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# **Democracy Stalemate in Bangladesh**

What role for the international community?

#### **ABSTRACT:**

This Policy Brief argues that the international community – and in particular the European Union – must assist democratic forces in Bangladesh. The rise of extremist violence in Bangladesh has spared no one but was symbolized by the appalling murder of three prominent bloggers secular voices of Bangladesh's civil society. The rights of women and minorities are also under severe threat. This Policy Brief focuses on the political deadlock between the "Awami League" (AL) and the "Bangladesh Nationalist Party" (BNP) and urges the BNP to sever ties with the "Jamaat-e-Islami". In addition its goal is to highlight the negative impact of increasing religious extremism and political violence on civil society, democracy, secularism and the economy. Furthermore this Policy Brief will provide information on the importance of the International Crimes Tribunal (ICT) in bringing justice and peace to Bangladesh and reinforces the necessity to bring an end to impunity in order to create a level playing field in which peace can become a reality

<sup>&</sup>lt;sup>1</sup> The International Crimes (Tribunals) Act, 1973 (ACT NO. XIX OF 1973), was enacted by the sovereign parliament of Bangladesh to provide for the detention, prosecution and punishment of persons responsible for committing genocide, crimes against humanity, war crimes and other crimes under international law.



#### 1. Introduction

In the run-up to the elections in Dhaka and Chittagong, Bangladesh's two largest cities, there was substantial hope, that the BNP would recommit itself to the democratic process. The upper echelon of the BNP declared that their party would join the elections. The elections in the two major cities were viewed as a first positive perquisite to nation-wide parliamentary elections some years further. Unfortunately, on April 28 2014, half way through the polling and after receiving more than 300, 000 votes, the BNP decided to pull out of the elections. This move was especially surprising since the BNP candidates managed to receive between 30 to 40 % of the vote, rendering allegations of fraud meaningless. Both the BNP and JeI are pushing for a non-partisan caretaker government, although it has been declared unconstitutional by the Supreme Court and is regarded to be unfair by several of the country political parties, including the BNP.<sup>2</sup> The grass-root violence by JeI cadres, the refusal by the BNP to partake in orderly democratic processes as well as the question of who is calling the shots, the BNP or JeI, are all harmful to the secular democracy of Bangladesh.

The disruptive nature of the violent protests in Bangladesh poses a serious threat to the social, economic and political order of the country. The developmental success story of the past decades is severely under stress and the secular country is increasingly becoming a victim of Islamist forces, whose goal it is to nullify civic liberties and political rights that have fostered and consolidated social and economic upward mobility of women, minorities and the population as a whole. The deliberate attempts by the "Bangladesh National Party"(BNP) to disrupt the course of governance and political life whilst siding and supporting the Islamist Party "Jamaat-e-Islami", which seeks to establish an Islamic Caliphate, lead to the death of several hundred innocent citizens, the destruction of property and holy sites and has disrupted civic order and the daily life of millions of Bangladeshi's. Professor Delwar Hossain from the University of Dhaka summarizes the extremely tense situation highlighting that "the intermingling of extremist violence and the political movement led by the opposition alliance has emerged as the body blow to Bangladesh's nascent democracy".<sup>3</sup>

<sup>&</sup>lt;sup>2</sup> Ambassador Ziauddin, Mohammad. "In Bangladesh, BNP Is Derailing Democracy." *The Diplomat*, May 22, 2015. http://thediplomat.com/2015/05/in-bangladesh-bnp-is-derailing-democracy/.

<sup>&</sup>lt;sup>3</sup> Hossain, Delwar. "IPCS Forecast: Bangladesh in 2015." *Institute of Peace & Conflict Studies*, January 2015. http://www.ipcs.org/article/south-asia/ipcs-forecast-bangladesh-in-2015-4822.html.



Image 1 - In Dhaka University, from left to right, Anurag Chakma, Aynul Islam, Paulo Casaca, Professor Arefin Siddique, Vice Chancellor of the University of Dhaka and Hossain Delwar

The Burn Unit of Dhaka's Medical College Hospital (DMCH), which SADF visited in 2013 visually symbolizes the destruction and pain the BNP-Jamaat looting of public transports in the name of the blockade is generating and propelling.

Hundreds of patients with medium to third degree burn injuries caused by petrol bombs or arson attacks carried out by BNP-Jamaat activists fill the halls of the DMCH, which at the time of the visit was struggling to cope with the increasing influx of new victims.

In order to fully grasp the causal factors of this conflict it is necessary to analyse Bangladesh's troubled independence movement. The actors of the past, who were responsible



Image 2: SADF's executive Director Paulo Casaca visiting victims at the DMCH in 2013



Image 3: Relatives of burnt victims await news in the crowded halls of the DMCH in 2013

for committing crimes against humanity, are now at the forefront of organizing and executing the turmoil in Bangladesh today. Without putting an end to impunity and respecting and supporting the "International Crimes Tribunal that was brought into existence to trial perpetrators, an end to the conflict seems very unlikely.



