poverty and human rights, Olivier de Schutter, who visited Bangladesh from 17 to 29 May 2023. The statement includes information on worker’s protests:

“Since 2016, workers' protests, particularly when demanding higher wages or the payment of overtime work, were met with repression, which had a chilling effect on the organising of workers and on the exercise by workers of their freedoms of expression and to peacefully demonstrate.” (OHCHR, 29 May 2023, p. 7)

The Bangladeshi human rights organisation Odhikar in its 2022 annual report also provides information on incidents during worker’s protests:

“During this reporting period [2022], there have been cases of factory closures and workers layoffs, non-payment of arrears of wages and inhuman treatment of workers in the garment industry and other sectors. The garment factory workers staged hunger strikes and protest rallies demanding arrears of wages. During the protests and rallies of the workers, the police and men on the payroll of the factory owners attacked workers. The police also registered false cases against the workers and arrested them.” (Odhikar, 30 January 2023, p. 44)

3.2 Political rallies

Freedom House notes that the BNP was able to organise large protests in 2022 because restrictions on opposition protests have been loosened since the 2018 elections. Some of these events were nevertheless disrupted by authorities and AL supporters (Freedom House, 2023, B1). The 2022 Bertelsmann Stiftung report covering the period from 1 February 2019 to 31

January 2021 states that „[o]pposition attempts to mobilize people or hold meetings are frequently disrupted by supporters and cadres of the ruling party” (Bertelsmann Stiftung, 23 February 2022, p. 28). Opposition rallies and protests have been reportedly sabotaged by the government and its supporters through various means, such as unreasonable requirements for permits (USDOS, 20 March 2023, section 2b), transportation strikes prior to rallies (The Daily Star, 30 December 2022) and slowing down the internet (IPI, 31 May 2023, p. 3).

In its human rights report covering 2022 the USDOS notes that rallies in 2022 were restricted by authorities and AL-activists:

“Opposition leaders and activists reported numerous restrictions towards organizations throughout the year. The opposition BNP was regularly denied permission to hold events or intimidated by authorities and ruling party activists at their events. On September 17, media reported the government had adopted a policy to confine BNP programs to specific locations within Dhaka.” (USDOS, 20 March 2023, section 2b)

HRW on 9 December 2022 reports that the government is cracking down on opposition campaign activities:

“With elections due again in 2024 and the ruling Awami League party seeking a fourth consecutive term, Sheikh Hasina and her government are cracking down on campaign activities by the opposition Bangladesh Nationalist Party (BNP). Journalists reported on Thursday that she told her party leaders and activists, ‘The hands that would be raised against us have to be broken.’ Since the BNP announced it was planning a massive rally in the capital, Dhaka, on December 10, Awami League members, backed by security forces, have violently assaulted opposition gatherings. Home Minister Asaduzzaman Khan Kamal told the media that the government will not tolerate rallies on the streets. Ostensibly to prevent violence, police have ramped up security, set up check posts at the capital’s entry points, and are searching buses and private cars. The effect has been to intimidate opposition supporters.” (HRW, 9 December 2022)

The SGB in the joint submission to the UPR states the following on repressions against opposition rallies:

“Law enforcement officials have threatened political parties and dissidents to not hold rallies, using repression, legal action, imposing fabricated charges, and harassment. Ruling party members and supporters have obstructed and attacked peaceful protest rallies of opposition political parties and independent civil society organisations. In many cases, law enforcement agencies filed cases, arrested, and persecuted leaders, members, and activists of the main opposition Bangladesh Nationalist Party (BNP) after terming their peaceful assemblies ‘illegal’ and accusing them of conducting ‘anti-state activities.’” (SGB, 2023, p. 6)

The Solidarity Group for Bangladesh (SGB) in the joint submission to the UN Universal Periodic Review reports on clashes during protests against the visit of the Indian prime minister in March 2021:

“In March 2021, police attacked rallies organized by opposition political parties to protest against the official visit of Indian Prime Minister Narendra Modi to Bangladesh. Ruling party

members and supporters, along with police, attacked protesters in different parts of the country. At least 19 people were killed and more than 100 injured after police and BGB [Border Guard Bangladesh] fired on the protesters at various locations.” (SGB, 2023, p. 6)

Between 26 and 31 March 2021 internet services throughout the country were shut down. News reports indicate that the shutdown was ordered in response to the nationwide protests against the visit of Narendra Modi, which the Ministry of Post and Telecommunications denied (USDOS, 12 April 2022, section 2a).

In the report on human rights in 2022 the USDOS notes that “[f]rom August to December, police arbitrarily arrested thousands of opposition BNP members during otherwise peaceful protests” (USDOS, 20 March 2023, section 1d), and mentions the following casualties suffered at political rallies, including people killed:

“In July a man was killed and at least 40 injured in Bhola after police opened fire on opposition BNP activists protesting energy-sector mismanagement and power cuts. Police subsequently filed two charges against more than 400 BNP leaders and activists. In September several BNP party members were injured after activists of the ruling Awami League party attacked a candlelit program in Dhaka’s Banani area. The BNP had announced the program to protest price increases of essential commodities and the recent killings of three party activists by police. [...]

On September 19, media reported that since August 22, three BNP members were killed and more than 2,100 injured in clashes between police and Awami League activists in protests regarding the rising cost of living.” (USDOS, 20 March 2023, section 2b)

The SGB writes of six people killed at anti-government rallies:

“Between August and December 2022, the BNP organised anti-government rallies in various parts of the country where six BNP leaders and activists were fatally shot after members of law enforcement agencies opened fire on protesters.” (SGB, 2023, p. 6)

The Daily Star on 30 December 2022 published an article summarising the BNP’s 2022 rallies and provides information on the government’s response:

“[The BNP] found a strong political footing in the later part of 2022, as it successfully organised big rallies across the country defying all odds and sending a message to the ruling Awami League about its organisational capacity. In the wake of the huge turnouts at the BNP rallies, the AL announced its own counter programmes. And it turned up the political heat that eventually came down with a peaceful BNP rally in Dhaka on December 10, which drew considerable attention from home and abroad.

[...] Much of the BNP's movement was focused on the demand for sending Khaleda [Khaleda Zia, leader of the BNP] abroad for better treatment. It went on to stage demonstrations in the district headquarters to drum up support for the demand. [...] [In May], it began holding rallies across the country to protest load shedding and price hikes of daily essentials. [...] [T]wo BNP leaders were killed during one of the rallies held in Bhola. The party observed similar programmes in wards, unions and upazilas across the country from August 22 to September 10. They claimed the huge response from the people in those

programmes inspired them to hold rallies in district headquarters. However, in the district-level programmes, three party leaders and activists were killed. The party then shifted the programme from districts to the capital city. It announced rallies in 16 spots in both Dhaka north and south and defied all obstacles to successfully hold them. On September 17, the party observed a candlelight procession in Banani, during which senior leaders came under attack. [...] The BNP started its rallies [in 10 of its organisational divisions] from Chattogram on October 12. Leaders and activists had to face myriad obstacles while joining the rally. However, the obstacles increased to a new level during the Mymensingh rally [15 October 2022] as a transport strike was suddenly called without prior notice. Since then, transport strikes before every rally became a common feature. Party leaders alleged that those were called only to bar BNP activists from joining the rally. However, the activists joined every rally despite the strikes and some even took position from days earlier. The political situation reached a climactic point ahead of the December 10 rally in the capital. BNP leaders alleged that police began mass arrests just ahead of the rally, while a drama over getting venue permission was also going on. While the party wanted to hold its rally in front of its Nayapaltan office, the Dhaka Metropolitan Police was adamant on giving permission to hold it at Suhrawardy Udyan. A series of talks then took place between the party and the DMP [Dhaka Metropolitan Police], but no solution came. A clash even erupted between cops and BNP activists at Nayapaltan, in which an activist was killed and many others were injured. Police went on to raid the office and arrest many leaders from the area. Just one day before the rally, Mirza Fakhrul Islam Alamgir, the party's general secretary, and Mirza Abbas, standing committee member, along with many other senior leaders were arrested and sent to jail. The BNP finally got the nod to hold the rally on the Golapbagh ground. The rally was held peacefully, putting an end to the last-minute drama." (The Daily Star, 30 December 2022)

Al Jazeera reports in January 2023 that "[s]everal people were injured in the central city of Faridpur when supporters of the governing Awami League attacked protesters while brandishing sticks and hurling Molotov cocktails" (Al Jazeera, 11 January 2023).

BenarNews, an online news service reporting in five languages funded by the federal United States Agency for Global Media, reports on clashes between Awami League and BNP supporters during protests on 8 June 2023:

"Dozens of people were reported injured in violence between supporters of the main opposition Bangladesh Nationalist Party and the ruling Awami League as the BNP staged protests in several cities against electricity cuts amid a nationwide heat wave. BNP leaders and activists faced attacks in at least 10 districts including Dhaka, Pabna, Patuakhali, Bogura, Mymensingh, Faridpur and Jhenaidah while attempting prescheduled sit-ins outside the offices of electricity providers, said Ruhul Kabir Rizvi, the party's senior secretary general. [...] The violence on Thursday occurred in the run-up to a general election planned for December or January 2024. [...] Police and Awami League leaders denied BNP's claims. 'The allegation of obstructing the BNP program is not true. We have stopped their march and assisted the delegation in handing over a memorandum to maintain normal traffic flow,' Hayatul Islam, a deputy police commissioner, told BenarNews." (BenarNews, 8 June 2023)

Also in June 2023 there was a rally by the Bangladesh Jamaat e-Islami (JI), an Islamist party that was banned from contesting in elections due to a High Court ruling since 2013 (Al Jazeera, 1 August 2013; ORF, 15 July 2023). The Dhaka Metropolitan Police gave permission to the JI to hold a rally for the first time in 10 years (Prothom Alo, 11 June 2023). An Analysis by the Observer Research Foundation (ORF), an independent think tank based in Delhi, finds that „[g]iven that running a political rally in Dhaka requires police and government permissions, it is quite clear that the government was responsible for this reversal“. The analysis explains the government’s decision to allow the JI rally and to not interfere with an opposition BNP rally in May is due to the fear of the government to face travel restrictions to the United States who are “ostensibly concerned by Sheikh Hasina’s increasingly authoritarian stature” (ORF, 15 July 2023).

Hundreds were injured and at least one opposition activist died at an opposition rally that drew tens of thousands to the streets of Dhaka on 19 July 2023. Protesters demanded the prime minister's resignation ahead of elections expected in January 2024 (Al Jazeera, 19 July 2023). Another big rally took place on 28 July 2023, when thousands of BNP activists gathered in Dhaka to again demand for the upcoming elections to take place under a neutral caretaker government and the resignation of Sheikh Hasina. About 8,000 security personnel were deployed and the protests ended peacefully (Al Jazeera, 29 July 2023).

For more information on the situation of opposition party members and leaders please refer to [section 6](#) of this compilation.

3.3 Use of the Digital Security Act (DSA)

On 8 October 2018 the Digital Security Act 2018 (DSA) came into effect. It was passed by Bangladeshi parliament in September 2018 “[d]espite widespread criticism and protests by journalists, HRDs [Human rights defenders], and CSOs [civil society organizations]” (SGB, 2023, p. 2). The Bangladeshi government published an “Authentic English Text of the Act” in a notification dated 30 September 2019:

- Digital Security Act 2018, [Act No. 46 of 2018], 8 October 2018 (Authentic English Text of the Act)
<https://www.cirt.gov.bd/wp-content/uploads/2020/02/Digital-Security-Act-2020.pdf>

The DSA was passed ostensibly to reduce cybercrime and provides for sentences for spreading “propaganda” against the Liberation War, the national anthem, or the Bangladeshi flag (USDOS, 20 March 2023, section 2a). The April 2021 report by Shantanu Majumder offers information on the intent and use of the DSA, also during the Covid-19 pandemic:

“The law intends to combat cyber fraud and crimes and to safeguard core values of the State. However, plenty of undefined words and terms (for example, offensive, false or threatening data or information or the intentional publication or transmission of anything that creates enmity, hatred, hostility, unrest or disorder or destroys communal harmony and deteriorates or advances to deteriorate the law-and-order situation) that are subject to interpretation of the authorities have created severe unease since passage of the law. It seems that the fear has been rising throughout the past year of the pandemic due to the extraordinary increase in the use of the law in the form of harassment, charges, lawsuits, arrests and detention. Local media outlets, think tanks and the international community

report a disproportionate increase in the use of the Act since the beginning of the pandemic.” (Majumder, April 2021, p. 1)

Freedom House provides the following information on the legal implications of the DSA in its October 2022 report, *Freedom on the Net*:

“In September 2018, the parliament approved the draft DSA after the cabinet had approved the act earlier that year. Section 21 provides for sentences of up to 14 years in prison for anyone who uses digital devices to spread negative propaganda regarding the Liberation War or Sheikh Mujibur Rahman, the independence leader known as the ‘father of the nation’ and the country’s first president. Section 25 introduces sentences of up to three years in prison for deliberately publishing intimidating or distorted information against an individual online. Section 28 mandates up to 10 years in prison for harming someone’s religious sentiments. Section 29 provides for up to three years in prison for publishing information intended to defame someone. Section 31 provides for sentences of up to seven years in prison for deliberately publishing information that can spread hatred among communities. Section 32 has been criticized by rights groups for potentially stifling investigative journalism by imposing sentences of up to 14 years for recording or accessing information digitally without prior consent.

Under the DSA, no warrant is required before making ICT [information and communications technology]-related arrests, and some crimes are ‘nonbailable,’ meaning suspects must apply for bail at a court. Officials regularly fail to comply with the mandated 60-day time frame within which they must submit an investigation report for a detainee; the time frame can be extended to a maximum of 105 days, leaving users in custody for months.” (Freedom House, 18 October 2022, C2)

The 2022 country report of the Bertelsmann Stiftung states the following on the DSA:

“The DSA of 2018 provided the police with arbitrary powers to arrest, search, and seize computers and servers without a warrant. Section 8, Chapter 3 of the DSA provides sweeping powers to block online information. The Editors’ Guild opposed the act, raising concerns that it creates serious impediments to investigative journalism. Civil society and international organizations have criticized the law as draconian. The DSA is frequently used to intimidate and silence critical voices against the government. [...] In early 2021, an author [the report most probably refers to Mushtaq Ahmed, see above] died in prison while being detained under the DSA.” (Bertelsmann Stiftung, 23 February 2022, p. 9)

Concerning the persons accused under the DSA, the USDOS in its report on human rights in 2022 notes:

“Throughout the year the government widely used the DSA against persons criticizing the government, including questioning the government’s handling of the pandemic. Increasingly, the law was used against speech found on social media, websites, and other digital platforms, including for commentators living outside of the country. [...] Minority rights organizations criticized the arbitrary detention under the DSA of minority community members on the false pretext of blasphemy. They claimed the government arrested

members of the minority community after anti-Hindu violence in October 2021, to ensure news of brutalities committed against minorities was not posted on social media.” (USDOS, 20 March 2023, section 2a)

Ali Riaz, political scientist and distinguished professor at Illinois State University, in January 2023 released a comprehensive report that analyses trends and patterns of the use of the DSA in Bangladesh within the timeframe between 8 October 2018 and 31 August 2022 (Riaz, 14 January 2023, p. 6). During this time Riaz recorded 1,109 cases with 2,889 individuals accused, of whom 1,119 persons were arrested (Riaz, 14 January 2023, p. 10). The findings include, for example, information on the professions of the accused, case numbers and the accusers:

“As for the professions of the accused, we identified the professional identities of 1,029; among them are politicians, journalists and students who constituted the largest numbers; they were – 301, 280 and 106 respectively. Consequently, people of these professions were arrested in larger numbers; of the 423 arrestees that we could gather information, about 92 were politicians, 84 were journalists and 76 were students. As for the teachers, of the 51 accused, 38 were arrested; 16 of these arrestees were madrassah teachers. These cases were filed by both the government and individuals. We could identify accusers in 636 cases. Law enforcing agencies and government officials filed 192 cases, 249 cases were filed by individuals with direct affiliations with political parties. Of these politically connected individuals, 198 belonged to the ruling Bangladesh Awami League (BAL), a staggering 80% of all individuals who had political affiliations. In the past four years, the law has been widely used alleging that individuals have defamed the Prime Minister, other ministers and politicians. Our database shows that 140 cases have been filed alleging that the PM has been defamed. In these cases, 210 individuals have been accused and 115 were arrested.” (Riaz, 14 January 2023, p. 11)

26 of the accused were below the age of 18 (Riaz, 14 January 2023, p. 23).

In May 2023, HRW reports on the ongoing attacks on journalists who are targeted by the government and at risk of arrest under the DSA. HRW sees the conditions for open political debate undermined for the 2024 elections. It also provides numbers of journalists charged under the DSA until early May 2023:

“We are disturbed by the continued use of the draconian Digital Security Act (DSA) against journalists in retaliation for their work on topics including governmental policies, alleged corruption, and illicit business practices in Bangladesh. The act permits heavy fines and prison sentences for those who dissent and, with broadly defined ‘threats’, it allows warrantless arrests based simply on a suspicion that a crime has been committed online. As of early May 2023, at least 339 DSA cases had been filed against journalists since its inception in 2018, according to a tracker operated by the Dhaka-based think tank Centre for Governance Studies.” (HRW, 3 May 2023)

The Centre for Governance Studies, a Bangladesh-based think tank conducting research on issues of good governance, corruption and human rights, provides the DSA tracker, a tool that

documents cases filed under the DSA since October 2018. Case numbers can be filtered by district, profession, plaintiff and date:

- CGS - Centre for Governance Studies: DSA tracker, undated
<https://freedominfo.net/>

3.4 Privacy and government surveillance

On the issue of privacy, the USDOS in its annual report on human rights in 2022 states that arbitrary interference with private correspondence is not prohibited by Bangladeshi law. It continues:

“Intelligence and law enforcement agencies may monitor private communications with the permission of the Ministry of Home Affairs, but police rarely obtained such permission from the courts when monitoring private correspondence.” (USDOS, 20 March 2023, section 1f)

Freedom House in its October 2022 Freedom on the Net report also mentions that “there is no specific privacy or data-protection law, leaving internet and mobile phone users vulnerable to surveillance and other violations of their privacy”, although the right to privacy and correspondence is recognised in the constitution (Freedom House, 18 October 2022, C5). Sources report on the draft of a Data Protection Act (DPA), the first data-privacy law to be proposed in Bangladesh (Atlantic Council, March 2023, p. 2; Freedom House, 18 October 2022, C6; TIB, 17 April 2023).

Transparency International Bangladesh (TIB), the Bangladesh branch of the Germany-based international NGO Transparency International, dedicated to fighting against corruption, in April 2023 raises the following concerns about the draft of the DPA:

“Bangladesh’s Data Protection Act, 2023 (Draft) was meant to safeguard the privacy of its citizens, but it could end up doing more harm than good. [...] One major issue is the overly broad definition of ‘person’ in the draft law, which includes natural as well as legal persons [...]. This could mean that everyone, including protection agencies, could be considered data subjects, processors, and controllers in different contexts. TIB sees this as an attempt to ensure government supervision and surveillance of personal data. [...] Another issue is data localisation, [...] [which] would also give the government ultimate authority over data surveillance and control. The unchecked power of the government-appointed Data Protection Agency and the lack of authority to ensure checks and balances could be used to suppress constitutional rights to freedom of speech and privacy. [...] Additionally, the draft law has drafted sections that make an ‘individual’ guilty until they prove their innocence, which goes against the fundamental principle of criminal law.” (TIB, 17 April 2023)”

Amnesty International notes the following on the proposed DPA:

“The draft of the proposed Data Protection Act [...] is a dangerous bill that is aimed at usurping people’s right to privacy in Bangladesh. The Bill uses vague and overbroad provisions to enable and legitimize intrusive actions by authorities such as granting access to encrypted communication on personal devices physically or remotely. It violates an individual’s rights solely on the basis of pre-empting a law-and-order deterioration without adequate justification. [...] The Bill exempts authorities from civil, criminal and any other

legal proceedings for harms caused to people in the course of its actions.” (AI, 27 April 2022)

According to Odhikar, “[t]he Data Protection (Draft) Act, 2022 [...], if enacted, will create the risk of administrative and governmental control over information in the name of protecting personal data” (Odhikar, 30 January 2023, p. 41).

USDOS reports for 2021 on allegations by human rights organisations that “police, the National Security Intelligence, and the Directorate General of Forces Intelligence employed informers to conduct surveillance and report on citizens perceived to be critical of the government” (USDOS, 12 April 2022, section 1f) and that surveillance equipment is used to target dissidents (USDOS, 12 April 2022, section 5). According to local media, Bangladesh is allegedly among the countries where people have been spied on with the Israeli Pegasus spyware (The Daily Star, 20 July 2021; Dhaka Tribune, 12 January 2023).

Concerning government surveillance Freedom House in the October 2022 Freedom on the Net report notes:

“News reports indicate that the Bangladesh government plans to expand its surveillance capacity. The cabinet approved the purchases of one mobile interceptor device from Swiss company Toru Group in June 2021 and another mobile interceptor from a US company in January 2022. In September 2021, the High Court rejected a petition asking the government to curtail its surveillance of phone calls, which have sometimes been leaked for political purposes. A February 2021 Al-Jazeera investigation alleged that Bangladesh had bought Israeli-made surveillance equipment capable of monitoring hundreds of mobile phones simultaneously in 2018. [...] Social media monitoring remains a concern in the country. In September 2021, the BTRC [Bangladesh Telecommunication Regulatory Commission] disclosed that its newly formed cybersecurity cell would monitor different social media platforms for antigovernment, antistate, and ‘objectionable’ content, though it remained unclear what technology the cell would use.” (Freedom House, 18 October 2022, C5)

3.5 Situation of journalists and other media professionals

Journalists in Bangladesh are subjected to physical attacks, harassment and intimidation by authorities, intelligence services and student affiliates of the Awami League (USDOS, 20 March 2023, section 2a). Several sources report on the government’s abuse of the Digital Security Act 2018 to restrict press freedom and target journalists (The Daily Star, 3 May 2023; Freedom House, 18 October 2022, B4; Article 19, 2023, p. 36). Journalists risk being arrested under the DSA (HRW, 3 May 2023) and face the threat of pretrial detention, expensive criminal trials, fines and imprisonment (USDOS, 20 March 2023, section 2a).

According to the January 2023 report on the DSA by Ali Riaz, in the reporting period October 8 October 2018 to 31 August 2022 280 journalists have been accused under the DSA. Among those 109 are journalists of national level media and 144 local journalists. Of the journalists whose workplace could be identified by Riaz, the majority (132 out of 280) are associated with print media, followed by online media journalists (88). The report continues:

“Online media journalists from outside Dhaka have been the largest number of victims – 82 individuals. It is not only that the journalists working outside the capital are being

accused of violating the law, but they are also the victims of being detained. Of the 84 journalists who have been detained, 42 were local journalists. It is the print media journalists who were detained the most – 43, this is more than half of the total arrested journalists.” (Riaz, 14 January 2023, p. 25)

The report also explores the political identities of the accusers and found that 27 of 138 belong to the Awami league or affiliated organisations (Riaz, 14 January 2023, p. 26).

In the first three months of 2023 already “Fifty-six journalists have been reportedly targeted by the government and its supporters” (HRW, 3 May 2023).

HRW in a May 2023 article reports that apart from the DSA other laws are used to go against journalists and media:

“Bangladeshi authorities are also weaponizing other laws against journalists. On February 20, 2023, the Bangladesh authorities stopped the publication of the Dainik Dinkal, after the Bangladesh Press Council, a Ministry of Interior offshoot, rejected its appeal against a government shutdown order on the grounds of violating the Printing Presses and Publications (Declaration and Registration) Act. Previously, the authorities blocked 54 news websites, with the declared aim of preventing the spread of ‘rumours’ ahead of the December 2018 national election. Prothom Alo special correspondent Rozina Islam faces ongoing prosecution in an investigation under the colonial-era Official Secrets Act and the penal code, in apparent retaliation for her reporting on alleged government corruption and irregularities in the public health sector at the outset of the Covid-19 pandemic.” (HRW, 3 May 2023)

The International Press Institute (IPI), a global network with the mission to defend media freedom, in a May 2023 publication on press freedom in Bangladesh in the period October 2022 to March 2023 documented 42 press freedom violations:

“There were at least 21 documented cases of physical, verbal, or online attacks against journalists. In multiple cases, journalists were assaulted while reporting on the news or at political rallies ahead of Bangladesh’s 2023 parliamentary elections. In December 2022, two journalists were attacked by members of the Chhatra League while reporting near the National Press Club and a photojournalist was seriously injured by police at a Bangladesh Nationalist Party (BNP) rally. In January 2023, a group of BNP leaders and activists of the Kamrangirchar district attacked a video journalist and damaged his equipment at a rally in Nayapaltan, Dhaka. At least 9 journalists were assaulted by police on the steps of the Supreme Court in Dhaka in March 2023 while reporting on elections held by the Supreme Court Bar Association. [...] In some cases, journalists were targeted in retaliation for publishing stories on government officials. In December 2022, a journalist was abducted, threatened at gunpoint, and beaten at a local government office in the Rangunia region of Chittagong for his reporting on illegally operating brick kilns. In March 2023, the brother of an investigative journalist was brutally beaten with iron rods by a group of unknown men outside his home. The men stated he was being punished for his brother’s critical reporting on corruption and human rights abuses committed by the ruling Awami League. [...] In November 2022, a case was filed against six journalists under the DSA for publishing a report on corruption by a local businessman and a criminal defamation case was filed

against two reporters by textile conglomerate Noman Group. In January 2023, a correspondent was arrested under unknown charges for his reporting on landless people and land disputes in the Satkhira district. According to the correspondent, he was beaten, tortured, and threatened by police. In January 2023, a Dhaka court re-launched an investigation into journalist Rozina Islam, who faces ongoing charges under the criminal code and Official Secrets Act for her reports on government corruption during the pandemic. In March 2023, a group of 15 police arrested a correspondent for Prothom Alo under the DSA following an alleged complaint by a local political leader of the Awami League who accused the journalist of publishing ‘false news.’ The editor of Prothom Alo has also been sued under the DSA for the same article. An editor of The Daily Shahnama and Barisal Khabar news website continues to face a years-old case under the DSA in court for allegedly filming a local mayor. The mayor filed a complaint following publication of a report critical of the city’s response to flooding.” (IPI, 31 May 2023, pp. 2-3)

According to the IPI May 2023 publication about 76 percent of all documented cases were attributed to state actors, about 12 percent to non-state actors, while in approximately 7 percent state actors as well as non-state actors were involved and in about 5 percent of incidents the actor was unknown (IPI, 31 May 2023, p. 5).

HRW states that there is “ongoing, pervasive impunity regarding violence against journalists” in Bangladesh (HRW, 3 May 2023). The Office of the United Nations High Commissioner for Human Rights (OHCHR) in a February 2022 press release on the issue of impunity for attacks directed at critical journalists notes:

“At least 15 journalists have been killed in Bangladesh in the past decade. The UN experts have received numerous reports of journalists, human rights defenders, and members of civil society organisations being arbitrarily detained, attacked, abducted, threatened online and offline, and subjected to judicial harassment. The incidents appear to be rarely investigated or prosecuted. In some cases, local authorities are thought to be directly implicated in the attacks. Allegations brought to the attention of the government of Bangladesh by the UN experts often have gone unanswered.” (OHCHR, 11 February 2022)

Expatriate Bangladeshi reporters criticising the government put their families in Bangladesh at risk (RSF, 30 March 2023; USDOS, 20 March 2023, section 1e). RSF in 2022 reports on the arrests of the brothers of two expatriate journalists critical of the government reportedly for no reason except their relation to critical journalists (RSF, 23 September 2022).

