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## Accountability, Peace, Development and Democracy in Bangladesh

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PAULO CASACA, JUL 24 2015

On 28 April local elections in the main urban areas of Bangladesh were once again boycotted by the main opposition party, the BNP, further escalating the already tense political situation within country. Bangladesh's democracy has been marred by military coups and violence and especially by what is widely considered as an original sin, the impunity of those responsible for the 1971 genocide that preceded the independence of the country. The International Crime Tribunals (ICT), re-established in 2009, was mandated with the task to investigate and prosecute suspects for the genocide committed in 1971 by Pakistan's Army and their local collaborators. Since it passed its first sentences against some of the leaders of the massacres in 2013 – incidentally most of them high profile Islamist figures in the national and the international arena – recurrent violence; persecution of minorities and liberal opinion makers; general disruption of economic, social and political life have increased exorbitantly. Revolving around and building on extensive research done in and on Bangladesh, the South Asia Democratic Forum recently published (June 2015) its first policy brief, drafted by Djan Sauerborn, "Democracy Stalemate in Bangladesh-What role for the International Community?" The core essence of the policy briefs aims at highlighting the necessity of defending democratic values and offers a roadmap to a pragmatic setup for a national dialogue. This article will provide a summary of the report's main issues as well as SADF's policy recommendations.

### **The Trial of the Genocide Perpetrators**

The 1971 genocide in Bangladesh was the worst crime against humanity after the Second World War. The genocide perpetrators targeted the youth and intellectuals suspected of supporting Bangladeshi independence and nationhood as well as religious minorities suspected of treason in a territory carved up on religious grounds. Pakistani armed forces helped by an army of collaborators made of Islamist militias were responsible of massive assassinations and rape of civilians. The conditions for establishing peace and allowing several hundred thousand Bengalis to return to their country from Pakistan implied the non-persecution of the military culprits and the Tribunal set to try collaborators was dismissed after a military coup in 1975. It was only re-established after the landslide electoral victory of the Awami League in 2008 based, exactly, on its promise to resume the operation of the ICT. The main political expression of these militias, the Jamaat-e-Islami (Jel) has been legally operating in the country since then and its leaders were not held responsible in front of justice for the crimes committed at that time.

### **The Campaign against the ICT**

Jel launched a campaign against the ICT that became increasingly more violent. It attempted to overthrow the government on February 2013, when a genocide perpetrator – and senior leader of Jel Abdul Quadar Mollah – was found guilty and sentenced to the maximum penalty. As a result, Jel registration for national polls was declared illegal on 1 August 2013 by Bangladesh's Supreme Court and Bangladeshi authorities now consider having the organisation as such answerable to law and justice. Accompanying the internal violence, there has been a strong external campaign trying to tarnish the image of the Court and the country as a whole. In spite of these campaigns, an independent opinion poll from April 2013 concluded that 86% of Bangladeshis were in favour of the trials. Externally, independent human rights and expert authorities have also concluded that ICT procedures have been free and fair.

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The main traditional opposition party, the BNP, who seems to praise its alliance with the Jel more than its electoral ambitions, boycotted the 2014 national elections protesting against the banning of Jel. However, it has been participating in the disruption tactics led by its Islamist allies. It also made a last minute decision to boycott the local elections of April 2015. Although the Jel only has a small voting base, it is an extremely powerful organisation and is widely viewed to be more than a political party whose power is unmatched in the country. Being part of the Muslim Brotherhood network and sharing the organisation's aim of establishing a global caliphate, Jel focuses on indoctrinating Bangladesh's youth by setting up its own madrassas and technical education centres as well as religious cultural organisations. Jel also controls impressive economic machinery. It has large stakes in finance, education, pharmaceutical, diagnosis, trade and commerce, transport, real estate, media, information technology and NGO's. In the words of Professor Abul Barkat "the fundamentalists have created an "economy within the economy" and a "state within a state".

