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Bangladesh: Introduction of the caretaker government in October 2006; security measures implemented by the caretaker government; treatment of key political figures of the Awami League (AL) and the Bangladesh National Party (BNP) by the caretaker government

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### Caretaker government

Bangladesh's government system requires that power be handed over to an unelected "caretaker" government once an administration has finished its term (BBC 30 Oct. 2006; The Tribune 29 Oct. 2006). The role of the caretaker government is to organize an election within 90 days of assuming power (ibid.; BBC 30 Oct. 2006; Xinhua 30 Oct. 2006).

In October 2006, the government, led by the Bangladesh National Party (BNP), failed to reach agreement with the opposition over the formation of the caretaker government (Freedom House 2007). Protests erupted led by supporters of the Awami League (AL), the country's main opposition party (Xinhua 30 Oct. 2006; ICG 1 Nov. 2006; BBC 30 Oct. 2006), who objected to the nomination of ex-Chief Justice KM Hasan as the head of the interim government (ibid.; Xinhua 30 Oct. 2006). Hasan is a former BNP leader (The Tribune 29 Oct. 2006). More than 25 people were reportedly killed in the clashes and "thousands" of others were injured (Xinhua 30 Oct. 2006). On 29 October 2006, in the wake of the protests, Hasan turned down his nomination as head of the caretaker government and President Iajuddin Ahmed assumed the role (BBC 30 Oct. 2006; Xinhua 30 Oct. 2006; ICG 1 Nov. 2006).

From November 2006 to January 2007, political violence continued in Bangladesh (The Guardian 11 Jan. 2007), resulting in the death of approximately 45 people (ibid.). In January 2007, an alliance of opposition parties led by the AL declared that it would boycott the elections scheduled for 22 January 2007 (ibid.; VOA 3 Jan. 2007; BBC 11 Jan. 2007b). The AL accused the caretaker government of "bias," claiming that it favours the BNP (VOA 3 Jan. 2007). During the same month, the United Nations (UN) announced its withdrawal of technical support in the elections (The Guardian 11 Jan. 2007; BBC 11 Jan. 2007a), stating that the political crisis had "severely jeopardised the legitimacy of the electoral process" (ibid.). European Union (EU) and United States (US) election monitors likewise decided to pull out of the country (ibid.; ICG 1 Feb. 2007), saying that they would not recognize the elections as being free and fair (ibid.).

On 11 January 2007, Iajuddin Ahmed resigned as head of the caretaker government, postponed the elections and declared a state of emergency (The Guardian

11 Jan. 2007; ICG 1 Feb. 2007; BBC 11 Jan. 2007b). Fakhruddin Ahmed, a former World Bank official, replaced Iajuddin Ahmed as the leader of the interim government (Freedom House 2007; The Economist 18 Jan. 2007). The caretaker government led by Fakhruddin Ahmed is backed by the Bangladesh military (ibid.; Freedom House 2007).

In September 2007, new elections were not expected to be held until late 2008 (BBC 5 Sept. 2007; AFP 24 Sept. 2007).

### **Security measures implemented under the state of emergency**

When the state of emergency was implemented on 11 January 2007, a curfew was imposed in Dhaka and 60 other cities and towns (BBC 11 Jan. 2007b; The Guardian 11 Jan. 2007). The curfew was reportedly in place for six hours between 11 p.m. and dawn (ibid.). Information on the period of time over which the curfews were in place could not be found among the sources consulted by the Research Directorate. In August 2007, new curfews were imposed in the capital city of Dhaka and five other cities following violent student protests calling for an end to the "emergency rule" (BBC 27 Aug. 2007; The Economist 23 Aug. 2007). The curfews were lifted after several days (BBC 27 Aug. 2007).

The January 2007 state of emergency reportedly allows military and law enforcement authorities to make arrests without warrants (AHRC n.d.). Persons arrested under Emergency Powers Rules (EPR) for crimes deemed a threat to Bangladesh's national security, which include cases of corruption, are not permitted to seek bail (OANA 18 Sept. 2007; Reuters 22 Mar. 2007).

According to Odhikar, a Bangladesh human rights organization and election monitor (Odhikar n.d.), in the first month of the country's state of emergency, over 52,000 persons were arrested and 29 were killed by law enforcement authorities (ibid. 11 Feb. 2007). In September 2007, Human Rights Watch (HRW) reported that as many as 200,000 persons may have been arrested under the state of emergency (12 Sept. 2007).

Other measures implemented under the state of emergency include restrictions on political party and trade union activities (UNB 27 Jan. 2007; BSS 14 Jan. 2007; see also AHRC n.d.); a ban on rallies, processions and meetings (AHRC n.d.; UNB 27 Jan. 2007); and a suspension of news broadcasts from private television channels (BBC 11 Jan. 2007b). In addition, newspapers and electronic media may not publish material that criticizes the government (ibid.; AHRC n.d.; UNB 27 Jan. 2007). Persons violating the security measures could face prison terms of two to five years as well as fines (ibid.; HRW 12 Sept. 2007).