RSF provides the example of the younger brother of expatriate journalist Zulkarnain Saer Khan, Mahinur Khan. Mahinur was attacked on 17 March 2023 by four men armed with steel bars near his home in Dhaka. The assailants shouted about his brother writing about the prime minister and the government (RSF, 30 March 2023).

3.6 Censorship

Several sources report on self-censorship of human rights defenders, civil society members, journalists and other members of media due to the fear of being a victim of the arbitrary use

of the DSA and reprisals (Majumder, April 2021, p. 1; see also USDOS, 20 March 2023, section 2a; HRW, 3 May 2023). The USDOS in its human rights report covering 2022 notes:

“Investigative journalists often complained of their management and of editors ‘killing’ reports due to fear of pressure from the government and its intelligence agencies. [...] According to journalists and human rights groups, journalists engaged in self-censorship due to fear of security force retribution, prosecution under the DSA, and the possibility of being charged with politically motivated cases.” (USDOS, 20 March 2023, section 2a)

Freedom House and USDOS note that while independent media cannot operate without restrictions and only with considerable government censorship, there is nonetheless a vibrant online media landscape in which a wide variety of views are expressed (USDOS, 20 March 2023, section 2a; Freedom House, 18 October 2022, B7) and Bangladeshis are able to “access a variety of local and international news sources that convey independent, balanced views in the main languages spoken in the country” (Freedom House, 18 October 2022, B7).

The USDOS provides the following information concerning censorship and content restrictions for the press and other media:

“The government maintained editorial control over the country’s public television station and allegedly mandated private channels broadcast government content for free. Civil society organizations stated political interference influenced the licensing process, since all television channel licenses granted by the government were for stations supporting the ruling party. [...]

Independent journalists and media alleged intelligence services influenced media outlets in part by withholding financially important government advertising and pressing private companies to withhold their advertising as well. The government penalized media that criticized it or carried messages of the political opposition’s activities and statements.

Privately owned newspapers usually were free to carry diverse views outside politically sensitive topics or those that criticized the ruling party.” (USDOS, 20 March 2023, section 2a)

Freedom House’s October 2022 Freedom on the Net 2022 report explains that the Bangladesh Telecommunication Regulatory Commission (BTRC) is the “regulatory body responsible for overseeing telecommunications and any related ICT [Information and communications technology] issues”. Officially an independent institution, in practice the BTRC represents the interests of the government (Freedom House, 18 October 2022, A5). In September 2021 the BTRC disclosed that “its newly formed cybersecurity cell would monitor different social media platforms for antigovernment, antistate, and ‘objectionable’ content” (Freedom House, 18 October 2022, C5). The BTRC censors content “by issuing informal orders to domestic service providers” (Freedom House, 18 October 2022, B3). Freedom House also provides

information on restrictions of social media services, removal of content and blocking of websites:

“Authorities employ legal, administrative, and other means to force publishers, content hosts, and digital platforms to delete legitimate content. Many cases are not publicly disclosed.” (Freedom House, 18 October 2022, B2)

“Authorities block websites and news outlets criticizing the government, especially during tense political moments [...]” (Freedom House, 18 October 2022, B1)

“Facebook and Facebook Messenger services were temporarily restricted in March 2021 [...] The restrictions occurred during deadly protests against the visiting Indian prime minister, Narendra Modi.” (Freedom House, 18 October 2022, A3)

“The government periodically asks private companies to remove content. Facebook reported restricting access to 118 items between July and December 2021, for violating local laws, including the DSA. In the same period, Google reported receiving 599 requests to remove 1,958 items from Google products, primarily for defamation, government criticism, and religious offense. Google complied with about 25 percent of the requests. TikTok received five legal requests to remove content from 16 accounts in the same period, and took action against six for violating community standards.” (Freedom House, 18 October 2022, B2)

“News outlets continued to be blocked during the coverage period. In September 2021, the High Court ordered the blocking of all unregistered online news portals. The BTRC subsequently closed down 59 unauthorized internet protocol television (IPTV) channels [...]” (Freedom House, 18 October 2022, B1)

“The High Court also directed the BTRC to remove online content featuring ‘derogatory comments’ made by politicians several times during the coverage period. For instance, the BTRC was directed to remove audio and video clips of Moazzem Hossain Alal, a parliamentarian from the Bangladesh Nationalist Party (BNP), making comments about Prime Minister Sheikh Hasina in December 2021. [...] In March 2021, during the previous coverage period, the High Court ordered the BTRC to remove all online uploads of texts and videos of an Al Jazeera investigative story alleging that Bangladesh’s army chief, General Aziz Ahmed, had been helping his brothers elude criminal pasts. [...] Critical websites and YouTube channels are also regularly removed due to unfounded copyright complaints, which are also suspected to be sponsored by the government.” (Freedom House, 18 October 2022, B2)

Not only do journalists, activists and other users face criminal and civil penalties for dissent, but authorities have also threatened websites with legal actions or blocking if they wanted content removed (Freedom House, 18 October 2022, B2, C2).

According to the Freedom House October 2022 publication, the BTRC in February 2022 introduced a draft Regulation for Digital, Social Media and Over-the-top content (OTT) platforms:

“The draft regulation requires intermediaries—defined broadly to include any entity that stores, transmits, or provides service for ‘electronic records’—to prohibit a wide range of content, including that which is deemed defamatory, insulting, hurting religious values or sentiment, threatening to national sovereignty, a breach of government secrecy, or ‘against the liberation war of Bangladesh.’ The regulation would require platforms to remove certain content within 72 hours of notification [...]” (Freedom House, 18 October 2022, B3)

“Officials have sought to increase their technical capacity and legal authority to censor online content.” (Freedom House, 18 October 2022, overview)

4 Human rights abuses by state forces

The International Federation for Human Rights (FIDH) in December 2021 published a report on human rights violations in Bangladesh by state authorities and the crisis of rule of law. On the involvement of law enforcement agencies in human rights violations the report notes:

“In Bangladesh, law enforcement agencies have often been responsible for undermining, rather than upholding, the rule of law. As documented by numerous reports of national and international NGOs, law enforcement agencies in Bangladesh engage in grave human rights violations – such as extrajudicial killings, torture, arbitrary detentions, and enforced disappearances – with nearly complete impunity. Human rights violations committed by law enforcement agencies have become especially prominent over the past decade. Successive Awami League-backed governments have used law enforcement agencies to quell and silence the political opposition and such agencies have become the ruling party’s main tools to curtail dissent. While the government has repeatedly claimed it has a ‘zero-tolerance policy’ towards torture and serious human rights violations, these statements have not translated into any form of accountability for abuses. The government has neither released statistics of killings by security personnel nor acknowledged the severity of rights abuses carried out by law enforcement agencies. Even though incidents of human rights abuse have been brought to the attention of the government, authorities have persistently failed to thoroughly investigate such allegations. In the few cases in which the government has brought charges against officers accused of human rights violations, those found guilty have only received administrative punishments. In general, the victims and victims’ families do not have recourse to an effective remedy. Lack of victim and witness protection mechanisms have enabled law enforcement agents to harass and intimidate victims and their families to not seek justice. In addition, due to long delays in the justice system, there is reluctance by victims and their families, especially those who lack the necessary financial resources, to pursue legal action and lengthy criminal trials.” (FIDH, December 2021, p. 10)

4.1 Extrajudicial killings

FIDH in its December 2021 report states that there is abundant documentation on the involvement of law enforcement agencies in extrajudicial killings. In 2018 a so-called war on drugs was initiated and resulted in a surge of extrajudicial killings of people allegedly involved in drug trade. Other victims are political opponents (FIDH, December 2021, p. 11).

Political scientist Ali Riaz on 10 March 2022 published a report on extrajudicial killings. It states that extrajudicial killings have become a pervasive phenomenon in Bangladesh in recent decades. According to this report, 4,044 people have fallen victim to extrajudicial killings in the 20 years between 2001 and 2021 (Riaz, 10 March 2022, p. 5).

The USDOS report on human rights in 2022 includes the following information on suspicious deaths involving law enforcement which in many cases were considered extrajudicial killings by human rights organisations and media:

“There were numerous reports that the government or its agents committed arbitrary or unlawful killings. [...] Law enforcement raids occurred throughout the year, primarily to counter terrorist activity, drugs, and illegal firearms. Suspicious deaths occurred during some raids, arrests, and other law enforcement operations. Security forces members frequently denied their role in such deaths. They claimed that when they took a suspect in

custody to a crime scene to recover weapons or identify coconspirators, accomplices fired on police, police returned fire and, in the ensuing gunfight, the suspect was killed. The government usually described these deaths as ‘crossfire killings,’ ‘gunfights,’ or ‘encounter killings.’ Media also used these terms to describe legitimate uses of police force. Human rights organizations and media claimed many of these crossfire incidents constituted extrajudicial killings. Human rights organizations claimed in some cases law enforcement units detained, interrogated, and tortured suspects, brought them back to the scene of the original arrest, executed them, and ascribed the death to lawful self-defense in response to violent attacks.” (USDOS, 20 March 2023, section 1a)

Human rights organisations claim that many of the victims were innocent (USDOS, 12 April 2022, section 1a).

The March 2022 report by Ali Riaz notes that “[p]olice including the DB [Detective Branch of] Police (48.05%) and the Rapid Action Battalion (31.90%) have been alleged to have perpetrated these killings” (Riaz, 10 March 2022, p. 5). On the state’s reaction to such allegations the report notes:

“The government has not only continued to deny the incidents but also patronized and normalized these through rewards and impunity. Supportive comments of officials, political leaders, and members of the parliaments have helped to continue this phenomenon and exculpate the perpetrators.” (Riaz, 10 March 2022, p. 5)

Concerning the incidents since January 2021, Odhikar, a domestic human rights organisation, in several reports provides the following numbers: In 2021 a total of 107 persons allegedly became victims of extrajudicial killings (Odhikar, 31 January 2022, p. 11), in 2022 it was 31 persons (Odhikar, 30 January 2023, p. 30). For the first six months of 2023 Odhikar reports seven persons killed extrajudicially (Odhikar, 26 April 2023, p. 27; Odhikar, 10 July 2023, p. 25). Based on numbers provided by human rights organisations, the USDOS human rights report covering 2022 notes:

“Extrajudicial killings dramatically decreased from the previous year. Domestic human rights organization Ain o Salish Kendra (ASK) reported 19 individuals died in alleged extrajudicial killings or while in custody, including four in so-called crossfires with law enforcement agencies and eight due to physical torture before or while in custody. According to another domestic human rights organization, of 25 incidents of alleged extrajudicial killings between January and September, four deaths resulted from law enforcement crossfire killings, 10 persons were shot to death by law enforcement officers, and 10 others died from alleged torture while in custody.” (USDOS, 20 March 2023, section 1a)

The 10 March 2022 Riaz report breaks down the incidents at district level and shows that from 2019 to 2021 “the largest number of extrajudicial killings have taken place in Cox’s Bazar (238), followed by Dhaka (58), and Chattogram (30)” (Riaz, 10 March 2022, p. 12).

In December 2021 the US Department of the Treasury (USDT) designated the RAB for “widespread allegations of serious human rights abuse in Bangladesh”. The USDT justifies the sanctions with allegedly “more than 600 disappearances since 2009, nearly 600 extrajudicial

killings since 2018, and torture. Some reports suggest these incidents target opposition party members, journalists, and human rights activists” (USDT, 10 December 2021). These sanctions seem to be responsible for the decline in the number of extrajudicial killings in 2022 (Freedom House, 2023, F3).

BenarNews explains that the “trial and conviction of police personnel for so-called gunfights is relatively uncommon in a country where rights groups say police as well as an elite multi-force unit known as the Rapid Action Battalion have killed hundreds with impunity” (BenarNews, 31 January 2022). That extrajudicial killings in Bangladesh are accompanied by a culture of impunity is also reported in a Deutsche Welle (DW) article of March 2023:

“As it stands, relatives of those killed or missing are unlikely to ever receive justice: investigations by Bangladeshi authorities into RAB officers are rare, especially when they would concern extrajudicial killings, torture or enforced disappearances. [...] RAB is ‘beyond any control,’ a human rights activist in Dhaka tells DW, saying no one can hold them accountable.” (DW, 4 March 2023)

The March 2023 DW article also reports on the Ministry of Home Affairs or even the prime minister herself allegedly approving extrajudicial killings of political targets. The Bangladeshi Ministry of Home Affairs denied any involvement (DW, 4 March 2023).

4.2 Enforced disappearances

According to the SGB, it is difficult to determine the exact number of enforced disappearances in Bangladesh, because not every incident is reported in the media (SGB, 2023, p. 4). Referring to human rights organisations, political scientist Ali Riaz in a 21 March 2022 report on enforced disappearances states that between 2009 and 2018 at least 522 people have become victims of enforced disappearance (Riaz, 21 March 2022, p. 5). For the period between January 2019 and December 2021 Riaz recorded 71 cases of enforced disappearances, based on newspaper articles and reports of human rights organisations. The 71 cases include “those who have returned after being missing for a period of more than two days” (Riaz, 21 March 2022, p. 11). At the time of publication, 23 (about 32 percent) of the 71 forcibly disappeared persons had returned (Riaz, 21 March 2022, p. 12).

The sanctions imposed by the US on the RAB in December 2021 resulted in a decrease in the number of cases of enforced disappearances (HRW, 12 January 2023; see below).

The domestic human rights organisation Odhikar provides the following case numbers for the period January 2021 to June 2023:

In 2021 a total of 23 persons (Odhikar, 31 January 2022, p. 15) and in 2022 a total of 21 persons were allegedly disappeared (Odhikar, 30 January 2023, p. 34). In the first six months of 2023 16 persons were allegedly disappeared (Odhikar, 26 April 2023, p. 24; Odhikar, 10 July 2023, p. 24). According to a statistic based on media-sources and provided by the human rights organisation Ain o Salish Kendra (ASK), six people have been victims of enforced disappearances from January to June 2023 (ASK, 5 July 2023a).

All of the victims recorded by Odhikar between January 2021 and June 2023 were picked up by members of RAB, the Detective Branch of the Police, the police or by men claiming to be members of law enforcement agencies (Odhikar, 31 January 2022, p. 15; Odhikar, 30 January 2023, p. 34; Odhikar, 26 April 2023, p. 24; Odhikar 10 July 2023, p. 24). 18 of the 23 alleged

victims of enforced disappearance recorded by Odhikar in 2021 resurfaced alive, the whereabouts of four remained unknown (Odhikar, 31 January 2022, p. 15). All 21 alleged victims of enforced disappearance in 2022 were either released or produced in courts after their enforced disappearance (Odhikar, 30 January 2023, p. 34). Of the eight persons who were allegedly disappeared between January and March 2023 by members of law enforcement agencies, seven were later resurfaced alive, information of one victim could not be ascertained (Odhikar, 26 April 2023, pp. 24-25). All of the eight persons who were allegedly disappeared between April and June 2023 later resurfaced alive (Odhikar, 10 July 2023, p. 24).

In its July 2023 report Odhikar refers to the case of a victim who was disappeared in 2015 and held in a secret place for 61 days. The report continues that due to extensive anti-disappearance campaigns the tendency to hold victims in unknown locations for long periods of time after disappearing them has decreased (Odhikar, 10 July 2023, p. 20).

Odhikar in its January 2022 report notes:

“After their disappearance, victims have been extrajudicially killed and their bodies were later found while many were shown as arrested in different criminal cases and handed over to the police station. The victims of enforced disappearance who returned have not spoken out. It was learnt that incidents of disappearance also took place in 2021, but victims/family members of the victim did not speak of it due to fear of reprisals or due to threats.” (Odhikar, 31 January 2022, p. 15)

Deutsche Welle (DW) in March 2023 published results of investigations it conducted together with Sweden-based investigative journalism platform Netra News into the RAB. The article covers the story of a survivor of an enforced disappearance by the RAB:

“Few survivors have dared to speak out about their ordeal, but one man could not remain silent. Deep into a warm November night in 2021, officers from the elite force stormed a house in an upmarket neighborhood in Dhaka, recalls Nafiz Mohammed Alam, a self-assured 23-year-old sporting a stylish blue suit. First, he says, officers beat and even waterboarded him, then they invited several journalists to his house. Typically, journalists are called to witness arrests or crime scenes and broadcast the official version of events, with no room for critical coverage. That night's news reports only showed one side of the story: uniformed RAB officers surrounding Alam, the footage zooming into rows of bottles filled with alcohol, proof that the suspect was allegedly running an illegal liquor delivery business. What the cameras didn't show was how the force's officers planted the bottles around his house before the journalists could show up, Alam notes, a detail that could not be independently verified. However, once the media left, he says he was forced into an unmarked van and taken to RAB 1, a large building just off the road to Dhaka's airport. There, he says, he was taken to a windowless room on a lower floor at the back of the light green building, hidden from view from the main road. [...] Alam recalls the horror of first entering the secret prison, which he says smelled of human feces and rotting food. In that squalid room, far from his family and friends, he says he was tortured, repeatedly. ‘I thought,’ he says indignantly, ‘only terrorists were treated like this.’ Yet, Alam is fortunate to be alive. In many cases, people targeted by RAB are murdered or disappeared, never to be heard from again — a claim the government has long denied.” (DW, 4 March 2023)

Anadolu Agency (AA), a news agency operated by the Turkish state, in an August 2022 article reports on a protest against enforced disappearances taking place on 18 August 2022 in Dhaka University. According to the article, over a hundred people gathered at the protest, among them dozens of victims of enforced disappearances:

“The rally was attended by many students from several universities who were purportedly victims of enforced disappearances, mostly by the Bangladeshi elite police unit, Rapid Action Battalion (RAB). [...] Several students at the protest recounted their ordeals in police custody after being forcibly disappeared. ‘I was picked up by the RAB on March 26 last year and they kept me in their torture cell for many days without bringing me before any court,’ Mina Alamin, a university student, told to rally participants in his speech. Later, he told Anadolu Agency that he spent most of his time in RAB custody with his face covered by a black cloth and both wrists handcuffed. ‘Even they did not release my hands while I was sleeping. I asked them to inform my parents of my whereabouts. However, they ignored my request’ Alamin recounted his period in detention. Another victim of enforced disappearance, Md. Rashed Khan, told Anadolu Agency, ‘without any warrant or case, police picked me from my house and physically assaulted in front of my wife and other family members.’ Khan, a former acting convener of a students' rights forum, Chhatro Odhikar Parishad (Students Rights Council), stated that police mercilessly struck him on sensitive parts of his body. ‘Our only crime was that we stood up to prevalent injustices in the educational sector and denounced Indian Prime Minister Narendra Modi's visit to Bangladesh,’ he explained. He claimed that the police threatened him with death while illegally torturing him in jail. The torture he endured while in RAB detention is a nightmare for him, according to Imran Al Nazir, who also claimed that he was apprehended by RAB sleuths on Oct. 20, 2021, from public transportation in Dhaka. ‘After an hours-long physical assault, they took me to a field in the dead of night, folding my eyes with a black ribbon. They told me they were going to shoot me, and that it would be the final night of my life,’ Nazir told Anadolu Agency. ‘One of them was telling another cop in front of me that they had been ordered to shoot me four times, which caused me to panic,’ he added.” (AA, 18 August 2022)

According to Odhikar, most victims of enforced disappearances are activists of opposition parties and dissidents, and the government uses enforced disappearances to suppress political movements (Odhikar, 31 January 2022, p. 15). Riaz was able to gather information about the professions of 51 individuals of the total of 71 cases recorded between January 2019 and December 2021: 11 are politicians and another 11 individuals are businessmen, eight are students and five are involved with Islamic education, preaching and clerical jobs (Riaz, 21 March 2022, p. 12). Netra News reports in a February 2022 article on 86 men who disappeared involuntarily between 2010 and 2022 and have not returned at the time of publication. Half of these were activists of opposition parties or directly linked to them. The other half “comprise 10 who were closely connected with the governing Awami League, with the remaining 31 people without any noted links to political parties”. Based on this fact the article concludes that “many disappearances did not serve a direct anti-opposition purpose, but involved other kinds of conflicts and feuds” (Netra News, 3 February 2022). DFAT reports that “[d]isappearances have also been alleged in relation to street protests, such as those protesting about pay and conditions in the garment industry” (DFAT, 30 November 2022, p. 31).

Families of those who have gone missing are under surveillance, harassment and intimidation, according to Odhikar (Odhikar, 31 January 2022, p. 15), they face pressure and threats from law enforcement agencies to keep them from going public (SGB, 2023, p. 4). Police in many cases refuse to take complaints and continue to harass the victim's family (Odhikar, 10 July 2023, p. 20).

Riaz provides accounts given by persons who witnessed cases of forced disappearance, further detailing how the police handles inquiries from relatives:

"Most of the descriptions of alleged enforced disappearances gathered from family members, friends and bystanders have been similar. They have alleged that these individuals have been picked up by plainclothed individuals identifying themselves as members of law enforcement agencies, especially RAB. In some instances, they wore jackets bearing the name. In each instance, when the family members contacted the local police stations, office of the Detective Branch or the local station of the RAB, they were told, 'he is not here'. Not only did the law enforcement agencies deny their involvement but often the families faced harassment for making such allegations. In most cases, local police stations declined to register even a general diary of a missing person until it had been reported in the press. In many instances, families were afraid to inform the media because they thought this would only jeopardize any possibility of having their loved ones back." (Riaz, 21 March 2022, p. 10)

Odhikar in the January 2023 report notes:

"The government's efforts to harass the relatives of the disappeared persons in various ways continued in 2022. There are allegations of various harassments, including visiting the houses of the families of the disappeared and interrogating them, calling them to the police stations and in some cases taking signatures on blank sheets of paper. Furthermore, the police have also pressurized the families of the disappeared victims to sign a statement, stating that the disappeared person was actually missing and the family members were hiding information. During this reporting period [2022], it has been alleged that supporters of the ruling party published various photoshopped pictures and statements on social media against the women and children of the families of the victims of enforced disappearances." (Odhikar, 30 January 2023, p. 34)

Geographically, most disappearances happened in Dhaka district, 26 out of the 71 cases recorded between January 2019 and December 2021, followed by Chattogram with eight cases (Riaz, 21 March 2022, p. 15).

In 52 of the 71 cases from 2019 to 2021, information about involvement of law enforcement was gathered (Riaz, 21 March 2022, p. 5). The RAB was involved in 40 percent of the 52 cases, according to allegations from family members and friends. In 16 cases (about 31 percent) the Detective Branch (DB) of Police was involved (Riaz, 21 March 2022, p. 17). Concerning the 86 missing men who were disappeared between 2010 and 2022, Netra News reports on in the February 2022 article, eyewitnesses alleged that 36 were picked up by the RAB, another 26 by the DBP and the remaining by unspecified law enforcement authorities (Netra News, 3 February 2022).

Sources report that the Bangladeshi government regularly denies cases of enforced disappearances (Odhikar, 26 April 2023, p. 24), rejects any involvement of law enforcement agencies (Riaz, 21 March 2022, p. 17), and dismisses the allegations against the RAB that led to US sanctions as false and fabricated. In January 2022 Sheikh Hasina even awarded prestigious police medals to sanctioned RAB officials for bravery and service to the county (HRW, 12 January 2023). HRW in its January 2023 World Report notes that the drop in disappearances following the December 2021 US sanctions shows that authorities do have the ability of bringing abuses by security forces under control:

“Following the US Global Magnitsky human rights sanctions against Bangladesh’s Rapid Action Battalion (RAB) and some of its top commanders in December 2021, extrajudicial killings and enforced disappearances dropped dramatically, indicating that authorities have the ability to bring security force abuses under control. However, instead of taking steps toward reform, authorities launched a campaign of threats and intimidation against human rights defenders and families of victims of enforced disappearances. [...] Despite a temporary drop in abuses following the announcement of US sanctions, security forces showed signs of returning to old practices, targeting the ruling Awami League’s political opponents and critics.” (HRW, 12 January 2023)

4.3 Prison and detention conditions

According to the database World Prison Brief by the Institute for Crime and Justice Policy Research, as of 25 November 2022, there were 81,156 prison inmates in 68 facilities with an overall capacity of 42,626. The occupancy rate was 190,4 percent. More than 75 percent of detainees in November 2022 were in pre-trial detention (WPB & ICPR, 2022).

Odhikar in its annual human rights report covering 2022 states that the number of inmates in jails crossed 100,000 as of 11 December 2022, due to mass arrests to suppress opposition and dissent (Odhikar, 30 January 2023, p. 38).

On the conditions in prisons and detention centers the USDOS report on human rights in 2022 notes:

“Prison conditions were harsh and at times life threatening due to severe overcrowding, inadequate facilities, physical abuse, corruption, and a lack of proper sanitation and social-distancing measures during the COVID-19 pandemic. There were no privately run detention facilities. [...] Former detainees reported some inmates who died in prison were transported to a hospital and pronounced dead due to natural causes. [...] Authorities often incarcerated pretrial detainees with convicted prisoners.

Prison Directorate statistics revealed 43 of 141 positions for prison doctors were vacant as of August [2022], with only five doctors assigned to prisons full-time.

Conditions in prisons, and often within the same prison complex, varied widely. Authorities held some prisoners in areas subject to high temperatures, poor ventilation, and overcrowding.

While the law requires holding juveniles separately from adults, authorities incarcerated many juveniles alongside adults. Children were sometimes imprisoned (occasionally with their mothers) despite laws and court decisions prohibiting the imprisonment of children.

The BPD [Bangladesh Prisons Directorate] continued to operate under provisions from British colonial law that allow children up to the age of seven to remain with their mothers in custody. Authorities held female prisoners separately from men.

Although Dhaka's central jail had facilities for those with mental disabilities, not all detention facilities had such facilities, nor are they required by law.

Administration: Prisons lacked any formal process for offenders to submit grievances. Prisons had no ombudsperson to receive prisoner complaints. Retraining and rehabilitation programs were extremely limited." (USDOS, 20 March 2023, section 1c)

According to Odhikar, during the reporting period 2022 it was alleged that jailed leaders and activists of the opposition parties were treated inhumanely in prisons. BNP leaders "have been subjected to various forms of mental torture, including keeping them in cells for 24 hours, not allowing them to meet their relatives, and depriving them of necessary medical treatment" (Odhikar, 30 January 2023, p. 39).

For the period January to March 2023 Odhikar reports that apart from opposition activists many ordinary people were arrested without evidence. Odhikar also reports on allegations of corruption in food supplies, other irregularities and torture in jails:

"[T]here are allegations that the food provided to the inmates in prisons by the jail authority is substandard. The prisoners who are financially stable can buy food from the canteen inside the jail, but most of the prisoners are too poor to do so. Thus, they are forced to eat this low-quality food. [...] [T]he food price in all these canteens run by the jail authorities is double or triple the outside prices. As a result, the jail officials get a huge amount of money from the canteen. There are allegations that the prison authorities deliberately provide substandard food, so that the prisoners are forced to buy food from the canteen. Apart from the corruption related to food, there are widespread allegations against the officials and employees of almost all the prisons for committing various types of irregularities and corruption, including torture of inmates detained in the prisons." (Odhikar, 26 April 2023, p. 29)

The same report writes about a torture allegation concerning a prisoner in Kashimpur Jail-1, Gazipur. The wife of the allegedly tortured prisoner Amanullah lodged a complaint with the Deputy Commissioner of Gazipur:

"Nusrat Jahan alleged that her husband Amanullah has been imprisoned in Kashimpur Jail-1 since 2022. Since Jailor Tariqul Islam joined the jail, bribery trade in prisons has become extreme. Tariqul Islam unlawfully demanded five hundred thousand taka from them for various 'developmental works' in the prison. At one point, fearing that her husband would be tortured, she gave Tk 500,000 [4,786.50 USD as of 1 March 2023] to Jailor Tariqul Islam. Later Senior Jail Superintendent Shahjahan Ahmed demanded 10 hundred thousand taka [9,573.00 USD as of 1 March 2023] after joining the jail. When they expressed their inability to pay this money, the torture started on her husband. On 4 March 2023, the chief jail guard tortured her husband on the orders of Tariqul Islam." (Odhikar, 26 April 2023, pp. 29-30)

Odhikar notes that the state takes no action against those responsible for torture and corruption (Odhikar, 10 July 2023, p. 27).