#### 2. The ICT trials and the root causes of the political crisis

The International Crime Tribunals (ICTs) are currently being conducted in Bangladesh. Their mission is to expose genocide, preserve human rights and guarantee justice for those who were wronged and had to suffer. These tribunals were established for the express purpose of exposing and prosecuting those who organised the systematic killing and rape of millions of Bangladeshis during the 1971 War of Liberation. The foundation of these proceedings is sound and stable and they should continue until justice is served for the people of Bangladesh.<sup>4</sup>

The International Crimes Tribunal (ICT) was set up in 2009 as a war crimes tribunal in Bangladesh to investigate and prosecute suspects for the genocide and crimes against humanity committed in 1971 by the Pakistani Army and their local collaborators, Razakars, Al-Badr and Al-Shams. The formation of ICT infuriated the opposition camp. The second largest party in the opposition camp, Jamaat-e-Islami is directly linked with war crimes during the Liberation War in 1971. Top leaders of Jamaat have been charged with war crimes over the past four decades.<sup>5</sup> The triggering incident was the verdict against a central leader of Jamaat, Moulana Delwar Hossain Sayedee. Following the verdict in February 2013, the Party unleashed massive violence throughout the country especially in their strongholds – mainly border districts.<sup>6</sup> Although street violence might indicate a strong opposition to the ICT trials, the opposite is the case. An opinion poll from April 2013 conducted by the Nielsen Corporation (formerly known as AS Nielsen), a global marketing research firm, shows that 86% of Bangladeshis are in favour of the trials and want them to proceed. In addition annual polls indicate that the genocide trials rank among the top three positive steps that the government has taken.<sup>7</sup> Furthermore the proceedings of the trials have reinforced civil resistance against perpetrators of crimes committed against humanity society. On February 5 2013 the Shahbag protests were born to demand justice, often led and organised by neglected sections of society such as women and minorities.8

It is important to remember why these tribunals are so necessary. During the war of liberation, an appalling loss of life resulted because of a genocide perpetrated by the

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<sup>&</sup>lt;sup>4</sup> Casaca, Paulo. "Bangladesh Genocide: Memory and Justice." The Daily Star. Accessed June 10, 2015. http://www.thedailystar.net/bangladesh-genocide-memory-and-justice-53550.

<sup>&</sup>lt;sup>5</sup> See: Robertson, Geoffrey. "Report on the International Crimes Tribunal of Bangladesh." Sarajevo, Bosnia and Herzegovina: International Forum for Democracy and Human Rights (IFDHR), 2015.

https://barhumanrights.org.uk/sites/default/files/documents/news/grqc\_bangladesh\_final.pdf. 
<sup>6</sup> "Bangladesh War Crimes Trial: Delwar Hossain Sayeedi to Die." BBC News, February 28, 2013. http://www.bbc.com/news/world-asia-21611769.

<sup>&</sup>lt;sup>7</sup> The Economist. "Bangladesh's War-Crimes Trials: Final Sentence," September 17, 2013. http://www.economist.com/blogs/banyan/2013/09/bangladesh-s-war-crimes-trials.

<sup>&</sup>lt;sup>8</sup> Anam, Tahmima. "Shabag Protestors versus the Butcher of Mirpur." The Guardian, February 13, 2013. http://www.theguardian.com/world/2013/feb/13/shahbag-protest-bangladesh-quader-mollah.



occupying Pakistani military forces, which were aided by local collaborators. Armed military incursions such as "Operation Searchlight" were carried out to suppress the Bangladeshi national movement and eliminate all political and military opposition. These operations resulted in systematically killing of three million citizens of then East Pakistan, including an alarming number of women and children.<sup>9</sup>

The relevance of combating impunity in international human-rights jurisprudence has been recognized and promoted on a global scale. Unfortunately, Bangladesh has been and still is one of the world's worst examples of impunity. Responsibilities from the main perpetrators of the Genocide, Pakistani military personnel, were the first to be exempted from prosecution in a political deal that allowed Bangladeshi hostages in Pakistan to be exchanged with them. The local political force that internally organised most of the Genocide, survived as a legal, political party (JeI) running in elections until Bangladesh's High Courts Court barred them from partaking in the electoral race in 2013. The perpetrators of violence of the past are once again distorting civic peace in Bangladesh. Without bringing them to justice a solution to the internal turmoil cannot be found.<sup>10</sup>

The new Court, although international in nature, was set up on the basis of domestic law and was based on the 1973 Court proceedings. It only considered the domestic side of the genocide, that is, it excluded Pakistani nationals from its evaluation – whose crimes were supposed to be dealt with by the Pakistani authorities and focussed exclusively on Bangladeshi citizens. This did not, however, diminish the genocide denial pressure, if anything it increased dramatically with strong international lobbying being matched by increasingly violent actions from the genocide perpetrators.

There are four basic genocide denial arguments: (1) the aim of the Court is political, since those who stand accused are members of the political opposition; (2) the number of victims, the motivations for the genocide, the nature of the conflict, although previously well established and overwhelmingly accepted by the international community, are being portrayed as major sources of controversy; and (3) the number of years passed does not justify the continuation of the procedures as well as (4) the fact that Bangladesh still uses capital punishment discredits the process in its entirety. <sup>11</sup>

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<sup>&</sup>lt;sup>9</sup> Casaca, Paulo. "Bangladesh War Crimes Require Justice." The Washington Times, December 25, 2013. http://www.washingtontimes.com/news/2013/dec/25/casaca-bangladesh-war-crimes-require-justice/.

