



# International Covenant on Civil and Political Rights

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## Human Rights Committee 119th session

### Summary record of the 3339th meeting

Held at the Palais Wilson, Geneva, on Monday, 6 March 2017, at 3 p.m.

*Chair:* Mr. Fathalla (Vice-Chair)

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*Mr. Fathalla (Vice-Chair) took the Chair.*

*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant**

*Initial report of Bangladesh (CCPR/C/BGD/1; CCPR/C/BGD/Q/1 and Add.1)*

1. *At the invitation of the Chair, the delegation of Bangladesh took places at the Committee table.*

2. **Mr. Huq** (Bangladesh), introducing the initial report of Bangladesh (CCPR/C/BGD/1), said that, since gaining independence in 1971, his country had suffered numerous setbacks on the road to democracy and the full protection of civil and political rights. That was why it had not acceded to the Covenant until 2000 and, even after that, political obstacles had prevented implementation of the Covenant until the current Government had been elected into office for the second time in 2009.

3. Securing the sanctity of the Constitution had been one of the Government's first actions. Secularism was once again the fundamental principle of State policy and institutional reforms had been undertaken to strengthen the rule of law and good governance. The independence of the judiciary was assured by law and the National Human Rights Commission had been created, with powers to investigate, to require explanations from public authorities and to file petitions with the High Court Division of the Supreme Court on behalf of aggrieved persons.

4. As to gender equality, the Constitution provided guarantees against discrimination on grounds of sex and affirmative action had been taken to encourage women's involvement in national development efforts, increase their representation in the workforce and ensure their economic emancipation. Women were increasingly taking leadership roles: 70 members of Parliament, for example, including the Prime Minister and the Speaker of Parliament, were women. The achievements of Bangladesh as one of the top 10 countries in the world in terms of closing the gender gap in the political sphere had been recognized by various international awards.

5. In order to ensure an inclusive society, Bangladesh was investing in disadvantaged sectors of the population such as persons with disabilities and religious and ethnic minorities. Ethnic and tribal groups had for the first time been granted recognition under the Constitution; implementation of the Chittagong Hill Tracts Peace Accord of 1997 was already well under way as a matter of priority; and pre-primary education in their own language had been introduced for five tribal groups.

6. Bangladesh was one of the most liberal countries in the world in terms of freedom of the press and the media, with print and online publications numbering in the thousands. The media held the Government accountable and was in the vanguard of the protection of people's rights.

7. Referring to certain allegations that had been made against the law enforcement agencies, he asked the Committee members to consider those criticisms in the light of the realities on the ground. The widespread violence that had taken place during the 2013 parliamentary elections, and again in 2015, had been orchestrated by the Bangladesh Nationalist Party (BNP)-Jamaat alliance. The indiscriminate attacks on innocent civilians, destruction of property and disruption of the transport system had posed a major threat to public order and safety. Killings by home-grown terrorist and extremist groups during 2015 and 2016, and the terror attack on the Holey Artisan Bakery in Dhaka in July 2016, represented a new challenge for the Government. Such violence, perpetrated on the pretext of religious or political freedom, required a firm stand. He wished to point out moreover that there had been a public outcry when police had come under indiscriminate attack during the political violence of 2013 and 2015, in clashes that had cost the lives of 25 police personnel.

8. As to the allegations of extrajudicial killings, enforced disappearance and torture in custody, he said that the Government had drastically reduced the number of such incidents; there had been 25 cases involving members of the Rapid Action Battalion in 2014-2015,

down from 261 in 2005-2006. As mentioned in the Government's written replies to the list of issues (CCPR/C/BGD/Q/1/Add.1), as a matter of principle any use of force or exchange of fire was investigated in accordance with the applicable legal provisions. The same applied to any allegation of torture or ill-treatment in custody.

9. With regard to involuntary or enforced disappearance, he wished to stress that no such term was used in the national laws. The criminal law specifically addressed kidnapping and abduction of citizens by criminals, and 2,323 cases of abduction had been filed between 2014 and 2016. Investigation had been completed in 2,183 cases and 790 had been disposed of by the courts.

