



# Beyond the Election: Overcoming Bangladesh's Political Deadlock

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## Table of Contents

Executive Summary.....	i
I. Introduction .....	1
II. Economic Growth, Democratic Decline.....	3
A. Establishing a Hold on Power.....	3
B. A Secular Strategy? .....	5
C. Crackdowns.....	7
III. New Challenges .....	9
A. Economic Crisis .....	9
B. U.S. Policy Shift .....	13
C. A Rejuvenated Opposition.....	16
IV. Election Stalemate and Political Showdown.....	19
A. Opposition Mobilisation and State Responses.....	19
B. The 28 October “Grand Rally” and Its Aftermath .....	21
C. Stacking the Field of Candidates .....	22
V. Avoiding Bloodshed.....	26
A. The Risks of a Flawed Election .....	26
B. Handling the Poll’s Aftermath .....	28
C. International Support.....	30
VI. Conclusion .....	32
APPENDICES	
A. Map of Bangladesh .....	33
B. About the International Crisis Group .....	34
C. Crisis Group Reports and Briefings on Asia since 2021 .....	35
D. Crisis Group Board of Trustees .....	37

# Principal Findings

**What's new?** The ruling Awami League and opposition Bangladesh Nationalist Party are locked in a struggle over the 7 January general election. Amid growing discontent at its authoritarianism and economic mismanagement, the government's crackdown on mostly peaceful protests and arrest of senior opposition leaders has inflamed tensions and prompted an opposition boycott.

**Why did it happen?** Since coming to office in 2009, Prime Minister Sheikh Hasina has worked ruthlessly to maintain her party's grip on power, overseeing flawed elections in 2014 and 2018. But an economic crisis, shifting foreign relations and a reinvigorated opposition have made it harder for the Awami League to hold another one-sided poll.

**Why does it matter?** The opposition's boycott means that voter turnout is likely to be low. With few credible alternatives at the ballot box, discontented Bangladeshis are taking to the streets, and the risk of political violence remains high. Disturbances could also erupt between competing factions within the Awami League.

**What should be done?** While it is now too late to delay the January election, the Awami League and the Bangladesh Nationalist Party should work after the vote to de-escalate the country's political tensions, including through concessions by both sides. Foreign partners should encourage them toward this goal.

## *Executive Summary*

Bangladesh's Awami League (AL) government and the opposition Bangladesh Nationalist Party (BNP) have been locked in a deadly stalemate in the lead-up to a general election scheduled for 7 January. Against a backdrop of growing discontent with the incumbent government, the BNP and its allies have announced they will boycott the vote, after the government resisted their calls for Prime Minister Sheikh Hasina to resign and hand power to a caretaker administration to oversee the polls. Instead, Hasina has used her control of levers of state power – the police, judiciary and civil service – to undermine opposition attempts to force her from office. Following a major rally in Dhaka on 28 October 2023 that descended into violence, the government detained most senior opposition officials and seems intent on crushing the BNP. After polls in 2014 and 2018 that lacked credibility, another flawed vote would ratchet up Bangladesh's political tensions. While it is now too late to postpone the poll, the government and opposition should open talks after the vote aimed at resolving the crisis and preventing further turmoil.

Since coming to office in 2009, Hasina's AL government has defied its adversaries to become Bangladesh's longest-serving administration, outlasting even the military regimes of the 1980s. She built her success on personal popularity, in part due to her legacy as the daughter of the country's founding father, Sheikh Mujibur Rahman, and a strong party machinery. Her government has also delivered more than a decade of robust economic growth, improved health and education outcomes, and undertaken vital infrastructure projects. On her watch, the security forces largely neutralised jihadist groups that emerged in the 2000s. Foreign support, including from traditional ally India but also from the U. S. – which considered the AL an important partner in the "war on terror" and welcomed its decision to accept approximately 750,000 Rohingya refugees fleeing repression in Myanmar in 2017 – also helped sustain Hasina's government.