<sup>&</sup>lt;sup>10</sup> Casaca, Paulo. "Democracy Stalemate in Bangladesh." *SADF*, February 24, 2015. http://sadf.eu/home/2015/02/24/democarcy-stalemate-in-bangladesh/.

<sup>&</sup>lt;sup>11</sup> Casaca, Paulo "Bangladesh Genocide: Memory and Justice." The Daily Star. Accessed June 10, 2015. http://www.thedailystar.net/bangladesh-genocide-memory-and-justice-53550.



Although the trials are being discredited by the BNP and Jamaat internally, as well as externally, the procedures have been supported by many high profile international observers and stakeholders, even when they make punctual criticisms.<sup>12</sup>

## 3. The Economic disruption

Between January and April of 2015 over 25 incidents revolving around the deterioration of security, mass protests, strikes, violence, incarcerations and the political stalemate in Bangladesh have been reported. Between 5 January and 15 February alone, more than 90 people lost their lives and over a 1000 were injured in the nation-wide transport blockade called by the 20-party opposition alliance led by the BNP. This spiral of violence not only poses a concrete threat to peace and stability it is also highly disruptive to progress made in the realms of economic and developmental progress.

Bangladesh has been extremely efficient in achieving the "Millennium Development Goals". It is widely regarded as a South Asian success story combining trade with an increase in formal and informal labour incomes. Over the course of the past decade GDP growth has regularly exceeded 6 per cent and various socio-economic indicators such as economic welfare have improved dramatically. Bangladesh has also managed to increase alphabetisation as well as augment the number of general school enrolments. Although the median per capita income is below US\$1000 the country has witnessed a stark decline in absolute poverty. The poverty headcount ratio declined from about 57 per cent in 1992 by 26 per cent points to 31 per cent in 2010. The number of impoverished Bangladeshis dropped from nearly 63 million to 47 million in 2010.

The costs of the political crisis are felt every day, and if continues it has the potential to bring an end to Bangladesh's socio-economic surge. According to the premier trade body of the country the "Dhaka Chamber of Commerce and Industries" (DCCI), the BNP-Jamaat blockades have stifled the economy severely. According to the DCCI and a report by Sajid Amit for the "University of Liberal Arts Bangladesh", the economy is losing roughly US\$

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<sup>&</sup>lt;sup>12</sup> Rapp, Stephen J., Ambassador at Large for War Crime Issues. Press Round Table, May 8, 2014

http://photos.state.gov/libraries/bangladesh/621750/Speeches\_Remarks\_2014/Amb\_Rapp\_Press\_Roundtable\_Aug\_5\_2014.pdf.

<sup>&</sup>lt;sup>13</sup> "HORIZON (Political and Security Risk Monitor) / Bangladesh." HORIZON, January 6, 2015. https://horizon.hozint.com/?a=30

<sup>&</sup>lt;sup>14</sup> Drysdale, Peter. "Time out for Democracy in Bangladesh." East Asia Forum. Accessed June 10, 2015. http://www.eastasiaforum.org/2014/02/10/time-out-for-democracy-in-bangladesh/.

<sup>&</sup>lt;sup>15</sup> General Economics Division (GED), Bangladesh Planning Commission. "Millennium Development Goals: Bangladesh Progress Report 2013," August 2014. http://www.bd.undp.org/content/dam/bangladesh/docs/Publications/Pub-2014/MDG% 20Report% 20Last.pdf.



205 million per day or 0.2 of its GDP. 16 The garment industry's profit is declining by around US\$ 50 million per day. In addition shopkeepers, the tourism industry, the agriculture sector and the transport sector are losing millions of dollars of revenue per day. 17 Political violence and economic instability, especially with regards to the relevance of its export-oriented garment industry in Bangladesh have deteriorated to such an extent that in August 2014 Fitch assigned the country a "BB" rating, and in a report issued in January 2015 Fitch reiterated its previous position stating that FDI and long-term growth are in peril if the Bangladesh fails to consolidate democratic order. 18

But monetary losses are not the only problem. Millions of primary and secondary school girls and boys are not able to attend classes and teachers are announcing that they are unable to proceed with their educational syllabi. The blockades and protest impact the country negatively on a short term as well as in the long run. A disrupted economy, paired with a climate of fear, where educating the youth of the country becomes impossible amidst a climate of fear amounts to a breeding ground for a developmental standstill.

#### 4. Persecution of minorities and liberal voices

In the immediate aftermath of publication of the "National Women Development Policy 2011", which expanded rights in property and education to women, Jamaat and other Islamic groups staged violent protests harassing women, damaging buses and cars and creating havoc in the streets. Thousands of students in madrassas wielded sticks, logs and knives as they paraded through the streets, forcing the closure of schools and the halt of business activities.<sup>19</sup>

The Islamists' opposition to the policy can be traced back to their desire to create a state in which their interpretation of Holy Scriptures and not the government defines the role of women.

On April 6 2013 members of "Hifazet-e-Islam" a supporter and close ally of Jamaat introduced a 13-point demand, aimed at convincing the government to implement capital punishment for blasphemy, make Islamic education compulsory, put an end to secularism and to reduce the rights forwarded to Women. Not only did Hifazet-e-Islam ban women from

<sup>&</sup>lt;sup>16</sup> Amit, Sajid. "Analysis of a 'Hartal Economy." University of Liberal Arts Bangladesh, Centre for Enterprise and Society, p.2, March 2015.

http://www.ulab.edu.bd/CES/documents/TLA hartal economy march 2015.pdf.