10. The Government of Bangladesh was committed to putting an end to the culture of impunity. Those who had assassinated the country's first president, Sheikh Mujibur Rahman, and 18 members of his family, in 1975, had finally been brought to justice, after having been specifically protected under the 1975 Indemnity Ordinance. The International Crimes Tribunal had been created to try crimes against humanity and war crimes committed during the War of Liberation of 1971.

11. Another of the Government's priorities was to consolidate the foundations of a secular democracy, in which persons of all religions and beliefs might enjoy their fundamental rights. The attacks on secular writers, publishers and online activists in 2015 had been a direct affront to the country's tradition of tolerance. Sporadic incidents of violence against religious and ethnic minorities, and foreign nationals, were carried out clearly as part of attempts by political opponents to discredit the Government. However, the Government had spared no effort to bring those responsible to justice. More generally, initiatives to inculcate secular values among the younger generation, in particular, would help to address the problem of extremism in the longer term.

12. In the area of labour rights, a health and safety policy had been adopted and the Labour Act had been amended in 2013 to simplify the trade union system. As a result there had been a surge in the registration of new trade unions, notably in the ready-made garment sector, where there were 550 unions.

13. **Mr. Ben Achour** said that, given that the provisions of the Covenant were not automatically incorporated into domestic law, he would like to know whether those provisions were directly applicable by the courts and whether they were invoked and applied in practice. If not, did the State party intend to adopt legislation to ensure that that was the case? By what means did the State party ensure that laws and bills were consistent with the Covenant? What remedies were available to victims of violations of rights enshrined in the Constitution and the Covenant?

14. Recalling the principle according to which provisions of international treaties were incorporated into domestic law only once legislation implementing them had been promulgated, he said that he would appreciate clarification regarding the fact that the majority of the laws cited in the State party's report as giving effect to the provisions of the Covenant in fact predated the State party's accession to the Covenant. With regard to the right to apply to the High Court Division of the Supreme Court in the event of a violation of fundamental rights, as mentioned at paragraphs 15 and 20 of the report, he would like to know whether that constituted a direct remedy and he would appreciate information about how the procedure worked in practice. He would also like to know how the members of the National Human Rights Commission were appointed.

15. He would appreciate up-to-date information on the State party's terrorism legislation. The State party maintained that the counter-terrorism laws, including the Special Powers Act of 1974 and the Anti-Terrorism Act of 2009, were not in conflict with the Covenant. While he appreciated that the State should be able to defend itself, such laws often contained extremely broad legal definitions such as "fight against terror" or "prejudicial act" that were liable to improper interpretation, notably on the part of the administrative authorities, and the terrorism laws had indeed been used against human rights defenders and journalists. The respective amendments to the Anti-Terrorism Act, in 2012, and to the Information and Communications Technology Act, in 2006, had only served to exacerbate the situation, for example by increasing the penalty for the financing of terrorist acts from 20 years' imprisonment to death.

16. **Ms. Waterval** said that the 2015 Anti-Discrimination Bill was a welcome development. She would like to know how long it had been pending and whether it had yet been introduced for consideration by Parliament.

17. She asked whether the 1951 Citizenship Act applied also to children born in Bangladeshi territory and if not, why not. According to the State party's report (para. 44), there were statutory provisions empowering women, like men, to dissolve their marriage; it would be useful to know more about any restrictions on such provisions. She would also appreciate further information on the Special Marriage Act of 1872. Rights relating to the contracting and dissolution of marriage, guardianship, maintenance and inheritance were regulated by personal religious laws which discriminated against women. She would like to know what share of inherited property and matrimonial property women were entitled to; whether the registration of marriage was compulsory; and whether all marriages were in fact registered. It would also be interesting to learn whether the same applied to Hindu marriages. She would like to know if it was true that Hindi women had no right to divorce. If not all marriages were registered she wondered how it was possible to monitor the incidence of child marriage. She would appreciate the delegation's comments on the fact that a Bangladeshi woman could not transfer her nationality to her non-Bangladeshi husband, whereas a Bangladeshi man's nationality could be transferred to his foreign wife.

