



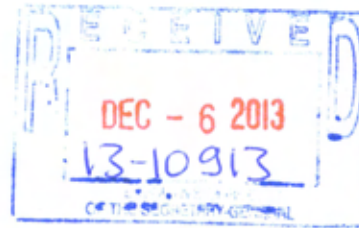
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December 5, 2013

Mr. Ban Ki Moon
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Your Excellency the Secretary General of the United Nations, Mr. Ban Ki Moon:

RE: An Open Letter to UN Assistant Secretary General for Political Affairs

Greetings from the Asian Human Rights Commission (AHRC).

We are writing to share an Open Letter that the AHRC has written to Mr. Oscar Fernández-Taranco, Assistant Secretary-General for Political Affairs of the UN, who is visiting Bangladesh from December 6-9, 2013, as your official representative.

The enclosed letter is about the precarious human rights realities of Bangladesh, which require urgent attention from the international community, and intervention from the United Nations.

The AHRC requests you to take urgent initiatives to save the lives, livelihoods and liberties of the ordinary people.

We appreciate your kind cooperation and attention.

Thanking you.

Sincerely,

Md. Ashrafuzzaman
 Programme Officer
 Bangladesh Desk



Pol/03/004; HRT/04/003



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FOR IMMEDIATE RELEASE
AHRC-OLT-015-2013
December 5, 2013

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An Open Letter to the UN Assistant Secretary General for Political Affairs by the Asian Human Rights Commission

Honourable Assistant Secretary General, Mr. Oscar Fernández-Taranco,

BANGLADESH: UN intervention needed urgently for saving ordinary people's lives and liberties

The Asian Human Rights Commission is writing to you on the eve of your third visit to Bangladesh, a country plunged into deep political and constitutional crisis. Tomorrow, on December 6, 2013, after your arrival in the capital city of Dhaka, in Bangladesh, you will definitely see many burned skeletons of vehicles left by the side of the streets and avenues. The brutalities that the ordinary people are forced to suffer every day in recent months could be seen and heard from countless innocent victims screaming in hospitals, often without adequate treatment facilities. Dozens of people have been killed by attacks on public transport in the last few weeks. Crude handmade bombs, petrol bombs and other explosives are being regularly used to cause burn injuries and deaths of human beings across the country, including in the capital city. The police, paramilitary forces and other law-enforcing agencies are randomly opening fire pointing guns toward the protestors who belong to the opposition. Endless political violence reigns all over Bangladesh at the moment of your travel in Dhaka, which is literally disconnected from the rest of the country, by political blockades.

The AHRC perceives that you have already acquired comprehensive understanding about the human rights situation of Bangladesh through other institutions of the UN and your last two visits in person. You might have observed how the state agencies have illegally arrested a number of senior leaders of the main opposition, without any provocation from the latter. The prisons of Bangladesh are now overcrowded with detainees to more than three times their actual capacity. The prisons and detention centres not only accommodate the convicts of crimes, but also house a large number of pro-opposition activists, newspaper editors, journalists, lawyers, human rights defenders and ordinary citizens in fabricated cases, to satisfy the wish of the ruling authorities.

Amongst human rights defenders, those who want to step forward with commitments of documenting the gross abuses of human rights are under constant surveillance, with imminent threats of further arrest, detention and custodial torture at the hands of the law-enforcement agencies that have a reputation of maintaining a torturous system. A few members of civil

society who have dared to criticise the lawless and unconstitutional actions of the government, and the Prime Minister in particular, have been facing death threats from unknown callers or criminal attacks on their residences and vehicles on the streets. The situation has compelled the spokespersons of the opposition to go into hiding to avoid arrest, detention and torture. The space for a dissident voice has been reduced to such a non-existent level that the opposition leaders are video-recording their statements from undisclosed places and disseminating them to the media and to the public through modern technologies.

The Election Commission (EC) of Bangladesh has been reshuffled by the government. Those who are loyal to the incumbent government are recruited to head the EC, which has also recruited the pro-ruling party activists in the field level offices across the country. The EC has complied with the government to weaken the electoral procedures when at least 28 provisions of the Representation of Public Order (RPO) were amended by the government. The delimitation of the constituencies of the parliamentary seats has allegedly been made for the convenience of the ruling parties' contestants. Electoral offences can hardly be adjudicated by the EC under the changed RPO. The EC's ability of guaranteeing a transparent and credible election has now been reduced much more than ever before. However, they have announced the schedule of election, hurriedly, without taking all the opposition parties in confidence, allegedly to please for pleasing the ruling alliance parties.

By repealing the provision of 'Non-party Care-taker Government' in the Fifteenth Amendment of the Constitution of Bangladesh, the incumbent Prime Minister Mrs. Sheikh Hasina, has created a crisis to perpetuate her power. All power of the state is centred, possessed and implemented as per the direction of the Prime Minister, according to the current edition of the Constitution. The Supreme Court was previously used by the Government to make the Fifteenth Amendment of the Constitution. Constitutional interpretations by the jurists are being replaced by the version of the Premier. Prior to the general election candidates having capacity to exercise muscle power are chosen by the ruling party so that the ordinary voters are panicked either to vote in favour of the ruling party or abstain from casting their votes.

The feuding political parties are waging war against each other using the state agents and non-state actors to establish their muscle power. Both political groups are well aware of the powerlessness of the Election Commission. Nobody in Bangladesh believes that the existing Election Commission is capable of holding a credible and transparent general election, as scheduled on January 5, 2014. The government provokes the opposition to retaliate violently so that the latter's public standing is gravely damaged, which may benefit the ruling parties, despite the loss of public legitimacy due to endless corruption and misrule for the last five years. Subsequently, the situation has become violent resulting in numerous deaths; and physical, psychological, economic, educational and social impairments and impediments.

Being a party to the International Covenant on Civil and Political Rights the Government of Bangladesh has an obligation under Article 2 to take 'administrative, legislative and judicial' initiatives to guarantee the rights of the people. Sadly, it is not agreeing to create a level playing ground for the upcoming general election. The authorities appear to be determined to hold a farcical election excluding the major parties. The excuse of 'protecting the constitution' is not going to solve the problem on the ground.

In such a situation the AHRC strongly feels that the UN should urgently intervene in normalising the situation of Bangladesh, as soon as possible, for the sake of saving lives, livelihood, and liberty of a poverty-stricken nation. We are aware of the UN's appreciable role in holding elections in Kenya, which was in a civil war in the last decade. The UN must play a key role in holding a credible and transparent election in Bangladesh drawing upon its experiences in Kenya and other countries.

The Asian Human Rights Commission thanks you for your kind attention to this matter.

Yours sincerely,

Bijo Francis

Bijo Francis
Executive Director
Asian Human Rights Commission, Hong Kong



CC.

1. Mr Ban Ki Moon, Secretary General of the United Nations, USA
2. Ms. Navanethem Pillay, UN High Commissioner for Human Rights, OHCHR-UNOG, SWITZERLAND
3. Mr. Neal Walker, Residential Representative, UNDP, BANGLADESH

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About AHRC: The Asian Human Rights Commission is a regional non-governmental organisation that monitors human rights in Asia, documents violations and advocates for justice and institutional reform to ensure the protection and promotion of these rights. The Hong Kong-based group was founded in 1984.