<sup>&</sup>lt;sup>17</sup> Hye, Hasnat Abdul. "Cost of Hartal and Oborodh: The Long and Short of It | VIEWS & OPINION | The Financial Express," January 19, 2015. http://www.thefinancialexpressbd.com/2015/01/19/76553.

<sup>&</sup>lt;sup>18</sup> Ibidem

<sup>&</sup>lt;sup>19</sup> Ahmed, Farid. "Islamists Protest Women's Rights in Bangladesh," April 5, 2011. http://edition.cnn.com/2011/WORLD/asiapcf/04/05/bangladesh.protests/.



entering the event, they also physically and verbally harassed female reporters covering the rally.<sup>20</sup>

The "Bangladesh Adivasi Women Network" (BAWN) has recorded an increase of violence against indigenous women and children by more than 50% from 2012 to 2014. Amongst the methods used against the "Adivasi" are rape, murder, abduction, sexual harassment as well as human trafficking. Violence usually occurs in the context of land grabbing.<sup>21</sup>

The world view of Jamaat threatens to subdue and irreversibly overturn the advancement of women's rights in Bangladesh and if their actions are not stopped, they will continue to erode the rights of more than half of the population and the progress made by secular Bangladesh in this realm.

There have also been various reports over the last years of atrocities committed against the Hindu, Buddhist and Christian population. In the aftermath of the 2014 elections several minorities were attacked and humiliated by BNP and Jamaat activists. The methods of these assaults included rape, arson and vandalism. The current rise of attacks is viewed as a result of a reassertion of communal forces spearheaded by Jamaat. The minorities comprise about 10 per cent of Bangladesh's population and have generally voted for the secular Awami League. The BNP and Jamaat had purposely targeted these minorities in order to reduce support for their political rival.

Especially the dwindling Hindu community has often been the target of extremist attacks. The deep-seated hatred against Hindus by extremist forces was vividly embodied by the siege of Sadhanchandra Mandal's house by a 3,000 people strong mob. According to the 60 year old, the attackers shouted: "we are the Taliban, this Bengal will be Afghan" before looting his property. The following month, in March 2013, members of Islamist parties partaking in far-ranging violent street protests stemming from ICT trial verdicts, vandalized over 40 Hindu temples.<sup>22</sup>

Amnesty International's Bangladesh Researcher Abbas Faiz reiterated the danger of being Hindu in Bangladesh by highlighting that "the Hindu community in Bangladesh is at extreme risk, in particular at such a tense time in the country. It is shocking that they appear to be targeted simply for their religion".<sup>23</sup>

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<sup>&</sup>lt;sup>20</sup> Islam, Nozruk. "Bangladesh: The Revival of Fundamentalism, a Threat to Women and Democracy - Asia News," August 14, 2013. http://www.asianews.it/news-en/Bangladesh:-the-revival-of-fundamentalism,-a-threat-to-women-and-democracy-28743.html.

<sup>&</sup>lt;sup>21</sup> Staff Correspondent. "Violence against Adivasi Women Increasing." *Daily Star*, February 1, 2015.

<sup>&</sup>lt;sup>22</sup> Khalid, Saif. "Bangladesh Minorities Bear Brunt of Violence." *Al Jazeera*, March 24, 2014. http://www.aljazeera.com/indepth/features/2013/03/201332472510585942.html.

<sup>&</sup>lt;sup>23</sup> Amnesty International. "Bangladesh: Wave of Violent Attacks against Hindu Minority." Press Release, March 6, 2013.

In other parts of the country such as in the village of Agordari, the Islamists have replaced law enforcement and the JeI runs the village and its surroundings. The locals no longer refer to the place as Agordari but instead call it "East Pakistan"; this symbolizes the magnitude and historical dimension of the situation very well.<sup>24</sup>

Vocal proponents of secularism, freedom of speech and liberal thinking have also suffered severely under Islamist violence and pressure.

On 20 February 2015, the US blogger, renowned author and prominent voice against religious extremism and intolerance was slaughtered publicly after returning from a book fair. His Bengali blog *Mukto* (The free mind) served as a platform for independent thinkers, critical rationalists, opponents of extremism and fundamentalism in South Asia.<sup>25</sup>

In the investigations of the murder, the intelligence community in both India and Bangladesh argued that JeI is operating under a new name in order to avoid internal and external backlash and to cover its true intentions and operations. It uses terrorist outlets such as the Jamaat-ul-Mujahedeen Bangladesh (JMB) and Ansar Bangla 7 to carry out its violence and intimidation. While the JMB's core objective is to carry out terrorist attacks, Ansar is tasked with assassinations such as the one of Avijit Roy.<sup>26</sup>



Image 4 – Zead Al Malum, Attorney General of the ICT

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<sup>&</sup>lt;sup>24</sup> Allchin, Joseph. "The Hindus of Bangladesh Fear for Their Future." Time, January 14, 2014. http://world.time.com/2014/01/14/the-hindus-of-bangladesh-are-fearing-for-their-future/.