But the AL's determination to hold on to power at any cost has corroded democracy in Bangladesh. Over the last decade, Hasina has established a firm grip on the country's key institutions, including the bureaucracy, judiciary, security agencies and electoral authorities, filling them with loyalists. Her government has also persecuted opposition activists, civil society figures and journalists. The security forces have been implicated in hundreds of forced disappearances and thousands of extrajudicial killings; many more activists have found themselves tied up in endless court cases, including under draconian new laws.

Just as important to Hasina's long rule have been amendments to the constitution in 2011 that removed provisions requiring that elected party governments stand aside for a caretaker administration in the run-up to polls. Due to these amendments, the opposition boycotted the 2014 election, and when it participated in the 2018 vote it faced a sustained crackdown from the authorities. Amid widespread allegations of ballot box stuffing, the AL and its allies won 96 per cent of seats. The vote thus consolidated the role of parliament, already dominated by the AL after the 2014 opposition boycott, as a rubber stamp for Hasina's executive dispatch.

Since the last election, discontent has been growing, both at home and abroad. Many Bangladeshis complain that they have not been able to vote in a credible election for fifteen years. They are demanding that their voices be heard. Even more damaging for the government, the gloss has come off the economy; since mid-2022, it has been grappling with a foreign exchange shortage and high inflation, leaving many low-income workers struggling to make ends meet. Although caused partly by external factors, these economic troubles have been exacerbated by corruption and mismanagement, particularly the adoption of a fixed exchange rate. In Washington, meanwhile, the Biden administration has enacted sanctions against members of the Bangladeshi security forces implicated in human rights abuses and threatened to block visas for officials deemed to be undermining credible elections, as well as their family members.

These U.S. moves have galvanised the opposition, which since mid-2022 has staged numerous large demonstrations in Dhaka and other cities – the first in around a decade. Despite government efforts to thwart them, major rallies in December 2022, July 2023 and October 2023 attracted hundreds of thousands of supporters. The latest of these gatherings, on 28 October 2023, ended prematurely when police dispersed the crowds with tear gas and stun grenades following sporadic clashes. Amid the street battles, BNP supporters allegedly killed a police officer; the government responded by arresting most of the party's senior members and remanding them in prison.

These events have only intensified antagonism between the two sides. Hasina has ruled out dialogue with the opposition, while the BNP and its allies have announced *hartals* (strikes) and blockades to disrupt the economy and force the government to accede to their electoral demands. The AL has also sought to split the BNP by luring senior members to defect, without much success. Instead, the main opposition force is trying to build a broader anti-government coalition, including parties that it has not traditionally cooperated with.

Bangladesh is at a critical juncture. The once vibrant, if imperfect democracy will soon hold a third election without a credible alternative to the incumbent government. Hasina's determination to hold the election on her terms will increase the risk of violence, both before and after the polls. Given the level of domestic opposition it is facing, alongside economic and geopolitical headwinds, the AL has reasons to seek a compromise. While Hasina's party may hold on to power in the short term, the opposition is likely to persist with its actions, and political and economic pressures could mount on the AL, with potentially violent repercussions. The two parties should engage in dialogue to chart a way out of the stalemate. Negotiations to rebuild relations between the main political forces and put Bangladesh back on to the path of democracy, peace and stability will require concessions from both sides. The country's foreign partners, particularly the U.S. and India, should actively encourage them in that direction.

**Dhaka/Brussels, 4 January 2024**

# Beyond the Election: Overcoming Bangladesh's Political Deadlock

## I. Introduction

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For most of the time since Bangladesh became independent in 1971, the country's politics has been defined by two parties and two families: the Bangladesh Awami League (AL), synonymous with independence leader Sheikh Mujibur Rahman and today headed by his daughter, Prime Minister Sheikh Hasina; and the Bangladesh Nationalist Party (BNP), established in 1978 by military ruler Ziaur Rahman and now led by his wife Khaleda Zia. The BNP won the first election after military rule ended in 1990, and the two parties took turns in government for the next fifteen years. A non-partisan caretaker government oversaw each national vote, an arrangement made formal by a 1996 amendment to the constitution.<sup>1</sup>