18. Noting that the law provided for registration of a person with legally recognized disabilities as a "disabled person", she said that she would welcome more information about the concept of "legally recognized disabilities". She would also appreciate statistics on people who were registered as disabled, as well as clarification on whether a person who was not registered was regarded as not legally disabled.

19. Referring to the figures provided in the State party's report for the number of women members of Parliament and women judges, she said that she would appreciate knowing what percentage that represented; she would also like figures for female government ministers and ambassadors. She would welcome an update on the status of the bill on the prevention of child marriage, specifically, whether it was before Parliament and how long it had been pending. Noting that the bill allowed girls, exceptionally, to marry below the age of 18 in special circumstances, she would like to know exactly what the minimum age of marriage was and what special circumstances might warrant such an exception.

20. She would like to know what measures were being taken to put an end to the caste system. Details about the situation of linguistic and religious minorities, lesbian, gay, bisexual and transgender (LGBT) persons and indigenous people with regard to discrimination would also be appreciated.

21. According to the Government's replies, induced abortion was illegal except when performed to save a woman's life. She would like to know if an exception was also made where pregnancy was the result of rape or incest, or if the fetus proved to have fatal abnormalities.

22. Referring to the figures provided in the Government's replies regarding cases of domestic violence, she asked whether all the cases have been investigated and the perpetrators punished; what penalties had been imposed; and what compensation, if any, had been awarded to victims.

23. **Ms. Cleveland** said that, despite the State party's commendable efforts, information before the Committee suggested a disturbingly high rate of killings by both State and non-State actors as well as incidence of enforced disappearance attributed to State authorities. Levels of investigation and accountability were reportedly low and families of disappeared persons were unable to obtain information and redress. She would like to have disaggregated statistics on the number of complaints alleging arbitrary killing, enforced disappearance or excessive use of force by the Rapid Action Battalion, the police and soldiers, the number of investigations conducted, the number of convictions secured and the penalties imposed. Information on the number of cases in which compensation had been provided to victims would also be appreciated.

24. Although enforced disappearance was not defined in domestic law, it was a concept defined in international law and its existence in the State party was not dependent on the existence of a domestic definition. Were there any plans to adopt a definition of enforced disappearance? How many allegations of conduct that would meet the definition of enforced disappearance under international law had been received and how many investigations had been conducted?

25. She would like to know the outcome of the investigations into the cases of abduction mentioned in the delegation's opening statement, and the results of the court proceedings referred to; the number of persons who had successfully brought a habeas corpus action in a claim of enforced disappearance; and what specific steps were being taken to strengthen criminal investigation procedures and hold perpetrators accountable.

26. With respect to allegations of impunity, under the Armed Police Battalion Act no legal action could be brought against any member of the police force for anything done or intended to be done in good faith under the law. She requested information on the number of cases in which that provision had been invoked as a legal defence by officials accused or suspected of unlawful killings or enforced disappearance, and on the outcome. With respect to the allegations of excessive use of force during the 2014 elections, and during the anti-Government campaign in 2015, the State party had provided information regarding investigations into deaths; she would also like to receive information on investigations into the numerous cases of injuries.

27. The Committee appreciated the information provided regarding the failure to adequately protect the right to life of, among others, 84 bloggers who had been tagged as anti-Islamic and blasphemous, and at least 7 of whom had been hacked to death. It was the Committee's understanding that a number of individuals, including those ultimately killed, had complained to the police about death threats yet their complaints had not been investigated. As to specific cases, she would like to know if it was correct that, in the case of Ananta Bijoy Das, the Criminal Investigation Department had yet to submit a charge sheet. In the case of Avijit Roy, the police had publicly stated that eight people had been arrested on suspicion of murder, yet information received indicated that no formal charges had yet been brought. Moreover the police had reportedly failed to act on Roy's complaint that he had received death threats. Likewise, Niladri Chakrabarti, before his murder by a gang with machetes in August 2015, had reportedly tried to inform the police of the threats he had received but had been refused protection. She would therefore like to have up-to-date information on those investigations and on the specific measures taken by the police to protect those individuals. In addition, it would be useful to learn how many other members of the group of bloggers had sought protection; how many had been provided with protection, and of what kind; and what steps was the State party taking to train police in order to ensure effective protection from persecution and murder in such cases?