<sup>&</sup>lt;sup>25</sup> Wolf, Siegfried O. "The Killing of Avijit Roy: Silencing Free-Thinking and Progressive Conscience in Bangladesh." *SADF Comment* 2 (March 2015).

<sup>&</sup>lt;sup>26</sup> Nanjappa, Vicky. "Noted Blogger Assassinated: Ansar Bangla 7 - Who Are They?" One India, March 1, 2015. http://www.oneindia.com/international/noted-blogger-assassinated-ansar-bangla-7-who-are-they-1670110.html.

In a briefing to Paulo Casaca, executive director of SADF, Zead Al Malum, Attorney General of the ICT said that he "had no doubt that the assassination of Avijit had been premeditated and organised by the same jihadi networks that forced him to have heavy 24 hours security".<sup>27</sup>

Unfortunately the assassinations of liberal thinkers and progressive secularists are not an entirely novel phenomenon. In 2004 Humayun Azad, a Bangladeshi academic, teacher and poet was found dead in Munich, Germany after he barely survived an assassination attempt in Bangladesh. In 2013 a further blogger, Ahmed Rajib Haider, a vocal opponent of extremism and fundamentalism was killed. Anata Bijoy, a banker by profession and an online crusader against religious extremism was killed by four knife-wielding attackers and just shortly before this hideous incident Washiqur Rahman was slaughtered on 30 March 2015. The prominent author Taslima Nasreen was forced to flee the country after she received numerous death threats after she voiced her concern over Bangladesh becoming a safe haven for Islamists. It has become abundantly clear that Jamaat and its auxiliaries want to send an unambiguous message to all those who promote freedom of expression, secularism, inclusiveness and who point out to Jamaat for destroying these key democratic values. 28

#### 5. The BNP boycott of elections and alliance with Jamaat

It is interesting to note that although the BNP was winning the polls against the Awami League, the party decided to pull out of the 2014 elections mid-way through. It seems that the rationale of the BNP is to increase its bargaining power vis-a-vis the Awami League through extra-parliamentary opposition, which has led to violence, stifling the everyday lives of citizens. Since the BNP has reiterated its call for the creation of a "Caretaker Government", it is also plausible the members of the BNP believe that maintaining street violence may force the military to intervene and take over as has happened in the past. With an intervention by the armed forces the BNP would be able to discredit the governance of the Awami League and promote and position itself, domestically as well internationally, as the logical alternative.

One lingering question remains. Why would the BNP, which views itself as a democratic party committed to upholding the constitution team up with a political party that has been banned by Bangladeshi courts<sup>29</sup> to partake in elections due to its unconstitutional character? Or in the words of a social science research from BRAC University, "what is the BNP's brand? For example, why does it support Jamaat's line on the war crimes? If its account of

<sup>28</sup> Wolf, Siegfried O. "The Killing of Avijit Roy: Silencing Free-Thinking and Progressive Conscience in Bangladesh." *SADF Comment* 2 (March 2015).

<sup>&</sup>lt;sup>27</sup>Casaca, Paulo. "Assassination of the Free Mind Blogger in Dhaka." SADF, March 9, 2015. http://sadf.eu/home/2015/03/09/assassination-of-the-free-mind-blogger-in-dhaka/.

<sup>&</sup>lt;sup>29</sup> Dhaka, Saad Hammadi in, and Jason Burke in Delhi. "Bangladeshi Court Bans Islamist Party from Elections." The Guardian, August 1, 2013.

http://www.theguardian.com/world/2013/aug/01/bangladesh-bans-islamist-party-elections.



the liberation war is different from Awami League's fine-but what is it? It has a female leader on the one hand but the Jamaat has links with the Hefazat (Hefazat-e-Islam, a radical Islamist coalition), which wants to deny women's right to work?"<sup>30</sup>

Although there have been political alliances in the past with JeI, a new dimension, besides relying on JeI's street power, has been added to the BNP-JeI nexus. Up until early 2013, the BNP's stance on the trying of war criminals was ambivalent, but the party did not fully oppose the trials. The BNP did criticise the courts for failing to meet necessary international standards as well as for a lack of transparency.<sup>31</sup> As soon as the ICT trials started convicting JeI members for past war crimes a shift in BNP's position towards the ICT trials became evident. In his article "Bangladesh's failed election" professor Ali Riaz from the Illinois State University writes "On February 28, anti-JI protesters cheered the death sentence received by JI leader Delwar Hossain Sayedi, while the JI and its student wing (the Bangladesh Chattra Shibir or BCS) reacted with violence that gripped the country for several days and cost at least eighty lives. By condemning police measures as "genocide" and calling for a general strike, Khaleda Zia signalled that the BNP was taking the side of the Islamists"[...]"As the campaign season unfolded, the AL government insisted that the BNP was really boycotting over the JI's disqualification, that the JI had turned to violence in a desperate bid to stop the ICT trials, and that the BNP had made itself crucially beholden to the JI. The BNP not only failed to dispel these charges, it became visibly more reliant on the JI to furnish warm bodies for its demonstrations". 32

In the wake of the JeI boycott of the ICT trials Shafiqur Rahman, assistant secretary of JI called for "national resistance" stating "A hartal [general strike] is not the only instrument. We have so many options, all strategies will be used". In the following weeks and months Rahman's words would become reality as violent attacks, vandalism, atrocities committed against women and minorities were all part of JeI's portfolio of ICT trials resistance.<sup>33</sup>

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<sup>&</sup>lt;sup>30</sup> Crisis Group Interview, Dhaka, August 2014. International Crisis Group. "Mapping Bangladesh's Political Crisis," September 2, 2015, p.9.