Although power changed hands at each election, political turmoil was commonplace. Throughout the 1990s and 2000s, both parties resorted to street protests while in opposition to pressure the incumbent government to accept its demands regarding the next ballot. Ahead of the 2006 vote, the AL opposition accused the unpopular BNP administration of trying to manipulate the caretaker system. It launched violent demonstrations and eventually boycotted the polls. Under pressure from the army to restore order, the caretaker government declared a state of emergency, in what was, in effect, a coup. After arresting both Hasina and Zia on corruption charges, with the aim of barring them from politics, the military-backed interim administration eventually allowed them to lead their respective parties in December 2008 polls, which the AL won handily.<sup>2</sup>

Hasina has since defied Bangladesh's anti-incumbency impulse through a combination of canny coalition building, ruthless suppression of adversaries, miscalculations by the opposition, and strong domestic and international support. Crucially, in June 2011 she used her party's super-majority in parliament to pass an amendment removing the caretaker government provision from the constitution, giving her government great influence over the way subsequent polls were conducted.<sup>3</sup> Hasina has also worked assiduously to cement control of the levers of power, particularly the judiciary, security forces and bureaucracy, which play important roles in elections.<sup>4</sup> The army, which as an autonomous institution has sometimes been a threat to elected

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<sup>1</sup> For background, see Crisis Group Asia Report N°264, *Mapping Bangladesh's Political Crisis*, 9 February 2015.

<sup>2</sup> Ibid.

<sup>3</sup> Although the Supreme Court had a month earlier ruled the 1996 caretaker government clause unconstitutional, the AL ignored its recommendation – or instruction, according to some – that the system be retained for the next two elections. “Misinterpretation of court order on caretaker government”, *Prothom Alo*, 27 August 2023.

<sup>4</sup> Crisis Group interviews, June and October 2023. For a closer examination of political influence on the judiciary and law enforcement agencies, see Crisis Group Asia Report N°277, *Political Conflict, Extremism and Criminal Justice in Bangladesh*, 11 April 2016.

governments, has been largely restrained by state largesse. These moves have helped Hasina navigate two highly flawed elections, in 2014 and 2018.

Ahead of the 7 January election, Bangladesh is a highly polarised nation. Both major parties maintain loyal supporter bases as they push competing narratives about the country's past, present and future. Both also bear responsibility for the current crisis. Many of the allegations that the BNP levels against the AL – of attempting to manipulate the electoral process, of suppressing civil society and the media, of engaging in corruption and economic mismanagement, and of using the pillars of state to hold on to power – could equally be applied to the BNP when it was in office. Similarly, the BNP is using tactics that the AL deployed while in opposition to force the government to hold a fair election.

This report looks back at the AL's legacy of the past fifteen years and examines why it has faced a much more difficult task in ensuring re-election this time around, despite having nearly all the organs of state at its disposal. It is based on research in Bangladesh in June and October 2023, including interviews with officials from the AL and BNP, civil servants, journalists, civil society leaders, UN officials and diplomats, and independent experts. Less than a quarter of interviewees were women, reflecting the fact that in Bangladesh men still dominate politics, most parts of government, civil society, the media and academia.

## II. Economic Growth, Democratic Decline

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Over the past fifteen years, the Awami League has dramatically reshaped Bangladesh, presiding over one of the fastest-growing economies in the world and lifting millions of people out of poverty.<sup>5</sup> It has also – for the time being, at least – contained the threat of jihadism, while advancing policies aimed at building a more secular country.<sup>6</sup> These achievements have come, however, at the cost of growing authoritarianism, ranging from silencing of dissent to extrajudicial killings and forced disappearances by state agencies.

