

BACKGROUND

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Combating Islamism in South Asia: Keeping Bangladesh on the Democratic Path

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Abstract

Bangladesh has experienced significant political tumult in the past year and there is concern that as the national election (scheduled for January 5, 2014) approaches, street violence will escalate, jeopardizing the country's nascent democratic system. While the threat from terrorism had diminished to some extent under the government of Prime Minister Sheikh Hasina, the recent execution of a leading Islamist politician and the sentencing to death of other opposition leaders accused of war crimes during Bangladesh's war of independence in 1971 have unleashed furor among Islamists. If Bangladeshi leaders undermine the democratic process, the Islamist agenda, and extremist ideologies in general, would likely find greater appeal among the Bangladeshis. The U.S. has a strong interest in ensuring that Bangladesh—the fourth-largest Muslim-majority country in the world—remains stable and on a path of democratic reform and economic development.

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KEY POINTS

- Bangladesh is heading toward a flawed election on January 5, 2014, that will lack the participation of the major opposition party and its allies, and which is likely to be seriously marred by violence.
- There is growing concern that escalating street violence in Bangladesh could result in the kind of political destabilization that led to an army takeover in 2007.
- A non-inclusive election would likely strengthen the appeal of the Islamist agenda among Bangladeshis and further weaken the country's democratic foundations.
- The United States has a strong interest in ensuring that Bangladesh—the fourth-largest Muslim-majority country in the world—remains stable and on a path of democratic reform and economic development.
- The U.S. should support the postponement of polls and the establishment of an all-party government with a non-party technocrat at the helm to conduct elections in the next six months.

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leader Abdul Qader Mollah, rioting broke out, killing at least five Bangladeshis in a 24-hour period. The international community urged the Bangladeshi Prime Minister to stay Mollah's execution, but to no avail.

The opposition Bangladesh National Party (BNP) and several smaller parties have said they will boycott the election if the government does not agree to install a neutral, non-party caretaker regime to conduct elections. If the Hasina government and the BNP are unable to come to agreement on how the polls should be conducted, there is a likelihood of political destabilization, similar to what unfolded in 2006 and 2007 when the military took the reins of power.

The U.S. has a strong interest in ensuring that Bangladesh—the fourth-largest Muslim-majority country in the world—remains stable and on a path of democratic reform and economic development. If Bangladeshi leaders undermine the democratic process, the Islamist agenda, and extremist ideologies in general, would likely find greater appeal among the Bangladeshi people. Political chaos is often a breeding ground for extremism, domestic and international. While the U.S. should not oppose the International Crimes Tribunal II, it should insist that the court proceed in accordance with international standards. Among other things, the U.S. should press the Hasina government to negotiate with the BNP about holding elections, warning that a BNP boycott of the election would sacrifice the credibility of the polling process and provoke instability.

China is slowly building up ties with Bangladesh and competing with India for dominance in the region. The U.S. should facilitate strong India–Bangladesh ties, even as it strengthens its own bilateral engagement with Dhaka, to ensure that Bangladesh does not become unduly dependent on China and more susceptible to Beijing's political influence.

For a country described by former U.S. Secretary of State Henry Kissinger as an economic “basket case,” Bangladesh has made considerable economic and social progress in recent years. For instance, life expectancy has increased by 10 years, infant mortality has declined by nearly two-thirds, female literacy has doubled, and economic growth has averaged

over 5 percent annually. Bangladesh is on a path to becoming a middle-income country within the next decade. Without political stability, however, Bangladesh will have difficulty maintaining its economic momentum.

While Bangladesh's economic progress is commendable, serious challenges remain. Thirty percent of Bangladeshis live below the poverty line—including much of the workforce responsible for the recent economic growth. The collapse of the Rana Plaza garment factory last April that killed over 1,100 workers shows that attention to worker and building safety regulations and compliance have not kept pace with higher rates of economic growth. Bangladesh will risk facing more garment factory tragedies until it works with international stakeholders and makes a concerted effort to improve safety.