 $http://www.crisisgroup.org/{\sim}/media/Files/asia/south-asia/bangladesh/264-mapping-bangladesh-s-political-crisis.pdf.\\$ 

<sup>&</sup>lt;sup>31</sup> Riaz, Ali. "Bangladesh's Failed Election." *Journal of Democracy* 25, no. 2 (April 2014): 119–30, p.123-125.

<sup>&</sup>lt;sup>32</sup> Riaz, Ali. "Bangladesh's Failed Election." *Journal of Democracy* 25, no. 2 (April 2014): 119–30, p.124ff.

<sup>&</sup>lt;sup>33</sup> Burke, Jason. "Bangladeshi Opposition Parties Vow to Continue Protests as Violence Mars Polls." *The Guardian*, January 6, 2014.

http://www.theguardian.com/world/2014/jan/05/bangladesh.



# 6. A tragedy amidst political violence: implications of Rana Plaza

On 24 April 2013 the tragic collapse of Savar building or Rana Plaza as it is mostly referred to, led to the death of over 1000 workers and injured over 2500. In the aftermath of this disaster, which marked the deadliest garment-factory in history, allegations of fully fledged failure, incompetence or even deliberation were directed at international companies and Bangladesh's government. Although it is understandable that such a perilous event stirs emotions, the claims made fail to match facts and the reality on the ground.<sup>34</sup> The issue of Rana Plaza is relevant because international calls for the pull-out of international companies would lead to a further erosion of Bangladesh's economy, which is under severe strain due to the political stalemate and the hartals.

Bangladesh is a member of the "International Labour Organization" (ILO). Is has ratified seven of the eight ILO conventions and has put forth and consolidated five main pillars of labour, which guarantee freedom of association, the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the abolition of child labour and the elimination of discrimination in respect of employment and occupation.<sup>35</sup>

In addition to these rights and securities, Bangladesh's polity made immediate changes in the aftermath of Rana Plaza. On 15 July 2013 Bangladesh's government ratified far-reaching changes to its labour laws. The goal of these amendments was to facilitate the creation of worker labour unions, augment severance and retirement payment for workers and establish secured annual payments for all workers under a welfare fund. In addition to adding more factory inspectors in November 2013 Bangladesh's government decided to raise the minimum wage for the country's garment workers by 77% to \$68 per month.<sup>36</sup>

Over the past two years in cooperation with international garment buyers, structural, electrical and fire safety inspections on thousands of factories have been undertaken. Furthermore the ILO has supervised audits of nearly 700 factories. After Rana Plaza a disaster fund was established to support those injured by the collapse and families who lost

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<sup>&</sup>lt;sup>34</sup> Bergman, David. "Bangladesh Makes Strides in Factory Safety | Al Jazeera America." *Al Jazeera America*, April 24, 2015. http://america.aljazeera.com/articles/2015/4/24/bangladesh-makes-strides-in-factory.html.

Bolle, Mary Jane. "Bangladesh Apparel Factory Collapse: Background in Brief."
 Congressional Research Service, January 10, 2014. http://fas.org/sgp/crs/row/R43085.pdf.
 Devnath, Arun. "Bangladesh Raising Minimum Wage for Garment Workers after Unrest."
 Bloomberg Business, November 14, 2013. http://www.bloomberg.com/news/articles/2013-11-13/bangladesh-garment-factories-to-stay-shut-amid-worker-protests.



relatives. A plan was set up in which international buyers would contribute to the fund and money would be distributed in accordance with U.N. sanctioned compensation principles.<sup>37</sup>

Last but not least authorities in Bangladesh have filed murder charges against several of people for their roles in the collapse, including the building's owner, Sohel Rana, his parents and more than a dozen government officials.<sup>38</sup>

There is still room for improvement, there always is. But the debate must move beyond a simplistic demonization of Bangladeshi authorities and foreign companies and should also dwell on the impact on Bangladesh's economy and society and include the voice of union workers as well.

Calls for a retreat of international organisations would have severe negative implications for Bangladesh's economy and especially its textile industry, which constitutes more than 80 % of the country's exports. Not only has the garment industry secured and advanced employment opportunities for its citizens, factory jobs have also been a vehicle for upward social mobility for women, who make up around 80% of the working force. The main beneficiary of an exodus of international companies from Bangladesh, would be fundamental and extremist forces, who have been propagating their vision of removing all women from factory jobs, thus eradicating Bangladesh's success story of Women empowerment.

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<sup>&</sup>lt;sup>37</sup> Bergman, David. "Bangladesh Makes Strides in Factory Safety | Al Jazeera America." *Al Jazeera America*, April 24, 2015. http://america.aljazeera.com/articles/2015/4/24/bangladesh-makes-strides-in-factory.html.

<sup>&</sup>lt;sup>38</sup> Kazmin, Amy, and Joseph Allchin. "Dozens Face Murder Charges over Bangladesh's Rana Plaza Disaster." *Financial Times-Asia-Pacific*, June 2, 2015.