### A. *Establishing a Hold on Power*

The 2014 election was a watershed in Bangladesh, breaking the tradition of a transfer of power every five years and severely damaging the BNP's strength. The AL won re-election before a single vote was cast, as the BNP boycotted the poll to protest the removal of the caretaker government provision. Instead, it tried to disrupt the vote through violence, leaving AL and allied candidates to run unopposed in more than half the country's constituencies.<sup>7</sup> The vote ended up being the bloodiest in Bangladesh's history.<sup>8</sup> On one side, the opposition resorted to *hartals* (strikes), protests and traffic blockades, as well as attacks on AL supporters and officials, while on the other security forces cracked down, allegedly resorting to torture, illegal detentions and extrajudicial killings.<sup>9</sup> By some counts, at least 400 voters, party activists, observers and security personnel were reportedly killed in the months before the election and the weeks afterward.<sup>10</sup> Further unrest erupted in January 2015, on the election's first anniversary, which the BNP had set as a deadline for a new poll under a caretaker government.<sup>11</sup>

Ahead of the 2018 general election, the BNP changed course, pledging to contest the poll if it was held under a neutral election commission.<sup>12</sup> Even so, its candidates and activists faced sustained harassment from the authorities in the lead-up to the vote, which was marred by irregularities.<sup>13</sup> Local police and administrators were accused of stuffing ballot boxes ahead of time, while representatives of opposition

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<sup>5</sup> Thanks to this period of strong economic development, Bangladesh is set to graduate from least-developed country status in 2026. See "Bangladesh's Graduation: Challenges and Imperatives to Continued International Support Measures", National University of Singapore Institute of South Asian Studies, 22 July 2021.

<sup>6</sup> For background, see Crisis Group Asia Reports N°295, *Countering Jihadist Militancy in Bangladesh*, 28 February 2018; and N°187, *The Threat from Jamaat-ul Mujahideen Bangladesh*, 1 March 2010.

<sup>7</sup> "Bangladesh ruling party wins unopposed in one-sided polls", Anadolu Agency, 5 January 2014.

<sup>8</sup> Crisis Group Report, *Mapping Bangladesh's Political Crisis*, op. cit.

<sup>9</sup> "Democracy in the Crossfire: Opposition Violence and Government Abuses in the 2014 Pre- and Post-election Period in Bangladesh", Human Rights Watch, April 2014.

<sup>10</sup> "If History is Any Guide, Bangladesh Elections are about to Get Ugly", U.S. Institute of Peace, 3 December 2018.

<sup>11</sup> "Dozens dead, 7,000 arrested as political violence rocks Bangladesh", CNN, 22 January 2015.

<sup>12</sup> Crisis Group Report, *Political Conflict, Extremism and Criminal Justice in Bangladesh*, op. cit.

<sup>13</sup> "Creating Panic: Bangladesh Election Crackdown on Political Opponents and Critics", Human Rights Watch, 22 December 2018.



candidates were reportedly denied access to polling stations on election day.<sup>14</sup> Although the AL rejected the allegations, Crisis Group spoke to numerous people who said they turned up to vote only to be told their ballot had already been cast.<sup>15</sup> The fact the AL and its allies gained an improbable 82 per cent of the vote – and 96 per cent of the seats in parliament – fuelled the widespread perception that the AL had stolen the election.

Foreign observers criticised the conduct of both the 2014 and 2018 polls, but condemnation was subdued.<sup>16</sup> The AL had been cultivating new allies, particularly Russia and China, in an effort to reduce Bangladesh's traditional dependence on India and the West. At the same time, the AL government had positioned itself as an important Western, and in particular U.S., partner in countering jihadism, and suppressed homegrown militants, particularly after the 2016 attack on the Holey Artisan Bakery in Dhaka that left 22 people dead, including seventeen foreigners.<sup>17</sup> Hasina's decision to grant sanctuary in late 2017 to over 750,000 Rohingya refugees fleeing violence in Myanmar further mellowed the international response to perceived wrongdoing in the 2018 election. Mutually beneficial business deals, a hardline stance against insurgents and actions to protect Hindus in Bangladesh – who have periodically been the victims of communal violence – helped shore up the relationship with India.