Economic and Social Gains

Bangladesh has made impressive gains in its economic and social indicators in the past several years. Bangladesh is known for widespread famine that swept the country in 1974, but today Bangladesh has the realistic and arguably imminent prospect of achieving food self-sufficiency. Nationwide, more girls are in school than in neighboring countries. According to the Legatum Prosperity Index, Bangladesh has surpassed India in terms of quality of life of the average person because of Bangladeshis' longer life span, lower levels of undernourishment, lower rate of infant mortality, and better access to sanitation facilities.¹

Bangladesh has strengthened its economy over the past several years by

- Becoming a leading global exporter of ready-made garments, second only to China;
- Attracting foreign direct investment in the telecommunications sector, which has nearly 100 million cell phone subscribers; and
- Adding 3,870 megawatts of power to the national grid through implementation of 55 projects during Sheikh Hasina's tenure.²

1. “Bangladesh Overtakes India in Overall Prosperity,” *The Daily Star*, November 4, 2013, <http://www.thedailystar.net/beta2/news/bangladesh-overtakes-india-in-overall-prosperity/> (accessed December 9, 2013).

2. Sharier Khan, “Powered by AL,” *The Daily Star*, August 26, 2013, <http://www.thedailystar.net/beta2/news/powered-by-al/> (accessed December 9, 2013).

Microfinance run by the Grameen Bank, which has made small loans to nearly 9 million Bangladeshis—mostly women—since its establishment in the early 1980s, has become one of Bangladesh's greatest economic success stories. The founder of Grameen Bank, Dr. Muhammad Yunus, received the Nobel Peace Prize in 2006. Much to the rest of the world's dismay, however, the Hasina government has, over the past three years, sought to undermine Yunus and the Grameen Bank. The Bangladeshi government forced Yunus to retire in 2011 on the grounds that he was beyond the legal retirement age. Yunus supporters say Hasina's move was politically motivated by her desire to bar him from challenging her in future elections. In 2007, when the country was under a state of emergency and Hasina herself was behind bars, Yunus attempted to form his own political party.

During a 2012 visit to Bangladesh, former Secretary of State Hillary Clinton met with Yunus and called him a "tremendous model for the developing world." Clinton urged the Bangladeshi government not to hamper the internal operations of the bank. Unfortunately, the harassment of Yunus and the bank continues. In early November, the Bangladeshi parliament passed a law that will bring the Grameen Bank under central bank authority.

Another factor behind Bangladesh's recent economic success is an increase in remittances. There are about 8 million Bangladeshi emigrants and guest workers spanning 155 countries that sent home over \$14 billion in 2012.³

The next few years present further challenges for Bangladesh. With fast growth to both its east and west, in India and Burma, Bangladesh's economy will need to remain competitive and focus on enhancing regional integration.

Governance Problems Persist

Bangladesh's lack of good governance and institution building puts the country's tangible economic and social gains in jeopardy. Corruption in

Bangladesh is multi-fold, and permeates public life. As noted by Maneeza Hossain in 2007, a "politician assuming a position of public service attempts to recover the money expended to win the election. Stated differently, a political office is now a kind of financial investment—one available only to the wealthy—that is expected to produce considerable returns."⁴ The World Bank cancellation of a \$1.2 billion loan for construction of the Padma Bridge last year due to corruption among Bangladeshi officials involved in the project is a striking example of the magnitude of the problem and how it undermines economic development. In a June 29, 2012, statement, the World Bank said it had urged the Bangladeshi authorities to investigate and prosecute individuals involved in the corruption scheme, but that the Bangladeshi government had not responded adequately to the request.⁵

When the Awami League government came to power in a sweeping victory in late 2008, its election promises included the introduction of a new type of politics and a commitment to fight corruption. But it has achieved little on either front. A dysfunctional parliamentary system and rampant corruption have created a political malaise among the youth and middle class. Awami League supporters rightly note that the Hasina government cannot be held solely responsible for the endemic governance problems. Since the mid-1990s, the opposition (whether it was the BNP or Awami League) has boycotted parliament over 50 percent of the time, focusing instead on carrying out its agenda through street agitations.⁶ The tradition of confrontational politics in which *hartals* (strikes) and street fights have replaced parliamentary debate is undermining the nascent democratic process.

One of the earliest decisions made by the government of Sheikh Hasina upon her accession to power in 2009 was revising the constitution. The Awami League government decided to make null and void all constitutional actions introduced since the military coup of Husain Muhammad Ershad in 1982.

3. Farooq Sobhan, "Bangladesh: Challenges and Achievements," *Global: The International Briefing*, April 2013, <http://www.global-briefing.org/2013/04/bangladesh-challenges-and-achievements/> (accessed December 10, 2013).