4.4 Torture and ill-treatment

Concerning torture and ill-treatment, the March 2023 USDOS annual report on human rights in 2022 offers the following information:

“Although the constitution and law prohibit torture and other cruel, inhuman, or degrading treatment or punishment, local and international human rights organizations and media reported security forces, including those from the intelligence services, police, and soldiers seconded into civilian law enforcement agencies, employed torture and cruel, inhuman, or degrading treatment or punishment. The law allows a magistrate to place a suspect in interrogative custody, known as remand, during which questioning of the suspect may take place without a lawyer present. Human rights organizations alleged many instances of torture occurred during remand. Some victims who filed cases under the Torture and Custodial (Prevention) Act were reportedly harassed and threatened, while some were forced to withdraw their cases due to fear.

According to multiple organizations, including the UN Committee against Torture (UNCAT), security forces reportedly used torture to gather information from alleged militants and members of political opposition parties. These forces reportedly used beatings with iron rods, kneecappings, electric shock, rape and other sexual abuse, and mock executions. Numerous organizations also claimed security forces were involved in widespread and routine commission of torture, occasionally resulting in death, for the purpose of soliciting payment of bribes or obtaining confessions.” (USDOS, 20 March 2023, section 1c)

A joint NGO statement on the continuing use of torture and degrading treatment by law enforcement agencies published by the World Organisation Against Torture (OMCT), a network of NGOs working for the protection of human rights and fighting against torture and impunity, notes the following on 24 June 2023:

“In Bangladesh, the use of physical and psychological methods of torture and ill-treatment has been a longstanding and widespread practice. Torture is inflicted to extract ‘confessions’, humiliate the victims, and instil fear. It is routinely used by the state for politically-motivated purposes as a tool to intimidate, extort, and suppress political opponents, dissenting voices, vulnerable groups, and even ordinary citizens. Torture and ill-treatment have been perpetrated by law enforcement officials, intelligence agencies, paramilitary groups, and security forces. Regrettably, members of law enforcement agencies have rarely been held accountable for these violations, but rather enjoy impunity as implicit validation by the government for their role in the suppression of political opponents, government critics, and dissidents. It is consistently reported that torture and other forms of inhumane or degrading treatment have been carried out when victims are picked up [by the] police and taken into custody.” (OMCT, 24 June 2023)

In 2021 among the 107 persons allegedly killed extra-judicially, eight persons were tortured to death by law enforcement personnel (Odhikar, 31 January 2022, p. 11), in 2022 out of 31 extrajudicial killings 10 were tortured to death (Odhikar, 30 January 2023, p. 4). Deaths in

custody because of torture occurred in 2021 as well as in 2022 and the first six months of 2023 (Odhikar, 31 January 2022, p. 12; Odhikar, 30 January 2023, p. 33; Odhikar, 26 April 2023, p. 20). When a person in custody dies due to torture, it is allegedly disguised as suicide and the incident is covered up (Odhikar, 30 January 2023, p. 33). The police tortures detainees in custody either to extort money or to harm political opponents (Odhikar, 30 January 2023, p. 32). Impunity is pervasive, as victims of torture and family members of victims do not dare to press charges, because of fear of reprisals:

“Even though there are many cases of torture in the country, victims and/or their families do not dare speak out due to fear of harassment and reprisals. Victims of torture or degrading treatment and/or their relatives had to face harassment and intimidation after filing cases against members of law enforcement agencies.” (Odhikar, 30 January 2023, p. 33)

Even when victims speak out, law enforcement personnel are rarely held accountable for their violations, as reported by Odhikar:

“The current government uses law enforcement agencies to suppress political opposition, government critics and dissidents, and to ‘win’ national elections. As a result, many members of law enforcement agencies enjoy impunity despite being involved in gross human rights violations, corruption and other unlawful activities.” (Odhikar, 30 January 2023, p. 31)

On the issue of impunity of security forces, the USDOS notes:

“According to international and local civil society, activists, and media, impunity was a pervasive problem in the security forces, including within but not limited to the RAB, Border Guards Bangladesh, Detective Branch of Police, and other units. Politicization of crimes, corruption, and lack of independent accountability mechanisms were significant factors contributing to impunity, including for custodial torture. While police are required to conduct internal investigations of all significant abuses, civil society organizations alleged investigative mechanisms were not independent and did not lead to justice for victims.” (USDOS, 20 March 2023, section 1c)

5 Human rights abuses by non-state actors

5.1 Public lynching and mob justice

The FIDH December 2021 report based on interviews conducted in November 2020 explains that in Bangladesh frequent incidents of mob justice occur due to a lack of confidence in law enforcement institutions and the judiciary:

“As in other countries where the rule of law has been undermined and the public has lost confidence in law enforcement institutions or/and the judicial system, Bangladesh has witnessed frequent incidents of so-called ‘mob justice.’ Mob justice related incidents stemmed from an accumulation of existing prejudices, tensions, and frustrations based on a lack of trust in the rule of law and the justice system. ‘There is clear lack of trust in the criminal justice system that nothing will happen. The inefficiency of the criminal justice system creates an environment for mob justice,’ a professor of politics told FIDH. In recent years, many deaths resulting from mob justice attacks have been recorded. From January 2009 to September 2021 there were 1,238 deaths resulting from such attacks. [...] In many cases, people have taken matters into their own hands without handing over a suspect to the police. ‘People know that if they catch the criminal then the police will take a bribe and release him. So people beat them up,’ an interviewee told FIDH. Security forces have generally failed to intervene in cases of mob attacks and fulfill their duty in preserving law and order. Failure on the part of law enforcement agencies to arrest those responsible for such attacks and ensure accountability for those acts, have further eroded the rule of law in the country. In many cases, attacks have targeted petty criminals, criminal suspects, and those involved in false rumors.” (FIDH, December 2021, p. 25)

Odhikar also noted a decline in trust in state institutions that leads people to take the law into their own hands (Odhikar, 30 January 2023, p. 37) as well as an environment of unaccountability and impunity that encourages public lynching (Odhikar, 31 January 2022, p. 19). Shantanu Majumder observes that there is a “[h]igh-level direct and indirect support for vigilante justice” at the societal level (Majumder, April 2021, p. 6).

According to Odhikar, 91 people were killed in incidents of public lynching between January 2021 and June 2023. Of those 29 were killed in 2021 (Odhikar, 31 January 2022, p.19), 37 were killed in 2022 (Odhikar, 30 January 2023, p. 37), and 25 were killed in the first six months of 2023 (Odhikar, 26 April 2023, p. 31; Odhikar, 10 July 2023, p. 29).

Odhikar’s human rights reports provide examples of incidents as well as of victims. The cases of lynch killings recorded by Odhikar usually involved victims being suspected of alleged theft:

“On 15 January 2021, an autorickshaw driver Rabiullah (26), was beaten in Chandina of Cumilla District on suspicion of theft and he died on 22 January at a hospital in Dhaka. On 26 September, two young women, Runa Akhter and Poppy Akhter, were beaten to death in Dhaka’s Nawabganj on suspicion of theft. On 26 November, Babul Mia was beaten to death in Badarganj under Rangpur District for allegedly stealing an electrical transformer.” (Odhikar, 31 January 2022, p. 19)

“On 9 March 2022, an old man named Rahman alias Raham Ali (65) on suspicion of stealing a cow in Ulipur of Kurigram District; on 21 May, a young man named Rabbi Hossain Chanchal (22) on suspicion of theft in Ilshamari Village under Ishwardi Upazila of Pabna; on 1 August, a bus driver named Ariful Islam (29) in Ashulia of Savar; on 14 November, a mentally unstable person named Shahidul Islam (50) in Naogaon Bazar of Dhamrai, Dhaka; and on 24 December, Asadullah (28), an alleged robber of Arai-hajar Upazila under Narayanganj District, were beaten to death by lynch mobs.” (Odhikar, 30 January 2023, p. 37)

“Two youths named Nuru Mia and Ismail Hossain, on suspicion of robbery on 12 January in Muradnagar, Cumilla; a teenager named Rabbi Mia on suspicion of stealing a motorbike on 3 March in Kuliarchor, Kishoreganj; and a tea stall owner named Mohammad Mamun Mia (35) on suspicion of being a thief on 26 March at Shishu Hospital area in Sher-e-Bangla Nagar of Dhaka.” (Odhikar, 26 April 2023, pp. 31-32)

5.2 Abductions

According to a June 2022 article by Prothom Alo, Bangladesh has ranked eighth in the list of countries with frequent abductions. The article is based on data gathered by the Bangladesh Peace Observatory (BPO) of Dhaka University, a domestic research facility established by the United Nations Development Programme (UNDP) (UNDP, 14 October 2021), that analysed incidents of abductions between January 2015 and May 2022 (Prothom Alo, 1 June 2022). BPO in July 2022 released a video on YouTube that provides an overview of this crime in Bangladesh. According to BPO, abduction as of 2021 had become a widespread crime in Bangladesh. Between 2015 to 2020, an average of 320 abductions occurred every year (BPO, July 2022, minute 1:04). Between January 2015 and May 2021, most abductions took place in Dhaka division, followed by Chattogram (BPO, July 2022, minute 1:14). Together these two divisions accounted for more than 50 percent of abductions in Bangladesh (BPO, July 2022, minute 1:19). 19 percent of kidnappings resulted in fatalities (BPO, July 2022, minute 1:25), caused the death of 414 people and left 607 injured (BPO, July 2022, minute 1:30).

Of the 414 abduction victims killed, 56 were women, and of the 607 injured, 212 were female (BPO, July 2022, minute 4:09). 30 percent of all kidnappings were executed in order to extort ransom money. Other reasons for kidnapping persons, including children, in Bangladesh were sexual assault, family or land disputes and political rivalry (BPO, July 2022, minute 3:12).

As perpetrators BPO identifies professional offenders, human traffickers, drunken eve teasers [men sexually harassing women], relatives or individuals with whom a family has a dispute as well as several kidnapping rings that operate in Bangladesh (BPO, July 2022, minute 4:19-4:36). A Newsletter published by BPO in December 2022 reports 158 abductions between 1 January and 30 September 2022 (BPO, 11 December 2022).

Bangladeshi news outlets reported on cases of kidnapping between December 2022 and April 2023:

- Dhaka Tribune: 11 kidnapped fishermen from Sundarbans tortured for ransom, 21 December 2022

<https://www.dhakatribune.com/bangladesh/nation/301094/11-kidnapped-fishermen-from-sundarbans-tortured>

- Jago News: Three held over attempted kidnapping in Dhaka, 21 January 2023
<https://www.jagonews24.com/en/national/news/66385>
- Bangladesh Live News: Five, including women, arrested for demanding ransom after kidnapping in Dhaka, 7 April 2023
<https://www.bangladeshlivenews.com/en/bangladesh/details/five-including-women-arrested-for-demanding-ransom-after-kidnapping-in-dhaka>

No more recent information on abductions carried out by non-state actors could be found.

For information on child trafficking and trafficking in women please refer to [section 8.2](#) [section 10.2](#) of this compilation.

6 Situation of opposition party members and leaders

In November 2022, DFAT provides the following information about the situation of opposition party members and leaders:

“BNP [Bangladesh Nationalist Party] members who are not Bangladeshi citizens (but who live in diaspora communities) claim that they have had visas to visit Bangladesh denied. [...] BNP figures allege that they have been subjected to enforced disappearance. Typically, this allegedly involves houses being raided at night; however, daylight raids on party offices have also been reported. The BNP claims that its supporters have been arrested during protests for alleged criminal damage or assault on police. BNP members also allege that violence against them perpetrated by AL [Awami League] members occurs with impunity. [...] The former BNP Prime Minister, Khaleda Zia, was convicted in February 2018 on graft charges and sentenced to five years in prison, and to another seven years on a separate corruption charge in October 2018. The BNP claims that the charges against Zia are politically motivated. [...]

There are fewer examples that demonstrate a pattern of violence or discrimination against low-level BNP members, than for higher level BNP leaders. Those who engage in low-level BNP activity (for example attending rallies or attempting to convince others to join the party) are less likely to be arrested than are higher profile actors. For low-level actors, the nature of their activities is unlikely to attract attention in the first place. Those with seniority and reputation are more likely to attract government attention but any member could, in theory, be arrested on charges of violence, obstructing police, corruption or other charges. One source told DFAT that it would be necessary to hold an official position in the party to be arrested. [...] False criminal charges and vexatious civil court procedures are used to harass members of the BNP.” (DFAT, 30 November 2022, pp. 22-23”)

In its human rights report covering 2022, the USDOS also provides information regarding the situation of opposition party members and leaders:

“The government mobilized law enforcement resources to level civil and criminal charges against opposition party leaders. The BNP claimed police implicated thousands of BNP members in criminal charges related to political demonstrations during the year and detained many of the accused. Human rights observers claimed many of these charges were politically motivated.

Opposition activists faced criminal charges. Leaders and members of Jamaat-e-Islami (Jamaat), the largest Muslim political party in the country, could not exercise their constitutional freedoms of speech and assembly because of harassment by law enforcement authorities. Jamaat was deregistered as a political party by the government, prohibiting candidates from seeking office under the Jamaat name. Media outlets deemed critical of the government and the AL were subjected to government intimidation and cuts in advertising revenue and thus practiced some self-censorship.

AL-affiliated organizations, such as its student wing the Bangladesh Chhatra League (BCL), reportedly carried out violence and intimidation around the country with impunity, including against individuals affiliated with opposition groups. [...]

In April when violence in Dhaka's New Market area resulted in the loss of two lives, further violence incited by the AL student league occurred in April. BNP Secretary General Mirza Fakhrul Islam Alamgir claimed police incited the violence rather than curtailing it, leading to further violence.

On December 9, police arrested BNP Secretary General Mirza Fakhrul Islam Alamgir and BNP Standing Committee member Mirza Abbas in a case regarding December 7 clashes between police and BNP party members at the BNP's headquarters in Dhaka's Nayapaltan area. Observers alleged the arrests were politically motivated ahead of the BNP's scheduled December 10 rally in Dhaka. During the December 7 clash, police killed one man and injured several more.

The 86 criminal charges filed by the government against Alamgir in previous years remained unresolved. The charges involved attacks on police, burning buses, and bombings." (USDOS, 20 March 2023, section 3)

Odhikar provides the following information on the situation of opposition party leaders and members during the year 2022:

"In 2022, the government's repression on leaders and activists of the Bangladesh Nationalist Party (BNP) and other opposition political parties became widespread. In order to thwart peaceful programmes during this period, the government carried out various violations, including filing false and fabricated cases and mass arrests against supporters and members the opposition political parties and dissident citizens. The police and the leaders- activists of the ruling Awami League and its affiliated organisations attacked meetings and programmes of the opposition parties. In many incidents, the police and Awami League supported Chhatra League jointly carried out these attacks. [...]

Many leaders and activists of BNP were arrested in 2022 in false and fabricated cases filed in the past. During this period false cases were filed in a similar way and ordinary people and political activists were arrested in order to suppress democratic movements. Various laws, including the Special Powers Act of 1974, have been applied to suppress opposition party leaders and activists. In May 2022, the police accused BNP leaders and activists of a clash between Dhaka College students (Awami League-backed Chhatra League leaders led the incident) and Newmarket businessmen. Many of the accused persons were abroad when the incident took place or were under treatment in the hospital or were deceased. In 2022, opposition leaders and activists were also sentenced in such cases." (Odhikar, 30 January 2023, pp. 7-8)

According to HRW, "starting in August 2022, there were increasing attacks against political opposition members, raising concerns about violence and repression ahead of upcoming parliamentary elections" (HRW, 12 January 2023).

AI notes that, in the first half of December 2022, "the police conducted mass arrests of 23,968 individuals nationwide, including at least several hundred opposition party leaders and activists" (AI, 27 March 2023).

Regarding the situation between January and March 2023, Odhikar notes the following:

“The government’s repression on opposition political parties and dissidents has become widespread due to the continued authoritarian regime. In the first three months of 2023, the government carried out a massive crackdown on the leaders and activists of the opposition political parties (especially BNP and Jamaat-e-Islami) using false and fictitious cases as its weapons. Members of the law enforcement agencies filed cases against thousands of opposition party leaders and activists.” (Odhikar, 26 April 2023, p. 3)

Odhikar adds that between April and June 2023 “acts of repression and harassment by the government on the leaders and activists of Bangladesh Nationalist Party (BNP) and other opposition political parties, had become widespread” (Odhikar, 10 July 2023, p. 3).

In July 2023 Al Jazeera mentions that “at least one opposition activist has died and hundreds of others were injured in clashes across Bangladesh as tens of thousands demanded Prime Minister Sheikh Hasina’s removal ahead of elections expected in January [2024].” The article further notes:

“‘Sajib Hossain, one of our activists, was hacked and shot dead by members of student wing of the ruling party’ in Laxmipur, BNP spokesman Zahir Uddin Swapan told the AFP [Agence France-Presse] news agency. He accused police of opening fire with shotguns at hundreds of BNP supporters in the southern coastal district, leaving at least 200 people injured.” (Al Jazeera, 19 July 2023)

Please see the relevant sections covering the situation of the political opposition in reports by Odhikar for further details:

- Odhikar: Annual Human Rights Report 2021 Bangladesh, 31 January 2022
https://odhikar.org/wp-content/uploads/2022/01/Annual-HR-Report-2021_English.pdf
- Odhikar: Annual Human Rights Report 2022 Bangladesh, 30 January 2023
https://odhikar.org/wp-content/uploads/2023/04/AHRR-2022_English_30.01.2023.pdf
- Odhikar: Three-Month Human Rights Monitoring Report on Bangladesh: January-March 2023, 26 April 2023
https://odhikar.org/wp-content/uploads/2023/04/01_HRR_January-March_2023_English.pdf
- Odhikar: Three-Month Human Rights Monitoring Report on Bangladesh: April – June 2023, 10 July 2023
https://odhikar.org/wp-content/uploads/2023/07/HRR_April-June_2023_English.pdf

7 Situation of human rights defenders and civil society leaders

7.1 Domestic

Frontline Defenders, an Irish-based human rights organisation founded in 2001 which tries to protect human rights defenders (HRDs), provides the following undated overview on the situation of HRDs on its website:

“Human rights defenders in Bangladesh face judicial harassment, arbitrary arrest, fabricated charges, abduction, physical attacks, torture and extrajudicial killings. Local extremist groups pledging allegiance to Al-Qaeda in the Indian Subcontinent often claimed responsibility for the attacks, which have targeted HRDs who write about women’s rights, indigenous peoples’ rights, freedom of religion, and other human rights issues. Despite these risks, there was no impetus on the part of the government to address the protection needs of HRDs. The authorities have so far failed to properly investigate a majority of the murders and impunity remains a serious concern.

HRDs working on different rights issues – including indigenous peoples' rights, economic social and cultural rights, women’s rights, migrant rights, labour rights, LGBTI rights, freedom of expression, police brutality, extra-judicial killings and disappearances, and sexual and reproductive rights – report decreasing their public activism and online writings in their area of expertise. Women human rights defenders have been particularly vulnerable: many of them have been sexually harassed and assaulted.” (Frontline Defenders, undated)

According to a study¹ by Ali Riaz,² published by the Centre for Governance Studies (CGS) in July 2023, “86% [...] of the Human Rights Defenders at the grassroots level [...] have said that they face various obstacles in their work as a defender”. 62 percent said that the overall environment for their work is “very unsafe and unsafe”. 42.3 percent of the respondents identified law enforcement agencies, state intelligence agencies, and government officials as sources of “obstacles/threats/intimidation/persecution” (Riaz, July 2023, p. 6).

Regarding the treatment of human rights defenders, the USDOS mentions the following:

“The government filed numerous cases and began investigations into whether to file charges against human rights defenders. Human rights defenders claimed they were under constant government surveillance and they and their family members experienced frequent harassment. In a roundtable for UN High Commissioner for Human Rights Bachelet in August [2022], Foreign Minister Momen verbally attacked human rights

¹ Within the framework of the study, between 24 May and 25 June 2023 a survey was carried out involving 50 Human Rights Defenders (HRDs) who represented 36 districts across the nation. (Riaz, July 2023, p. 14)

² According to the cited report, “Ali Riaz is a Distinguished Professor of Political Science at Illinois State University, USA, a Nonresident Senior Fellow of the Atlantic Council, and the President of the American Institute of Bangladesh Studies (AIBS). Dr. Riaz is also a member of the Advisory Board of the Centre for Governance Studies (CGS).” (Riaz, July 2023, p. 5).

defenders and civil society organizations, some by name, for their antistate activities.” (USDOS, 20 March 2023, section 5)

HRW provides the following overview on attacks on human rights defenders and the situation of their relatives in the year 2022:

“[...] victims’ families reported that officers came to their homes, threatened them, and forced them to sign false statements that their relative was not forcibly disappeared and that they had intentionally misled the police. Security forces also ramped up surveillance of human rights activists and harassment of human rights organizations. United Nations rights experts urged the government to end reprisals.” (HRW, 12 January 2023)

Frontline Defenders describes several cases targeting human rights defenders, as for example the killing of Shahidul Islamin in Gazipur in June 2023 (Frontline Defenders, 6 July 2023), the torture of Raghunath Kha while in custody (Frontline Defenders, 1 February 2023), the attack against and harassment of woman environmental human rights defender Syeda Rizwana Hasan (Frontline Defenders, 31 January 2023), the prosecution of woman human rights defender and journalist Rozina Islam (Frontline Defenders, 30 January 2023), threats and harassment faced by Rohingya human rights defenders Saiful Arakani and Aziz Arakani (Frontline Defenders, 19 July 2022), and the physical assault and threats against woman human rights defender Mariyam Akhter Pakhi and her family members (Frontline Defenders, 18 February 2022).

Regarding legislation affecting the work of human rights defenders, Frontline Defenders notes the following:

“Restrictive legislation also poses a threat to the work of HRDs in Bangladesh. The 2016 Foreign Donations (Voluntary Activities) Regulation Act restricts the space for human rights organisations by criminalizing foreign funded NGOs which engage in ‘anti-state activities’ or make ‘derogatory comments about the Constitution and constitutional institutions’. Faced with criticisms surrounding the Information and Communications Technology Act, Bangladeshi lawmakers drafted the 2018 Digital Security Act, intended to address the need for cybercrime legislation. However, the act criminalises many forms of freedom of expression and imposes heavy fines and prison sentences for legitimate forms of dissent. It gives the government absolute power to initiate investigations into anyone whose activities are considered a ‘threat’ by giving the police power to arrest without warrant, simply on suspicion that a crime has been committed using digital media. The DSA has been extensively used in the last year to target HRDs and has led to the removal of any content that the government deems ‘sensitive’.” (Frontline Defenders, undated)

In its human rights report covering the year 2021, AI notes that some sections of the Digital Security Act (DSA) “were used systematically to target and harass dissenting voices”, including activists and human rights defenders (AI, 29 March 2022). Please see [section 3.3](#) on further information on the use of the DSA.

7.1.1 Situation of human rights organisation Odhikar

According to the World Organisation Against Torture (OMCT), “since 1994, Odhikar has been one of the leading human rights organisations in Bangladesh. Odhikar strives to spread

awareness for and monitor the abuse of civil and political rights, for which it has trained more than 500 human rights defenders worldwide” (OMCT, undated). Regarding the treatment of Odhikar and its members, OMCT provides the following detailed overview in May 2023:

“The case of human rights organization Odhikar is reflective of the ongoing harassment and targeting of human rights defenders and organizations in Bangladesh. Since 2014, Odhikar’s application for renewal of registration with the Non-Governmental Organization Affairs Bureau (NGOAB) remained pending until it was deregistered in June 2022. In the letter denying its renewal, the NGOAB accused Odhikar of publishing ‘misleading information,’ ‘seriously [tarnishing] the image of the state to the world,’ and ‘[creating] various issues against Bangladesh.’

Furthermore, Odhikar’s Secretary Adilur Rahman Khan and Director ASM Nasiruddin Elan were arbitrarily detained in 2013 for 62 days and 25 days, respectively, after publishing a fact-finding report on extrajudicial killings in Bangladesh. They continue to face judicial harassment in this case at the Cyber Tribunal of Dhaka, based on trumped-up charges for allegedly publishing ‘fake, distorted and defamatory’ information. After years of stalling, the government accelerated hearings in their case especially following the designation of US sanctions against the Rapid Action Battalion (RAB) and its officials in December 2021. They have appeared at the Cyber Tribunal for all scheduled hearings, of which over a dozen since December 2021 did not proceed as planned – either because the judge did not appear or was not prepared, or because the prosecution witnesses failed to appear. Their trial has been marred with violations of due process, including the defense not being provided with prior information on the prosecution witnesses.

On April 5, 2023, at a hearing during which the prosecution witnesses failed to appear, Cyber Tribunal Judge A.M. Julfiker Hayet closed the examination of witnesses to proceed to the next step of examining the accused, in accordance with Section 342 of the Code of Criminal Procedure of 1898. After three hearings where the judge was not prepared for the examination of the accused, the prosecutor submitted an application requesting further investigation to which the defense objected. On May 15, 2023, the judge overruled the defense’s objections and granted the prosecution’s application for further investigation without specifying what component of the case will be subject to further investigation. The judge also ordered three international observers from the foreign missions of Switzerland, the UN, and the US to leave the court.” (OMCT, 22 May 2023)

In July 2023, the UN Special Rapporteur on the situation of human rights defenders, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association “called on Bangladesh to end all acts of harassment against representatives of the human rights organisation Odhikar and ensure respect for due process”. The Special Rapporteurs noted:

“‘This case is emblematic of the use of criminal proceedings to silence human rights defenders and organisations, such as Odhikar and its representatives, who have documented enforced disappearances and extrajudicial killings and cooperated with UN human rights mechanisms in this context,’ [...] ‘Such reprisals also have a chilling effect and

may deter others from reporting on human rights issues and cooperating with the UN, its representatives and mechanisms.” (OHCHR, 11 July 2023)

Odhikar provides the following information regarding the treatment of the organisation and its members by the government:

“Odhikar has faced severe state repression and harassment since 2013. In 2022, government surveillance and harassment on Odhikar continued. During this reporting period, the NGO Affairs Bureau under the Prime Minister’s Office, refused to renew the registration of Odhikar. Challenging this, Odhikar appealed to the Prime Minister’s Office as per the Foreign Donation (Voluntary Activities) Regulation Act 2016, but the appeal was rejected by the said Office. The government has also expedited the proceedings of the case filed against the Secretary and Director of Odhikar under the repressive Information and Communication Technology Act, 2006 (amended 2009). The greatest strength of Odhikar is the human rights activists and organisations located in different countries of the world, including human rights defenders associated with it all over Bangladesh. During this period, human rights defenders associated with Odhikar in different parts of the country have been subjected to various forms of oppression and harassment by the government.” (Odhikar, 30 January 2023, p. 2)

7.2 International

According to the USDOS “the government used transnational repression to intimidate or exact reprisals against individuals outside its sovereign borders,” including against human rights defenders (USDOS, 20 March 2023, section 1e). Reportedly, “police and intelligence agencies continued to harass and surveil human rights defenders, civil society leaders, and the family members of critics based outside of the country” (USDOS, 20 March 2023, section 1e). HRW mentions the following in its report covering 2022:

“The Foreign Ministry reportedly prepared a list of dissidents abroad who are committing ‘anti-state’ activities, and authorities increasingly targeted relatives of expat dissidents. In September, officers from the Detective Branch arrested the brother of London-based news editor Shamsul Alam Liton after he published an editorial critical of the ruling party and organized protests in Britain against disappearances. The same month, police arrested Abdul Muktedir Manu, the brother of another London-based correspondent for the same newspaper. Nusrat Shahrin Raka, sister of US-based journalist Kanak Sarwar, received bail after nearly six months in detention.” (HRW, 12 January 2023)

Further information on the cases against the brother of Shamsul Alam Liton - Nur Alam Chowdhury Pervez, and against Abdul Muktedir Manu (CPJ, 20 September 2022), and Nusrat Shahrin Raka (CPJ, 27 January 2022) is provided in articles published by the Committee to Protect Journalists (CPJ), a New York-based non-profit organisation that seeks to promote press freedom and to ensure safe working environments for journalists worldwide:

- CPJ - Committee to Protect Journalists: CPJ, rights groups call for release of Nusrat Shahrin Raka, sister of Bangladeshi journalist Kanak Sarwar, 27 January 2022
<https://cpj.org/2022/01/cpj-rights-groups-call-for-release-of-nusrat-shahrin-raka-sister-of-journalist-kanak-sarwar/>

- CPJ - Committee to Protect Journalists: Bangladesh authorities arrest siblings of UK-based journalists, 20 September 2022
<https://cpj.org/2022/09/bangladesh-authorities-arrest-siblings-of-uk-based-journalists/>

The USDOS also describes a case filed by police against writer and online activist Pinaki Bhattacharya, and against Mofizur Rahman and Mushfiqul Fazal Ansary:

“Police filed a case [...] on charges under the DSA of maligning the image of the country. According to the case statement, on October 14, the CTTC [Counter Terrorism and Transnational Crime] noticed a Facebook status posted by Pinaki, who lives in France, that allegedly spread misinformation regarding the police force. Police claimed Rahman, whom they subsequently arrested, shared the misinformation with Ansary and Pinaki, who posted it on social media.” (USDOS, 20 March 2023, section 1e).