Within Bangladesh, gauging the level of support for the AL government has often been difficult. For much of the past fifteen years, however, Sheikh Hasina – if not her party – seems to have remained popular, with her support dipping only recently. It is quite possible, if not likely, that she would have emerged triumphant in 2014 and 2018 even with opposition participation and a reasonably fair vote.<sup>18</sup> A 2019 survey showed that most respondents felt the country was heading in the right direction, with the caveats that the AL should be more inclusive and that a gap was growing between the public and political elites. It also found very high approval ratings for the AL government.<sup>19</sup>

Much of Hasina's popularity has been built on economic development.<sup>20</sup> The country has reported strong annual growth of 6 to 7 per cent throughout her time in office, largely thanks to a booming ready-made garments sector, which accounts for over 80 per cent of exports. The growth has created a burgeoning middle class and

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<sup>14</sup> Transparency International Bangladesh found irregularities in 47 of the 50 legislative races it monitored, including stamping ballots the night before the polls. "Polls anomalies in 47 of 50 seats", *The Daily Star*, 16 January 2019. See also "Bangladesh: Election Abuses Need Independent Probe", Human Rights Watch, 2 January 2019; and "BNP claims polling agents obstructed in 221 constituencies", *Prothom Alo*, 30 December 2018.

<sup>15</sup> Crisis Group interviews, June and October 2023. The poll was widely dubbed the "midnight election" on social media, because of the perception that all the votes had been cast the night before polls opened.

<sup>16</sup> Mubashar Hasan and Arild Engelsen Ruud, "The Geopolitics of the 2018 Parliamentary Elections in Bangladesh", E-International Relations, 6 February 2019.

<sup>17</sup> "Dhaka cafe attack ends with 20 hostages among dead", *The Guardian*, 3 July 2016. See also "The Persistent Challenge of Extremism in Bangladesh", U.S. Institute of Peace, June 2022.

<sup>18</sup> Crisis Group interviews, October-November 2023.

<sup>19</sup> Geoffrey Macdonald and Vivek Shivaram, "One Year after a Contentious Election, Bangladeshis are Satisfied with the Country's Direction", *Asia Unbound* (blog), Council on Foreign Relations, 30 January 2020.

<sup>20</sup> *Ibid.*

greatly reduced the ranks of the poor. The country has performed well by a range of development indicators, from literacy levels to electricity access, and heavy investment in infrastructure, from megaprojects to local bridges and roads, has helped improve the daily lives of much of the population, particularly in rural areas.

Meanwhile, the government has largely neutralised the threat posed to civilian rule by the army, which has a long history of political intervention. In 1975, a group of disaffected officers killed Hasina's father, Sheikh Mujibur Rahman, along with most of her family, ushering in around fifteen years of military rule. In January 2007, the military again intervened in politics, pressuring the caretaker government to hand over power to another interim administration – a military regime in all but name – that ruled for almost two years. Since taking over again, the AL government has showered the armed forces with money, in the form of both a lavish state budget and generous economic privileges, ensuring that the top brass are loyal to Hasina.<sup>21</sup> Another factor that discourages the military from political meddling is the need to maintain its international reputation, particularly as it pertains to UN peacekeeping operations, to which it is one of the largest contributors.

### B. *A Secular Strategy?*

Hasina has projected an image of her government as more secular, progressive and competent than the opposition, taking advantage of perceptions both domestically and abroad of the BNP as unappealing.<sup>22</sup> Her government highlighted the BNP's historical use of violence – including against minorities – as well as its corrupt practices while previously in office. It also fastened onto the BNP's alliance with the Islamist party Jamaat-e-Islami, which had helped the BNP secure power in 2001 but enhanced the perception that it was in thrall to fundamentalism, including opponents of Bangladeshi independence.<sup>23</sup> BNP leaders argue Hasina used their party's relationship with Jamaat to justify a crackdown on the opposition, pointing out that the AL had itself aligned with Jamaat to disrupt the 1996 election and force the BNP to hold a second vote, which saw it cast out of office. "No one in the West raised any concerns over arrests and widespread human rights abuses", said a senior BNP official. "They bought Hasina's narrative that the BNP and Jamaat were basically the same party, and that the BNP has deep Islamist ties".<sup>24</sup>

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<sup>21</sup> "Bangladesh's government lavishes money on the army", *The Economist*, 11 February 2021.