4. Maneeza Hossain, *Broken Pendulum: Bangladesh's Swing to Radicalism* (Washington, DC: Hudson Institute, 2007).

5. News release, "World Bank Statement on Padma Bridge," The World Bank, June 29, 2012, <http://www.worldbank.org/en/news/press-release/2012/06/29/world-bank-statement-padma-bridge> (accessed December 10, 2013).

6. Rounaq Jahan and Inge Amundsen, "The Parliament of Bangladesh: Representation and Accountability," Centre for Policy Dialogue and Chr. Michelsen Institute *Working Paper* No. 2, April 2012, http://www.cpd.org.bd/pub_attach/CPD_CMI_WP2.pdf (accessed December 10, 2013).

Presented as an attempt to introduce necessary constitutional reforms, this dramatic motion mandated that Bangladesh revert back to the 1974 constitution. The action was possible because of the Awami League's commanding majority in parliament.

The Awami League government subsequently rewrote the 15th amendment of the Bangladeshi constitution in June 2011 to allow the current government to remain in power while the next elections are conducted. Thus, the system of a caretaker government that requires the elected government to hand over power 90 days before the elections to a neutral body to oversee elections—a hallmark of Bangladeshi political practice—is no longer permissible under the present constitution. The Bangladeshi Supreme Court ruled in May 2011 that the caretaker system of government should be retained for the next two parliamentary elections.

Despite mounting local and international pressure for a neutral body to oversee the upcoming elections, the government insists that the caretaker government system is “against the spirit of democracy.” The opposition and prominent figures such as Bangladesh's Nobel Laureate Mohammad Yunus are becoming increasingly vocal with their calls for a neutral caretaker to ensure free and fair elections. At least 70 Bangladeshis have been killed since October, in violence related to protests led by the opposition BNP demanding that elections be held under a neutral caretaker regime.⁷ In the past two weeks since the government announced the date of elections, the opposition has also forced a transportation blockade, which has crippled the economy.

International Crimes Tribunal Exposes Fault Lines of Bangladeshi Identity

The Hasina government established the International Crimes Tribunal II (ICT-2) in 2010 to punish those accused of committing human rights atrocities during Bangladesh's war for independence in 1971. It is widely alleged that the Pakistani Army and its collaborators, including members of the Jamaat-e-Islami, killed some three million Bangladeshis and raped hundreds of thousands of women

during the war. The International War Crime Tribunal Act of 1973 was originally passed to try nearly 200 alleged war criminals soon after Bangladesh achieved independence, and is the basis of the current trial process. In a treaty signed between India, Pakistan, and Bangladesh, however, the alleged war criminals were pardoned. The reinstatement of the ICT was one of the main platforms of the Awami League's 2008 election manifesto. Previous governments had avoided prosecuting 1971 war crimes, fearing unanticipated repercussions.

The tribunal has so far tried nine Jamaat-e-Islami (JeI) leaders and two members of the opposition BNP. One of the chief defendants, Ghulam Azam, a 91-year-old JeI leader, was found guilty of overseeing war crimes during 1971, and was sentenced to 90 years in prison. Another senior JeI leader, Delwar Hossain Sayeedi, was convicted of murder, rape, and torture and sentenced to death in February. The government carried out the first execution of someone convicted by the tribunal when it hanged Islamist politician Abdul Qader Mollah on December 12. The execution provoked rioting among Islamists and led to the death of at least five Bangladeshis in a 24-hour period. The U.S., United Kingdom, and European countries had tried to convince Sheikh Hasina to stay Mollah's execution.

Salahuddin Quader Chowdhury, member of the BNP and first sitting member of parliament to be tried in the tribunal, was found guilty of nine charges and sentenced to death. Abdul Alim, a former minister of the BNP, was also found guilty of crimes such as murder, genocide, and looting and received a life sentence. In early November, the court announced its verdict that two Jamaat leaders, one a U.S. citizen living in the U.S. and another living in the U.K., were found guilty of torture and murder of 18 prominent professors, doctors, and journalists during the war of independence. The court sentenced them both to death.⁸

The legacy of the “unfinished revolution” of 1971 looms over Bangladeshi political and social life. There is popular support among Bangladeshis for holding the ICT-2 trials and for addressing the

7. “Bangladesh Poll Protest Violence Kills 15 in Four Days,” Reuters, October 28, 2013, <http://www.reuters.com/article/2013/10/28/us-bangladesh-politics-idUSBRE99R0FQ20131028> (accessed December 10, 2013).