28. According to the State party's report, the use of the death penalty was restricted to very selective cases involving the most heinous crimes, and appropriate judicial protections were in place. Yet the death penalty continued to be available for crimes not considered to be the most serious under international law, including black-market trading, adulteration of food, the production and use of intoxicants and certain terrorism-related acts. The Committee's jurisprudence was clear: the concept of the "most serious crimes" for which the death penalty might be available under article 6 of the Covenant was limited to crimes of extreme gravity resulting directly and intentionally in death. She would like to know what plans the State party had to limit the application of the death penalty. It would also be useful to learn how many persons had been convicted on capital charges under the Anti-Terrorism Act. She would welcome the delegation's comments on reports that plans were under way to fast-track capital cases under that Act. She would also like to know how many death penalty convictions had been handed down in the past five years and for what specific offences; how many capital convictions had been reversed by the Bangladeshi courts; and whether the State party was considering a de facto or de jure moratorium on the death penalty.

29. **Ms. Pazartzis**, referring to the table on deaths in prison and in custody as provided by the State party in its written replies, said that the high number of prison deaths classed as "natural deaths" was striking; more detailed information in that regard would be

appreciated. In view of the numerous reports of deaths in custody or during arrest, she would appreciate receiving figures on such deaths and their causes. She would like to know who in the prison system was competent to determine the cause of death. In view of the allegations made by civil society that a significant number of custodial deaths were attributable to extrajudicial or unlawful killings by law enforcement personnel, she would like to know what measures were in place to facilitate effective access to justice and reparations for those affected by such conduct. What procedural or institutional guarantees existed to secure independent investigation and prosecution of acts committed by police personnel that might result in custodial death?

30. According to information received from civil society, despite the passing of the Torture and Custodial Death (Prevention) Act of 2013, reports of torture in police custody continued to emerge and there were concerns that perpetrators sometimes enjoyed impunity. She would like precise information on the Act, as it might contain flaws that, in conjunction with other relevant legislation, could leave room for immunity. She would like the delegation to comment on information to the effect that certain authorities were making representations to the Government to have the Act repealed. Noting that there seemed to be no publicly available information on investigations into torture allegations or the possibility of removal from office, or on the outcome of related cases, she said that she would welcome information on any ongoing investigations.

31. With regard to prison conditions, she asked what practical measures were taken to prevent deaths of prisoners resulting from poor sanitary conditions or the failure to obtain proper medical treatment. It would also be useful to learn whether access to prisons and other detention facilities was available either to NGOs or to other independent non-State agencies in order to monitor and record conditions in prisons. Lastly, she would like to know whether any legislative or administrative measures have been taken to reduce the length of pretrial detention.

32. **Mr. Iwasawa** said that he welcomed the steps taken by the State party to prevent and combat human trafficking. He would also appreciate receiving an answer to the Committee's question regarding the grounds for the numerous acquittals in cases of human trafficking. Noting that people who travelled abroad to work incurred debt in order to pay the perfectly legal but very high recruitment fees imposed by international recruiting agencies, he wondered whether the State party planned to abolish those fees. He would also like to know whether the training programmes on human trafficking mentioned in the written replies had been designed for the police alone or whether there were plans to expand them to other agencies.

33. With regard to complicity of politicians, police and border officials in human trafficking, he noted that, despite the fact that anti-trafficking laws were said to apply to everyone regardless of status, between 2012 and 2016 only one case had been filed against a government employee alleging human trafficking. Could the delegation comment on the allegation that officials were complicit in human trafficking and explain what efforts were being made to address the problem?