<sup>22</sup> Crisis Group interviews, June and September 2023. See also Hasan and Ruud, "The Geopolitics of the 2018 Parliamentary Elections", *op. cit.*

<sup>23</sup> Jamaat-e-Islami is Bangladesh's largest Islamist party. It formed in 1941 in what is now Pakistan, splitting into Pakistani and Indian wings after the 1947 partition. The East Pakistan branch later became Bangladesh Jamaat-e-Islami. It was banned after Bangladesh gained independence in 1971 because it had collaborated with Pakistan in the war for independence, forming paramilitary forces that committed atrocities. After BNP founder Ziaur Rahman came to power in 1977, he paved the way for Jamaat to return to politics through the fifth amendment to the constitution, which removed references to secularism and socialism. Since then, the BNP and Jamaat have often been in alliance (the 2001 BNP government had Jamaat members), but Jamaat has also sometimes worked with the AL, including in the movements against military rule in the 1980s, and the 1996 campaign for an election under a caretaker government.

<sup>24</sup> Crisis Group interview, senior BNP official, October 2023.

Hasina also sought to neutralise Islamist opponents. In 2010, she fulfilled her election promise to create an International Crimes Tribunal to try those who allegedly committed war crimes – in many cases Islamists – during the country's bloody independence struggle in 1971. The tribunal had strong public support, particularly among young, secular urbanites, who later staged rallies calling for tougher penalties for the accused, but experts and rights groups identified serious procedural shortcomings.<sup>25</sup> Nine Jamaat leaders were indicted along with two BNP officials; most were later executed, including Jamaat's leader. In August 2013, the High Court then declared Jamaat's registration as a political party illegal.<sup>26</sup> The same year, the AL government crushed demonstrations by Hefazat-e-Islam, a hardline Islamist movement, with security forces allegedly killing dozens of people.<sup>27</sup>

To bolster its secular credentials, the AL government has placed a high priority on gender equality and empowering women in the political, economic and social spheres.<sup>28</sup> It introduced policies to tackle child marriage and domestic violence, worked to increase participation of girls and women in education and the work force, and stood up to Islamist protesters opposing secularism and women's rights.<sup>29</sup> The massive expansion of Bangladesh's garment industry over the past fifteen years – export earnings have almost quadrupled, and the country is now the world's second-largest garment exporter – has created jobs for millions of women, reshaping traditional gender relations in which men worked to support the family and women were confined to domestic duties.<sup>30</sup>

In politics, the government also introduced or expanded laws and policies to encourage women's political representation.<sup>31</sup> Beyond mandatory quotas, however, there are few women political representatives, and none of the major parties have met quota requirements for leadership positions.<sup>32</sup> Gender norms and the violence in Bangla-

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<sup>25</sup> See, for example, Sudha Ramachandran, "Flawed justice in Bangladesh", *The Diplomat*, 31 October 2013.

<sup>26</sup> "Bangladesh court rules top Islamic party illegal", Reuters, 1 August 2013.

<sup>27</sup> "Blood on the Streets: The Use of Excessive Force during Bangladesh Protests", Human Rights Watch, 1 August 2013.

<sup>28</sup> "The Empowerment of Women in Bangladesh: Not Just Rhetoric", National University of Singapore Institute of South Asian Studies, 12 August 2020.

<sup>29</sup> When Hefazat emerged in 2011, it was to protest a new Women's Development Policy that proposed equal inheritance rights for women; Hefazat's 2013 demonstrations were accompanied by a set of thirteen demands, including gender segregation. "Hefazat-e-Islam and the rise of Islamic fundamentalism", op. cit.

<sup>30</sup> Mohammed Abdullah Al Mamun and Mohammed Mahmudul Hoque, "The Impact of Paid Employment on Women's Empowerment: A Case Study of Female Garment Workers in Bangladesh", *World Development Sustainability*, vol. 1 (2022). Exports rose from \$11.9 billion in 2008 to \$45.7 billion in 2023. See "Export Performance", Bangladesh Garment Manufacturers and Exporters Association.