8. Haroon Habib, “Bangladesh War Crimes: Two Jamaat Leaders Sentenced to Death,” *The Hindu*, November 3, 2013, <http://www.thehindu.com/news/international/bangladesh-war-crimes-two-get-death-sentence/article5309336.eco> (accessed December 10, 2013).

traumatic events of a war of independence that left countless victims, a shattered national consensus, and undelivered justice. With the overwhelming popular mandate of the December 2008 elections, Sheikh Hasina probably considered the moment opportune to re-engage this crucial aspect of Bangladeshi consciousness. But the severely flawed procedural framework of the trials and the absence of any meaningful outreach for national reconciliation have made the process extremely divisive and exposed dangerous fault lines in Bangladeshi society. While supporters of Sheikh Hasina view the reinstatement of the tribunal as a principled move, the opposition argues that holding the trials is merely a way for the ruling party to label its political opponents as unpatriotic or even traitors. The trials have sent the message that a judicial process can be an effective tool to paralyze a political opponent.

The international human rights community has raised questions about the impartiality of the tribunal's proceedings and whether Sheikh Hasina is using the tribunal as a tool against political opponents.⁹ The U.S.-based nongovernmental organization Human Rights Watch criticized the tribunal, saying it has been compromised by a "strong judicial bias toward the prosecution." The JeI, which was part of the coalition government run by the BNP from 2001 to 2006, has traditionally been pro-Pakistani, while the Awami League is seen as a secular party with pro-India leanings. One of the chief justices of the ICT-2, Justice Nizamul Huq, resigned in December 2012 following media leaks of Skype conversations in which he admitted to being under strong pressure from the government to convict the defendants quickly.¹⁰ Amnesty International has called for Bangladesh to overturn all war-crime death sentences given this year.

The war crimes tribunal was troubled from the start, with seemingly little effort given to establishing a procedural structure in line with international practice. The process has been tainted by reports of collusion between prosecutors and judges. The court has accepted uncorroborated single-witness testimony and uncorroborated single-witness hearsay as basis for conviction. The tribunal also has

been selective in its choice of defendants. The list of accused includes no one from the ruling Awami League party.

In February and March, violent protests over the sentencing to death of JeI leaders killed nearly 150. The demonstrations provoked a range of reactions in Bangladesh. Government supporters characterized the violent protests as acts of insurgency against public order by parties that do not deserve to be part of the national community; many in the opposition branded the trials, and the crackdowns on protesters, as attacks against the religion of Islam.

Because of divisions over the ICT-2, Islam and secularism are being increasingly presented as competing ideological norms. What may have started as a rhetorical device in an impassioned political fight is transforming into sharply opposed narratives of national identity.

Hefazat-e-Islam (Protectors of Islam), a coalition of radical Islamist organizations that run madrassas (religious schools) throughout the country, marched on Dhaka in May 2013 to protest the death sentences against the Islamist leaders. Hefazat-e-Islam issued a 13-point charter in April that calls for banning the mixing of women and men, instituting a harsh new blasphemy law, declaring the minority Ahmadis non-Muslims, and making Islamic education mandatory at the primary and secondary level. Meanwhile, the Awami League which advanced slogans, such as "Muslim in religion, secular in politics," in its 2008 electoral campaign, seems intent on a course to confirm and revive a secular Bangladesh, in line with decades-long political practice accepted by most Bangladeshis.

A court decision forbidding the JeI to participate in upcoming national elections has been extremely controversial, and has polarized society even more. In August, a Bangladeshi high court ruled that the JeI should not be allowed to participate in national elections on grounds that its charter does not recognize parliament as the sole institution to pass laws and because it bars non-Muslims and women from leading the party. The supreme court refused to issue a stay on the high court's ruling, and the election commission cancelled JeI's party registration.

9. "Bangladesh: Azam Conviction Based on Flawed Proceedings," Human Rights Watch, August 16, 2013, <http://www.hrw.org/news/2013/08/16/bangladesh-azam-conviction-based-flawed-proceedings> (accessed December 10, 2013).

10. "Bangladesh War Crimes Chief Judge Resigns Over Hacked Calls," *Dawn.com*, December 11, 2012, <http://dawn.com/news/770583/bangladesh-war-crimes-chief-judge-resigns-over-hacked-calls> (accessed December 10, 2013).

