

FREEDOM IN THE WORLD 2020

Bangladesh

PARTLY FREE

39

/100

<u>Political Rights</u>	15/40
<u>Civil Liberties</u>	24/60

LAST YEAR'S SCORE & STATUS

41 /100 ● Partly Free

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

The ruling Awami League (AL) has consolidated political power through sustained harassment of the opposition and those perceived to be allied with it, as well as of critical media and voices in civil society. Corruption is a serious problem, and anticorruption efforts have been weakened by politicized enforcement. Due process guarantees are poorly upheld and security forces carry out a range of human right abuses with near impunity.

Key Developments in 2019

- In January, Prime Minister Sheikh Hasina began her third consecutive term in office following the Awami League's (AL) victory in December 2018 parliamentary elections, which were marked by violence, the intimidation of opposition candidates and supporters, allegations of fraud benefiting the ruling party, and the exclusion of nonpartisan election monitors.
- The opposition Bangladesh Nationalist Party (BNP) declared a boycott of parliament following the December 2018 election, but in April four of the six BNP members who won seats decided to take the oath of office. Meanwhile, BNP leader Khaleda Zia remained in prison, having been convicted of corruption charges ahead of the 2018 polls.
- More than 700,000 Rohingya refugees who had fled Myanmar since 2017 remained in Bangladesh, where most live in precarious camps that lack basic services. The Bangladesh government became increasingly hostile toward the Rohingya during the year, cutting off cell phone service in the camps and erecting barbed-wire fencing around them.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

1 / 4

A largely ceremonial president, who serves for five years, is elected by the legislature. President Abdul Hamid was elected to his second term in 2018.

The leader of the party that wins the most seats in the unicameral National Parliament assumes the position of prime minister and wields effective power. Hasina was sworn in for her third term as prime minister in early 2019 following the AL's overwhelming victory in the 2018 elections, which were marked by violence, intimidation of opposition candidates and supporters, allegations of fraud benefiting the ruling party, and the exclusion of nonpartisan election monitors. Hamid also swore in 24 cabinet ministers, 19 ministers of state, and 3 deputy ministers.

Score Change: The score declined from 2 to 1 because a new prime minister and cabinet were installed by a legislature that was the product of deeply flawed parliamentary elections in late 2018.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

1 / 4

The National Parliament is composed of 350 members, 300 of whom are directly elected. Political parties select a total of 50 women members based on their share of elected seats.

Hasina's AL overwhelmingly won the December 2018 polls, with the party and its alliance partners taking 288 of the 300 directly elected seats. Election day and the campaign that preceded it were marked by political violence in which at least 17

people were killed, as well as legal and extralegal harassment of government opponents. The opposition BNP claimed that thousands of its supporters and nearly a dozen of its candidates had been arrested ahead of the elections, and that its candidates were subject to intimidation and violence. Zia, the BNP's leader, was convicted on corruption charges and jailed ahead of the polls and later banned from participating in them as a candidate, significantly harming the BNP's competitiveness.

In the election's wake, the BNP issued allegations that the AL had benefitted from widespread electoral fraud carried out by AL supporters with the complicity of law enforcement agents and the army. The government also faced criticism for long delays in approving the accreditation of the Asian Network for Free Elections (ANFREL), which ultimately cancelled its election monitoring mission. A number of domestic and international missions were also unable to observe the elections due to similar delays, or authorities' outright denial of accreditation. Researchers from Transparency International Bangladesh (TIB) documented electoral irregularities in 47 of 50 constituencies they observed.

The previous general election in 2014 was boycotted by the BNP, the main opposition party, and was disrupted by significant violence.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

2/4

The independence of the Election Commission (EC) and its ability to investigate complaints has long been questioned by opposition parties and outside observers, including by foreign governments and international organizations that have withdrawn financial assistance to the commission over such concerns. The EC's stewardship of the 2018 elections lent further credence to complaints that it favors the ruling party. In the run-up to the 2018 polls, the commission disqualified 141 BNP candidates for various violations, but only 3 from the AL. (Anticipating such

disqualifications, the BNP designated multiple nominees for a number of posts to minimize disruptions to its campaign.) Moreover, the EC failed to order additional security measures following outbreaks of political violence that preceded the vote, or to meaningfully address many complaints filed by opposition figures about election-related violence and other electoral irregularities. After the election, the EC affirmed the results without investigating widespread allegations of fraud.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

2/4

Bangladesh has a multiparty system in which power has historically alternated between political coalitions led by the AL and BNP; third parties have traditionally had difficulty achieving traction. Both parties are nondemocratic in terms of internal structure, and are led by families that have competed to lead Bangladesh since independence, along with a small coterie of advisers. A crackdown on the BNP ahead of the 2018 elections significantly disrupted its operations. However, the government eased restrictions on opposition protests and rallies after the polls.