34. **Mr. de Frouville**, following up on the issue of abortion, said that while an exemption procedure for "menstrual regulation" was available as part of the national family planning programme, it was not widely known and in some cases women were refused that service. The issue should be viewed also in the context of child marriage: Bangladesh had one of the highest rates in the world for girls marrying under the age of 18. He would like to know what measures the State party was taking to reduce the impact of illegal abortions on the life and health of women.

35. **Mr. Shany**, turning to the question of sexual minorities, said that the State party's written replies characterized section 377 of the Penal Code, which criminalized homosexuality, as a reflection of the country's sociocultural and religious values. In the Committee's view, such legislation raised problems not only of equality but also in respect of the right to privacy. He suggested that there might be a connection between the prohibition of homosexuality and the two major attacks on prominent gay activists that had taken place in 2016, as the outlawing of homosexuality made it very difficult for LGBT persons to seek police protection. The Government's recognition of the Hijras as a

transgender community was a step in the right direction but persons claiming to be part of that community reportedly had to undergo invasive and humiliating medical examinations in order to receive the necessary documents to obtain access to the programmes that had been put in place for them. He would appreciate the delegation's comments on that question.

36. **Mr. Muhumuza** asked whether the State party had considered adopting the definition of enforced disappearance provided in the International Convention for the Protection of All Persons from Enforced Disappearance for use in its domestic legislation. Doing so would make it possible to address the problem under criminal law.

37. **Mr. Heyns** asked whether the delegation could provide him with a reference to the legal provisions or legal precedents regulating the use of force by the police and law enforcement agencies.

*The meeting was suspended at 4.25 p.m. and resumed at 4.45 p.m.*

38. **Mr. Huq** (Bangladesh) said that, since the adoption of the 1972 Constitution, which contained a section on fundamental rights, Bangladesh had taken steps to modernize its legislation to reflect recent developments in the field of human rights. Since 2009, in particular, a series of laws, policies and action plans had been adopted to give effect to the rights enshrined in the Covenant. The Anti-Discrimination Bill of 2015 had been submitted to the legislative division of the Ministry of Law, Justice and Parliamentary Affairs for vetting and was expected to be introduced before Parliament within three to six months.

39. National courts drew the attention of legislators to any domestic legislation that ran counter to the country's international human rights obligations. Moreover, any laws that were inconsistent with the fundamental rights set out in articles 27 to 47A of the Constitution were considered void.

40. Under article 102 of the Constitution, alleged victims of human rights violations could file a writ petition with the High Court Division of the Supreme Court. If a violation was proved to have occurred, the Court provided an appropriate remedy. Successful plaintiffs were required to bear court costs only in exceptional cases. In recent years, several successful claims had been brought against the Government in relation to the absorption of workers into the revenue sector. Government authorities respected the judgments handed down by the Court.

41. Members of the National Human Rights Commission were appointed by the President of Bangladesh from a shortlist of qualified candidates proposed by a search committee, which was headed by the Speaker of Parliament and whose members included the Minister for Law, Justice and Parliamentary Affairs, the Chair of the Law Commission and two parliamentarians, one from the ruling party and the other from the main opposition party.

42. The Anti-Terrorism Act of 2009 was not fully in force, as special tribunals called for in the Act had not yet been set up; the establishment of seven such tribunals had nonetheless recently been approved by the relevant government ministries. To date, he was unaware of anyone's having been charged with the financing of terrorism under the Act.

43. Section 57 of the Information and Communications Technology Act of 2006 had been incorporated in 2013 and was somewhat incongruous with the rest of the Act. A proposed digital security bill covering certain cybercrimes would, if adopted, render the section superfluous and likely lead to its abrogation.