Some Bangladeshi academics have faulted the move, saying it goes against the ideals of liberal democracy. They argue that democracies need to accommodate different ideologies and that it is up to the people to decide whether to vote for the party.¹¹ There had been rumors of an outright ban of the JeI, but fears of a violent backlash have so far held the government back from this step. JeI has a small support base mostly in rural areas. It won between 4 percent and 5 percent of the vote in the 2009 elections.

Secular Youth Protests Reshape Political Landscape

Its controversial aspects notwithstanding, the International Crimes Tribunal process revealed the latent power of Bangladeshi youth. The Shahbag movement, named after the square where people gathered, began in reaction to the sentencing of the first of the 11 defendants prosecuted by the tribunal, Abdul Qader Mollah, a JeI figure who was one of the leaders of its youth organization in 1971. After gruesome, albeit controversial from a legal standpoint, testimony, including descriptions of child rape, the court sentenced Mollah to life in prison. For many in the Awami League camp, the sentence seemed too lenient for the conviction. A gathering ensued of protestors, mostly youth, demanding a reconsideration of court's decision and the imposition of the death sentence.

The Shahbag gathering soon developed into a young, urban festival, merging protests with a celebration of cherished Bangladeshi cultural themes, often anchored in the 1971 war of independence folklore. In addition to capital punishment for the party leaders convicted of war crimes, the protesters demanded an official ban on the JeI and all Islamist extremist groups.¹²

The gathering lasted more than 30 days in downtown Dhaka, demonstrating the increasing strength of its middle-class culture. Organized mainly through Facebook, blogs, and Twitter, the Shahbag movement resembled other protests around the world planned via social media, in places such as

Brazil, Turkey, and Egypt.

The Shahbag protests exposed deep rifts within Bangladeshi society. Islamists took offense at the Shahbag movement and accused bloggers and online activists who organized the demonstrations of insulting Islam and its prophet, Mohammed. A group of young Islamists murdered one blogger, Rajib Noor, and Hefazat-e-Islam accused the Shahbag protesters of promoting "un-Islamic behavior and views."¹³ The Shahbag moment revealed that a restless and aspiring middle class is increasingly pitted against a rural, less affluent, and madrassa-educated population. The government of Sheikh Hasina seemed to be unprepared to manage the demands and expectations of the Shahbag crowd, or to contain the reactions of its detractors.

The Rana Plaza Disaster: Symbol of Governance Problems

The dissonance between the needs of a growing economy and the limitations of a state riddled with bad governance became clear in multiple ways with last April's Rana Plaza disaster, the collapse of an industrial complex leading to the death of over 1,100 Bangladeshi garment workers. This disaster is a symptom of fast growth and lack of proper government oversight. A government investigation into the tragedy found that the factory had been built without proper permits and that workers were required to enter the building even after cracks were found in the structure the day before it collapsed.¹⁴ The garment sector employs over 4 million Bangladeshis, mostly women, and clothing accounts for 80 percent of Bangladesh's manufacturing exports.

Bangladesh passed new labor laws in response to the tragedy and has pledged to inspect the country's 5,000 garment factories. The new laws include a slight easing of restrictions on labor organization, something Washington had been demanding. In June, the Obama Administration revoked Bangladesh's trade privileges under the Generalized System of Preferences (GSP) because of poor labor condi-

11. Sanjay Kumar, "Is Bangladesh's Ban on Jamaat-e-Islami Democratic?" *The Diplomat*, August 7, 2013.

12. Nayma Qayum, "Is Bangladesh's Shahbag the Next Tahrir Square?" World Policy Institute, blog, February 21, 2013, <http://www.worldpolicy.org/blog/2013/02/21/bangladesh%E2%80%99s-shahbag-next-tahrir-square> (accessed December 10, 2013).

13. Sabir Mustafa, "Ghulam Azam: War Crimes Trial that Exposed Bangladesh Scars," BBC, July 16, 2013, <http://www.bbc.co.uk/news/world-asia-23314457> (accessed December 9, 2013).

14. Syed Zain Al-Mahmoo, "Bangladesh Passes New Labor Law," *The Wall Street Journal*, July 15, 2013.

tions in Bangladesh. On November 13 and 14, thousands of garment workers protested outside Dhaka against low wages, even after the government agreed to raise the minimum wage by 77 percent. The demonstrations forced the closure of 200 factories and left over 80 people injured.