Bangladeshi newspaper Dhaka Tribune provides the following details regarding investigations:

Dhaka Metropolitan Police (DMP) Deputy Commissioner Md Faruk Hossain said that Pinaki Bhattacharya is engaged in anti-government propaganda. [...] The DMP officer also mentioned that they are now investigating what kind of conversation Pinaki Bhattacharya had with Mofizur. ‘Even if they delete the conversation, it will be retrieved.’ Police also said Mofizur contacted different people with his Facebook messenger. Pinaki and Mushfiqul were contacted. Mofizur posted a status on his fake Facebook profile about a raid by police in Dhaka's Mirpur area. Pinaki also received the post on his Facebook messenger from Mofizur.” (Dhaka Tribune, 17 November 2022)

In November 2022 the Bangladesh High Commission in Canada cautioned Bangladeshi Canadians about a group of people who had been disseminating fabricated and false information against the country. The commission referred to these individuals as money launderers, loan defaulters, and convicts, and emphasized that the Bangladeshi government was monitoring "anti-state" activities. Additionally, the commission notified that the Toronto consulate would decline consular services to such individuals (Prothom Alo,³ 30 November 2022; USDOS, 20 March 2023, section 1e).

In January 2022, the Bangladeshi newspaper The Daily Star notes the following:

“Passports of Bangladeshi nationals, who are taking part in ‘anti-state activities’ from abroad, will be cancelled, said Liberation War Affairs Minister AKM Mozammel Haque [...] ‘A list of such individuals will be prepared and information will be collected to examine who is doing what against the state,’ the minister added.” (The Daily Star, 12 January 2022)

³ In April 2023, Amnesty International (AI) noted that “Prothom Alo, Bangladesh’s largest daily newspaper is the latest media platform to come under increasing attack including intimidation, harassment and arrest of journalists signalling a deepening crisis for press freedom in the country” (AI, 12 April 2023)

Regarding “anti-state” activities in foreign countries, the USDOS mentions the following on bilateral pressure by the Bangadeshi government:

“There were credible reports that for politically motivated purposes, the government attempted to exert bilateral pressure on other countries aimed at having them take adverse action against specific individuals. In September [2022] media reported the Ministry of Home Affairs sent Bangladesh missions abroad a list of those committing ‘anti-state’ activities in foreign countries, asking those missions to pressure host governments to take any possible legal action against them.” (USDOS, 20 March 2023, section 1e)

8 Situation of women

According to the constitution of Bangladesh all citizens are equal before the law and the state shall not discriminate against any citizen because of his or her sex (Constitution of the People's Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Articles 27, 28). The US Agency for International Development (USAID) in April 2023 notes a remarkable progress in improving the lives of women and girls in Bangladesh during the last 20 years:

“The maternal mortality rate has decreased by more than two-thirds since 2000 and continues to fall. The fertility rate is declining and there is greater gender parity in school enrollment. Bangladesh has also advanced regulations for protecting women's rights and privileges, and, due to more women receiving education, progress continues to expand in women's participation in the labor force.” (USAID, 5 April 2023)

Leaders of both main political parties are women (see [section 2.2.1](#) and [section 2.2.2](#) of this report), 50 seats in parliament are allotted to women (Freedom House, 2023, B4; see also [section 2.1.1](#) of this report), and the government has introduced gender-sensitive budgets in 43 ministries. (Bertelsmann Stiftung, 23 February 2022, p. 14).

However, even though Bangladesh has made substantial progress regarding women's empowerment and ranks first among South Asian states, gender disparities persist (WFP, 31 March 2023, p. 27). Societal discrimination limits female participation in politics (Freedom House, 2023, B4). Women are discriminated against under property, family and inheritance laws that vary according to religion, as reported by the USDOS in March 2023:

“According to traditional Islamic inheritance law, daughters inherit half of what sons do. According to Hindu inheritance law, a widow's rights to her deceased husband's property are limited to her lifetime and revert to the male heirs upon her death.” (USDOS, 20 March 2023, section 6)

The South Asia Collective in a 2023 report on the situation of minorities notes that “Bangladesh has been rejecting the demand for a uniform family law for more than three decades”. The same report continues regarding Muslim personal status law:

“Muslim personal laws are discriminatory in their embrace of polygamy for men, their greater barriers to divorce for women than men and their limited provisions on maintenance. Women have very limited power in terms of exercising guardianship.” (South Asia Collective, February 2023, p. 40)

Women make up more than 40 percent of the country's salaried workers (Bertelsmann Stiftung, 23 February 2022, p. 15) and more than 50 percent of the workforce in the garment industry. However, according to the USDOS, women faced discrimination even in the garment sector: “Women were generally underrepresented in supervisory and management positions and generally earned less than male counterparts even when performing similar functions” (USDOS, 20 March 2023, section 7d). Women working in factories were reportedly also subjected to sexual harassment and other forms of abuse (USDOS, 20 March 2023, section 7d). A joint publication of OMCT and the Philippine Alliance for Human Rights Advocates (PAHRA) on gender-based torture in Asia notes that “[f]irst and foremost, Bangladesh is a patriarchal society, underpinned by a culture of misogyny”. In addition to discrimination and social

marginalisation, gender-based violence and rape reportedly continued at alarming rates (OMCT & PAHRA, 2022, p. 112).

8.1 Gender-based violence (GBV), including domestic violence

In February 2000, the Suppression of Repression against Women and Children Act (SRWCA), also known as Prevention of Oppression Against Women and Children Act, came into force. The UN Women Global Database on Violence against Women provides a brief description of this act:

“It is intended to address the need for more effective prosecution of perpetrators of violence against women and children than existed previously and provides redress for victims of various manifestations of violence including trafficking and acid throwing. The Act makes provision for compensation for the victim from the guilty person/persons. It also contains provisions for remedial measures for negligence or wilful faults committed by an investigating officer and for a child born as a result of rape to be maintained by the father.”
(UN Women, undated)

The International Labour Organisation provides access to an unofficial English translation of the SRWCA:

- Prevention of Oppression Against Women and Children Act 2000, [Act No. 8 of 2000], 14 February 2000
<http://www.ilo.org/dyn/natlex/docs/ELECTRONIC/110524/137495/F-248465822/BGD110524%20Eng.pdf>

A December 2022 Prothom Alo article explains that the law includes provisions for several criminal offences concerning women and children like “rape, torture and murder for dowry, abduction, sexual assault, instigating suicide, assault with inflammable substances, crippling children to use them for begging, and so on” (Prothom Alo, 29 December 2022). The article states that, 22 years after the law was passed, violence against women has not declined. Furthermore, victims are still deprived of justice due to weakness and delay in investigations resulting in high numbers of pending cases and failure to complete trials within 180 days. 1,178,231 cases were pending under the Prevention of Oppression Against Women and Children Act between 1 April and 30 June 2022 (Prothom Alo, 29 December 2022).

8.1.1 Domestic violence

The Domestic Violence (Prevention and Protection) Act of 2010 was “an important step forward in broadening the definition of domestic violence against women and children to include physical, psychological, sexual, and economic abuse” (HRW, October 2020, p. 20), according to a HRW October 2020 report on violence against women and girls.

An English version of the 2010 Act is available here:

- Domestic Violence (Prevention and Protection) Act 2010, [Act No. 58 of 2010], 2010
https://mowca.portal.gov.bd/sites/default/files/files/mowca.portal.gov.bd/page/203db6dc7c82_4aa0_98a6_8672334b235c/Domestic%20Violence%20Act%20English.pdf

HRW states that cases filed under the Domestic Violence (Prevention and Protection) Act are compoundable, meaning that they can be settled out of court (HRW, October 2020, p. 20). HRW continues:

“Given the stigma and potential consequences of bringing their husband or in-laws to court without viable alternatives such as safe shelter or other protection services, the option of outside settlement can be an attractive option for some victims. However, the availability of this option can be used to pressure victims to settle— and accept an outcome that does not adequately recognize their rights—even when they would prefer a court adjudication.” (HRW, October 2020, pp. 20-21)

A survey conducted by the Bangladesh Bureau of Statistics (BBS) in 2015 found that 72.6 percent of ever married women experienced one or more of the following five forms of violence: physical violence, sexual violence, economic violence, emotional violence and controlling behaviour. Almost 50 percent of all ever married women reported that they had experienced physical violence by their husband, 27 percent reported sexual violence. Rates of lifetime partner violence of any form was worse in rural areas (BBS, August 2016, p. xviii).

HRW in an October 2020 report states that “lack of trust in police is tragically common, and is compounded by the fact that shelter services are so limited in Bangladesh that for most survivors there is nowhere to go to escape abuse” (HRW, October 2020, p. 2).

For the year 2021, ASK documented 224 cases of women and girls murdered by their husband, 73 murdered by members of their husband’s family and 75 murdered by their own family. Furthermore, there were 126 documented cases of women and girls being tortured by either their husband, their husband’s or their own family (ASK, 13 January 2022b).

For the year 2022, ASK documented 206 cases of women and girls murdered by their husband, 44 murdered by members of their husband’s family and 42 murdered by their own family. Furthermore, 90 women and girls were tortured by either their husband, their husband’s or their own family (ASK, 3 January 2023b).

For the first six months of 2023, ASK documented 112 cases of women and girls murdered by their husband, 30 murdered by members of their husband’s family and 14 murdered by their own family. Furthermore, 38 women and girls were tortured by either their husband, their husband’s or their own family (ASK, 6 July 2023b).

8.1.2 Rape

The 2022 OMCT & PAHRA report on gender-based torture in Asia includes a chapter on rape in Bangladesh that addresses socio-legal issues and barriers to accessing justice:

- OMCT – World Organisation Against Torture & PAHRA - Philippine Alliance for Human Rights Advocates: Women break the silence; Gender-based torture in Asia, 2022, pp. 104 - 120 <https://www.omct.org/site-resources/legacy/Gender-based-Torture-in-Asia.pdf>

Article 375 of the 1860 Bangladeshi Penal Code is the main domestic law defining the offense of rape (OMCT & PAHRA, 2022, p. 108). The OMCT & PAHRA report finds that when comparing

the definition of rape in the Bangladeshi Penal Code with the definition of rape by the Rome Statute of the International Criminal Court (ICC), several problematic elements stand out:

“The following issues are cause for concern: The existing definitions of rape are far too narrow and assume that only women can be victims. Men, boys, and those of the LGBTQ+ community are entirely excluded. The issue of ‘consent’ is vague. The definition does not define when consent is given and when it is not, e.g. influences of intoxication, etc. Other forms [of] SGBV [sexual and gender-based violence] amounting to rape are not included. The fifth condition states that if a man has sexual intercourse with a child (i.e. girls under the age of 14), with or without her consent, it will be considered rape. This rules out the majority of rape victims and encourages child marriages where the bride is between the ages of 14 and 17. The issue of marital rape is absent. It is only indirectly mentioned if the wife is below the age of 14 years. There is no law or legal provision defining, preventing, and prosecuting acts of incest. There is no law or legal provision defining, preventing, and prosecuting rape in custody” (OMCT & PAHRA, 2022, p. 109)

The SRWCA prevails over other laws (Prevention of Oppression Against Women and Children Act 2000, 14 February 2000, Article 3), The SRWCA prevails over other laws but regarding the crime of rape it largely follows the conditions set out on the Penal Code (OMCT & PAHRA, 2022, p. 110). In 2020, the SRWCA was amended to include the death penalty as the maximum punishment for rape (OMCT & PAHRA, 2022, p. 110; see also Prothom Alo, 18 November 2020). In 2021, the domestic human rights organisation Ain o Salish Kendra (ASK), recorded 1,321 cases of women being raped, 47 cases of rape leading to the death of the victim and nine cases of suicide after falling victim to rape (ASK, 13 January 2022a). Numbers provided by Odhikar in its January 2022 human rights report for the year 2021 are even higher:

“In 2021, Odhikar recorded a total of 1411 women and children who had been victims of rape. Among them, 556 were women, 809 were girls below the age of 18 while the age of 46 female individuals were unknown. Out of the number of women who were raped, 20 were killed after being raped and 154 were victims of gang rape. Out of the 809 girls, 23 were killed after being raped, 121 were victims of gang rape, and eight committed suicide. Moreover, eight females of unknown ages were victims of gang rape. Furthermore, 295 women and girls were also victims of attempted rape.” (Odhikar, 31 January 2022)

In 2022, ASK documented 936 cases of women being raped, 47 women dying, and seven women committing suicide after being raped (ASK, 3 January 2023a). In the first six months of 2023, the recorded number of women raped was 294, with 20 women dying and three committing suicide after being raped (ASK, 6 July 2023a). Odhikar does not provide more recent numbers for rape after 2021.

Due to underreporting, numbers in fact could be much higher (Atlantic Council, 26 January 2021). The 2022 OMCT & PAHRA report mentions several reasons for victims not seeking justice. Apart from the fact that the burden is on the victim to prove a rape occurred (USDOS, 20 March 2023, section 6), victim-blaming is prevalent in Bangladeshi society (OMCT & PAHRA, 2022, p. 112). And there are further social barriers, according to OMCT & PAHRA:

“Given the social stigma relating to rape, it is obvious that it is difficult, if not impossible, for rape survivors to seek justice. If justice is sought, the victim and her family have pre-

trial hurdles to cross before going to court. Bangladesh has a mere 3% conviction rate for the offence of rape.

Other more traditional factors that have always deterred victim's families from seeking justice for rape include social and economic barriers, such as the 'shame' associated, the effect this 'shame' has on their families, and the fear that the victim will be perceived as 'immoral'. There are often knock-on social effects for the victim's relatives. For instance, if the survivor is considered 'immoral' her other sisters may also be regarded as unsuitable for marriage by their surrounding community. In addition, there can be threats to family members by the perpetrator and his supporters to either stop a complaint being filed or to withdraw a case. Socio-economic factors also act as formidable barriers to justice. The costs of litigation, medical expenses, and travel to court are not feasible for all families." (OMCT & PAHRA, 2022, p. 112).

Furthermore, victims who wish to start an investigation must lodge a first information report (FIR) with the police. OMCT & PAHRA state that "[t]his poses a daunting task, as it means victims will have to recall their traumatic experiences in a public place to male strangers, with no psychological support systems to help" (OMCT & PAHRA, 2022, p. 112). In addition, police often refuse to file a FIR or are reluctant to do so until forced by public protest (OMCT & PAHRA, 2022, p. 114).

8.1.3 Dowry-related violence

Dowry-related violence is a form of domestic and family violence in connection with the transfer of money, property or gifts by a woman's family to her husband upon marriage (DSS, 15 February 2019). To end violence against women in the demand for dowry, Bangladesh enacted the Dowry Prohibition Act in 1980, and the Domestic Violence (Prevention and Protection) Act in 2010 (South Asia Collective, February 2023, p. 40). The Dowry Prohibition Act of 1980 was repealed in 2018 and substituted by the Dowry Prohibition Act 2018 (Khair, 5 November 2020, p. 354). The Bangladeshi government published an "Authentic English Text" of the Dowry Prohibition Act 2018 in a notification dated 21 October 2020:

- Dowry Prohibition Act 2018, [Act No. 39 of 2018], 1 October 2018
https://www.dpp.gov.bd/upload_file/gazettes/37373_28337.pdf

Although receiving and giving dowry is a criminal offence, violence associated with dowry requests still occur (Odhikar, 30 January 2023, p. 48). For the years 2021 and 2022, Odhikar in its annual human rights publications reports the following on dowry-related incidents:

"[...] [V]iolence against women over dowry demands was widespread in 2021. During this reporting period, women were beaten to death, burnt to death, suffocated and hacked to death over the non-receipt of dowry. A pregnant woman was killed due to dowry demands. [...] Due to lack of rule of law, most of the victims have been deprived from justice." (Odhikar, 31 January 2022, p. 45)

"[...] [T]he practice of dowry is prevalent in society and most of the victims are deprived of justice. In 2022, women were subjected to various inhuman incidents, including murder and violence due to dowry demands. During this reporting period, women were burnt,

beaten, and strangled to death for non-payment of dowry, and a housewife was killed and her body was thrown into the water after failing to bring dowry. A housewife's head was shaved after her hands and legs were tied and wrist of a woman was cut by her husband. A husband killed his wife and minor daughter for not getting dowry. Unable to bear the dowry violence, a housewife committed suicide by setting herself on fire." (Odhikar, 30 January 2023, p. 48)

ASK recorded 210 dowry-related incidents of violence in 2021, including 72 women killed and 111 cases of physical torture (ASK, 13 January 2022d). In 2022, ASK recorded 174 violent incidents related to dowry, including 79 women killed and 75 cases of physical torture (ASK, 3 January 2023d). In the first six months of 2023, ASK recorded 74 violent incidents related to dowry, including 34 women being killed and 33 women physically tortured (ASK, 5 July 2023c).

8.1.4 Acid attacks

The October 2020 HRW report on violence against women provides the following information on acid attacks in Bangladesh:

"Over the last 20 years, according to ASF [Acid Survivors Foundation], there have been over 3,800 reported cases of acid violence in Bangladesh, with the vast majority of attacks perpetrated by men targeting women or girls who they know. Inextricable from gender inequality, acid attacks often occur within a pattern of ongoing domestic violence, in response to rejection of sexual advances or a marriage proposal, as a punishment for seeking education or work, or as a form of retribution in land or dowry disputes. When concentrated acid is thrown on a person it instantly melts through the skin, often down to the bone, dissolving eyes, ears, nose, lips, and skin. At the outset, victims are at high risk of infection—particularly in places like Bangladesh where accessible and adequately sterile health facilities for burn victims are nearly nonexistent. In the medium term, survivors often require surgical interventions to restore mobility. Burn wounds can take up to a year to heal and, without adequate medical care, can leave thick keloid scars that contract and can cause lifelong physical harm severely restricting basic movement. Even with access to proper medical care—which most of the people we interviewed did not have—blindness, hearing loss, and other disabilities are common. Existing government facilities for burn treatment are overburdened and primarily centered in Dhaka, the capital city, and thus largely inaccessible to rural populations. [...] Acid violence is rarely directly fatal. Rather, victims live on with physical, emotional, economic, and social suffering. Victims are often left with severe and permanent disabilities and may depend on family members for ongoing care, sometimes for the rest of their lives. Despite this, some women said that after they were attacked, their families or husbands abandoned them." (HRW, October 2020, pp. 6-7)

ASK recorded 23 acid attacks in 2021 (ASK, 13 January 2022c), 13 attacks in 2022 (ASK, 3 January 2023c) and two for the first six months of 2023 (ASK, 5 July 2023b).

In its October 2020 report on violence against women, HRW assesses that Bangladesh's effort to address acid attacks have shown encouraging results, as numbers of incidents dropped dramatically between 2002 and 2020:

“Among Bangladesh's efforts to combat gender-based violence, the government's success in addressing acid violence stands out in particular. Since passing robust legislation alongside effectively coordinated civil society campaigns, acid attacks dropped dramatically from 500 cases in 2002 to 21 recorded attacks in 2020, at time of writing. As one lawyer explained, acid cases are the ones where it is ‘easiest’ for survivors to gain justice and support because of an active, well-coordinated, civil society response and because the government has focused significant efforts. But even in these cases, legal recourse remains unattainable for most survivors of acid violence.” (HRW, October 2020, pp. 2-3)

8.2 Trafficking

According to the 2023 Freedom House report on political rights and civil liberties in 2022, Bangladesh is a major supplier of trafficking victims as well as a transit point, as “[w]omen and children are trafficked both overseas and within the country for the purposes of domestic servitude and sexual exploitation” (Freedom House, 2023, G4).

The January 2023 UN Office on Drugs and Crime (UNODC) biannual report on human trafficking assesses that Bangladesh's legislation covers all forms of trafficking indicated in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (UNODC, 24 January 2023, p. 3).

Concerning female victims of trafficking, the July 2022 USDOS annual report on trafficking in persons covering April 2021 to March 2022 states that non-governmental and international organisations identified 429 women and 111 female children as victims of sex trafficking, while 1,902 women and 93 female children were recorded as victims of labour trafficking during the reporting period. An estimated 30,000 girls were exploited sexually within Bangladesh (USDOS, 29 July 2022). Victims of child marriage and gender-based violence were reportedly among the groups most vulnerable to trafficking, as were poor and marginalised persons. (USDOS, 15 June 2023).

Information on the profiles of female victims is provided in the 2022 First National Study on Trafficking in Persons in Bangladesh, based on data collection between mid-2020 and mid-2021 (UNODC, 2022, p. 18). The study notes:

“Women are trafficked in significant numbers for sexual exploitation both within and outside of Bangladesh. At the same time, many women are also trafficked out of the country for the purpose of labour exploitation. Research indicates that divorced and separated women face heightened risks of trafficking in persons because they have been detached from their support networks, which may increase the incentives of traffickers to target them. Women trafficked within Bangladesh may be sexually exploited in the streets, in brothels or at restaurants. Of those trafficked abroad, women are reported to mainly be exploited in brothels in India and in the countries of the GCC [Gulf Cooperation Council]. Women are also sexually exploited in connection with forced labour or domestic servitude. Traffickers may target young women because they are limited by administrative restrictions. Further, labour migration from Bangladesh involves relatively high fees that

many struggle to pay which limits the availability of regular options. These factors push women to seek irregular means of labour migration, rendering them vulnerable to the recruitment strategies of traffickers. Further, interviewees described trafficked women being young and many come from poorer backgrounds. There is specific data on identified victims for each of the districts of Bangladesh, and repatriated women are returned to districts widely spread across the country.” (UNODC, 2022, pp. 28-29)

Regarding the perpetrators, the 2022 UNODC report states:

“In Bangladesh, traffickers are organized in networks operating in rural areas, villages and urban centres. Group constellations span from loosely structured networks to formalized organizations. Interviews conducted for this study indicate that some trafficking networks operate on the surface as employment agencies, travel agents, hotel management and brothel owners. Some individual traffickers have been reported, mostly extended family members of victims, in the context of domestic abuse and dysfunctional family settings. However, this appears to be less common than organized trafficking.” (UNODC, 2022, p. 36)

“Traffickers regularly adjust their modus operandi, capitalizing on the vulnerabilities of their victims and manipulating contextual factors to their advantage. Traffickers make use of deception, and abuse the labour migration bureaucracy, as well as using a series of physical and psychological means to control their victims.” (UNODC, 2022, p. 38)

Numbers of convictions of traffickers were reportedly low (UNODC, 2022, p. 15) and several courts in Bangladesh were reported to have trafficking cases numbering in the thousands (UNODC, 2022, p. 61). The majority of convicted traffickers was sentenced to fines rather than jail time which weakened deterrence and undercut overall anti-trafficking efforts (USDOS, 15 June 2023).

The Ministry of Women and Children Affairs and Ministry of Social Welfare provided services to trafficking victims and operated long-term shelters for women and child victims of violence, including trafficking victims. Nevertheless, “[v]ictim protection efforts remained insufficient, including shelter services and availability” (USDOS, 15 June 2023).

9 Situation of ethnic minorities

According to a report published in February 2021 by the International Republican Institute (IRI) - a nonprofit organization funded and supported by the US government - in Bangladesh, ethnic minorities can be classified into two main groups: one comprising communities living in the Chittagong Hill Tracts (CHT) situated in the southeastern Chattogram Division, and the other consisting of groups residing in the northern divisions, commonly known as plainland ethnic communities. As many ethnic minorities in Bangladesh originate from China, Burma, and India, their distinctive facial features and skin tones differ from those of the mainstream Bengalis, making them easily recognizable (IRI, 4 February 2021).

According to the official census, conducted in 2022, there were 1.65 million individuals belonging to minority groups. However, the Bangladesh Indigenous Peoples' Forum estimated the number at approximately three million (USDOS, 20 March 2023, section 6; LICAS, 12 August 2022).

According to the IRI report, “there are approximately two million people from 27 officially recognized ethnic minority groups in Bangladesh” (IRI, 4 February 2021). A media source cited the general secretary of the Bangladesh Indigenous Peoples' Forum saying that “ethnic minorities in remote areas had gone uncounted.” He claimed that by not counting them it was “easy to ignore their demand for self-determination, land rights, development budget and also human rights” (LICAS, 12 August 2022; see also USDOS, 20 March 2023, section 6). The ethnic minority groups or indigenous people in Bangladesh are also called “Adivasis” (see also MRG, updated June 2019 and MRG, updated July 2018a).

According to AI's human rights report covering 2022, “minority groups reported facing different forms of discrimination, particularly along ethnic and religious lines” (AI, 27 March 2023). Freedom House also notes that “members of ethnic and religious minority communities and other historically marginalized groups face some legal discrimination, as well as harassment and violations of their rights in practice” (Freedom House, 2023, F4). Similarly, the USDOS notes that “NGOs reported national origin, racial, and ethnic minorities faced discrimination” (USDOS, 20 March 2023, section 6).