The constitution bans religiously based political parties, and the Jamaat-i-Islami (JI) party was prohibited from taking part in the 2014 and 2018 elections because of its overtly Islamist charter, though some JI members ran as independents. Bangladesh's International Crimes Tribunal—named as such despite lacking international oversight—was created in 2010 by Hasina to try people suspected of committing war crimes during Bangladesh's 1971 war of independence from Pakistan. Critics of

the tribunal claim it was established to persecute Hasina's political opponents, notably those in JI.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

1 / 4

The main opposition BNP has been weakened by regular harassment and arrests of key members that have significantly harmed its ability to challenge the AL in elections. The 2018 election campaign was characterized by a crackdown on dissent that saw thousands of people and several political candidates arrested. There were also a number of acts of violence committed against opposition figures.

In the run-up to the polls, former prime minister and BNP leader Khaleda Zia was sentenced to five years' imprisonment for corruption, and the term was doubled in October, and the same month she was also sentenced to seven years in another case. In December, the attorney general announced that, per a recent Supreme Court ruling, she could not contest the elections due to a ban on political candidacy by anyone sentenced more than two years in prison. Zia's imprisonment severely hampered the competitiveness of the BNP.

A JI spokesman said more than 1,850 party members were arrested ahead of the 2018 elections, and some party members claimed they had been subject to torture while in custody.

In the first half of 2019, the BNP and other opposition parties boycotted local elections, which saw historically low turnout. In September, the BNP reversed the decision, saying it plans to participate in future elections. Earlier, in April, four of the six BNP members who won seats decided to take the oath of office.

B3. Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means? 2 / 4

The rival AL and BNP parties dominate politics and limit political choices for those who question internal party structures or hierarchy, or who would create alternative parties or political groupings.

Animosity between Hasina and Zia, as well as between lower-level cadres, has contributed to continued political violence. The human rights group Odhikar registered 70 deaths and 3,467 people injured during political violence in 2019, and nearly 3,000 injured in intraparty clashes.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?

2/4

In the National Parliament, 50 seats are allotted to women, who are elected by political parties based on their overall share of elected seats, and women lead both main political parties. Nevertheless, societal discrimination against women, as well as against as well against LGBT+ people, limits their participation in politics. Religious minorities remain underrepresented in politics and state agencies.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

1/4

Policy is set by the ruling AL, and weaknesses in the country's institutions have reduced checks on its processes and decision-making. Low representation of opposition lawmakers in the National Parliament significantly reduces its ability to provide thorough scrutiny of or debate on government policies, budgets, and proposed legislation.

Problems with the 2018 election including violence, intimidation of opposition candidates and supporters, and allegations of fraud benefiting the ruling party undermined the legitimacy of the AL government that was seated in January 2019.

Score Change: The score declined from 2 to 1 because the serious problems associated with the 2018 elections undermined the democratic legitimacy of the government and lawmakers in office during 2019.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

1/4

Under the AL government, anticorruption efforts have been weakened by politicized enforcement and subversion of the judicial process. In particular, the Anti-Corruption Commission (ACC) has become ineffective and subject to overt political interference. The government continues to bring or pursue politicized corruption cases against BNP party leaders.

Media outlets and civil society face restrictions, and are therefore less able to expose government corruption.

C3 0-4 pts

Does the government operate with openness and transparency?

2/4

Endemic corruption and criminality, weak rule of law, limited bureaucratic transparency, and political polarization have long undermined government accountability. The 2009 Right to Information Act mandates public access to all information held by public bodies and overrides secrecy legislation. Although it has been unevenly implemented, journalists and civil society activists have had some success in using it to obtain information from local governing authorities.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?

1/4

Journalists and media outlets face many forms of pressure, including frequent lawsuits, harassment, and serious or deadly physical attacks. A number of journalists were arrested or attacked in 2019 in connection with reporting on topics including crimes committed during the 1971 war, and election irregularities during both in the 2018 parliamentary polls and 2019 local polls. A climate of impunity for attacks on media workers remains the norm, and there has been little progress made on ensuring justice for the series of blogger murders since 2015. Dozens of bloggers remain in hiding or exile.

The 2018 Digital Security Act allows the government to conduct searches or arrest individuals without a warrant and criminalizes various forms of speech, and was vehemently opposed by journalists.

Forms of artistic expression contained in books, films, and other materials are occasionally banned or censored.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

2/4

Islam is designated as the official religion, though the constitution designates secularism as among the “high ideals” the charter is grounded in. Although religious minorities have the right to worship freely, they occasionally face legal repercussions for proselytizing. Members of minority groups—including Hindus, Christians, Buddhists, and Shiite and Ahmadiyya Muslims—face harassment and violence, including mob violence against their houses of worship. In October 2019, a Muslim mob attacked Hindu residences in Barisal after rumors circulated that a Hindu man posted blasphemous content on Facebook, and four people were shot and killed by police who responded to the chaos. Police later reported that the man’s account had been hacked. The incident was one of a number in recent years in which violence against religious or other minorities appears to have been deliberately provoked using social media.