Keeping Islamist Extremists in Check

The Hasina government has made notable strides against Islamist extremists and successfully dismantled one of the deadliest groups, the Jamaat-ul-Mujahideen Bangladesh (JMB), which carried out several attacks in 2005 and 2006.¹⁵ The law enforcement and intelligence agencies have acted aggressively against extremists, leading to arrests and disruptions of terrorist plots. The government also has enacted and updated legislation aimed at countering terrorism, including the Anti-terrorism Act of 2009 and the Money Laundering Prevention Act of 2009.¹⁶ Other steps the government has taken to counter the terrorist threat include enhancing intelligence collection capabilities and introducing specialized units in the police force.

The emergence this spring of a new extremist group, Ansarullah Bangla Team (ABT), which draws inspiration from the global jihadist movement, has raised concern that al-Qaeda is seeking to exploit the increasingly volatile politics in Bangladesh. The existence of ABT was revealed following arrests of five Bangladeshi students in the February 2013 murder of secular blogger Ahmed Rajib Haider, who had played a key role in organizing the Shahbag protests.¹⁷ ABT members were reportedly influenced by al-Qaeda materials that had been translated into Bengali.¹⁸ On August 12, 2013, ABT leader Mufti Jasmuddin Rahmani and 30 of his followers were arrested.

Powerful Neighbors

While domestic issues continue to dominate the election campaign, the way in which Bangladeshi leaders manage relations with neighboring powers India and China is becoming increasingly important. China is slowly building up ties to Bangladesh and competing with India for dominance in the region. China is Bangladesh's top supplier of military equipment and biggest trading partner. Trade between Bangladesh and China surpassed \$8 billion in 2012.¹⁹ China has pledged to build a deep-sea port at Sonadia Island, off the coast of Cox's Bazar in southeastern Bangladesh, and expressed interest in establishing a transport link connecting Chittagong in Bangladesh to Kunming in China.²⁰

Indo-Bangladeshi ties have improved considerably during Sheikh Hasina's tenure. Trade between the two neighbors is soaring upwards of \$5 billion (approximately 10 percent of which represents Bangladeshi exports to India). Indian conglomerates have been awarded major infrastructure projects in Bangladesh, including construction of a \$1.6 billion coal-fired power plant. New Delhi has appreciated the Awami League government's actions against terrorist groups and its crackdowns on insurgents from India that seek shelter in Bangladesh. Indo-Bangladeshi cooperation led to the arrest of several insurgent leaders that had been operating in India's northeast. Dhaka handed over terrorist suspects to New Delhi, even before the two sides had established an extradition treaty. But their 2,500-mile-long shared border has also been the source of much friction. Bangladesh is resentful of Indian border fencing and several incidents of Indian border security forces killing innocent Bangladeshis.

Many Bangladeshis believe the partnership has become asymmetric and that India has not ade-

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15. Maneeza Hossain and Lisa Curtis, "Bangladesh: Checking Islamist Extremism in a Pivotal Democracy," Heritage Foundation *Backgrounders* No. 2383, March 15, 2010, <http://www.heritage.org/research/reports/2010/03/bangladesh-checking-islamist-extremism-in-a-pivotal-democracy>.
 16. Faiz Sobhan, "Countering Violent Extremism in Bangladesh," *Dhaka Tribune*, May 28, 2013.
 17. Shahriar Sharif, "New Extremist Group Causes Headache in Bangladesh," *Khabarsouthasia.com*, April 3, 2013, http://khabarsouthasia.com/en_GB/articles/apwi/articles/features/2013/04/03/feature-02 (accessed December 10, 2013).
 18. Iftekharul Bashar, "Violent Radicalisation in Bangladesh: A Second Wave?" *Spearhead Research*, October 7, 2013, http://spearheadresearch.org/SR_CMS/index.php/tag/violent-radicalisation-in-bangladesh-a-second-wave (accessed December 10, 2013).
 19. Dan Steinbock, "Bangladesh Plays Key Role in China's Rebalancing in Southeast Asia," *South China Morning Post*, November 4, 2013, <http://www.scmp.com/comment/insight-opinion/article/1345375/bangladesh-plays-key-role-chinas-rebalancing-southeast-asia> (accessed December 14, 2013).
 20. "Bangladesh and its Near-Abroad: The Begums and the Two Giants," *The Economist*, January 9, 2013, <http://www.economist.com/blogs/banyan/2013/01/bangladesh-and-its-near-abroad> (accessed December 10, 2013).