<sup>31</sup> A total of 50 seats in the national parliament are reserved for women, on top of the 300 elected posts. Additionally, one third of the seats in municipal and city corporation elections are reserved for women, and women get three seats in each Union Parishad, the lowest tier of government administration. "Women's Reserved Seat Systems in Bangladesh", International Foundation for Electoral Systems, July 2016.

<sup>32</sup> "Women in Bangladesh still neglected in politics, polls", *New Age*, 7 March 2023. The quota system is also not without critics, including among women's rights advocates. The reserved seats are allocated proportionally to parties based on their share of elected seats; some have instead called

deshi politics continue to discourage women from participating in political activities.<sup>33</sup> Socio-economic indicators show progress during the AL's tenure, but the country overall is far from reaching gender equality.<sup>34</sup> Despite her avowed secularism and the government's crackdowns on not only jihadists but also Islamist political forces, Hasina has courted conservative Muslims when expedient.<sup>35</sup> In November 2018, she even received an award from Hefazat-e-Islam after acceding to demands such as amending school textbooks and recognising degrees from unregulated madrassas.<sup>36</sup>

### C. Crackdowns

Despite coming to power promising to end human rights violations, the AL government has faced sustained, credible allegations of abuses, often against its political opponents. Bangladeshi human rights groups say security forces are responsible for more than 600 "forced disappearances" since Hasina came to power and almost 100 of the victims are still missing.<sup>37</sup> Most notoriously, law enforcement agencies such as the Rapid Action Battalion have allegedly carried out thousands of extrajudicial killings, presented as the result of "crossfire" or "gunfights", in the same period.<sup>38</sup> Although many occurred as part of a "war on drugs" launched in 2018, political opponents have also been among the victims.

The government has also used its control of the police and legal system to crack down on opposition activists, civil society members and journalists, including through the 2018 Digital Security Act, which introduced heavy prison sentences for defamation on social media.<sup>39</sup> These developments have all contributed to creating a climate of fear, in which self-censorship has become the norm, not just for press outlets but also for social media users.<sup>40</sup> In December 2023, the rights group CIVICUS Monitor downgraded its assessment of Bangladesh's civic space to "closed", ranking it alongside countries such as China, Myanmar and Russia.<sup>41</sup>

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for direct elections for the reserved seats to increase competition among candidates. Others argue that reserved seats hinder gender equality, as they mean that fewer women enter parliament by being elected themselves. Meanwhile, under a 2013 amendment to the Representation of the People Order, women are to hold at least 33 per cent of all committee positions in political parties. "Only direct election can empower women politically", *The Daily Star*, 10 October 2018.

<sup>33</sup> Ruaksana Haque, "Despite a woman at the top, Bangladesh's politics are still male dominated", International Republican Institute, 28 October 2021.

<sup>34</sup> "The Paths to Equal: Twin Indices on Women's Empowerment and Gender Equality", UN Development Programme/UN Women, July 2023. Bangladesh fares better on the Global Gender Gap Report published by the World Economic Forum, but its higher score there is largely due to having had women prime ministers for most of the time since independence – a feat matched only by Iceland. See "Global Gender Gap Report", World Economic Forum, June 2023.

<sup>35</sup> Roshni Kapur, "Hefazat-e-Islam and the rise of Islamic fundamentalism in Bangladesh", East Asia Forum, 16 February 2022.

<sup>36</sup> Ibid. See also "PM Sheikh Hasina branded as 'Mother of Qawmi'", *Dhaka Tribune*, 4 November 2018; and "The Persistent Challenge of Extremism in Bangladesh", op. cit.

<sup>37</sup> "Bangladesh: Open Forced Disappearances Inquiry", Human Rights Watch, 29 August 2023.

<sup>38</sup> Brad Adams, "Bangladesh's 'crossfire' culture hits home", *The Diplomat*, 4 September 2020.