In August 2022, three UN special rapporteurs and the UN Working Group on Arbitrary Detention wrote a letter to the Bangladeshi government containing the following information:

“[...] it has been brought to our attention that the indigenous peoples and indigenous rights activists, as well as indigenous political activists have repeatedly been subjected to alleged arbitrary arrest, torture, arbitrary deprivation of life and enforced disappearance in CHT [Chittagong Hill Tracts]. Moreover, almost every time a raid takes place in CHT area by the military personnel, the legal requirements such as obtaining warrants for search and/or arrest, are not being followed. [...] Indigenous peoples in Bangladesh are facing repeated and systemic discrimination. In July 2022, the Ministry of Information issued a Directive ahead of the International Day of the World's Indigenous Peoples on 9 August, asking all television stations to refrain from using the term ‘indigenous’ to describe the ethnic communities in the country.” (OHCHR, 10 August 2022, pp. 1-2)

According to the USDOS, community leaders claimed that “indigenous persons faced widespread violation of their rights by settlers, sometimes supported by security forces”, in the Chittagong Hill Tracts (CHT) (USDOS, 20 March 2023, section 2f). The USDOS further notes:

“The Indigenous community of the CHT [Chittagong Hill Tracts] experienced widespread discrimination and abuse despite nationwide government quotas for participation of Indigenous CHT residents in the civil service and higher education. [...] Indigenous persons from the CHT were unable to participate effectively in decisions affecting their lands due to disagreements regarding land dispute resolution procedures under the Land Commission Act. Local organizations claimed the army and intelligence forces carried out extrajudicial killings and arbitrary arrests; beat, harassed, threatened, and jailed Indigenous people on false charges; and labeled rights activists as terrorists and extortionists. [...] Human rights organizations continued to allege evictions and communal attacks occurred against local populations in the CHT, often at the direction of the government, army, and intelligence agencies. In September [2022] reports emerged that a rubber plantation had poisoned the water source of several villages to displace the local Indigenous population from its land.” (USDOS, 20 March 2023, section 6)

In its February 2022 report, covering the period from 1 February 2019 to 31 January 2021, the Bertelsmann Stiftung notes that “religious-ethnic cleavages are prominently visible in the Chittagong Hill Tracts, where the ethnic Chakmas are fighting for their land rights, which are often encroached by Muslim land grabbers in collusion with the administration” (Bertelsmann Stiftung, 23 February 2022, p. 28).

Regarding land ownership disputes, the USDOS notes the following in its human rights report covering 2022:

“Minority groups continued to report land ownership disputes that disproportionately displaced members of ethnic minorities, especially in areas near new roads or industrial development zones where land values had increased. They also claimed local police, civil authorities, and political leaders were sometimes involved in evictions or shielded politically influential land grabbers from prosecution [...]. While the law allows for land restitution for Indigenous persons living in the Chittagong Hill Tracts (CHT), this rarely occurred.” (USDOS, 20 March 2023, section 1e)

Organizations verified that the healthcare accessible to Indigenous individuals was significantly below the standard available to non-Indigenous citizens in the country. The country’s overall poverty rate was 20 percent, while in the Chittagong Hill Tracts (CHT) region it exceeded 65 percent. The plains, where some Indigenous people resided, experienced a poverty rate of over 80 percent. (USDOS, 20 March 2023, section 6).

In February 2020, IRI conducted a focus group study on the plainland ethnic groups in Bangladesh. These communities, which are distinct in terms of religion and language, reside mainly in the northern divisions of Rajshahi, Rangpur, Mymensingh, and Sylhet. The study examined the challenges and needs of the Santals, Garos, Khasis, and Manipuris ethnic groups.

The focus group study⁴ revealed the following key findings: According to the communities, preserving their land was a key challenge, including lack of legal documentation to fight off claims to ethnic lands, illegal encroachment on ethnic areas and unresponsive courts. The communities continued to face social ostracism and discrimination from mainstream Bengali society, and many of these ethnic groups endured difficult living conditions, including inadequate housing, unsafe drinking water, and a sense of insecurity. Government services and benefits were often lacking or inadequate in areas with a significant ethnic minority population. According to the study, the plainland ethnic communities also felt neglected and unrepresented within the political system (IRI, 4 February 2021).

9.1 Bihari

DFAT provides the following overview on Biharis:

“‘Bihari’ refers to Urdu speaking Muslims who were not Bengalis and who migrated to the then East Pakistan from India after the partition of India [...]. They are not necessarily visibly distinguishable from the majority Bengali population and most of them speak both Urdu and Bengali. [...] The Bihari community was strongly associated with the ruling regime during the 1947-71 East Pakistan period, and was widely perceived to have supported Pakistan during the 1971 conflict. Following independence, many Biharis faced reprisals, including violence. Some sources claim that discrimination against the group, grounded in historical events, continues. Laws intended to manage properties abandoned during the conflict were ineffective and resulted in many Biharis losing all of their possessions, forcing many into the camps where they reside as stateless persons.” (DFAT, 30 November 2022, p. 13)

According to the USDOS report covering 2022, the Bihari population consists of approximately 300,000 Urdu-speaking individuals (see also MRG, updated July 2018b). They faced challenges in obtaining passports as immigration officers often rejected their requests due to a lack of a permanent address. Despite the government providing certain basic services like water and electricity, the Biharis reported social and economic discrimination. They also felt marginalized and isolated in overcrowded camps, with limited efforts to integrate them into society. In September 2021, some Biharis expressed concerns about potential issues regarding their official status as Bangladeshis. They feared their land might be expropriated, and there were worries about policies being implemented to force them to return to Pakistan (USDOS, 20 March 2023, section 6).

The British newspaper The Guardian writes that “Biharis continue to live on the fringes of Bangladeshi society, mostly in 116 squalid camps scattered across the country”, and adds:

⁴ In the study, separate Focus Group Discussions (FGDs) were conducted for men and women. Each FGD consisted of 10 to 13 participants, encompassing various age groups and professions. A total of 85 individuals (41 men and 44 women) took part in the study. According to IRI, the statements made during these FGDs may not necessarily represent the general opinion of all ethnic minorities included in the study. (IRI, 4 February 2021)

“The largest of these is the Geneva camp in Mohammadpur, central Dhaka, a sprawling settlement that is home to more than 40,000 Biharis. The living conditions are poor: housing is cramped and dilapidated and whole families, with six or more members, often live together in a single room. [...] Discrimination is still a huge barrier for Biharis, and informal jobs such as rickshaw driver, tea stall owner and market vendor continue to be the forms of employment most accessible to them.” (The Guardian, 9 May 2023)

A June 2022 study⁵ by OBAT Helpers, a USA-based non-profit organisation that works for the development of the internally displaced community and refugee population in Bangladesh, notes the following regarding the poverty and employment situation of the Bihari:

“The survey findings indicate that poverty is the major problem in the Bihari Camps. During the interview, the majority of the respondents (90.2%) mentioned that they were employed. However, a large number of respondents mentioned [...] that they were seasonally unemployed (33.03%), completely unemployed (1.53%), or staying home (8.87%). The outbreak of COVID-19 could be a reason for the unemployment and seasonal unemployment. The monthly income of the majority of households belongs in between 5,000 and 15,000 BDT [Bangladeshi taka; about 46 to 137 US Dollar]. This amount of income seems very inadequate for most families to bear their expenses of food, cloth, treatment, education, and other necessities.” (OBAT Helpers, 3 June 2022, pp. 27-28)

9.2 Incidents

According to Odhikar, during the year 2021, “citizens belonging to ethnic minority communities were killed” (Odhikar, 31 January 2022, p. 47).

In its human rights report covering 2021, AI notes the following:

“On 28 October the cabinet secretary, Khandker Anwarul Islam, said that people living in forests would be removed to other places in a bid to keep forests ‘intact’. Indigenous peoples’ rights activists expressed concern that the action could put Indigenous peoples at risk of forced eviction. Some Indigenous communities have been living in the forests for centuries and Indigenous groups reported continued violations of their rights, including land grabbing and deforestation. On 30 May, non-state actors cut down 1,000 betel trees belonging to 48 Indigenous Khasi families at Agar punji, a cluster village in Moulvibazar. The trees had been a key source of livelihood for the community. Continued deforestation and clearing of stones and sand from surface water bodies across Rangamati, Khagrachhari and Bandarban districts of Chittagong Hill Tracts worsened the problem of water scarcity for hill people in the region.” (AI, 29 March 2022)

Odhikar reports that during 2022, various incidents occurred across the country where houses, places of worship, and shops belonging to religious and ethnic minority groups were targeted

⁵ 327 households participated in a survey from the Center Community Relief (CCR) camp and market camp of Mohammadpur in Dhaka. The survey was conducted in February 2021 through a structured questionnaire (OBAT Helpers, 3 June 2022, p. 7).

and set on fire. Homes and lands were seized and there were allegations suggesting the involvement of leaders and activists from the ruling Awami League in these incidents (Odhikar, 30 January 2023, p. 45). Odhikar describes the following incidents of 2022:

“[...] there have been allegations of attacks on ethnic minority communities and the grabbing of their lands. On 19 August, four people were injured when a group of miscreants blocked and attacked the families of an ethnic minority community at Mundapara over a land dispute in Dhumghat Antokhali Mundapalli of Shyamnagar in Satkhira. Among the injured, Narendranath Munda died on 20 August. Awami League Member of Parliament Shibli Sadiq of Dinajpur-6 Constituency and his uncle, former Member of Parliament Delwar Hossain, have been accused of grabbing the land of ethnic minority Santals. There have also been cases of arrest and assault of linguistic minority citizens (Urdu speaking) in Narayanganj by members of law enforcement agencies. In the past it has also been observed that due to the politicization of such incidents, the real accused could not be brought to justice and the trials have been pending for years. For example, in 2018, in Santalpalli of Gobindganj Upazila in Gaibandha, three Santals were killed in attack, arson and police firing, but the trial has not yet commenced.” (Odhikar, 30 January 2023, p. 46)

In its report covering the year 2022, the USDOS also mentions that various Indigenous communities, aligned with different political factions, were involved in internal conflicts and violence within their own communities. The report further notes:

“The factional clashes between and within the United Peoples’ Democratic Forum and the Parbatya Chattagram Jana Samhati Samiti resulted mostly from the desire to establish supremacy in particular geographic areas. Media reported many leaders of these factions were engaged in extortion and smuggling of money, drugs, and arms. Meanwhile, the deaths and violence remained unresolved. NGOs and Indigenous persons familiar with the situation warned intraparty violence in the CHT [Chittagong Hill Tracts] had risen sharply.” (USDOS, 20 March 2023, section 6)

Regarding incidents targeting ethnic minority groups between January and March 2023, Odhikar mentions the following:

“[...] criminals attacked places of worship of the Hindu community, Ahmadiyya community and citizens belonging to ethnic minority groups, and vandalized and looted their homes. Such incidents continue to occur due to lack of arrests and trials and politicization of the past incidents. On 1 January 2023, Lama Rubber Industry Limited evicted the ethnic minority Mro in order to occupy their land and attacked them in Rengen Mropara, vandalized and set fire to their houses and looted them in Lama Upazila under Bandarban District. Lama Rubber Industry Limited has been trying to evict the Mro and occupy their land for several years. On 26 April 2022, Lama Rubber Industry Limited was accused of burning 350 acres of Jum land belong to the Mro community.” (Odhikar, 26 April 2023, pp. 33-34)

10 Situation of children

10.1 Abuse and Violence

According to the USDOS's human rights report covering 2022, "many forms of child abuse, including sexual abuse, physical and humiliating punishment, child abandonment, kidnapping, and trafficking, continued to be serious and widespread." The USDOS provides the following details:

"Children were vulnerable to abuse in all settings, including home, community, school, residential institutions, and the workplace. The law prohibits child abuse and neglect with the penalty for conviction of up to five years' imprisonment, a fine, or both. According to Bangladesh Shishu Adhikar Forum, a network of child rights NGOs, the law was not fully implemented, and juvenile cases – like many other criminal cases – often lagged in the judicial system. The Department of Social Services, under the Ministry of Social Welfare, operated 'Child Helpline – 1098,' a free telephone service designed to help children facing violence, abuse, and exploitation. [...] During the year former students detailed multiple allegations of sex abuse at the hands of teachers and older pupils in Islamic madrassas." (USDOS, 20 March 2023, section 6)

In April 2023, the Bangladeshi English-language daily newspaper The Daily Star cites data by the legal aid group Ain o Salish Kendra (ASK) regarding violence against children:

"In the first three months of 2023, 128 children were killed across Bangladesh, [...]. During the same period, 225 more children were subjected to various forms of abuse and repression. Among the repressed children, at least 75 were victims of rape, including boys. These deaths and repression have been attributed to a plethora of reasons, ranging from killing after rape, killing after abduction, and killing after torture (in domestic sphere), to torture of underaged domestic workers, torture by law enforcement members, and torture by teachers. [...] Taking a closer look at ASK data since 2020, one would notice that while cases of child abuse has come down year-on-year from 1,718 in 2020, 1,426 in 2021, 1,088 in 2022, to 225 in 2023 (January-March), child killing has hovered above the 500 range, with 589 killings reported in 2020, 596 in 2021, 516 in 2022, and 128 in 2023 (January-March)." (The Daily Star, 27 April 2023)

The Bangladeshi human rights organisation Odhikar recorded at least 809 girl victims of rape in 2021, with 23 girls being killed after being raped. Odhikar notes that "the number of child rape incidents has risen sharply" in 2021 (Odhikar, 31 January 2022, p. 44). According to Odhikar, "a large number of women and girls were victims of rape and gang rape in 2022. Non-cooperation of police is one of the reasons behind the lack of prosecution for rape" (Odhikar, 30 January 2023, p. 46).

In 2021, a significant number of children were targets of stalking and sexual harassment (Odhikar, 31 January 2022, p. 45) and seven girls became victims of acid violence (Odhikar, 31 January 2022, p. 46).

Odhikar notes that in 2022, members of the law enforcement agencies were alleged to be involved in torture of children and juveniles (Odhikar, 30 January 2023, p. 32).

10.2 Child labour and child trafficking

According to the International Labour Organization (ILO) the Bangladeshi government ratified the ILO Convention 138 on child labour in March 2022. The Convention requires the country “to take measures to ensure the progressive elimination of child labour and set a minimum age under which no one shall be admitted to employment or work in any occupation, except for light work and artistic performances” (ILO, 22 March 2022). The US Department of Labor (USDOL) report on child labour covering the year 2021 notes that although “the government has established laws and regulations related to child labor [...] gaps exist in Bangladesh’s legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work”. Regarding the applicability and enforcement of relevant laws the report mentions the following:

“The Bangladesh Labor Act does not apply to the informal sector, in which most child labor in Bangladesh occurs. In addition, penalties for child labor violations can only be imposed after a lengthy legal process and, when courts do impose them, the fines are too low to deter child labor law violations. Moreover, the government did not publicly release information on its criminal law enforcement efforts related to child labor.” (USDOL, 28 September 2022)

Regarding the enforcement of child labour laws, the USDOS further mentions:

“The Department of Inspection for Factories and Establishments (DIFE) is the only authority responsible for enforcing child labor laws. However, DIFE only had authority to file cases in labor courts – not criminal courts – and the labor courts have never referred a case to the criminal courts. [...] DIFE removed 3,990 children from hazardous conditions through inspections, which may have included trafficking victims, and increased the number of labor inspectors, although the number of labor inspectors remained insufficient [...] Staffing and resources to inspect for labor violations, including forced and child labor, remained severely inadequate; DIFE seldom conducted unannounced inspections and there were no inspectors dedicated to child labor. Inspectors were not empowered to monitor the informal sector despite an estimated 93 percent of child labor – including forced child labor – occurring there.” (USDOS, 15 June 2023)

The USDOL writes that “children in Bangladesh are subjected to the worst forms of child labor, including commercial sexual exploitation and forced labor in drying of fish and the production of bricks” (USDOL, 28 September 2022). The USDOS adds that children are at risk for forced labour in agriculture, domestic work, hospitality, and tanneries (USDOS, 15 June 2023). The Special Rapporteur on trafficking in persons, especially women and children similarly notes that “the majority of child labourers work in the informal sector, which includes food shop and tea stalls; motor and steel workshops; grocery and furniture shops; clothing and tailoring; and waste collection” (HRC, 28 April 2023, p. 4). Children reportedly were also “forced into domestic servitude and bonded labor that involved restricted movement, nonpayment of wages, threats, and physical or sexual abuse” (USDOS, 20 March 2023, section 7b).

In its June 2023 trafficking report covering April 2022 to March 2023, the USDOS provides the following overview on child labour:

“Traffickers force children younger than 14 years into domestic work, including through torture and restricting their movement. Most female child laborers are domestic workers who seldom appear in official child labor statistics; violent incidents were widespread yet underreported, with most cases settled privately. Traffickers coerce children experiencing homelessness into forced criminality or forced begging and sometimes sexually exploit them. Traffickers force children, especially in border areas, to produce and transport drugs, particularly a type of methamphetamine called yaba.” (USDOS, 15 June 2023)

10.3 Sexual exploitation and sex trafficking of children

Regarding sexual exploitation of children, the USDOS notes that “the penalty for conviction of sexual exploitation of children is 10 years to life imprisonment. Child pornography and selling or distributing such material is prohibited” (USDOS, 20 March 2023, section 6). According to the USDOL, “children throughout Bangladesh are sexually exploited through the country’s legal and illegal brothels, and child commercial sexual exploitation remained widespread during the reporting period” (USDOL, 28 September 2022, section I). The USDOS mentions that “traffickers exploit Bangladeshi women and girls in forced labor and sex trafficking abroad” and it was estimated that “children constitute 40 percent of Bangladeshi sex trafficking victims exploited abroad” (USDOS, 15 June 2023).

The report on trafficking in persons of the USDOS covering April 2022 to March 2023 provides the following details:

“Traffickers use false promises of work to lure poor women and children into sex trafficking and fabricate exorbitant debts that women and girls as young as 10 must repay. Child sex trafficking remained widespread with an estimated 30,000 girls exploited in Bangladesh. Several women and girls reported traffickers preyed on them and sold them to brothels after the women fled abusive child marriages. Other women reported they had grown up in brothels because their mothers were engaged in commercial sex and brothel owners trafficked them as children. Observers report children growing up in Bangladesh’s red-light districts seldom escape these brothels; approximately 20,000 children are growing up in Bangladeshi brothels where many are exploited in sex trafficking. Commercial sex is legal in registered brothels, and the individuals involved – including foreign nationals – must receive documentation from police confirming their age and consent; however, some police accept bribes to ignore abuse within the establishment, forego checking for required age documentation, and procure fraudulent documentation for children as young as 10 years old. Some traffickers force sex trafficking victims to become addicted to drugs and use addiction to maintain control. Children experiencing homelessness or using the streets as a source of livelihood in exchange for food, shelter, protection, and money often lack birth certificates or documentation and experience greater vulnerability to exploitation. Observers noted increasingly widespread job losses, wage cuts, and poverty in rural areas and urban slums due to the pandemic, which forces some children into begging and commercial sex. A study found that child sex trafficking victims are forced to take more clients at lower wages and experience more violence and sickness than adults voluntarily engaged in commercial sex.” (USDOS, 15 June 2023)

Some officials denied “the existence of internal trafficking, especially child sex trafficking, despite ongoing evidence”. The Department of Social Services (DSS) operated shelters for child victims, although observers noted that additional safe houses were needed. Police operated “centers for women and child victims of violence in each of Bangladesh’s eight divisions, offering short-term shelter, medical services, and psychological care” (USDOS, 15 June 2023).

10.4 Child Marriage

According to HRW, “Bangladesh continues to have one of the highest rates of child marriage in the world” (HRW, 12 January 2023).

World Vision International reports that “the Child Marriage Restraint Act [...] was passed in February 2017 by the Bangladesh Parliament and replaced the previous law of 1929. The Government has also circulated the rules for Child Marriage in October 2018” (World Vision International, 25 January 2023, p. 3). The USDOS notes that “the legal age of marriage is 18 for women and 21 for men. The law includes a provision for marriages of women and men at any age in ‘special circumstances’” (USDOS, 20 March 2023, section 6; see also Child Marriage Restraint Act, 10 December 2017, Article 19)

In her April 2023 report the Special Rapporteur on trafficking in persons, especially women and children highlights “increases in child marriage during the coronavirus disease (COVID-19) pandemic, with particular risks of trafficking for purposes of child marriage, sexual exploitation and child labour”, and further mentions:

“Bangladesh has one of the highest rates of child marriage in the world. The Special Rapporteur notes the significant action being taken by the Ministry of Women and Children Affairs, in partnership with international and local partners, including the ‘Actions to prevent child marriage in Bangladesh’ campaign, designed to encourage families to condemn the harmful practice of child marriage and help advance the National Plan of Action to End Child Marriage (2018–2030). However, poverty, gender inequality and weak child protection systems limit the impact of such measures.” (HRC, 28 April 2023, p. 5)

According to Odhikar, in 2021, “two child brides were killed, one was physically abused and one committed suicide due to dowry violence” (Odhikar, 31 January 2022, p. 45).

10.5 Children in street situations

Approximately 1.5 million children are estimated to be in street situations and “particularly vulnerable to trafficking for purposes of sexual exploitation, child labour and exploitation in criminal activities” (HRC, 28 April 2023, p. 5). The USDOL notes that “throughout Bangladesh, street children are coerced into criminality or forced to beg, and masters of begging rings sometimes maim children to increase earnings (USDOL, 28 September 2022, section III). According to the USDOS, the government worked to “provide them access to education, health care, shelter, and safe employment opportunities” (USDOS, 20 March 2023, section 6).

Please see [section 15.5](#) for information on children’s access to education, and [section 12](#) for information on the situation of children with disabilities.

11 Situation of LGBTQI+ individuals

11.1 Legal framework

Human Dignity Trust, a London-based organisation defending the human rights of LGBTQI+ people, notes that the Penal Code of 1860 – inherited from the colonial period - prohibits same-sex sexual activity between men (Human Dignity Trust, undated). Similarly, the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), a federation of organisations working for equal rights for LGBTQI+ people, mentions that “sexual activity between men, whether consensual or not, is illegal” (ILGA, 1 June 2021, p. 9). The crime may be punished with penalties from 10 years to life in prison (HRW, 12 January 2023). Section 377 on unnatural offences of the Penal Code reads as follows:

“377. Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with [imprisonment] for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine. Explanation. Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.” (Penal Code, 6 October 1860, Section 377)

ILGA provides the following details regarding the law:

“The term ‘unnatural’ can be assumed to mean any form of sexual intercourse that cannot result in progeny - thus criminalizing all non-heterosexual intercourse. Although the law is not systematically applied and no cases have led to legal proceedings or convictions, there is significant harassment, public exposure, and stigmatization of LGBTIQ individuals by the police and the media, often using Section 377 as a reason. It is often paired with Article 86 of the Dhaka Metropolitan Police Ordinance (detention for being found under suspicious circumstances between sunset and sunrise) and Sections 54 and 55 of the Code of Criminal Procedure (allowing law enforcement agencies to arrest someone without a prior warrant)” (ILGA, 1 June 2021, p. 9)

According to the USDOS, the law was reportedly retained “because of societal pressure”, however, “the government did not actively enforce the law.” (USDOS, 20 March 2023, section 6) DFAT similarly notes that “prosecutions are rare, which is probably because the LGBTI community is so hidden” (DFAT, 30 November 2022, p. 28).

Regarding Hijras⁶, “a cultural South Asian term for some transgender women as well as some intersex and gender nonconforming individuals” (USDOS, 20 March 2023, section 6), the

⁶ According to DFAT, “the term ‘hijra’ is not synonymous with the term ‘transgender’, which can refer to male-to-female or female-to-male transgender people and it is possible to be a transgender woman who is not part of hijra culture or living in a hijra community” (DFAT, 30 November 2022, p. 29).

International Republican Institute (IRI), an American nonprofit organization funded and supported by the US government, mentions the following:

“In 2013, the Bangladesh government officially recognized a ‘third gender’ category for Hijras, which was codified in 2014.” (IRI, 8 April 2021, p. 1)

The USDOS mentions that “passports and legal identification documents, including voter registration forms, include the option to select ‘X’ or ‘Hijra’ as a third gender. The national census conducted during the year included a ‘third gender’ category” (USDOS, 20 March 2023, section 6). Regarding the legal situation of the Hijra community, ILGA writes that in the gazette⁷, “Hijra is considered as a sex without any definition of the Hijra sex or gender”, and further notes:

“It is argued that the gazette left out the gender perspective because the relevant authorities still cannot fully distinguish between sex and gender, believe that Hijra people are exclusively intersex, and still deny acknowledging transgender men and women.” (ILGA, 1 June 2021, p. 10)

11.2 Treatment by state and non-state actors

According to the USDOS, “discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics” is not prohibited by law (USDOS, 20 March 2023, section 6; see also: ILGA, 1 June 2021, p. 9).

11.2.1 State actors

DFAT notes the following regarding the treatment of LGBTQI+ persons by state authorities:

“Police use that law [section 377 of the Penal Code] to harass men perceived to be effeminate. Laws against pornography, drug or alcohol offences are often used to target gay men. Harassment includes using the Penal Code as leverage to extort bribes from individuals under threat of arrest, and to limit registration of LGBTI organisations.” (DFAT, 30 November 2022, p. 28)

According to HRW’s annual human rights report covering 2022, “lesbian, gay, bisexual, and transgender people and advocates faced violence and threats without adequate protection from the police.” (HRW, 12 January 2023)

In its report on the human rights situation covering the year 2022, the USDOS notes that some members of LGBTQI+ communities were harassed by police. LGBTQI+ members “stressed the

⁷ According to a researcher and gender rights activist, cited by ILGA, from “time to time the Ministry of Social Welfare has issued these types of gazettes to acknowledge the underprivileged community, such as Bede, Dalit. The objective of these acknowledgements is to ensure the basic rights of these communities by providing financial incentives, special jobs, and scholarships for education” (ILGA, 1 June 2021, p. 10).

need for online and physical security due to continued threats of physical violence.” The USDOS further describes:

“The government took few official actions to investigate, prosecute, and punish those complicit in violence and abuses against LGBTQI+ persons. LGBTQI+ advocacy organizations reported police used the law as a pretext to harass LGBTQI+ individuals and individuals that were perceived to be LGBTQI+ regardless of their sexual orientation, as well as to limit registration of LGBTQI+ civil society organizations. Some groups also reported harassment under a suspicious-behavior provision of the police code. LGBTQI+ individuals experienced continued high levels of fear, harassment, and law enforcement actions taken in the wake of violent extremist attacks in the past decade. Police investigation and prosecution of those complicit in violence or crimes against LGBTQI+ individuals remained rare. [...]. LGBTQI+ groups reported official discrimination in employment and occupation, housing, and access to government services including health care and access to justice.” (USDOS, 20 March 2023, section 6)

In June 2021, authorities announced “that companies where transgender people make up at least 10 percent of the workforce would be given tax breaks.” Reportedly, the community had faced economic hardships amid the pandemic (HRW, 13 January 2022).

The government's NGO Affairs Bureau often held back or prolonged the approval process for foreign funding to NGOs, particularly those involved in sensitive issues such as LGBTQI+ rights (USDOS, 20 March 2023, Section 2b). The USDOS describes:

“Organizations working on LGBTQI+ topics in the country faced major hurdles to fund and implement projects due to their inability to register with the government as formal LGBTQI+ NGOs. To get around this challenge, some organizations registered as social services or diversity-focused NGOs. Other organizations choose to operate without registration, but they were then precluded from directly accepting foreign funding.” (USDOS, 20 March 2023, section 6)

In August 2021, six men were convicted for the murder of Bangladeshi gay rights activists Xulhaz Mannan and Mahbub Rabbi Tonoy in 2016 (HRW, 13 January 2022). DFAT provides details on the case:

“In April 2016, Islamist militants murdered LGBTI activists Xulhaz Munnann and Mahbub Tonoy in their apartment. Six members of the Islamist group, Ansar al-Islam were convicted of the crime and sentenced to death in August 2021. The court acknowledged that the crime was motivated by hatred of gay people. Media reporting of the incident generally referred to the two victims as ‘human rights activists’ and other euphemisms, avoiding mention of their LGBTI advocacy.” (DFAT, 30 November 2022, p. 28)

11.2.2 Non-state actors

According to the USDOS, “severe social stigma regarding sexual orientation was common and prevented open discussion of the subject” (USDOS, 20 March 2023, section 6). Freedom House notes that “societal discrimination remains the norm, and LGBT+ individuals are regularly attacked” (Freedom House, 2023, F4). The USDOS notes that LGBTQI+ writers and bloggers

“continued to receive death threats from alleged extremist organizations” (USDOS, 20 March 2023, section 2a).