This situation goes a long way to explain why the BNP – with a much larger electoral basis – acts like a subordinate partner to the Jel conditioning its immediate electoral interests to the strategic goals of the Islamists in order to keep its extensive leverage on power mechanisms. The pure power of the electoral vote cannot revoke the political ban of Jel or dismiss the ICT. In the past, both objectives were only accomplished through a military coup. With the independence of the justice system now considerably reinforced, an electoral victory would probably not achieve these goals either.

## **Economic, Social and Political Consequences of the Unrest**

Instead of contesting elections, the opposition has been busy causing mayhem in the country with successive blockades of the daily life called "hartals" in Bangladesh where trains, busses and other means of transport are set on fire, industrial and trade facilities are attacked, people forcibly kept out of their normal way of life have been fatally or seriously wounded. The blockades have been accompanied by the persecution of minorities, liberal voices and the harassment of women. Already at the time of the publication of the "National Women Development Policy 2011", which expanded women rights in education and property, Jel and other Islamist groups staged violent protests. For example, on April 2013, a demonstration attempted to occupy indefinitely Dhaka, calling for the implementation of capital punishment, of blasphemy laws, demanding compulsory Islamic education as well as claiming the curtail of women rights and putting an end to constitutional secularism.

Rape, arson and vandalism have been recurrently used against minorities such as Hindus, Buddhists or Christians in the wake of mass political demonstrations. Threats and targeted assassinations of leading liberal voices, namely those present in the blogosphere, have increased dramatically, especially as a reaction to the "Shahbag" youth movement formed to demand the end of impunity of those responsible for the genocide, with the banning of Jel and its youth organisation. Bangladesh went a long way since the famous sombre prediction of Kissinger depicting the country as a "basket case". Bangladesh is rightly viewed as a success story, combining trade with an increase in formal and informal labour incomes. With a GDP growth rate consistently exceeding 6%, the country has seen an impressive decline in absolute poverty – from 57% in 1992 to 31% in 2010 – a steady increase in alphabetisation and general school enrolments. In addition, Bangladesh has been extremely successful in achieving the Millennium Development Goals.

The general disruption caused by the political violence has severely damaged this trajectory. According to the Dhaka Chamber of Commerce and Industries the economy loses hundreds of millions of dollars per day due to the hartals, particularly in the garment industry, tourism, agriculture and traditional commerce. Millions of primary and secondary school girls and boys are prevented from attending classes and teachers are unable to fulfil their duties. The "Bangladesh Adivasi Women Network" – a platform of ethnic minority women – has recorded an increase of violence against indigenous women and children by more than 50% from 2012 to 2014. Amongst the methods used against minorities, the organisation lists rape, murder, abduction, sexual harassment as well as human trafficking.

## **Conclusion**

The crux of the matter is that it is paramount to convince the BNP that its future lies in the democratic process and its

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ability to win elections rather than relying on the Islamists power network or any opportunity created by the military. The BNP should sever existing ties with the Jel and any other Islamist organisation; recognise the role of the ICT and abandon any veiled attempt to convince the military establishment to intervene in the civil political life of Bangladesh. The international community has a strong role in allowing this to happen. It is essential that European institutions send a strong signal of support to the work of the International Crimes Tribunal. The European position to oppose the death penalty in every circumstance is not in question. The present ICT is only indirectly concerned with the issue, as it only uses the penal codes of the country and does not determine them. Therefore, supporting the abolition of the death penalty in Bangladesh should in no circumstance be confused with the support for less harsh punishments for the crime of genocide. There should be no doubt: the present human and economic cost of the crisis is not a consequence of the ICT; it is rather the price of four decades of impunity. Any step back will only mean an increase of the negative consequences. On this basis, the European Union should promote a dialogue between the two main traditional political forces in Bangladesh that will allow a return to stability and normal democratic and political means to contest power. Otherwise, the European Union should also intensify the dialogue and co-operation of the European and the Bangladeshi civil societies in every dimension, from education to environment or health. In this regard, it is fundamental to allow the voice of Bangladeshi women workers to be heard in Europe and to stimulate dialogue and co-operation between European and Bangladeshi trade unions.

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