quately reciprocated Bangladeshi concessions. The Hasina government expected two major dividends of its open-arm relationship with India: progress on water-sharing discussions and a land-border agreement to resolve decades-old enclave issues between the two nations. Neither has materialized, partly because of the low priority assigned to these issues by New Delhi and also due to Indian domestic politics. The two sides were close to finalizing an agreement on water sharing in 2011, but one week before Indian Prime Minister Singh was slated to travel to Dhaka, the powerful Chief Minister of West Bengal, the Indian state bordering Bangladesh, denounced the agreement, leading the Singh government to back away from it. During a recent trip to India, the Bangladeshi foreign minister was unable to make progress on either the water-sharing or land-boundary agreements.²¹

The Indian lack of reciprocation toward Bangladesh is beginning to have consequences. The opposition BNP is criticizing the Hasina government for the imbalance in the Indo–Bangladesh relationship. The BNP says the Hasina government has been too weak, and is incapable of securing the country’s interests when it comes to dealing with India. New Delhi must recognize the importance of solidifying relations with Bangladesh now, or risk facing a less cooperative Bangladesh in the years to come.

Heading Toward Flawed Election

Bangladesh heads toward its 10th national elections without the participation of most political parties and amidst concern that escalating violence will seriously mar the polls. Political volatility has already affected the investment environment. There is concern that escalating street violence could even lead to political destabilization, similar to what unfolded in late 2006 when the military took power. Without the BNP and its coalition partners’ participation, the polling process will lose credibility among large parts of the Bangladeshi population, as well as with the international community.

U.S. Policy

The U.S. has a strong interest in ensuring that Bangladesh remains stable and on a path of democratic reform and economic development. To encourage Bangladesh in this direction, the U.S. should:

- **Support the postponement of polls and the establishment of an all-party government with a non-party technocrat at the helm to conduct elections within the next six months.** This will help the country avoid further political chaos that would almost certainly be exploited by the Islamists. The U.S. should press the Hasina government to negotiate with the BNP on conduct of an election to be held at a later date, the terms of which would be acceptable to both parties. The U.S. should make clear that a BNP boycott of the election would sacrifice the credibility of the polling process. There is widespread popular support for establishing a neutral caretaker government to conduct elections. An Asia Foundation survey conducted in 14 districts of Bangladesh in September 2013 revealed that a large majority of respondents (77 percent) said the elections should be held by a neutral caretaker government as in the past.²² Establishing an all-party government without Sheikh Hasina at the helm would be in line with the May 2011 ruling by the Bangladeshi Supreme Court that the caretaker system of government should be retained for the next two parliamentary elections. An all-party government with a neutral leader would serve the same purpose as a caretaker regime but without having to change the constitution or giving the appearance that one side has completely surrendered to the other.
- **Urge the Awami League and BNP to work together to set up a permanent independent election commission to supervise and adjudicate future elections, in line with established international norms and best practices.** It is too late for the establishment of a new election

21. Subhash Kapila, “Bangladesh General Elections 2014: A Preview,” *Eurasia Review*, July 12, 2013, <http://www.eurasiareview.com/12072013-bangladesh-general-elections-2014-a-preview/> (accessed December 13, 2013).

22. Farouk Chowdhury, “Ahead of Bangladesh Election, New Poll Shows Poverty, Political Conflict, Food Prices as Major Concerns,” *In Asia*, November 6, 2013, [http://asiafoundation.org/in-asia/2013/11/06/ahead-of-bangladesh-election-new-poll-shows-poverty-political-conflict-food-prices-as-major-concerns/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+in-asia+\(In+Asia\)](http://asiafoundation.org/in-asia/2013/11/06/ahead-of-bangladesh-election-new-poll-shows-poverty-political-conflict-food-prices-as-major-concerns/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+in-asia+(In+Asia)) (accessed December 10, 2013).

commission to satisfy the opposition's demands for taking part in the upcoming elections. However, eventually establishing a truly independent election commission would obviate the need for future neutral caretaker regimes. Party leaders will need to use their influence to help develop a national consensus in favor of the transition from conducting polls under a caretaker government to holding them under the auspices of an independent election commission.