DFAT provides the following overview on the treatment of LGBTIQ+ people by the society:

“Male same-sex relationships are taboo but there is a general lack of awareness of female same-sex relationships. Almost all LGBTI people in Bangladesh keep their sexual orientation or gender identity secret. There is strong family and social pressure on gay men and lesbians to enter heterosexual marriages. LGBTI people must be very security aware; threats against them, including by religious extremists, are common. Homophobic hate speech is common on social media. [...] Social and cultural opportunities for LGBTI people in Bangladesh are limited, and many LGBTI people with the capacity to do so flee overseas. Those who remain use unique slang due to cultural taboos that prohibit open discussion of LGBTI issues. English words to describe LGBTI issues do not have equivalents in Bengali and slurs may be used in translation either through lack of alternatives or because of the homophobia of the translator. Highly educated and wealthy LGBTI people are more likely to understand words and concepts or use English to describe them.” (DFAT, 30 November 2022, pp. 28-29)

IRI mentions in an April 2021 report:

“In 2019, several Hijras competed for spots on the ruling party’s candidate list for women’s reserved seats. Although none received a seat, their candidacies were generally accepted.” (IRI, 8 April 2021, p. 1)

Freedom House in its report “Freedom in the World” covering 2022 notes that LGBTQI+ people were limited in their ability to participate in politics, though in the town of Trilochanpur a member of the hijra community was elected as mayor in late 2021 (Freedom House, 2023, B4).

Regarding involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ Individuals the USDOS notes the following:

“LGBTQI+ activists reported so-called conversion therapy practices were widespread. Lesbian women and gay men recounted stories of being sent by their parents to drug rehabilitation facilities and forced to take sedatives, wear traditional clothing, and recite the Quran. One community leader spoke of her parents sending her to a psychiatrist to ‘turn her straight.’ The government took no measures to condemn these practices.” (USDOS, 20 March 2023, section 6)

LGBTQI+ groups reported that access to sexual and reproductive health services for non-male persons was impeded. Civil society organizations and LGBTQI+ activists frequently pointed out that social stigma surrounding HIV and AIDS, as well as discrimination against higher-risk populations, acted as barriers in accessing health services, particularly for the transgender community (USDOS, 20 March 2023, section 6).

Regarding access to mental health care the USDOS notes:

“Mental health care was a top concern, and according to these groups, mental health-care providers tended to use moralistic terms to shame LGBTQI+ persons.”(USDOS, 20 March 2023, section 6)

11.2.3 Lesbians and bisexual women

Regarding the situation of LGBTQI+ women specifically DFAT provides the following information:

“As with all women, LGBTI women are less likely than men to have social and economic independence. LGBTI women are pressured to enter heterosexual marriages in which the male partner of the relationship would exercise considerable social control and ‘protection’ over a woman, preventing any real prospect of her self-expression. Many girls are married young, limiting avenues for expression of sexuality and gender identity outside the norm.

Some limited services for LGBTI women (not transgender women, [...]) exist, including a helpline for women. Social gatherings for LGBTI women do not exist publicly, though women communicate with each other using encrypted messaging services or social media. In general, the strong taboo against LGBTI people and patriarchal attitudes towards women generally lead to invisibility of LGBTI women and, as a result, information is difficult to obtain. DFAT is not aware of criminal prosecutions for lesbian sex.” (DFAT, 30 November 2022, pp. 28-29)

According to the USDOS, “organizations specifically assisting lesbians continued to be rare.” (USDOS, 20 March 2023, section 6)

For its June 2021 report ILGA interviewed and consulted LGBTQI+ community members, activists and organisations in Bangladesh (ILGA, 1 June 2021, p. 2). Participants noted the following, regarding the situation of lesbian and bisexual women:

“The participants mentioned that women in Bangladesh face many challenges including the lack of family support for higher education, high rate of gender-based violence and domestic abuse, high pressure of marriage at a young age, lack of decision-making power, lack of access to basic sexual and reproductive health and rights, and other challenges. There is also significant societal expectation backed by religious conservativeness that an ideal woman should get married with a man, stay home, and be a good mother. These issues impact lesbian and bisexual women harder because of their sexual orientation. [...] a participant in the Consultation meeting, mentions, ‘Many lesbian women are pushed for marriage by their parents against their will and thus get subjected to marital rape by their husbands. Bisexual women feel erased in the LGBTQI scene in Bangladesh because the wider community still refuse to acknowledge bisexuality. Also, like other communities in Bangladesh, patriarchy too is prevalent in the LGBTQI community with the voices of gay cisgender men ruling over other voices.’” (ILGA, 1 June 2021, p. 15)

11.2.4 Gay and bisexual men

Regarding issues impacting gay and bisexual men specifically, the ILGA report notes the lack of rape laws “under which male rape victims can file a case against perpetrators”, and further mentions:

“The participants discussed that in this year, there have been at least 3 different cases of extortion and blackmail where victims were held against their will after they visited a person’s home whom they met through online dating platforms. However, they refused to report these to the police station as they feared that they would be arrested themselves due to Section 377. [...] The participants also noted that due to the lack of sensitized service providers, gay and bisexual men are not able to seek medical support for sexually transmitted diseases (STD). All participants expressed concern about the increasing religious fundamentalism in the country.” (ILGA, 1 June 2021, pp. 17-18)

11.2.5 Hijras and transgender men and women

The IRI provides the following information regarding the situation of “Hijras”:

“Gender diversity and sexual orientation are complex and often taboo topics in Bangladesh. On the one hand, a subculture of transgender women and intersex people called ‘Hijras’ have a prominent and widely accepted cultural role in Bangladesh and other South Asian countries. [...] Although this cultural tradition has slowly receded in Bangladesh, Hijras/transgender women remain the most widely accepted LGBTI group.” (IRI, 8 April 2021, p. 1)

However, according to the participants interviewed for ILGA’s June 2021 report, Hijra people often faced obstacles in pursuing education due to discriminatory behaviour from school administrators, teachers, and bullying from classmates. Consequently, they were deprived of mainstream employment opportunities. Similarly, it was difficult for people publicly identifying as trans women to secure jobs, as recruiters often overlooked them. Despite the existence of the 2014 gazette, Hijra and trans women still experienced discrimination in education and employment due to the prevailing social stigma (ILGA, 1 June 2021, p. 19).

DFAT also notes that “while they have an established role in Bangladeshi society, hijra remain marginalised”, and adds:

“Few mainstream employment options are open to hijra, and many obtain income through informal and sometimes criminal means, including extortion, performing at ceremonies, begging or sex work. Acceptance of hijra family members among relatives is generally low, and they lack inheritance rights under sharia (Islamic law) provisions governing personal status matters [...]. Hijra are vulnerable to violence from both the community and law enforcement.” (DFAT, 30 November 2022, pp. 28-29)

According to the USDOS, “transgender rights advocates claimed the government conducted genitalia checks on hijra in some cases, before allowing them access to services” (USDOS, 20 March 2023, section 6). The report further notes:

“Although the government made some progress in promoting social acceptance of hijra persons, the government made limited efforts to promote the rights of others in the LGBTQI+ community and did not offer legal recognition.” (USDOS, 20 March 2023, section 6)

Transgender men shared similar challenges to those faced by lesbian and bisexual women. Having been assigned female at birth, they encountered social stigma related to their biological sex and were persistently pressured by their families and society to conform to gender norms associated with their assigned sex. Their concerns often went unheard, while issues concerning transgender women had already begun to gain public visibility. Some transgender men also alleged discrimination in the medical sector (ILGA, 1 June 2021, p. 20).

The USDOS notes the following regarding the Hijra and transgender community:

“While some transgender women in the country identified as hijra [...] due to an affinity for the hijra subculture or a desire for increased social protection, not all chose to do so. Many transgender women asserted their transgender identities and corrected those that identified them as hijra. Meanwhile, transgender men received little support or tolerance, particularly in poor and rural communities. Some conservative clerics decried the transgender community and sharply distinguished it from the hijra identity, saying the latter would be tolerable while the former remains unacceptable.” (USDOS, 20 March 2023, section 6)

In its November 2022 report DFAT assesses that few transgender people who are not hijra would openly identify as such and that those who do would be subject to violence.” (DFAT, 30 November 2022, p. 29)

11.2.6 Intersex people

According to the results of ILGA’s interviews, the challenges faced by intersex individuals were perhaps the most distinct. In the country, there is a lack of resources and information available concerning intersex people. Even within the LGBTIQ+ community, discussions surrounding intersex issues are scarce due to limited knowledge and education on the subject. Participants who identified as intersex expressed that the most significant challenge they encounter is the occurrence of sex corrective surgeries without their consent (ILGA, 1 June 2021, p. 21).

12 Situation of persons living with disabilities

In December 2022 the Government of Bangladesh published its National Survey on Persons with Disabilities (NSPD), noting that 2.80 percent of the population are living with disabilities (3.28 percent of males and 2.32 percent of females) The rate of disability is higher in rural areas with 2.89 percent than in urban areas with 2.45 percent (Government of Bangladesh, December 2022, p. 39). The USDOS cites estimates from NGOs ranging between 2.5 and 10 percent of the population. The local NGO Bangladesh Protibandhi Unnayan Sangstha (BPUS) reportedly estimated that “more than 60 percent of the disability population lived in rural areas without access to government support” (USDOS, 20 March 2023, section 6).

The USDOS notes that “the law provides for equal treatment and freedom from discrimination for persons with disabilities, and the government took mostly effective measures to enforce these provisions.” Reportedly, the government took cases of violence based on discrimination against persons with disabilities seriously and “it acted to investigate and punish those responsible for violence and abuses against those with disabilities” (USDOS, 20 March 2023, section 6). According to a June 2023 article by TBS, “Bangladesh has made significant progress in recognising the importance of disability rights,” however, “much more needs to be done to translate rhetoric into action.” The article describes the following:

“Bangladesh was not only a pioneering country to ratify the UN Convention on the Rights of Persons with Disabilities (UN CRPD) but also an active member during the drafting process of the CRPD, attending and participating in the ad hoc committee meetings. Soon after the CRPD was introduced, a process was initiated to attune domestic laws with the CRPD. The first law to see the light of day was the Rights and Protection of Persons with Disabilities Act 2013. Though ten years have passed since the Act's enactment, the fate of people with disabilities in Bangladesh has hardly changed. While the legislation was a significant step towards recognising their rights, the reality is still bleak and disappointing. After the enactment of the Act, the National Action Plan (NAP) on Disability, spelling out a detailed implementation plan of the Act, was adopted by the Cabinet. While both the Act and NAP are to be implemented by a multitude of ministries and departments of the government, the Ministry of Social Welfare [MoSW] has been identified as the key ministry to coordinate and monitor the implementation. MoSW claims that the law is being implemented. However, various government and non-government organisations working with persons with disabilities complain that neither the law nor the NAP is being implemented.” (TBS, 13 June 2023)

In October 2022, the UN Committee on the Rights of Persons with Disabilities (CRPD) published its concluding observations and notes the following regarding the “Rights and Protection of Persons with Disabilities Act of 2013”:

“[...] the Rights and Protection of Persons with Disabilities Act of 2013 does not adequately provide protection for persons with disabilities, in particular women and girls with disabilities, persons with psychosocial and/or intellectual disabilities and persons affected by leprosy, and that the concept of disability used in the State party does not fully adhere to the human rights model of disability.” (CRPD, 11 October 2022, p. 2)

12.1 Discrimination, violence and abuse

In the twelve months preceding the NSPD survey 43.7 percent of the persons with disabilities “reported to have felt discriminated or harassed during the mentioned period” (Government of Bangladesh, December 2022, p. 119). The report further notes:

“The persons with disabilities who reported discrimination or harassment, were asked about reasons or grounds on which they have felt discriminated against or harassed. The reasons are: ethnic or immigration origin, gender, age, religion or belief and other reasons (percentages range from 1.23 to 7.86 percent). Being a person with disability is the most commonly reported reason or ground on which persons with disabilities have felt discriminated against or harassed (98.58 percent). This percentage is very close between males and females and urban and rural areas and all other background dimensions.” (Government of Bangladesh, December 2022, p. 120)

Persons with disabilities reportedly remained “the most vulnerable group throughout the pandemic, especially women and girls”, according to the USDOS (USDOS, 20 March 2023, section 6). Similarly, CRPD notes amongst others the following concerns regarding the situation of women and children with disabilities:

“The persistent multiple and intersectional discrimination against women and girls with disabilities, on the basis of sex and age and/or ethnic, linguistic or religious background;” (CRPD, 11 October 2022, p. 3)

“The insufficient awareness about the laws and policies in place for the protection of children with disabilities, in particular the national policy on children of 2011 and the Children Act of 2013, amended in 2018; [...]

The stigma, discrimination, negative attitudes, harmful practices and stereotypes that prevail against children with disabilities, affecting their lack of access to health-care, education and other services, including through corporal punishment against children, in particular children with disabilities and refugee children with disabilities.” (CRPD, 11 October 2022, p. 4)

In December 2022, DFAT similarly notes that “people with disability experience stigma, which may in practice limit access to services such as health care and education because people are reluctant to seek it out” (DFAT, 30 November 2022, p. 8).

Regarding the situation of persons with disabilities the Special Rapporteur on trafficking in persons, especially women and children notes the following:

“The Special Rapporteur is concerned that persons with disabilities, in particular women and girls, may be at increased risks of trafficking owing to discrimination and limited access to education and ways to obtain independent livelihoods. She was concerned that situations of dependency, including in institutionalized and congregated settings, may lead to abuses of positions of vulnerability, given the limited independent monitoring and inspections of such institutions. Stigma and discrimination against children with disabilities remains a serious concern, increasing risks of trafficking for purposes of exploitation,

including begging, particularly sexual exploitation. Difficulties in reporting trafficking or risks of trafficking may also arise as measures are not in place to ensure accessibility of assistance and protection measures to persons with disabilities. The Special Rapporteur was also informed of difficulties arising in legal proceedings owing to inadequate accommodation or procedural measures to ensure the effective participation of persons with disabilities. Specific concerns about the risks to trafficking of persons with disabilities in Cox's Bazar were also raised, particularly with regard to children in vulnerable situation. The Special Rapporteur noted that it will be important to ensure that the rights of persons with disabilities, in particular women and girls, are addressed in the National Action Plan for the Suppression and Prevention of Human Trafficking 2018–2022 and the new national referral mechanism, as well as through accessible information, assistance and protection.” (HRC, 28 April 2023, p. 12)

CRPD expresses its concerns regarding cases of exploitation, violence and abuse against persons with disabilities, and the insufficient protection measures available, the lack of effective remedies and redress for victims, and the lack of specific safeguards for the protection of children with disabilities (CRPD, 11 October 2022, p. 8). CRPD also notes its concerns about reported cases “of infanticide on the basis of impairment” (CRPD, 11 October 2022, p. 5) and “of torture and custodial deaths of persons with disabilities in institutions” (CRPD, 11 October 2022, p. 7).

12.2 Employment

The NSPD survey provides the following information regarding the employment status of persons living with disabilities:

“33.78 percent of the persons with disabilities aged 15-64 years are employed. By sex, 47.59 percent of males and 12.80 percent of females are employed. Percentage of the persons with disabilities in employment is higher in the rural area than that in the urban area (35.55 percent vs. 25.95 percent). [...] Persons with disabilities aged 25-34 and 35-44 years have the highest percentages who are in employment (40.88 and 45.95 percent respectively)” (Government of Bangladesh, December 2022, p. 73).

The survey also notes that “most of the persons with disabilities remain excluded from mainstream of national development initiatives due to negative attitudes and practices perpetuated by poverty” (Government of Bangladesh, December 2022, p. 73).

In October 2022, CRPD mentions the following concerns regarding discrimination in employment:

“(a) Discriminatory practices, including harassment, against persons with disabilities in employment, in particular against women with disabilities, persons affected by leprosy, persons with intellectual and/or psychosocial disabilities and workers in tea plantations, including unequal treatment in recruitment, the lack of individualized support and reasonable accommodation, unequal salary payment and unfavourable employment conditions and benefits;

(b) Reported cases of sexual harassment in the workplace against women with disabilities and the lack of prevention and protection measures;

(c) The absence of effective incentives and affirmative action programmes to promote the inclusion of persons with disabilities in the open labour market, in both the public and private sectors.” (CRPD, 11 October 2022, p. 13)

An article by assistant professor Md Asadul Islam and student Tafriha Kamrul Neha from BRAC University, Dhaka, published by The Daily Star in September 2022, notes the following regarding the employment situation of people living with disabilities:

“Currently, if you're disabled, getting a job is like looking for a needle in a haystack. Research conducted in Bangladesh among PWDs [people with disabilities] showed that 70 percent of them were not satisfied or partially satisfied with the accessibility of jobs. As a result, they are often forced to be unemployed and dependent on others, even if they have employable skills. As a result, PWDs can suffer from social and psychological problems, since life satisfaction is correlated with employment, and making economic contributions can lead to acceptance and dignity within families and societies. However, it is not just poor accessibility in workplaces; PWDs can also face high levels of direct discrimination in their workplace. They are often passed over for promotions and easily considered unworthy of more senior positions. Unfair wage rates, bullying and harassment are other common issues that a disabled person faces at work in Bangladesh. These is likely to be one of the main reasons for most Bangladeshi PWDs being self-employed, but they can face discrimination from buyers of their products or services too.” (Islam & Neha, 11 September 2022)

12.3 Access to services

DFAT provides the following information regarding services for persons with disabilities:

“There are few services for people with disabilities, whether children or adults. Those services that do exist are often not physically accessible, for example because they do not have facilities for wheelchair users. There is some awareness about and services available for people with autism spectrum disorder. Prime Minister Hasina’s daughter is a World Health Organization ambassador for autism. [...]

Some disability services are provided by NGOs. For example, some NGOs run programs funded by development partners for people with sensory impairments such as blindness or deafness, or mobility restrictions. While these services provide welcome practical assistance and community education, access is not guaranteed, given funding and capacity constraints and high demand.” (DFAT, 30 November 2022, p. 8)

According to the USDOS “the National Building Construction Act requires physical structures be made accessible to those with disabilities, but the government did not implement the law effectively. For example, government buildings had no accommodations for persons with disabilities” (USDOS, 20 March 2023, section 6). CRPD notes that there was a lack of “a specific implementation strategy to further the guidelines adopted on accessibility to public buildings, the physical environment, information and communications technologies and systems, public and private websites and other facilities and services open or provided to the public” (CRPD, 11 October 2022, p. 5).

Regarding humanitarian access for people living with disabilities, HRW writes the following in its annual report covering the year 2022:

“In September [2022], Human Rights Watch interviewed people with disabilities and their families following the flash floods in Sylhet in May that displaced almost 9 million people and killed hundreds. Interviewees described a lack of warning systems that would have enabled them to prepare and seek shelter. After the floods, people with disabilities faced additional hurdles accessing toilets, food, water, and medicines, putting their lives and health at increased risk.” (HRW, 12 January 2023)

Regarding political participation of persons with disabilities the USDOS notes the following:

“Local NGOs estimated 50 to 60 percent of those with disabilities were unable to exercise their right to vote, as voting centers lacked accommodations for persons with disabilities. Most polling centers had no access to priority voting and no assistive tools such as braille ballots for visually impaired persons to vote confidentially.” (USDOS, 20 March 2023, section 6)

Persons with visual disabilities reportedly experienced difficulties in accessing technology, as “information for persons with disabilities was usually uploaded on portals as scanned documents, which made it incompatible for software used by visually impaired persons” (USDOS, 20 March 2023, section 6).

Regarding access to justice CRPD notes “the lack of procedural and gender-sensitive and age-appropriate accommodations in judicial and administrative proceedings for persons with disabilities” (CRPD, 11 October 2022, p. 6) and is concerned “that persons with disabilities, especially those with intellectual and/or psychosocial disabilities, are still subjected to frequent harassment, arrest and detention through the misapplication of existing laws” (CRPD, 11 October 2022, p. 7).

12.4 Access to education

According to the USDOS some children with disabilities reportedly “did not attend public school due to lack of accommodation”. Teachers were trained on inclusive education and the government recruited disability specialists at the district level. Students with disabilities were also allocated stipends (USDOS, 20 March 2023, section 6). CRPD is concerned on “the overreliance on segregated and special education, including the combined special education policy on disability of 2019, as opposed to developing inclusive education” (CRPD, 11 October 2022, p. 11).

According to the NSPD report, persons with disabilities⁸ listed the following reasons for discontinuing or not taking up education:

„About a half of them mentioned ‘lack of specialized school for persons with disabilities in the area’ is the main reason in this respect (47.73 percent), followed by those who pointed to the ‘family’s reluctance’ (28.07 percent) and ‘financial constraint or poverty’ (26.80

⁸ Persons with disabilities aged between five and 24 years who studied before but discontinued study or who never attended any educational institutions. (Government of Bangladesh, December 2022, p. 69)

percent). There are some other notable reasons which include ‘lack of infrastructural accessibility to the school’ (13.31 percent), ‘difficulties in reaching school (for limited transport facility or backward road and communication system)’ (12.66 percent), ‘high education cost’ (12.27 percent) and ‘lack of specific education material and techniques helpful for persons with disabilities’ (12.21 percent).” (Government of Bangladesh, December 2022, pp. 69-70)

12.5 Access to health care

Regarding access to health care of persons living with disabilities, CRPD mentions concerns including “the lack of accessible hospitals and health centres for persons with disabilities” and “the deficiency in health-care services for women and girls with disabilities” (CRPD, 11 October 2022, p. 12). USDOS notes that “government facilities for treating persons with mental disabilities were inadequate” (USDOS, 20 March 2023, section 6). According to the results of the NSPD survey, “61.98 percent of persons with disabilities received healthcare services as and when necessary, in three months preceding the survey” (Government of Bangladesh, December 2022, p. 83). The main reasons given from “those who could not easily access to healthcare services during the period” included “high cost of treatment (81.00 percent) and lack of family support (30.77 percent)” (Government of Bangladesh, December 2022, p. 84). The survey data also showed that 92.33 percent of the persons living with disabilities “have received healthcare services sometimes during the past twelve months preceding the survey”, against 80.50 percent of the general population (Government of Bangladesh, December 2022, p. 136).

12.6 Social protection

According to the USDOS, “activists reported the monthly government allowance for persons with disabilities was 750 taka (\$7.50) and requested the government increase the allowance in the national budget” (USDOS, 20 March 2023, section 6). Regarding disability allowances the NSPD survey notes that “52.58 percent of the persons with disabilities did not receive any assistance any time under the social safety net programme.” They noted the following reasons:

“[...] no accessible information about such assistance or allowances (43.91 percent), negative attitude of service providers towards persons with disabilities (16.82 percent), no service is available in the area (14.07 percent) and the service cost is high (12.37 percent).” (Government of Bangladesh, December 2022, p. 110)

For information regarding the situation of people living with disabilities from minority and marginalized communities, please see the following report published by the Minority Rights Group International (MRG):

- Nagorik Uddyog (The Citizen's Initiative) & MRG – Minority Rights Group International: Alternative Report to the UN Committee on the Rights of Persons with Disabilities (CRPD); Review of the Initial Report of Bangladesh; 27th Session of the Committee on the Rights of Persons with Disabilities (CRPD), Geneva, 15 August – 9 September 2022, 2022
https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=/F443aUhbzqgLOGcCynonCDcRmy72cVbEcf5Ubotcamc1GQpkPTH1w6ZiZKYKee+C7eK2p2yTENDZZS87qZQiA==

13 Situation of persons living with HIV/AIDS

According to the UNAIDS 2022 Bangladesh profile 16 000 adults and children are estimated to live with HIV. The prevalence rate for adults aged 15 to 49 is below 0.1 percent. 56 percent of the people living with HIV (PLHIV) know about their status and 38 percent are on antiretroviral therapy (ART) (UNAIDS, undated).

The latest country progress report submitted to UNAIDS by the government published in 2018 provides the following data on PLHIV and their characteristics:

„Till 1st December 2017, 5,586 HIV positive cases were detected in Bangladesh of whom 865 were new. Most of the newly identified people living with HIV (PLHIV) were concentrated in Dhaka (54%), Chittagong (21%), Khulna (10%) and Sylhet divisions (6%). The estimated number of PLHIV was 13,000 and the estimated sizes of the Key Populations (KPs) are 102,260 for female sex workers (FSWs), 33,067 for people who inject drugs (PWID), 101,695 for males having sex with males (MSM), 29,777 for male sex workers (MSWs), and 10,199 for transgender women (locally known as hijra).“ (Government of Bangladesh, 2018, p. 4)

According to a study⁹ by Fariha Hossain et al. published in October 2022, Bangladesh established “the National AIDS Committee in 1985 before the first case was detected in 1989”. The report further notes:

“The Bangladesh government has developed a comprehensive policy and framework focused on providing ART for PLHIV and HIV/AIDS prevention programs for the general population. Nevertheless, only two national pharmaceutical companies produce six types of ART-related medicines, and limited ART-trained clinicians are available.” (Hossain et al., 21 October 2022)

According to the revised Fourth National Strategic Plan for HIV and AIDS Response 2018, published in January 2020, the government in 2015 started providing ARVs from selected government hospitals through collaboration with NGOs under the Health, Population and Nutrition Sector Development Program (HPNSDP). At the time of reporting, ART services were provided by 10 public health facilities and antiretrovirals (ARV) were supplied to 6 comprehensive drop-in centres (DICs). The Strategic Plan adds that everyone tested positive is eligible for ART (ASP, January 2020, p. 9).

A March 2023 article by the Bangladeshi online newspaper Risingbd notes that the private sector does not provide aids treatment. The article further notes:

“There are 27 AIDS detection centers across the country while medical services are provided at 11 centers. There is no need to get admitted in a hospital for AIDS treatment. Most of the patients seek treatment at home. However, they have to take regular medication from the designated center and keep in touch with the doctor. Adults are given

⁹ The qualitative study was conducted in Dhaka and used a semi-structured guideline to interview 15 consented respondents (Hossain et al., 21 October 2022).

oral medication while children are given syrup. However, if someone has any other physical complication along with AIDS, he has to get admitted to a hospital for treatment.” (Risingbd, 17 March 2023)

Hossein et al. note that the government “provides free treatment and counselling services to PLHIV with the support of UNAIDS, WHO, UNICEF, and UNFPA” (Hossain et al., 21 October 2022). On 19 October 2021, “the government published national antiretroviral therapy guidelines to outline efforts to increase treatment availability around the country” (USDOS, 12 April 2022, section 6).

13.1 Discrimination

The October 2022 study by Hossain et al. focuses on barriers to the antiretroviral therapy (ART) adherence among people living with HIV in Bangladesh. It provides the following information on stigma and discrimination of people living with HIV undergoing antiretroviral therapy:

“The study identified three significant categories of barriers at the individual, community, and institutional levels that negatively interfered with ART adherence. The most dominant barriers were discrimination and rejection related to stigma, as almost all participants mentioned these barriers. Stigmatizing attitudes and the discriminatory act of the community people and healthcare providers critically affected their treatment adherence. Other leading barriers were improper inventory management of ART-related medicines and CD4 tests¹⁰ and lack of proper counselling. [...]

Nearly all our study respondents shared their experience of suffering from discriminatory acts at every stage of their life; they were discriminated against either at home by their family members or relatives or in society by neighbours and even by colleagues or employers in their workplaces. They were also discriminated against by medical personnel from where they had to take treatment. In most cases, this discrimination destructively affected their treatment adherence and the quality of their daily life, including financial stability. Because of discrimination, they had to remain jobless or deprived of their assets, could not stay either at their own or relatives’ houses, and even remained scared of life-threatening.” (Hossain et al., 21 October 2022)

According to the USDOS human rights report covering 2022, “many practitioners expressed discomfort in discussing sexual activity, and shamed patients that discussed sexually transmitted infections. Discussions of women’s sexuality were particularly taboo.” The USDOS further notes:

“Civil society organizations and LGBTQI+ activists often cited social stigma against HIV and AIDS and against higher-risk populations as a barrier for accessing health services, especially for the transgender community. [...]