In September 2007, the caretaker government announced a partial lifting of the ban on political activities (ibid.; BBC 12 Sept. 2007; The Hindu 11 Sept. 2007). The ban was apparently eased only in Dhaka (ibid.), in order to allow political parties to discuss electoral reforms with the Election Commission (ibid.; HRW 12 Sept. 2007; BBC 12 Sept. 2007).

### **Treatment of key political figures**

In addition to implementing a state of emergency, Bangladesh's caretaker government also began a campaign to clean up corruption in politics before the next elections (ICG 1 Mar. 2007; AFP 24 Sept. 2007). The caretaker government has released several lists of individuals, including political leaders, suspected of being involved in corrupt activities (ibid.; Global Insight Daily Analysis 28 Sept. 2007). According to a 4 March 2007 article in the Dhaka-based Daily Star, Bangladeshi authorities have seized the passports of individuals suspected of corruption, as well as

those of their family members, so that they are unable to leave the country. Cited in the article, an unidentified source noted that authorities may also detain family members to pressure suspects to surrender (The Daily Star 4 Mar. 2007). Many people have reportedly fled Bangladesh out of fear that they will be investigated and arrested (Global Insight Daily Analysis 28 Sept. 2007).

Sources consulted by the Research Directorate indicate that "hundreds" of politicians have been arrested in the crackdown on corruption (BBC 12 Sept. 2007; AFP 24 Sept. 2007). Politicians arrested include former BNP and AL ministers (AFP 5 Feb. 2007; AFP 4 Feb. 2007; The Daily Star 5 Feb. 2007). In March 2007, Tarique Rahman, the son of Khaleda Zia, who is the BNP leader and former Prime Minister, was arrested on corruption charges (AHRC n.d.; The Economist 8 Mar. 2007; AFP 8 Mar. 2007). Similar charges were also brought against Zia's second son, Arafat Rahman [also referred to as Arafat Rahman Koko (OANA 18 Sept. 2007)], two months later (BBC 21 May 2007). Information on whether the men have yet been tried could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

In April 2007, AL leader Sheikh Hasina Wajed and "dozens" of her colleagues were charged with murder (The Economist 12 Apr. 2007; The Daily Star 12 Apr. 2007), as well as other offences allegedly committed during the violent October 2006 protests (ibid.). Matiur Rahaman Nizami, leader of the Islamic fundamentalist party Jamaat-e-Islami, which was part of the BNP-led government, was also charged along with nine other members of his party for the murder of activists during the same protests (EIU 13 Aug. 2007; The Daily Star 12 Apr. 2007).

Sheikh Hasina, who was outside Bangladesh when the charges were brought against her, was banned by the government from returning to the country (The Daily Star 19 Apr. 2007; The Economist 19 Apr. 2007). BNP leader Khaleda Zia was reportedly exiled by the caretaker government during the same month (ibid.). However, following international criticism of the caretaker government's actions, restrictions on the two leaders were lifted (ibid. 10 May 2007; BBC 25 Apr. 2007).

Nevertheless, in July 2007, AL leader Sheikh Hasina was arrested on corruption and murder charges (BBC 24 July 2007; ibid. 16 July 2007; The Guardian 17 July 2007). News reports indicate that she was detained in Dhaka following a raid on her house by "hundreds" of policemen (ibid.; BBC 16 July 2007). Hasina denied the charges, describing them as politically motivated and a tactic to keep her from participating in future elections (ibid. 24 July 2007; ibid. 16 July 2007).

In September 2007, BNP leader and former Prime Minister Khaleda Zia was arrested on corruption charges (BBC 3 Sept. 2007; OANA 18 Sept. 2007). Zia's son, Arafat Rahman Koko was also detained on similar charges (ibid.; BBC 3 Sept. 2007). Like Hasina, Zia denied the charges, saying the case against her was "fabricated" and "conspiratorial," and one of her lawyers suggested that the arrest was a means of pushing her out of politics (ibid.). As both women were arrested under Emergency Powers Rules (EPR), they are reportedly not permitted to seek bail (OANA 18 Sept. 2007). In September 2007, both Hasina and Zia were reportedly awaiting their trial in a "luxury prison" (BBC 5 Sept. 2007).

Sources consulted by the Research Directorate indicate that several politicians arrested in the caretaker government's anti-corruption campaign have received jail terms ranging from 3 to 31 years (PTI 27 Aug. 2007; BBC 21 May 2007; OANA 26 July 2007; UNB 18 Sept. 2007).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is

not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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