Those with secular or nonconformist views can face societal opprobrium and attacks from hardline Islamist groups.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

1/4

In recent years, Bangladesh’s academic institutions have faced frequent threats from a variety of actors, resulting in reduced autonomy and rising self-censorship. Faculty hiring and promotion are often linked to support for the AL, and campus debate is often stifled by the AL’s student wing. In separate incidents, members of the AL student wing attacked a nonviolent protest at Dhaka University in September 2019, and the following month beat a student to death after he posted criticism of the AL on Facebook. Separately, in July, a researcher who exposed the presence of harmful antibiotics in major milk brands was maligned and threatened by members of the government.

In 2018, several campus demonstrations by students and professors who objected to a quota scheme for government jobs were set upon by assailants and violently

dispersed by police, and many participants were arrested.

Changes made to the Bengali-language textbooks used widely throughout the educational system and distributed in 2017—at the behest of Islamist groups, who demanded the removal of content they claimed was “atheistic”—raised concerns about the influence of these groups over government policy and standards. Separately, Islamic extremists have attacked secular professors.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

2/4

Open private discussion of sensitive religious and political issues is restrained by fears of harassment. Prior to the 2018 election, repression of dissent created a climate of fear and self-censorship. Censorship of digital content and surveillance of telecommunications and social media have become increasingly common.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

2/4

The constitution provides for the rights of assembly and association, but this is upheld inconsistently. Many demonstrations took place in 2019, though authorities sometimes try to prevent rallies by arresting party activists. Protesters are frequently injured and occasionally killed during clashes in which police use excessive force.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

2/4

Many nongovernmental organizations (NGOs) operate in Bangladesh and are able to function without onerous restrictions, but the use of foreign funds must be cleared by the NGO Affairs Bureau, which can also approve or reject individual projects. The 2016 Foreign Donations (Voluntary Activities) Regulation Act made it more difficult for NGOs to obtain foreign funds and gave officials broad authority to deregister NGOs. Democracy, governance, and human rights NGOs are regularly denied permission for proposed projects and are subject to harassment and surveillance. In 2019, the government released a draft “social welfare” law that would increase NGOs’ reporting requirements and give authorities broad powers to shutter groups they decide are not acting in the “public interest.”

Also during the year, authorities invoked digital security laws to arrest several rights activists for online speech, citing offenses including hurting religious sentiment and undermining law and order.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

1/4

Legal reforms in 2015 eased restrictions on the formation of unions. However, union leaders who attempt to organize or unionize workers continue to face dismissal or physical intimidation, and organizations that advocate for labor rights have faced increased harassment. Worker grievances fuel unrest at factories, particularly in the garment industry, where protests against low wages and unsafe working conditions are common. Protesting workers often face violence, arrest, and dismissal.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

1/4

Politicization of and pressure against the judiciary persists. In 2017, the Chief Justice of the Supreme Court retired; he left the country and said, in an autobiography published in September 2018, that he had been forced to retire after threats from Bangladeshi military intelligence because of rulings he had made against the government. In July 2019, Bangladesh's Anti-Corruption Commission charged the former chief justice with corruption in absentia. Other allegations of political pressure on judges continued to emerge during the year, as did allegations that unqualified AL loyalists were being appointed to court positions.

F2 0-4 pts

Does due process prevail in civil and criminal matters?

1/4

Individuals' ability to access justice is compromised by endemic corruption within the court system and severe backlogs. Pretrial detention is often lengthy, and many defendants lack counsel. Suspects are routinely subject to arbitrary arrest and detention, demands for bribes, and physical abuse by police. Criminal cases against ruling party activists are regularly withdrawn on the grounds of "political consideration," undermining the judicial process and entrenching a culture of impunity.

The 1974 Special Powers Act permits arbitrary detention without charge, and the criminal procedure code allows detention without a warrant. A 2009 counterterrorism law includes a broad definition of terrorism and generally does

not meet international standards. Concerns have repeatedly been raised that the International Crimes Tribunal's procedures and verdicts do not meet international standards on issues such as victim and witness protection, the presumption of innocence, defendant access to counsel, and the right to bail. The tribunal continued to hand down sentences, including death sentences, in 2019.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

1 / 4

Terrorist attacks by Islamist militant groups continued to decline in 2018 following a crackdown on these groups in the latter half of 2016, during which more than 15,000 people were arrested. The South Asia Terrorism Portal documented no civilian fatalities related to Islamist extremism in 2019, compared to 43 in 2016. However, the Islamic State (IS) militant group claimed credit for several nonlethal bomb attacks on police officers in Dhaka in 2019.