- **Monitor the ICT-2 process more closely to ensure that the trials are in line with international standards.** Now that the court has sentenced a U.S. citizen to death for alleged war crimes carried out in the 1971 war of independence, the U.S. will have to increase scrutiny of the tribunal process to ensure that individuals' civil liberties are being upheld and that due process is carried out. U.S. State Department Ambassador-at-Large for War Crimes Issues Stephen Rapp registered his concerns about the tribunal during a visit to Bangladesh in May. He pointed to the need to follow international law standards, especially with regard to allowing the same rights to the defense and prosecution and ensuring the burden of proof lies with the prosecution. Rapp noted that in some circumstances during the ICT-2 process, the defense had been unable to summon witnesses, whereas the prosecutors had no such constraints.²³
- **Make clear that Washington expects that the new government, whichever party leads it, will continue to cooperate on counterterrorism goals in the region.** The new government must continue steps to crack down on both Islamist extremist groups plotting attacks in Bangladesh, and those that may seek to use Bangladeshi territory to stage attacks on other countries. Bangladesh cannot afford to allow the threat from extremists to reach the levels it did during the period around 2005 to 2006 when the JMB conducted numerous attacks.
- **Facilitate strong India–Bangladesh ties since New Delhi's influence in the country will help blunt the growing Chinese presence.** The U.S. should also consider greater trilateral cooperation among the three countries, especially in areas like counterterrorism, maritime security, economic development, and democracy building. Trilateral cooperation could be a hard sell with both Dhaka and New Delhi, however. Bangladeshis seek a strong bilateral relationship with the U.S. and constantly urge their American counterparts not to view Bangladesh through an Indian lens. For its part, India has in the past been suspicious of any new U.S. involvement in its neighborhood, and the two countries' policy divergence toward Bangladesh during its independence struggle was a major contributor to frosty Indo–U.S. relations during the 1980s. Bangladeshi leaders might become more receptive to trilateral cooperation, if they believe it will bring them tangible security and economic benefits. New Delhi could become more open to the idea if it sees such cooperation as helping to blunt Chinese regional influence.
- **Enhance U.S. naval engagement with Bangladesh by increasing the number of port calls and joint naval exercises and providing Bangladesh a greater role in maritime security groupings and decision making.** Former U.S. Assistant Secretary of State for Political-Military Affairs Andrew Shapiro said last year that Bangladesh had a key role to play in maintaining security in the Bay of Bengal. The U.S. and Bangladesh held a series of four maritime exercises focused on counter-piracy and counterterrorism in 2009 and 2010. The two countries should expand these engagements and look for opportunities to increase cooperation in maritime security. This is a particularly important type of engagement that will help balance growing Chinese maritime power in the region.
- **Reinstate GSP benefits for Bangladesh.** The GSP program for Bangladesh covered mainly agricultural goods, not garments. By cutting GSP

23. Stephen J. Rapp and Dan Mozena, press conference, Dhaka, Bangladesh, May 15, 2013, http://photos.state.gov/libraries/bangladesh/621750/2013%20Speeches%20and%20Remarks/Press%20Conference%20-%20Amb%20Stephen%20Rapp_%20Dan%20Mozena_%20May%202015_%202013.pdf (accessed December 10, 2013).

to Bangladesh, the U.S. is unlikely to influence conditions of the garment sector, but rather will hurt the country's most vulnerable rural population by limiting Bangladeshi farmers' access to U.S. markets. To help improve the lives and well-being of Bangladeshi workers, a better policy would be for the U.S. to encourage free trade and increase economic dialogue with Bangladeshi authorities.²⁴

Conclusion

By helping Bangladesh continue on a democratic path, the U.S. can help ensure it remains stable and immune to the influence of global terrorist movements. Sustaining and enhancing U.S. engagement with Bangladesh also ensures that an important South Asia nation does not become unduly dependent on Chinese investment and trade, and thus more susceptible to Chinese political influence.

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24. Terry Miller and Ryan Olson, "Punitive Trade Sanctions on Bangladesh Not the Way to Improve Labor Conditions," Heritage Foundation Issue Brief No. 3985, July 9, 2013, <http://www.heritage.org/research/reports/2013/07/punitive-trade-sanctions-on-bangladesh-not-the-way-to-improve-labor-conditions>.