<sup>&</sup>lt;sup>39</sup> German Technical Cooperation (GTZ). "Empowerment of Female Garment Workers." PROGRESS: Promotion of Social, Environmental and Production Standards in the Readymade Garment Sector. Dhaka, Bangladesh, 2010.

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#### 7. The growing influence and clout of Jamaat-e-Islami

This policy brief has exhaustively shown the role of the JeI during the Bangladeshi Liberation War and its links to the Pakistani Army in committing crimes against humanity as well as its role in the past few years propelling political violence and unrest to halt the ICT trials. It has also hinted at the fact that although the JeI only has a small voting base it is an extremely powerful organisation that is much more than merely a political party.

The JeI is a subgroup of the Muslim Brotherhood network, which is considered a terrorist organisation in many Arab states and shares the Jihadi international agenda of establishing a global caliphate.

Not only as the JeI in Bangladesh (as well as in Pakistan) named the Muslim Brotherhood (MB) as its "brother organisation" has it also maintained close ties to the MB in Egypt, Jordan and other outlets. The MB provides structural, logistical, financial and political but more importantly ideological support to the JeI.; s the JeI is supported domestically as well as internationally.<sup>40</sup>

Because the JeI has failed to attract a large electorate, it has focused on indoctrinating Bangladesh's youth by setting up own madrassas and technical education centres on the one hand, the "Darul Islam Coaching Centres" are present in all 64 districts<sup>41</sup>, and are instrumentalising their front organisations such as the "Islami Chatri Shibir" (ICS), one of the largest and strongest student organisations in the country, and religious cultural organisations like the "Bangladesh Masjid Mission" or the "Bangladesh Islamic Centre" on the other hand. In addition the JeI and other militant Islamic organisations are headhunting graduates from the mainstream education system. This long-term strategy is aimed at creating enough support amongst young people in the country in order to build a basis of public support for the establishment of an Islamic State governed solely by Sharia Law.

Not only has the JeI set in motion a process that has the potential to distort secularism in Bangladesh by targeting young minds, it also has an economic machinery, in which it collaborates with other militant outlets. The JeI has large economic stakes in finance, education, pharmaceutical, diagnostic, trade and commerce, transport, real estate, media,

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<sup>&</sup>lt;sup>40</sup> Sauerborn, Djan. "The Jamaat-E-Islami: The Speaking Trumpet of Islamism in Bangladesh." EP TODAY, November 6, 2013. http://eptoday.com/the-jamaat-e-islami-the-speaking-trumpet-of-islamism-in-bangladesh/.

<sup>41</sup> "Saudi-Backed Tycoon Finances Jamaat-E-Islami." *Money Jihad*, March 19, 2013.

<sup>&</sup>lt;sup>41</sup> "Saudi-Backed Tycoon Finances Jamaat-E-Islami." *Money Jihad*, March 19, 2013. https://moneyjihad.wordpress.com/2013/03/19/saudi-backed-tycoon-finances-jamaat-e-islami/.

<sup>&</sup>lt;sup>42</sup> Kumar, Anand. *Return from Precipice: Bangladesh's Fight against Terrorism*. New Delhi: Pentagon Security International, 2012, p.22.



information technology and NGOs. In 2010 the JeI earned approximately \$200 million. Especially worrisome is the support and cooperation between Islamic banks, which work hand in hand with the JeI, for terrorist outlets as highlighted by a report issued in 2012 by the U.S. "Permanent Subcommittee on Investigations" (Committee on Homeland Security and Governmental Affairs) on the activities of the "Islami Bank Limited" (IBBL)<sup>44</sup>

In his article "Political Economy of Fundamentalism in Bangladesh", Prof. Abul Barkat, a renowned economist, who traced about 230 NGOs that are run by Islamist fundamentalists of which 30 are directly run by JeI argues that "in pursuing their economic models, the religious fundamentalists are politically fully conscious about their key aim of capturing state power, and they constantly try to use scientific means and methods for realisation of the goal in their own way. This also implies that although the theologies and ideologies of fundamentalism are rooted in feat and get impetus due to increasing inequality, these movements are not just an archaic throwback into the past-they are innovative and modernising[...] in doing so, the fundamentalists have created an "economy within the economy", and a "state within the state". They have adequate economic strength (from micro to macro levels) to sustain their political organisations.<sup>45</sup>

The short-term as well as long-term threat potential of JeI cannot be overemphasised. It is foolish to view this economic and political colossus as a push over just because they lack a strong electoral base. It is not alarmist to claim that the JeI, if kept unchecked, has the potential to slowly but surely put an end to secularism and democracy in Bangladesh.

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<sup>&</sup>lt;sup>43</sup> Bhattacharjee, Joyeeta. "Financing the Radicals." *Observer Research Foundation*, October 2, 2010.

http://orfonline.org/cms/sites/orfonline/modules/analysis/AnalysisDetail.html?cmaid=20470 &mmacmaid=20471.

<sup>&</sup>lt;sup>44</sup> Levin, Carl, and Tom Coburn. "U.S. Vulnerablities to Money Laundering, Drugs, and Terrorist Financing: HSBC Case History." United States Senate: Permanent Subcommittee on Investigations (Committee on Homeland Security and Governmental Affairs), June 17, 2012.