44. Mahmudur Rahman, who had been the editor of the now defunct Bengali-language daily newspaper Amar Desh, had faced charges in Bangladesh in three separate cases. In the first, he had been convicted of contempt of court after a fair hearing in which he had pleaded his own case. In the second, he had been sentenced to 3 years' imprisonment for refusing to submit a wealth statement when requested to do so by the Anti-Corruption Commission. In the third, he had been charged with sedition and with publishing fake, obscene or defamatory information. He had been granted bail pending further investigation.

45. Inheritance and dissolution of marriage were considered to fall under personal law. In Hindu law, there was no provision for divorce, and efforts to pass legislation on women's rights with regard to divorce and inheritance had met with strong opposition from

the conservative Hindu community. Given the futility of enacting a law that could not be implemented because of widespread public opposition, measures were being taken to raise awareness of women's rights. The registration of Hindu marriages remained optional. Proposals to make it mandatory had been opposed by conservative Hindus, with whom the Government had engaged in a dialogue in the hope of finding a solution whereby the rights of Hindu women were respected.

46. Under Islamic law, women were generally entitled to half the share of inheritance available to men who had the same degree of relation to the deceased person. The wife of a deceased man was entitled to one eighth of his property. Men who wished to bequeath a greater share of their wealth to their female relatives could do so by making an outright gift, for which the sole condition was the presence of two witnesses, or by drawing up a will, in which case they could leave up to one third of their estate to a female relative. There was, however, a growing trend among educated citizens of leaving an equal share of inheritance to men and women, which the Government was in no way impeding.

47. The Child Marriage Restraint Act of 1929, which was being amended, fixed the minimum age of marriage for women at 18 years and men at 21 years, but, given that, in Bangladeshi society, single mothers were severely stigmatized, it was felt that the Act needed to be flexible and to provide for certain exceptions. Consequently, a girl who became pregnant outside marriage and was abandoned by the father could, with the permission of a court, be married off by her guardians in order to prevent her from being ostracized. Measures were in place to ensure that exceptions to the minimum age of marriage were granted only when justified. There was a marriage registrar in every union council, which was the smallest administrative unit in Bangladesh. Registrars were required by law to register all marriages and could lose their licence and face criminal charges if they allowed a child marriage to take place.

48. The remedy of habeas corpus was provided for in article 102 of the Constitution and in section 491 of the Code of Criminal Procedure. To his knowledge, no petitions for a writ of habeas corpus were pending before the High Court Division of the Supreme Court.

49. The Special Powers Act of 1974 had, from September 1975 to May 1996, been applied arbitrarily, which had led to the High Court Division being flooded with cases. Between 1991 and 1996, the Act had been the subject of fierce debates, with some calling for it to be repealed altogether and others advocating restrictions on the use of section 3, which concerned pretrial detention. Sections 3 and 10 of the Act provided that pretrial detention could not exceed 30 days, and was extendable by reasoned request for up to a maximum of 75 days. Since 1996, however, the number of cases brought under section 3 of the Act had fallen gradually, and there had been none since 2009, thereby demonstrating that the Government did not use the Act to detain persons without trial.

50. The composition of his delegation, which included only two women members, should not be taken as indicative of the importance that the Government placed on women's empowerment. Currently, 70 of the 350 seats in Parliament were held by women, for whom 50 seats were reserved under the Constitution. The Election Commission had recently called for women to occupy at least 33 per cent of political parties' executive committee positions. In the Appellate Division of the Supreme Court, one of the eight judges was a woman. The Government was in the process of empowering women to take the lead, but time would be needed for them to acquire the necessary skills and qualifications.

51. A bill to replace the Citizenship Act of 1951 would be submitted to Parliament for its consideration in the near future. As in all modern democracies, citizenship could be acquired by birth or naturalization. Children born in Bangladesh to Bihari non-citizens were granted citizenship automatically.

52. There was no need for a law defining enforced disappearance as the offence was already covered by existing definitions of abduction and kidnapping. The high acquittal rate in cases of enforced disappearance was attributable in part to the reluctance of witnesses to testify for reasons that were as yet unknown. In response, steps were being taken to guarantee the safety of persons who deposed in court.