A range of human rights abuses by law enforcement agencies—including enforced disappearances, custodial deaths, arbitrary arrests, and torture—have continued unabated. A 2017 Human Rights Watch (HRW) report documented the use of detention and enforced disappearance against members of the political opposition, despite the government's promise to address the issue. In 2018, the government initiated a “war on drugs,” during which thousands were arrested and over 100 people were killed.

Odhikar reported a total of 391 extrajudicial killings perpetrated by law enforcement agencies in 2019. A report from the International Federation for Human Rights released in April 2019 found that 507 people had been subject to enforced disappearance between 2009 and 2018. Prison conditions are extremely poor; severe overcrowding is common, and juveniles are often incarcerated with adults.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?**1 / 4**

Members of ethnic and religious minority groups face some discrimination under law as well as harassment and violations of their rights in practice. Indigenous people in the Chittagong Hill Tracts (CHT), religious minorities, and other ethnic groups remain subject to physical attacks, property destruction, land grabs by Bengali settlers, and occasional abuses by security forces.

Bangladesh has hosted roughly 270,000 ethnic Rohingyas who fled from Myanmar beginning in the 1990s. The vast majority do not have official refugee status; suffer from a complete lack of access to health care, employment, and education; and are subject to substantial harassment. In response to a sharp escalation in violence directed against Rohingyas in Myanmar's Rakhine State in 2017, some 700,000 refugees poured across the border into Bangladesh, creating a humanitarian crisis. Most live in precarious camps that lack basic services. Authorities reached a repatriation agreement with Myanmar in October, but the UN refugee agency said conditions in Myanmar were not fit for the refugees' return and that safeguards for them were "absent." Subsequent efforts to repatriate Rohingya have failed, and the government has become increasingly hostile toward the refugees. In 2019, authorities cut off cell phone service in refugee camps and erected barbed-wire fencing around them.

A criminal ban on same-sex sexual acts is rarely enforced, but societal discrimination remains the norm, and dozens of attacks on LGBT+ individuals are reported every year. A number of LGBT individuals remain in exile following the 2016 murder of Xulhaz Mannan, a prominent LGBT activist, by Islamist militants. Some legal recognition is available for transgender people, though in practice they face severe discrimination.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

3/4

The ability to move within the country is relatively unrestricted, as is foreign travel, though there are some rules on travel into and around the CHT districts by foreigners as well as into Rohingya refugee camps. There are few legal restrictions regarding choice of education or employment.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

2/4

Property rights are unevenly enforced, and the ability to engage freely in private economic activity is somewhat constrained. Corruption and bribery, inadequate infrastructure, and official bureaucratic and regulatory hurdles hinder business activities throughout the country. State involvement and interference in the economy is considerable. The 2011 Vested Properties Return Act allows Hindus to reclaim land that the government or other individuals seized, but it has been unevenly implemented. Tribal minorities have little control over land decisions affecting them, and Bengali-speaking settlers continue to illegally encroach on tribal lands in the CHT.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of

marriage partner and size of family, protection from domestic violence, and control over appearance?

2/4

Under personal status laws affecting all religions, women have fewer marriage, divorce, and inheritance rights than men, and face discrimination in social services and employment. Rape, acid throwing, and other forms of violence against women occur regularly despite laws offering some level of protection. A law requiring rape victims to file police reports and obtain medical certificates within 24 hours of the crime in order to press charges prevents most cases from reaching the courts. Giving or receiving dowry is a criminal offense, but coercive requests remain a problem. Bangladesh has the fourth-highest rate of child marriage in the world, with 59 percent of girls married by age 18, according to statistics from the UN Children's Fund (UNICEF) for 2017. Despite a stated government commitment in 2014 to abolish the practice by 2041, in 2017 parliament approved a law that would permit girls under the age of 18 to marry under certain circumstances, reversing a previous legal ban on the practice.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

2/4

Socioeconomic inequality is widespread. Working conditions in the garment industry remain extremely unsafe in most factories despite the renewal of a legally binding accord between unions and clothing brands to improve safety practices. Comprehensive reforms of the industry are hampered by the fact that a growing number of factory owners are also legislators or influential businesspeople.

Bangladesh remains both a major supplier of and transit point for trafficking victims, with tens of thousands of people trafficked each year. Women and children are trafficked both overseas and within the country for the purposes of domestic servitude and sexual exploitation, while men are trafficked primarily for labor

abroad. A comprehensive 2013 antitrafficking law provides protection to victims and increased penalties for traffickers, but enforcement remains inadequate.



On Bangladesh

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Country Facts

Global Freedom Score

39/100 ● Partly Free

Internet Freedom Score

44/100 ● Partly Free

Other Years

2019



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