¹⁰ A CD4 (cluster of differentiation 4) test “measures how many CD4 cells you have in your blood. These are a type of white blood cell, called T cells, that move throughout your body to find and destroy bacteria, viruses, and other invading germs.” (WebMD, 12 April 2022)

PrEP and PEP, preexposure and postexposure medications that prevent transmittal of HIV during sex, were available via a pilot project in Dhaka but not in the rest of the country. The government made HIV testing free, but stigma regarding testing and seeking treatment remained strong.” (USDOS, 20 March 2023, section 6)

According to data on stigma and discrimination collected by UNAIDS from two surveys published between 2019 and 2021, 41.5 percent of women between 15 and 49 years would not buy fresh vegetables from a HIV positive shopkeeper or vendor. 33.9 percent of women think that children living with HIV should be able to attend school with children who are HIV negative (UNAIDS, undated; see also BBS & UNICEF, December 2019, p. 153). 6.8 percent of sex workers and 4.3 percent of men who have sex with men (MSM), and 13.1 percent of people who inject drugs avoided health care because of stigma and discrimination (UNAIDS, undated).

Please see the following report for more details regarding key populations at high risk of HIV:

- ASP - AIDS/STD Programme et al.: Integrated Biological and Behavioural Survey (IBBS) among Key Populations at High Risk of HIV in Bangladesh, 2020, September 2021
http://www.asp.gov.bd/sites/default/files/files/asp.portal.gov.bd/publications/1f357413_2982_4047_aec6_9578327b51fa/2022-10-17-03-25-bf484af619776bf838e3ebe79f65fda3.pdf

Information on HIV positive people who inject drugs (PWID) can be found in the following report:

Reza, Masud et al.: Prevalence of HIV, risk behaviours and vulnerabilities of female sex partners of the HIV positive people who inject drugs (PWID) in Dhaka city, Bangladesh, 5 June 2023

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10241362/>

14 State protection

14.1 Police and security forces

For background information on the security forces please refer to [section 1.3.1](#) of this compilation.

The Bangladeshi police operates under the control of the Ministry of Home Affairs. The structure and duties of the police are guided by the 1861 Police Act, which was last amended in 1973 (FIDH, December 2021, p. 7). An English translation of the Police Act, 1861, including the 1973 amendments is available here:

- The Police Act, 22 March 1861 [Act No. V of 1861], as amended 1973
<https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/98769/117603/F516948108/BGD98769.pdf>

The Australian Department of Foreign Affairs and Trade (DFAT) in its 30 November 2022 country information report provides information on state protection and the Bangladeshi police:

“Bangladesh Police is the country’s primary law enforcement agency. There are several branches of the police such as the Metropolitan Police, Railway Police, Highway Police, Industrial Police, River Police, Tourist Police and others. These all fall within the same structure of the Bangladesh Police and the distinction is unlikely to be important in a day-to-day sense for most Bangladeshis.

Professionalism varies across the police service. Senior officers are relatively well trained and well paid. Those in lower ranks by contrast are poorly paid, poorly trained and poorly equipped. Low incomes encourage corruption and solicitation of bribes is common. Rules designed to ensure accountability and probity (for example, limits on police arrest or ability to hold suspects, [...]) are not always adhered to.

Bribes are sometimes paid to influence outcomes of investigations, or to cause an investigation to occur, or not to occur. Allegedly, demands for bribes, or the threat or act of violence, may also be used to apply political pressure, according to sources. Political patronage may also affect outcomes of police complaints; for example, a complaint is more likely to be investigated if an influential person intervenes on behalf of the complainant.

Police systems are highly bureaucratic, and this can lead to slow or ineffective responses to crime. DFAT understands that the national system of policing can be effective, for example in finding suspects in different parts of the country, but that this is not always the case for the reasons mentioned above. Whether or not a person who flees to another part of the country would be found by police depends on the nature of the crime and how motivated the police were to find them, and could be affected by corruption and levels of professionalism.

Most people do not trust the police, given their reputation for corruption and violence. Some religious minorities, for example, have benefited from police presence, but most people that DFAT spoke to had a negative view of police.” (DFAT, 30 November 2022, p. 34)

The December 2021 FIDH report states that “[i]n Bangladesh, law enforcement agencies have often been responsible for undermining, rather than upholding, the rule of law” (FIDH, December 2021, p. 10).

According to FIDH, law enforcement agencies increasingly operated outside the law due to lack of control by the executive over numerous law enforcement agencies. The inability of the government to hold law enforcement officers accountable for human rights abuses (FIDH, December 2021, p. 18) like extrajudicial killings or enforced disappearances (see [section 4.1](#) and [section 4.2](#) of this report) contributed to impunity of members of law enforcement. Impunity for abuses in turn, resulted in the failure by law enforcement agencies to follow due process (FIDH, December 2021, p. 18).

Odhikar in its annual human rights report for 2022 states that “[n]on- cooperation of police is one of the reasons behind the lack of prosecution for rape” (Odhikar, 30 January 2023, p. 46).

14.2 Judicial independence

The Bertelsmann Stiftung in its February 2022 country report on Bangladesh, covering the period from 1 February 2019 to 31 January 2021, summarises the situation of the judiciary in terms of its independence from the executive branch as follows:

“The judiciary remains bound to the executive in spite of the separation of powers. Lower levels of the judiciary remain heavily politicized. Although Bangladesh’s constitution stipulates the independence of the judiciary, both lower and higher courts have remained effectively under the control of the executive branch. The 16th amendment of the constitution, passed in 2014, and the Bangladesh Judicial Service (Discipline) Rules implemented in 2017, which treat the judges of lower courts as subordinate to the executive branch, have become serious impediments to an independent judiciary. Recruitment, promotion, and postings are decided based on political affiliation, and the judiciary exhibits little inclination to assert its independence due to judges’ allegiance to partisan political ideology.” (Bertelsmann Stiftung, 23 February 2022, pp. 9-10)

The December 2021 FIDH report on human rights violations committed by state authorities and the crisis of rule of law assesses that although the constitution provides for a separation of the judiciary from the executive branch of government, “there is no effective separation of power between the judiciary and executive branches, and the executive exercises undue influence over the judiciary” (FIDH, December 2021, p. 21).

Concerning the independence of the supreme court, FIDH notes that there is a lack of effective safeguards to prevent the arbitrary removal of supreme court judges. The administration of the supreme court is in the hands of the chief justice, who cannot work freely (FIDH, December 2021, p. 21). Former Chief Justice Surendra Kumar Sinha opposed a constitutional amendment that was approved by parliament in September 2014 and allowed the parliament to dismiss supreme court judges (FIDH, December 2021, p. 5; see also Constitution of the People’s Republic of Bangladesh, 4 November 1972, as amended on 8 July 2018, Article 96). In 2017, the supreme court, then headed by Sinha, ruled that the amendment was illegal (Al Jazeera, 28 September 2018). In late 2017, after allegedly having been threatened by a military security agency, he resigned and reportedly sought asylum abroad. He was sentenced in absentia to 11 years in jail for corruption in a case that according to opposition groups was politically motivated (Al Jazeera, 10 November 2021; FIDH, December 2021, pp. 21-22).

In addition, there are no selection criteria for judicial appointments to the supreme court, leading to appointments and promotions to the supreme court being based on political considerations rather than seniority and merit (FIDH, December 2021, p. 22). In the 2023 joint submission to the UN Universal Periodic Review, FIDH notes that a law on the appointment of supreme court judges has still not been enacted and that the Ministry of Law “controls promotions, postings, and transfers of subordinate court judges and takes disciplinary actions against them” (SGB, 2023, p. 1).

Concerning the independence of the lower courts, FIDH states in its 2021 publication:

“While the lower courts are theoretically independent from the executive, in practice, they remain under the control of the executive. This is due in part to the Constitution, including Article 115, which enables the President to make appointments to the subordinate courts, and Article 116, which gives the President, through the Ministry of Law and Justice, in consultation with the Supreme Court, the power to decide on the removal, promotion, and transfer of judges of lower courts. This results in dual institutional control whereby both the Ministry of Law and Justice and the Supreme Court exerts control over the lower courts. Dual institutional control has not only created administrative conflict but also left room for political influence on judicial matters. ‘Subordinate courts are under severe pressure and are harassed [...]. The real control of both lower and higher judiciary is with the executive. With the lower judiciary, it is the Law Minister that regulates the promotion, transfer aspects of judges,’ a law professor told FIDH.” (FIDH, December 2021, pp. 22-23)

According to FIDH, another impediment to the independence of the judiciary is the absence of an autonomous judicial secretariat:

“Presently, the Ministry of Law and Justice serves as the judicial secretariat and exerts wide oversight over many organs of the justice system. The Ministry of Law and Justice controls the BJSC [Bangladesh Judicial Service Commission, responsible for overseeing the appointment, promotion, and transfer of members of the judiciary (FIDH, December 2021, p. 23)], the subordinate judiciary, the Office of the Attorney General, and other bodies. Given its political nature, the Ministry has often interfered in judicial matters.” (FIDH, December 2021, p. 23)

Lawyers interviewed in May 2020 for the December 2021 FIDH publication noted that partisanship affects case prioritization, verdicts, and sentencing (FIDH, December 2021, p. 23):

“As one lawyer recounted to FIDH: ‘Just a few months ago, I worked on a murder case – there was no evidence but the lower court convicted [the defendant] anyway. Simultaneously, in the same court, in another murder case, defended by a high-profile lawyer, bail was granted even though there was solid forensic evidence [against the defendant]’.” (FIDH, December 2021, p. 24)

Anecdotal evidence shows that judges who ruled in favour of members of the political opposition or human rights defenders were later demoted or transferred (FIDH, December 2021, p. 24).

14.3 Due process and right to a fair trial

The USDOS annual report on human rights in 2022 provides the following information on access to a fair trial:

“The constitution provides the right to a fair and public trial, but the judiciary did not always protect this right due to corruption, partisanship, and weak human resources. Legal experts noted prosecution witnesses often did not show up in court to give oral testimony and there were insufficient judges to handle the pending case load in a timely manner.

Defendants do not have the right to a timely trial. Indigent defendants have the right to a public defender, but in many cases public defenders were not well prepared nor adequately acquainted with the details of the case at hand. Trials are conducted in the Bengali language; the government does not provide free interpretation for defendants who cannot understand or speak Bengali.

The government frequently did not respect the rights of accused persons to confront prosecution or plaintiff witnesses and present their own witnesses and evidence. Authorities did not always respect the right not to be compelled to testify or confess guilt, and defendants who did not confess were often kept in custody. Some defendants claimed police pressured the accused to confess under duress.

The administrative process by which lower court and jail authorities were notified of the outcome of High Court appeals was very slow. On August 7, the High Court ordered a judicial inquiry into the matter of a defendant, Abul Kashem, who had been serving his sentence in a cell for seven years despite his acquittal by the appellate court. After publication of this news in an online newspaper, the High Court ordered his immediate release. In 2007, Kashem was convicted of murder and sentenced to death. In 2013, the High Court acquitted Kashem on appeal, but its order was not communicated to the prison authorities.

Mobile courts headed by executive branch magistrates rendered immediate verdicts that often included prison terms for defendants who did not have the opportunity for legal representation.” (USDOS, 20 March 2023, section 1 e)

According to the Asian Human Rights Commission (AHRC), an independent, non-governmental human rights organisation focusing on the Asian region, the judiciary deprived dissidents of their right to freedom by imprisoning and arbitrarily convicting them, while systematically denying defendants the right to a fair trial. Judges in Bangladesh reportedly collaborated with law enforcement to commit human rights violations by denying dissidents access to justice (AHRC, 29 July 2022). The judiciary at all levels was reported to systematically ignore allegations of torture perpetrated by state authorities, while victims were forced to languish indefinitely in prisons without adequate legal representation (ALRC, 24 February 2021). The human rights organisation Odhikar is facing judicial harassment at the Cyber Tribunal of Dhaka, in a trial that has been marred by violations of due process, according to UN experts (OHCHR, 11 July 2023). Please refer to [section 7.1.1](#) of this compilation for further information on the situation of human rights defenders and Odhikar.

14.4 Corruption

According to the USDOS annual report on human rights in 2022, there are legal provisions to address corruption by officials, but the law is not implemented effectively. In 2004 the Anti-Corruption Commission (ACC) was set up to investigate corruption cases including among others bribery, embezzlement, and extortion (USDOS, 20 March 2023, section 4). Several sources state that the ACC is not an independent institution (Bertelsmann Stiftung, 23 February 2022, p. 3; Freedom House, 2023, C2; SGB, 2023, p. 1). Odhikar in its annual human rights report 2022 notes the following regarding the ACC:

“The Anti-Corruption Commission (ACC) is supposed to work as an independent and neutral body. However, the ACC has become a subservient body of the incumbent government. Although acts of corruption by Members of Parliament belonging to the ruling Awami League and influential politicians and bureaucrats, have been exposed and investigated in some cases, most of the results of these investigations have not seen the light of day. In some cases, complaints are not taken into account by the scrutiny committee. Meanwhile, honest ACC officers have been subjected to various forms of harassment, including dismissal, for reporting against corruption by influential people related to or close to the government.” (Odhikar, 30 January 2023, p. 29)

Corruption is reportedly widespread in Bangladesh (Freedom House, 2023, C2). Corruption permeates all sectors and seriously affects the livelihood of ordinary people. Furthermore, it contributes to economic disparity and income inequality (Odhikar, 30 January 2023, pp. 28-29). In August 2022, Transparency International Bangladesh (TIB) published a report on corruption in service sectors based on a household survey that was conducted between 13 December 2021 and 8 March 2022 and covered almost 15,500 households (TIB, 31 August 2022, p. 10). According to TIB, corruption occurs at various levels and consists of petty corruption on the one hand and grand corruption on the other. An example for petty corruption is the “payment of a small amount of money in addition to an official fee to get a service”, which is a common form of corruption that impacts the everyday life of millions of common Bangladeshi citizens. But corruption also occurs on a larger scale, for example in the form of “illegal transactions of large sums of money by abuse of power through the network of influential people at the policy level with the involvement of politics, administration and the private sector”, which the report calls grand corruption (TIB, 31 August 2022, p. 7).

The survey shows that 70.9 percent of service-receiving households were subjected to different forms of corruption (TIB, 31 August 2022, p. 3). TIB’s analysis shows the following regarding the different service sectors:

“Law enforcement agencies (74.4%) are ranked as the most corrupt sector followed by passport (70.5%), Bangladesh Road and Transport Authority (68.3%), judicial services (56.8%), government health (48.7%), local government institutions (46.6%) and land services (46.3%). [...] Among the victims of bribery, 72.1 percent mentioned that they had to pay bribe because service is not available without bribe. [...] Overall, the results of the survey show worrying indicators of continued institutionalization of corruption in the service sector.” (TIB, 31 August 2022, p. 3)

Concerning corruption in law enforcement the FIDH December 2021 report states:

“The misuse of authority is a systematic issue that runs through different law enforcement agencies. Corruption in the police and other law enforcement agencies is a widely acknowledged phenomenon in Bangladesh. The fact that bribes are paid to the police to discharge their duties has a direct impact in the deterioration of the rule of law. The ability of the ruling party to use law enforcement agencies flexibly is attributed by some interviewed for this report to a widespread sense that public service jobs are meant for private profit – in other words, that while there is an expectation that public servants, including law enforcement agents, should do their jobs, there is also an assumption that they should be able to benefit from it. ‘Law enforcement agencies operate largely freelance; they are given impunity and allowed to do this. It’s a way for them to make a career, money, to establish links. Business people hire individual officers to do jobs for them. People with a government position are expected to help out their family, friends, relatives etc., - and they have extensive networks. It’s corruption but it’s just not corruption - it’s a deep positive sense of obligation towards your network,’ an academic told FIDH. Several studies have documented the normalized practice of corruption in the police in discharging their duties. One study exploring the factors that affect citizens’ trust in Bangladesh police found that the commonly experienced harassment of the general public by the police was the requirement to pay bribes, as the police only served those who can afford to pay extra money or have political connections.” (FIDH, December 2021, p. 17)

The report further notes that the widespread corruption within law enforcement and the justice system can lead to people taking matters into their own hands (FIDH, December 2021, p. 25) (see [section 5.1](#) of this report on public lynching).

Concerning corruption under the ruling Awami League government, the Odhikar annual human rights report 2022 states:

“During the current Awami League government, corruption has taken a terrible form in every sector in Bangladesh. The current government has been in power for 14 years since 2009. There are allegations of widespread corruption against the Awami League leaders, Members of Parliament, leaders and activists of the ruling party, people from various professions who support the government, government officials and employees, and people close to the Ministers and government. During this period, it has been alleged that the ruling party leaders and activists and government supporters have become the owners of vast wealth through corruption, illegal businesses, recruitment trade, embezzlement of funds from government projects, embezzlement of money from [...] [social safety net programmes like Food for Work Programme, Money for Work Programme, Rural Infrastructure Maintenance Programme], tender-bidding and extortion. The banking system is in jeopardy due to corruption and looting. The ruling party members own the banks through political influence. It has been alleged that a large portion of the money earned by illegal means has been laundered abroad. In December 2021, the deposits of Bangladeshis in Switzerland stood at 871.1 million Swiss francs. [...] Swiss Ambassador to Bangladesh, Natalie Chuard said that there are allegations that most of the money deposited by Bangladeshi citizens in various banks of Switzerland has been earned illegally.

However, the Government of Bangladesh has not yet asked for any specific information from the Swiss bank or the authorities.” (Odhikar, 30 January 2023, p. 28)

In the Transparency International’s Corruption Perception Index (CPI) 2022, which ranks 180 countries by their perceived levels of public sector corruption, Bangladesh scored 25 on a scale of 1 to 100, the 12th lowest score (TI, January 2023). Following the release of the CPI 2022 in January 2023, the executive director of Transparency International Bangladesh (TIB), Iftekhar Zaman (also Iftekharuzzaman) on 1 February 2023 published an article in the Bangladeshi English daily newspaper The Daily Star. Zaman calls the result particularly frustrating, because the period in which the data was collected, from November 2019 to September 2022, was “supposed to be one of zero tolerance against corruption” (The Daily Star, 1 February 2023). “The government is often seen to boast of its zero tolerance to corruption”, The Daily Star states in a September 2022 article (The Daily Star, 1 September 2022). According to Zaman, the rhetoric was not followed by effective action to curb corruption, on the contrary, corruption deepened and widened around Covid response programmes (The Daily Star, 1 February 2023). The February 2023 article also mentions the ineffectiveness of the ACC and accountability procedures:

“The deficit of effectiveness of the Anti-Corruption Commission (ACC) and other relevant authorities to set examples of corruption being punishable, especially for the ‘big fish,’ continued together with the weakening of state institutions by political and bureaucratic influence. Accountability procedures in public services continued to be ineffective, while there were examples of backlash for action against corruption that sent out the wrong message that abuse of power, breach of integrity and violation of laws are protected, even rewarded. Political and government positions continue to be indiscriminately abused. No concrete measures were taken to salvage the banking sector ravaged by loan default, financial fraud and money laundering. Media and civil society space is under further intimidating surveillance, intolerance and reprisal for disclosure and reporting on corruption.” (The Daily Star, 1 February 2023)

14.5 Impunity

Bangladesh has a culture of impunity and access to justice is systematically denied (SGB, 2023, p. 1).

Several sources report on impunity of members of law enforcement agencies and security forces (OMCT et al., 25 June 2022; FIDH, December 2021, p. 16; Odhikar, 30 January 2023, p. 32). The USDOS in its report on human rights in 2022 notes:

“According to international and local civil society, activists, and media, impunity was a pervasive problem in the security forces, including within but not limited to the RAB [Rapid Action Battalion], Border Guards Bangladesh, Detective Branch of Police, and other units. Politicization of crimes, corruption, and lack of independent accountability mechanisms were significant factors contributing to impunity, including for custodial torture.” (USDOS, 20 March 2023, section 1c)

A June 2022 joint statement by OMCT and other human rights organisations notes that law enforcement and security forces enjoy impunity when it comes to their role in repressing political dissidents:

“In Bangladesh, human rights abuses by law enforcement agencies and security forces, including acts of torture, enforced disappearances, extrajudicial killings, and other forms of degrading and ill-treatment remain widespread and systematic. Members of these forces have almost never been held accountable for these violations, but rather enjoyed impunity as an implicit acknowledgement by the government of their role in the suppression of political opponents, government critics and dissidents. The elite force Rapid Action Battalion (RAB) is particularly notorious for widespread abuses.” (OMCT et al., 25 June 2022)

Please see [section 4.1](#), [section 4.2](#) and [section 4.4](#) for more information on impunity of state authorities in the context of extrajudicial killings, enforced disappearances, torture and ill-treatment.

An October 2022 article in The Daily Star considers lenient disciplinary measures to be responsible for ongoing crimes committed by police:

“Complaints about police's involvement in various crimes continue to pile up thanks to lenient disciplinary measures that embolden errant cops, say criminologists and legal experts. The complaints range from extortion, abduction, and torture, to bribery, drug dealing, framing people and unlawful detention. The offenders inside the force range from the ranks of superintendent of police to constables. Police themselves investigate allegations against its members and mete out departmental punishments to many, while a few also face criminal charges. Yet, their involvement in crimes continue because the punishments of police personnel often do not match the severity of their crimes or offences, said experts. [...] Unless there is media coverage of these incidents, action is seldom taken against offenders or they are dealt with leniently. [...] Departmental actions are taken only in name, like transfers, suspension of promotion [...] Punishment under the existing laws is also not being ensured [...] But the consequences of departmental action often pale in comparison to the benefits that corrupt members can get by abusing their power. For example, a constable who has been working at a police unit in Dhaka faced major departmental action twice in two years for taking money from people promising them jobs in the police department, said a police official wishing anonymity. [...]

The Daily Star talked to two [...] victims recently. One was falsely implicated by a team of Detective Branch (DB) of police in 2016, while another was tortured by a police team of DMP [Dhaka Metropolitan Police] in 2019. They said considering the extent to which the offenders abused their power, only token departmental action was taken against them. When they moved to the court seeking justice, they faced various obstructions from the accused police members, they said, asking not to be named.

All of this has resulted in an erosion of people's confidence in the police force. A recent survey commissioned by Bangladesh Police shows that over 73 percent of victims of various crimes did not report the crime.” (The Daily Star, 4 October 2022)

Incidents of impunity were reported concerning Awami league activists or members of AL-affiliated organisations. People affiliated with the ruling party reportedly enjoyed impunity for violent attacks occurring during clashes between police, opposition supporters and AL-supporters (HRW, 10 October 2022). The student wing of the AL, the Bangladesh Chhatra League (BCL) also “reportedly carried out violence and intimidation around the country with impunity, including against individuals affiliated with opposition groups” (USDOS, 20 March 2023, section 3). Please see [section 2.2.1.1](#) for more information on the BCL.

Freedom House in its 2023 report on political rights and civil liberties in 2022 states that “[c]riminal cases against AL activists are regularly withdrawn on the grounds of ‘political consideration’” (Freedom House, 2023, F2).

Among the groups of persons who are frequently denied justice due to impunity are journalists and media workers (Freedom House, 2023, D1), human rights defenders (see [section 7.1](#) of this report), victims of torture and ill-treatment (OMCT, 24 June 2023), victims of gender-based violence (Odhikar, 30 January 2023, p. 46), victims of trafficking (HRC, 28 April 2023, p. 3) and victims of corruption (see [section 14.4](#) of this report).

15 Humanitarian and socio-economic situation

15.1 Poverty

UNDP annually publishes the Global Multidimensional Poverty Index (MPI) which evaluates deprivations based on 100 indicators spanning health, education and standard of living (UNDP, 2023, p. 4). According to the 2023 UNDP MPI, which uses 2019 data for Bangladesh, 24.6 percent of Bangladesh's population lived in multidimensional poverty, while 6.5 percent of the population lived in severe multidimensional poverty (UNDP, 2023, p. 20). The 2023 UNDP publication also notes that a large number of people move out of poverty in Bangladesh, 19 million during the period 2015-2019 (UNDP, 2023, p. 15). The World Bank in April 2023 briefly describes Bangladesh's advance in terms of poverty reduction, based on the international poverty line indicator:

"Bangladesh tells a remarkable story of poverty reduction and development. From being one of the poorest nations at birth in 1971, Bangladesh reached lower-middle income status in 2015. It is on track to graduate from the UN's Least Developed Countries (LDC) list in 2026. Poverty declined from 41.9 percent in 1991 to 13.5 percent in 2016, based on the international poverty line of \$2.15 a day (using 2017 Purchasing Power Parity exchange rate). Moreover, human development outcomes improved along many dimensions." (World Bank, updated 6 April 2023)

The Bangladesh Bureau of Statistics (BBS) in April 2023 published a household income and expenditure survey (HIES) for the year 2022, based on a sample of about 14,400 households (BBS, 12 April 2023, p. 34). According to the HIES 2022, poverty figures were rendered as upper and lower poverty lines:

"The headcount rate (HCR) in 2022 using the upper poverty line is 18.7% at the national level, 20.5% in rural areas, and 14.7% in urban areas. On the other hand, the HCR using the lower poverty line is 5.6% at the national level, 6.5% in rural areas, and 3.8% in urban areas in 2022." (BBS, 12 April 2023, p. 21)

The World Bank's Bangladesh Poverty Assessment of October 2019 provides more comprehensive information on the development of poverty levels, also looking at the difference between rural and urban areas:

"The country's economy remained robust and resilient even in the face of many challenges. All sectors of the economy have contributed to poverty reduction. This has been accompanied by enhanced human capital, lower fertility rates and increased life expectancy, which have also significantly contributed to increase households' ability to earn more and exit poverty. Yet, behind this progress, there are emerging contrasts. As the country is rapidly urbanizing, its rural and urban areas did not experience the same level of poverty reduction. The rural areas reduced poverty impressively, accounting for 90 percent of the poverty reduction since 2010. But, in urban areas, progress has been slower and extreme poverty has not decreased. The country's higher economic growth in the last decade has not led to a faster poverty reduction." (World Bank, 31 October 2019, p. v)

Even though the rural areas were responsible for the largest part of poverty reduction (see above), about 80 percent of the country's poor lived in rural areas (World Bank, 30 November 2021, p. 8). The October 2019 World Bank report observes that poverty stagnated or even increased in Western Bangladesh while the Eastern divisions fared better (World Bank, 31 October 2019, p. v). This view is challenged by research findings of the Centre for Development Studies of the University of Bath that "instead [...] [point] to local concentrations of extreme poverty pockets across the whole country" (University of Bath, undated). In these geographical pockets, levels of poverty and extreme poverty remained high or were even increasing (Maître et al., 23 December 2020).

On income inequality and an emerging category of "new poor" households, the Special Rapporteur on extreme poverty and human rights, Olivier De Schutter, following a visit to Bangladesh from 17 to 29 May 2023 notes:

"[...] [G]eneral indicators do not tell the whole story. First, income inequality is rising. Measured in Gini coefficient, income inequality stood at 0.458 in 2010, and had risen to 0.499 by 2022 (consumption inequality increased from 0.321 to 0.334 over the same period). [...] [T]he more general economic progress is equally spread, the faster poverty will be eradicated. Second, a category of 'new poor' is emerging: these are households which are just above the poverty line, have little to no savings, and are therefore highly vulnerable to becoming poor after a shock. A survey on the impact of COVID-19 highlighted this vulnerability: more than three quarters (77%) of those surveyed who were living in urban informal settlements or slum areas and who were not poor but whose income was below the median income level, fell into poverty following the first nationwide lockdown in 2020; and while the initial increase in rural and urban informal settlement areas was similar, the recovery in urban areas has been very slow. [...] In other terms, general progress in poverty reduction remains fragile: many households, especially in urban areas, remain vulnerable to shocks. Against such a background, inflation is a major concern. The Bangladesh Bureau of Statistics (BBS) estimated inflation in April 2023 to be at 9.2% (food inflation was at 8.8%), and real inflation faced by the poorest people, who must spend a higher proportion of their income, is much higher even. The price hikes were consistently mentioned by those whom the Special Rapporteur met with as huge concerns. Inflation is the enemy of the poorest people: eating away at low incomes and rapidly resulting in food insecurity, falling living standards and debt." (OHCHR, 29 May 2023, pp. 2-3)

Some sections of the population were more affected by poverty and related disadvantages. Examples include ethnic communities, female-headed households, households with high dependency ratios and the elderly (Maître et al., 23 December 2020). Women in general were more likely to become and stay extremely poor. People who lived in extreme poverty were more affected by unavoidable life course circumstances like widowhood, chronic illness, disability and age (University of Bath, undated).