53. The Government operated a zero-tolerance policy with regard to crimes committed by law enforcement officials, for whom there was no immunity from prosecution under existing laws. In a case concerning the abduction and murder of 7 persons in Narayanganj, 27 members of the Rapid Action Battalion, including 3 top officials, had been sentenced to death after being tried as ordinary citizens in a regular criminal court. Criminal charges had also been brought against four members of the Rapid Action Battalion in Chittagong in relation to an alleged offence. The police investigated all allegations of human rights violations and took appropriate action. Although there was a backlog of cases pending before domestic courts, all cases were eventually tried. Law enforcement officials were bound by the law and by codes of conduct. Any negligence or excessive use of force in the performance of their duties gave rise to investigations by the competent authorities and, where necessary, to legal and disciplinary action. Since the inception of the Rapid Action Battalion, 2,516 of its members had faced penalties, including imprisonment and dismissal, for a range of offences.

54. In the past, many bloggers had failed to report death threats to the police, which had therefore launched a campaign to raise awareness of the issue. Niladri Chakrabarti had, unfortunately, been killed after trying to file reports with the police and being advised that his only option was to flee the country. His complaint and the follow-up given to it had not been recorded or brought to the attention of the Government. To prevent a similar situation from arising in the future, a special task force, headed by an officer not below the rank of Superintendent of Police, had been created within the Dhaka Metropolitan Police to handle complaints of threats.

55. The Speedy Trial Tribunal had delivered a verdict in the Ahmed Rajib Haider murder case on 31 December 2015. Eight individuals had been convicted, of whom two had been sentenced to death and six to various terms of imprisonment. The police had submitted a charge sheet accusing five individuals of the murder of Washiqur Rahman Babu. Of those five persons, three had already been arrested. Investigations were under way into the murders of Avijit Roy, Niladri Chakrabarti, Ananta Bijoy Das and Faisal Abedin Deepan. The police had arrested eight suspects in the Avijit Roy case, seven in the Niladri Chakrabarti case and three in the Faisal Abedin Deepan case.

56. Capital punishment was imposed only for the most serious crimes, such as murder, terrorism and trafficking. The Code of Criminal Procedure stipulated that, when a trial court handed down the death penalty, the relevant case records had to be transmitted to the High Court Division of the Supreme Court within seven days for confirmation of the sentence, without which no execution could be performed. The decision of the High Court Division could be appealed before the Appellate Division of the Supreme Court. Defendants were entitled to representation by a State-appointed lawyer. Over the previous decade, the rate of implementation of the death penalty had been very low. While there were no plans to repeal or amend existing domestic laws that provided for the death penalty, under new laws, serious crimes were generally punishable by life imprisonment. The Formalin Control Act of 2015, for example, did not provide for the death penalty, on the recommendation of the Ministry of Law, Justice and Parliamentary Affairs.

57. In 2016, a total of 291 prisoners had died of natural causes, mainly illness or old age. There had been only two cases of suicide. The number of natural deaths was understandable given that the prison population stood at around 78,000. All prison deaths were investigated by committees whose members included prison governors and other prison officers. Although a number of prisons in Bangladesh were run-down, two new facilities had been opened in recent years.

58. **Mr. Hasan** (Bangladesh) said that the findings of the committees set up to investigate prison deaths had to be corroborated by an autopsy.

59. **Mr. Huq** (Bangladesh) said that human trafficking awareness training was provided not only to police officers but also to human rights activists and members of Border Guard Bangladesh, the Village Defence Party and NGOs. The Government had intervened to prevent recruiting agencies and employers from exploiting migrant workers. It had set the maximum amount that such workers could be charged to cover the cost of, inter alia, air travel, organizing health checks and obtaining a passport and visa. For Malaysia, the figure

was 40,000 taka. The amount payable by workers could be deducted from their first two months' salary. There was a bank in Bangladesh that specialized in providing loans to migrant workers.

*The meeting rose at 5.55 p.m.*