<sup>&</sup>lt;sup>45</sup> Barkat, Abul. "Political Economy of Fundamentalism in Bangladesh." *Mainstream Weekly*, Special Supplement on Bangladesh, 51, no. 14 (March 23, 2013). http://www.mainstreamweekly.net/article4071.html.

Table 3: Sector-Institution-wise Breakup of Annual Net Profit of Economic Fundamentalists (estimated) for 2010°

Sector-Institution	Annual net profit (in US\$ million)	Percentage share in total net profit
Financial Institution: Bank, Insurance, Leasing Company.	67.5	27.0
Trading organisation: Retail, Wholesale, Departmental store	27.0	10.8
Pharmaceutical Industry, Health Institution including Diagnostic Centre	e 26.0	10.4
Educational Institution: School, College, University, Coaching Centres	23.0	9.2
Transport and Communications: Rickshaw, vans, three wheeled CNG, Car, Truck, Bus, Launch, Steamers, Ocean-going Vessels, etc.	18.7	7.5
Real Estate: Land, Building	21.3	8.5
Media and IT	19.5	7.8
NGOs, Trusts and Foundations	47.0	18.8
Total	250	100

Source: Barkat, Abul. "Political Economy of Fundamentalism in Bangladesh." *Mainstream Weekly*, Special Supplement on Bangladesh, 51, no. 14 (March 23, 2013)

## 8. The BNP's path to orderly opposition

This Policy Brief has highlighted the need for a political shift by the BNP. If the BNP is indeed in favour of safeguarding its co-citizens, even at the cost of political defeat, it must cut ties with Jamaat. The BNP support for Jamaat and its various youth organizations and other allies have empowered Islamists and Fundamentalists throughout the country. The BNP must join hands with the Awami League and combat all forms of extremism or its great thinkers, women, minorities will never be safe, and its economy will continue its downward spiral and violence will further disrupt the lives of over 150 million Bangladeshis. Furthermore, the BNP should recognize the apolitical nature of the ICT trials and acknowledge its necessity in addressing the roots causes of the conflict by putting an end to impunity. Every parliamentary democracy needs a committed opposition that checks the government and balances its power. By promoting and supporting violent extra-parliamentary methods the BNP has discredited itself as a much needed democratic opposition party. The BNP is a powerful political party and must now use its clout to remove violence from the streets and bring constructive debates back into Bangladesh's polity. In addition the BNP must acknowledge that its recommitment to Democracy can only exist if Jamaat is excluded from its tactical and strategic modus operandi. There are positive recent developments that should be highlighted. In mid-June 2015, the BNP has started to realise that its ties with Jamaat are becoming a liability. To a certain extent this can be traced back to Indian Prime Minister Modi visiting Dhaka and voicing his concerns over the activities of Jamaat. There is also a rise in BNP members, who are acknowledging the negative impact the collaboration with the JeI has had on their party, distorting BNP's label as a "moderate party". If the BNP wants to return to a strong, constitutional and democratic role in the political realm of Bangladesh severing ties with the JeI is a condition sine qua non.



## 9. Policy Advice

- I. The EU should reiterate its call for the BNP to sever ties with the JeI. Democracy cannot prevail if political parties, whose agenda it is to erode democracy, are at the forefront of formal and informal decision-making processes.
- II. The EU should create a trilateral dialogue with the Awami League and the BNP and mediate between both major political parties.
- III. The dialogue should revolve around the issues of putting an end to the disruptive and stifling hartals, to guarantee general human rights, especially during political turmoil and to end the deadlock and generate trust and room for cooperation in order to re-establish democratic norms and principles.
- IV. Urge external donors (NGOs and/or non-EU countries) to re-evaluate and monitor their flow of financial aid, development and assistance to Bangladesh so that it is not misused by the JeI and its auxiliaries to augment their hazardous extremist impact on political life and secularism in Bangladesh.
- V. Create awareness of the danger that rising religious extremism in Bangladesh poses to democracy, development, secularism, women, minorities, and freedom of speech the country and the region as a whole.
- VI. Highlight the general necessity for a review of monetary EU assistance to developing countries. Political instability and lack of transparency fosters the misappropriation of funds and goods and often creates a scenario in which perpetrators are strengthened, and prodemocratic forces weakened.
- VII. The EU should support Bangladesh, specifically its judicial system in bringing perpetrators of genocide to justice within the scope of the ICT trials. It should refrain from solely highlighting the imperfections of the trials and/or avoid supporting or even disapprove of the trials because of potential backlash by extremist, non-democratic forces. EU opposes death penalty in all circumstances, in the context of the ICT or elsewhere; these are two different issues that should not be mixed. That is, the position of the EU regarding death penalty should not be used to question the entire legitimacy of the process. The EU should reiterate its commitment to ending impunity everywhere, including Bangladesh.
- VIII. The EU must initiate and nourish debates revolving around Bangladesh's garment industry and worker safety, which is founded on pragmatism and facts. In addition policy makers should keep in mind that jihadist forces that instil their fundamentalist vision of Bangladesh into this debate are instrumentalizing the plight of thousands of wounded workers and left behind relatives.



IX. In order to receive a more extensive overview of the working conditions, the importance of the garment industry to Bangladesh's civil society as well as necessary steps forward, the EU should invite representatives of Bangladesh's unions to meet and cooperate with their EU counterparts.

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