15.2 Livelihoods

15.2.1 Labour market, informal sector, unemployment

Based on results of a 2022 labour force survey, the English newspaper The Daily Star in a March 2023 article provides information on employment sectors. According to the 2022 labour force

study, Bangladesh is a largely agrarian society. In 2022, agriculture was the chief source of employment in Bangladesh, representing an increase compared to 2016 and 2017. The agricultural sector accounted for 45.33 percent of employment in 2022. Industry, in particular manufacturing, provided for about 17 percent of total employment while the services sector accounted for about 38 percent of employment (The Daily Star, 30 March 2023). The study also revealed that the unemployment rate was 3.6 percent, equalling just over 2.6 million people. The definition of unemployment used in the study is the one used by the International Labour Organisation and according to experts, this is not a very meaningful indicator for an economy that is dominated by an informal labour market, where most people have to do some form of work in order to support their livelihood (The Daily Star, 30 March 2023; TBS, 7 April 2023). More significant according to one expert was the unemployment rate among educated Bangladeshis, which was about 25 percent (The Daily Star, 30 March 2023). The informal sector accounted for 64 percent of the national economy in Bangladesh and generated 85 percent of employment (UNDP, 3 November 2022).

In a January 2022 publication on agricultural livelihoods and food security, The Food and Agriculture Organization of the United Nations (FAO) explains the characteristics of the Bangladeshi agricultural sector:

“Bangladesh is characterized by four major farming systems, which broadly follow the country’s geographic boundaries. The rice farming system is dominated by intensive wetland rice cultivation (two or three cycles year) in fragmented fields. [...] This farming system also hosts 17.4 million head of cattle, which are used for beef, draft power, milk and manure, along with a large population of small ruminants. The rice-wheat farming system is one of the most intensive and diversified in the country. [...] [I]t covers most of north-western Bangladesh. This system also integrates a significant number of livestock. It is regarded as the food basket of the country and Bangladesh’s surplus area since it supplies much of food for markets in Dhaka and food-deficit areas. The coastal artisanal fishing farming system comprises a small area along the coast. The south-western portion is comparatively more developed for artisanal (inshore) fishing, and most households supplement artisanal fishing with rice production and cash crops such as watermelon, coconut and vegetables. Fishers’ livelihoods in this system are threatened by overfishing and the impacts of climate change. The highland mixed farming system mainly covers the hilly areas in eastern Bangladesh. In the southeast, indigenous communities practice traditional Jhum (shifting) cultivation, where a variety of crops are mixed with monsoon rice. In this area, farmers’ livelihoods also depend on hunting, wood cutting and other off-farm activities.” (FAO, January 2022, p. 9)

Rural employment is largely dominated by informal self-employment and daily wage activities. As Bangladesh is especially vulnerable to the adverse effects of climate change and weather phenomena, incomes generated from agriculture are also at risk. This vulnerability of rural incomes was accompanied by a limited ability to cope with shocks. Negative shocks experienced by poor rural households were largely managed with the household’s own resources, for example reducing food consumption (World Bank, 30 November 2021, p. 8). About 12 million people were employed in the industrial sector in 2022, approximately 4 million of which in the garment sector (Financial Express, 23 June 2023; see also OHCHR, 29 May 2023). According to a December 2020 article by the Bangladeshi daily newspaper Financial Express,

the minimum wage in Bangladesh fell below the internationally recognised poverty line (Financial Express, 18 December 2020). An estimated 58 to 80 percent of garment workers are women, most of them earning minimum wage, which is 8,000 Taka [73.94 USD as of 30 June 2023] per month, according to a November 2022 article of the US-based nonprofit media organisation NPR (NPR, 9 November 2022). The international IndustriALL Global Union, which among others represents workers in manufacturing sectors, in February 2023 reports that Bangladeshi unions demand that the minimum wage for garment workers in Bangladesh should be increased from 8,000 Taka [74.99 USD as of 6 February 2023] to 23,000 Taka [215.60 USD as of 6 February 2023]. The unions argue that the last review of the entry-level minimum wage for garment workers was in 2018, and inflation has skyrocketed since then. As a result, it has become impossible for minimum wage earners to afford a decent standard of living (IndustriALL Global Union, 6 February 2023)

15.2.2 Remittances

Remittance flows to Bangladesh reached 22 billion USD in 2022. Bangladesh ranks seventh among top global remittance recipients (World Bank, 13 June 2023). According to World Bank data, personal remittances in 2022 represented 4.7 percent of the country's GDP (World Bank, undated (a)). The November 2022 NPR article provides the following information on remittances to Bangladesh:

“Another big source of income for Bangladesh is the diaspora. Some 13 million Bangladeshis live abroad. Many of them send money home. In 2021, they sent a record \$22.07 billion. [...] But this summer, remittances fell by more than 15%. Bangladeshis living abroad are tightening their belts.” (NPR, 9 November 2022)

15.2.3 Food basket

The World Food Programme (WFP), an international organisation within the UN that provides food assistance, reports the cost of a typical food basket as of April 2023 in a June 2023 publication:

“In April 2023, the national average cost of a typical food basket was slightly down (by BDT 2) at BDT 2,516 [24.02 USD as of 30 April 2023] per person per month, with a declining pattern in prices of most of the major food commodities including cereals and protein sources. The average costs of a food basket were higher in Barishal, Sylhet and Chattogram divisions as compared to the national average cost. The national average food basket cost in April 2023 was, however, BDT 375 [3.58 USD as of 30 April 2023] (17.5 percent) higher year-on-year. This sharp increase in the cost of the basic food basket indicates the combined impacts of the global food crisis, persistent high food prices, ascending food inflation, leading to rising food insecurity; and the poor people are the hardest hits. The Terms of Trade (ToT) [a proxy indicator for purchasing power] of an agricultural day labourer's wage indicates the quantity of rice the household can buy with their daily wage. The national-level wage data was collected from the Bangladesh Bureau of Statistics (BBS) up to November 2022. In November 2022, the daily wage for typical labour was worth buying about 11 kg of coarse rice based on a day's average wage of BDT 531 [5.07 USD as of 30 April 2023]. The lower rice purchasing power of agricultural day labour reflects instability in the market prices of basic food commodities that do not comply with the

income of the wage earners, thus a threat to their food security.” (WFP, 12 June 2023a, p. 5)

15.3 Food insecurity and nutrition

In July 2022, the World Food Programme (WFP) launched a food security survey that comprised 1,200 respondents across eight divisions (WFP, 12 June 2023b, p. 11). Survey data for April 2023 shows that 23 percent of Bangladeshis were food insecure and 64 percent of households of the study sample had to adopt livelihood-based coping strategies, like purchasing food on credit, reducing expense on health or spending their savings (WFP, 12 June 2023b, p. 3).

The WFP survey furthermore yielded the following results for April 2023:

“More than one in five households (23%) was moderately food insecure, a worsening trend continuing since last month [March 2023]. More households reported restoring to livelihood-based coping, which increased from 51 percent to 63 percent in April. Food security worsened nationwide in all the divisions due to increased expenditure and negative coping. This was due to specific food consumption behaviour during Ramadan, regardless of income sources. Income source was a vital factor in combating seasonal food insecurity. The Dhaka division continued to be in a better situation than the other divisions, primarily because of the nature of the household’s primary occupations, mostly independent of agricultural activities. The number of professionals, salaried jobs, traders, and skilled labourers among the respondents was comparatively high in these divisions. Such as, in the Khulna division, the percentage of agricultural day labourers was double (16%) that of other divisions. Households with female heads and with disability suffered the most during Ramadan to manage food for the family. Compared to February and March, the situation has worsened in all income groups; the poor were the hardest hit. The survey revealed that 43 percent were food insecure in low-income households, compared to 11 percent in medium-income households and less than 3 percent in high-income households. It is alarming that 11 percent of households in the middleincome group were food insecure. High food prices and loss of income remained to be the biggest shock. Some 61 percent of households said the rise in food prices was their deepest concern and significantly affected their well-being. In comparison, 25 percent of households reduced health expenditure, and 15 percent mentioned the burden of debt or loans to cope with food insecurity. More households relied on coping strategies to have some nutritious food during Ramadan. More than six in ten households applied livelihood-based coping strategies such as borrowing money, selling productive assets, or going into debt to buy food. On average, the percent households adopting stress and emergency increased than the previous month. Households continued relying both on food-based and livelihood-based coping strategies.” (WFP, 12 June 2023b, p. 4)

Several factors influenced food security during Ramadan. For example, job opportunities during Ramadan were more limited and households increased their spending on food items in order to observe the season’s festivities, regardless of affordability (WFP, 12 June 2023b, p. 5, p. 7). Food security was better in March 2023 compared to the following month, with 15 percent of surveyed households being food insecure, and 51 percent having to resort to livelihood-based coping strategies. 72 percent of households were significantly affected by rising food prices

(WFP, 2 May 2023, p. 3). Barishal division had the most food-insecure population while Dhaka was the lowest in food insecure households since July 2022 (WFP, 2 May 2023, p. 4).

The South Asian Network on Economic Modeling (SANEM), a Dhaka-based non-profit research organisation and network of economists and policy makers, conducted a survey from 9 March to 18 March 2023 of 1,600 households across eight divisions about the effects of inflation on the livelihoods of poor households in Bangladesh. The survey found that the average household expenditure increased 13 percent overall on the national level, with 17 percent increase in food expenditure. In order to cope with inflation, 90 percent of respondents reportedly changed their food habits. In comparison to their food consumption six months prior, 77 to 97 percent of households reduced their protein consumption, while 37 to 45 percent decreased consumption of rice and pulses (SANEM, 29 March 2023). Survey results also showed that a significant share of households had to skip meals:

“In the span of six months, share of households that had to skip a meal, ran out of food or did not eat despite hunger have increased from one-fifth to two-fifth. Number of respondents reporting that they had to starve a whole day due to lack of money has increased from 10 percent to 18 percent.” (SANEM, 29 March 2023)

15.4 Access to health care

The November 2022 DFAT country report provides a brief overview of the situation of health care in Bangladesh:

“Healthcare quality in Bangladesh is generally poor, but some expensive private clinics offer better quality services. Many healthcare facilities are provided through development partners and NGOs. Issues affecting access to healthcare include low staffing levels, lack of funding, mismanagement and corruption (bribes often need to be paid to access care), lack of facilities (especially outside of large cities), high out-of pocket costs and high levels of poverty. Services in rural areas tend [to] be very limited or non-existent, and some people seek help from ‘village doctors’ who may have no medical training.” (DFAT, 30 November 2022, p. 8)

Health care in Bangladesh reportedly faced two main challenges, namely financing and service delivery (The Daily Star, 12 October 2022). Health services in Bangladesh are provided by the public sector and by the private sector. (MOHFW, 2022, p. 24). As the government’s contribution to the total health expenditure was low at approximately 23 percent, out-of-pocket expenditure was very high (WHO, 2022, p. 26).

In his end of mission statement following his visit to Bangladesh in May 2023, the Special Rapporteur on extreme poverty and human rights, Olivier de Schutter, provides some information on access to the health care system:

“The Government of Bangladesh has built 13,000 Community Clinics, to improve access to basic health care in rural areas. Low-income households nevertheless still struggle to meet their healthcare costs: residents in informal settlements in Dhaka for instance identified the costs of ill-health as the third largest expenditure for households (after rent and food), with obvious potential for catastrophic impacts on debt and household economies; and out-of-pocket spending on health care as a share of current health spending increased from 61.8% in 2000 to 74% in 2020, reflecting in part the use of elite private medicine by

the richest people, but providing also an indication of an increasingly dualized healthcare system -- expensive and quality healthcare for the wealthy, combined with free but low-quality healthcare for the poor. [...] While public health care is free at the point of delivery, the Special Rapporteur heard examples from those in poverty in urban areas of people going to pharmacies rather than medical clinics because they could not afford to miss work or pay for transportation. He also heard of middlemen in hospitals who would manage access to services for a fee.” (OHCHR, 29 May 2023, pp. 10-11)

In a February 2023 The Daily Star published an article on the huge costs Bangladeshis have to bear in order to receive medical treatment:

“The media has extensively reported on how overburdened and understaffed our public hospitals are, as well as on the pathetic state of the upazila health complexes that are supposed to provide citizens with primary healthcare. In remote areas such as the chars [river islands; Scroll.in, 8 August 2022], the situation is even more frightening, with no emergency care for miles leading to avoidable deaths, especially of expectant mothers. As government hospitals are often inaccessible due to being overburdened, people seek healthcare in private clinics and hospitals and have to pay exorbitant bills, often by selling assets such as jewellery or land or by borrowing money.” (The Daily Star, 25 February 2023)

According to 2020 data provided by the World Bank, 55 percent of Bangladesh’s population were at risk of catastrophic expenditure when surgical care is required. Catastrophic expenditure in this context means that out of pocket payments exceed 10 percent of the total income (World Bank, undated (b)).

The executive director of Transparency International Bangladesh, Iftekhar Zaman (also Iftekharuzzaman), in a July 2023 interview with The Daily Star notes that corruption and lack of accountability poses a big problem for the Bangladeshi health sector:

“Like any other public service delivery sector, health services are deeply troubled by corruption and lack of accountability. The sector has always been starved of resources due to one of the lowest rates of budgetary allocation by the global standards. More importantly, even the comparatively meagre resources are subjected to various forms of corruption, misappropriation and misuse, procurement fraud, extortion, and swindling. [...] The private sector has agreeably filled a significant gap of health service facilities against a growing demand, which the public sector is justifiably unable to meet.” (The Daily Star, 19 July 2023)

For information on the Bangladeshi healthcare system, including for example organisation of the system, resources and information on health insurance, please refer to the following June 2023 report:

- EUAA – European Union Agency for Asylum: Healthcare Provision in Bangladesh, June 2023 https://www.ecoi.net/en/file/local/2092781/2023_06_EUAA_MedCOI_Report_Bangladesh_Healthcare_provision.pdf

15.5 Access to education

The literacy rate in Bangladesh of the population aged seven years or above is approximately 74 percent. It is higher in urban areas, where it reaches 82 percent, and lower in rural areas, where 70.3 percent of the population are literate (BBS, 12 April 2023, p. 6).

Twelve years of primary and secondary education is possible, on average students complete six years of school education (DFAT, 30 November 2022, p. 9).

There is free and compulsory public education through eighth grade (USDOS, 20 March 2023, section 6). Rates of primary enrolment are therefore high, also supported by free public education and government subsidies in form of the Primary Education Stipend (OHCHR, 29 May 2023, p. 10). The Primary Education Stipend was implemented in its present form in 2001 with the key objective to increase educational participation of children from poor families in both urban and rural areas (CGD, May 2019, p. 2). As of January 2023, each pre-primary student gets 75 Taka [0.75 USD as of 30 June 2023] per month, students of classes one to five receive 150 Taka [1.39 USD as of 30 June 2023], from classes six to eight 200 Taka [1.85 USD as of 30 June 2023] per month (TBS, 23 January 2023). In 2021, about 14 million students were provided with stipends (Dhaka Tribune, 8 February 2021). The money is provided to the mother or the guardian of the child (Social Protection, updated 5 January 2023). There is also a Secondary School Stipend (OHCHR, 29 May 2023, p. 10) to promote access to secondary education for children in poor households and decrease drop-out rates (Social Protection, updated 1 June 2021).

Regarding school enrolment and the quality of the education received, the Special Rapporteur on extreme poverty and human rights after his visit to Bangladesh from 17 to 29 May 2023 writes in his report:

“Dropout rates increase [...] as children move through the stages of secondary education, and children from low-income backgrounds are disproportionately affected: 19% of children (and 45% of the poorest children) had dropped out of school by the time they reach upper secondary level. These figures, moreover, are silent about the quality of the education received: by the end of lower secondary education, only 54% of girls and 55% of boys had achieved the minimum proficiency in reading Bangla. The families [...] overwhelmingly expressed a preference for sending children to private schools, since public schools are of lower quality. As a result of this gap, social segregation increases: only those who could not afford private schools (even where fees were modest) remained in public schools.” (OHCHR, 29 May 2023, p. 10)

The United Nations Children’s Fund (UNICEF) in June 2022 observes the following on the progress in proficiencies of students:

“Less than a third of children aged 3-5 are on track to meet literacy and numeracy goals. Only 43 per cent of 10-year-old students in Bangladesh were proficient in reading before the COVID-19 pandemic, and only 25 per cent of secondary school graduates attained basic competencies.” (UNICEF Bangladesh, 16 June 2022)

Early childhood education programmes were attended by only 19 percent of all children aged three to five. As mentioned above, enrolment in primary education was near universal for girls and boys but drop-outs increased as children grow older. This was due to different reasons

when looking at boys and girls, as boys often have to support family income and leave school because of child labour, while girls often leave school because they are forced into child marriage (UNICEF Bangladesh, 16 June 2022). Gender parity changes in secondary school, as more boys than girls complete that level. The government also offered subsidies to parents with the aim to keep girls in class through tenth grade (USDOS, 20 March 2023, section 6). The Female Secondary Stipend and Assistance Program was provided only in rural areas, where gender disparity is wider than in urban areas (Khandker et. al., January 2021, p. 36).

Poverty is a factor that determines how long children remain in school. Direct and opportunity costs of schooling are hard to manage for poor families, with costs increasing as children grow (OHCHR, 29 May 2023, p. 10). For many families, teacher fees, books and school uniforms remained prohibitively costly, even though classes were free and the government distributed hundreds of millions of free textbooks (USDOS, 20 March 2023).

The children most at risk of being excluded from school were the poorest children, children with disabilities and children living in disaster-affected parts of Bangladesh (UNICEF Bangladesh, 16 June 2022). Due to poverty, children were taken out of school for child marriage or labour (OHCHR, 29 May 2023, p. 10). Children with disabilities were seven times more likely to be out of school than the average, married girls were four times more likely to drop education than their unmarried schoolmates. Almost 20 million school children were exposed to extreme climate events like floods, cyclones, extreme heat and droughts which frequently disrupted their education (UNICEF Bangladesh, 16 June 2022).

During the Covid-19 pandemic, Bangladesh faced one of the longest school closures in the world, with schools remaining closed for 18 months (World Bank, 9 June 2023), further exacerbating access to education (UNICEF Bangladesh, 16 June 2022). Many students did not return to school after restrictions were eased (DFAT, 30 November 2022, p. 9).

The DFAT November 2022 country report notes the following on post-secondary education:

“There is significant social and often family pressure to obtain a university education. The ability to gain admission to university and to obtain good grades often relies on family connections or the capacity to pay bribes. A very large number of graduates are then unable to obtain employment; there are far more graduates than professional jobs. Vocational or trades education has limited availability and training can be poor quality.”
(DFAT, 30 November 2022, p. 7)

The Bangladeshi Statistics and Informatics Division together with the Bangladesh Bureau of Statistics and UNICEF published a survey findings report in March 2023, based on a survey on children’s education in 2021. The report among other topics includes findings on school readiness and attendance, foundational learning skills, drop-out and learning during school closure:

- Statistics and Informatics Division et. al: Survey on Children’s Education in Bangladesh 2021, March 2023
<https://www.unicef.org/bangladesh/media/7791/file/Survey%20on%20Children's%20Education%20in%20Bangladesh%202021.pdf.pdf>

15.6 Humanitarian access

This section includes information on the humanitarian response to several natural disasters in the period covered by this compilation, January 2021 to June 2023 as well as the landslides and

floods of August 2023. There is no claim to completeness, either in terms of natural disasters or humanitarian responses.

2021

On 26 May 2021, cyclone Yaas made landfall in India and late in the evening crossed the west coast of Bangladesh. The districts Bhola, Patuakhali, Sathkira, Khulna, Bagerhat, Jhalokathi, Barguna, Barisal and Pirojpur were affected by the cyclone. 1.3 million people were affected, approximately 26,000 houses, more than 16,000 latrines and more than 1,900 water points were damaged (IFRC, 25 June 2021, pp. 1-2). The government of Bangladesh, several UN and Red Cross as well as Red Crescent organisations, international and domestic NGOs were involved in a three-month humanitarian operation (IFRC, 25 June 2021, p. 1).

Between 27 July 2021 and 1 September 2021, Cox's Bazar was hit by 524 monsoon-related incidents, largely windstorms, slope failures and flooding. 25,469 Rohingya refugees were displaced. Of 11,675 damaged shelters, 9,133 were assisted with emergency shelter kits, and refugees were provided with materials to help with repairs. Apart from repair of shelters and educational as well as sanitation facilities, households received fortified biscuits and cooked meals were provided (ISCG, 8 August 2021, pp. 1-2). In August 2021, heavy rainfall caused flooding in northern Bangladesh, with the districts Kurigram, Lalmonirhat, Tangail, Rajbari, Sartiatpur and Bogura most affected. More than 7,700 hectares of agricultural land were damaged, more than 200 houses destroyed and more than 40,000 households affected. The Bangladeshi government allocated rice and cash support to affected districts, food relief was provided by local and domestic organisations (UNOCHA, 7 September 2021).

2022

In May 2022, the northeast of Bangladesh was hit by flash floods, followed by excessive monsoon rainfall in June and July (DW, 23 August 2022). The torrential rain in June 2022 "caused the worst flooding in living memory in the north-eastern districts of Bangladesh", according to a January 2023 situation analysis of the International Federation of Red Cross and Red Crescent Societies (IFRC, 31 January 2023, p. 2). The publication further describes the crisis:

"More than 7.2 million people were impacted, and hundreds of thousands of households were isolated by flood waters, while some families took shelter in open areas, on higher ground or in flood shelters. According to the Ministry of Disaster Management and Relief (MoDMR) of the People's Republic of Bangladesh, an estimated 481,827 people had been taken to shelters in a combined effort by the Army, Navy, Fire Service, and local authorities. The flooding washed away infrastructure, farmlands, homes and livelihoods, and displaced hundreds of thousands of people. More than 150,000 houses, numerous roads and essential infrastructure were washed away. According to the MoDMR, the estimated loss of the housing sector is USD 176.0 million. The Flash Flood caused damage to 254,251 hectares of croplands and affected 663,534 cattle, 106,000 ponds inundated, and 17,000 metric tons of fish washed away. The total damage in the agriculture and livestock sector is US\$ 230.8 million." (IFRC, 31 January 2023, p. 2)

The Humanitarian Coordinator Task Team (HCTT), a coordination platform to strengthen the collective capacity of government, national and international actors to ensure effective humanitarian preparedness for, response to, and recovery from the impacts of disaster in Bangladesh (Government of Bangladesh & United Nations Bangladesh, 27 March 2023, p. 5), in October 2022 published a situational overview of disaster response to the June 2023 floods. The report shows that 93 organisations coordinated under HCTT in order to provide relief (HCTT, 27 October 2022, p. 17) and more than 650,000 people could be reached by a multi-sectoral response plan, that included among others humanitarian support in child protection, displacement management, education, food security, health related support, shelter, water and sanitation (HCTT, 27 October 2022). The overview further shows that of the 58.4 million USD requested, only 13.73 had been mobilised at the time of publication (HCTT, 27 October 2022, p. 1).

2023

On 14 May 2023, cyclone Mocha crossed the coast between Cox's Bazar in Bangladesh and the Myanmar town Sittwe. It was the strongest cyclone in the Bay of Bengal in the last ten years with winds estimated as strong as 250 kilometres per hour, heavy rains, flash floods and landslides (IFRC, 16 May 2023).

The United Nations Bangladesh provide a situation overview outlining the situation as of 15 May 2023. According to this publication, 429,377 Bangladeshi nationals were affected by the cyclone, as were 930,292 Rohingya refugees:

“The Department of Disaster Management (DDM) and the Ministry of Disaster Management and Relief (MoDMR) collected initial damage information. A total of 4 districts, 26 upazilas (subdistricts), 99 unions, and 429,337 Bangladeshi nationals were affected by Cyclone Mocha. The damage to houses included 2,052 fully damaged and 10,692 partially damaged. [...] Over 3,500 household assessments were completed of an initial estimate of 6,200 households that faced shelter damage, both major and partial, impacting around 30,000 Rohingya refugees. [...] Support has already been provided to the majority of assessed households on the same day including shelter material, tarpaulin, rope, and metal footing.” (United Nations Bangladesh, 17 May 2023, p. 1)

In a May 2023 WFP article on the impact of Mocha on Myanmar and Bangladesh, the WFP Deputy Regional Director states that concerted efforts to get people into shelters before the cyclone made landfall saved a lot of lives. Furthermore, WFP distributed cash assistance to more than 28,000 Bangladeshis ahead of the storm, to mitigate the impact of the cyclone. The article states that WFP distributed emergency food assistance to tens of thousands of cyclone survivors, but a funding crunch is threatening the humanitarian response. This is concerning as recovering before the start of the monsoon season is critical (WFP, 26 May 2023).

Between 5 and 10 August 2023, a total of 2.4 million people were exposed to floods and landslides in the districts Chittagong, Bandarban, Ragamati and Cox's Bazar, following heavy to very heavy rainfall (UNICEF Bangladesh Country Office, 17 August 2023, p. 1). The flash floods and landslides reportedly left a trail of destruction, displacing families and causing substantial damage to infrastructure (BDRCS, 17 August 2023, p. 1). About 15,500 water points or tube

wells were fully or partially non-functional (UNICEF Bangladesh Country Office, 17 August 2023, pp. 1-2). Due to the floods and landslides maternal, neonatal and child health care services and nutritional services have been interrupted (UNICEF Bangladesh Country Office, 17 August 2023, p. 2). Concerning affected Health care facilities, a UNICEF Bangladesh Country Office report on the humanitarian situation notes:

“Maternal, Neonatal and Child Health care services including immunization activities have been interrupted in 13 Upazilla Health Complexes (UHCs) (3 in Chittagong, 6 in Bandarban and 4 in Rangamati), 131 community clinics and 12 Union Health and Family Welfare Centers (FWCs) in Chittagong, Bandarban, and Rangamati district hampering the access of 9,523 pregnant women and 169,112 children including 9,300 neonates to health services.” (UNICEF Bangladesh Country Office, 17 August 2023, p. 1)

The humanitarian response included the distribution of 100 hygiene kits and more than 100,000 water treatment tablets to affected communities in Chittagong. Furthermore, drinking water was distributed to 2,800 households, and 200 sanitary napkins were distributed to adolescent girls. The listing of vulnerable children and affected families in Chittagong was still in progress at the publication date of the report in order to identify more than 2,000 beneficiaries of family kits (UNICEF Bangladesh Country Office, 17 August 2023, p. 5).

A 16 August 2023 situation report on the August 2023 flash flood and landslides in Chattogram region by the Bangladesh Red Crescent Society (BDRCS), lists BDRCS humanitarian actions, including provision of 7 days food packages to 100,000 households, setting up five mobile water distribution facilities in three affected districts and the distribution of drinking water to 50 families (BDRCS, 16 August 2023, p.3).

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