<sup>39</sup> For background, see Ali Riaz, "How Bangladesh's Digital Security Act is Creating a Culture of Fear", Carnegie Endowment for International Peace, 9 December 2021.

<sup>40</sup> Crisis Group interviews, June and October 2023.

<sup>41</sup> "CIVICUS Monitor Downgrades Bangladesh's Civic Space Rating amid Brutal Pre-Election Crackdown", CIVICUS Monitor, 6 December 2023.

At the same time, Bangladesh has notched successes in tackling jihadism, which emerged in the 1980s and early 1990s among Bangladeshis coming home after volunteering to fight the Soviet army in Afghanistan.<sup>42</sup> In the early 2000s, the Bangladeshi government established several institutions to handle this threat, including the Rapid Action Battalion. But law enforcement agencies' focus on quashing political opposition alongside growing links between local jihadists, including groups such as Ansar al Islam and Jamaat-ul Mujahideen Bangladesh, and transnational movements contributed to a resurgence of militancy in the 2010s.<sup>43</sup> The 2016 Holey Artisan Bakery attack compelled the government to act, and it received substantial foreign support to this end. Although homegrown jihadism remains a threat, improved law enforcement and the diminishing influence of transnational militancy has caused a sharp decline in attacks.<sup>44</sup>

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<sup>42</sup> "The Persistent Challenge of Extremism in Bangladesh", op. cit.

<sup>43</sup> Crisis Group Report, *Countering Jihadist Militancy in Bangladesh*, op. cit.

<sup>44</sup> "The Persistent Challenge of Extremism in Bangladesh", op. cit.

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### III. New Challenges

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In recent years, the AL government has faced growing discontent that could threaten its hold on power. After the 2018 election, its position seemed assured; whether the opposition could mount a serious challenge at the next polls was in doubt. But shifts in the government's foreign relations and the global economy have combined with domestic grievances both to damage the AL government's standing and fuel a resurgent opposition. Despite Hasina's continuing personal popularity, a survey carried out by the International Republican Institute in 2023 found that only 44 per cent of respondents felt the country was heading in the right direction, down from 76 per cent in 2019.<sup>45</sup> Rising prices were the primary reason cited for the increase in pessimism, though dissatisfaction with the state of democracy had also climbed. Support for the opposition increased sharply, from 36 per cent in 2019 to 63 per cent.<sup>46</sup> As a result, the government has found it harder than expected to navigate the present election cycle.<sup>47</sup>

#### A. Economic Crisis

Since mid-2022, the gloss has come off the narrative surrounding Sheikh Hasina's "economic miracle", particularly within Bangladesh.<sup>48</sup> A combination of external developments and domestic policy decisions have caused a severe shock to the Bangladeshi economy, driving up inflation.<sup>49</sup> The central bank has been forced to sell dollars to meet market demand, and foreign currency reserves have fallen sharply, prompting the government to request a \$4.7 billion loan from the International Monetary Fund in July 2022.<sup>50</sup> Gross reserves have fallen from \$46 billion in February 2022 to below \$25 billion as of November 2023, while net reserves were reportedly below \$16 billion – equivalent to less than three months of imports.<sup>51</sup> Although the country's long-term economic outlook remains solid, due in large part to the competitiveness of its garment sector, declining foreign currency reserves have raised concerns about a balance of payments crisis. Official data may also not fully reflect the chal-

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<sup>45</sup> Hasina still has a 70 percent approval rating according to the poll. See "New Survey Research for Bangladesh Shows Dissatisfaction with Country's Direction, Support for Prime Minister Hasina, Calls for Caretaker Government", International Republican Institute, 8 August 2023.

<sup>46</sup> Ibid.

<sup>47</sup> An Asia Foundation survey conducted from November 2022 to January 2023 similarly found "a considerable deterioration of the public perceptions about the country's future", particularly on the political and economic fronts. "The State of Bangladesh's Political Governance, Development and Society: According to Its Citizens", The Asia Foundation, 29 August 2023.

<sup>48</sup> For excellent overviews, see "All that went wrong for Bangladesh's economy", *The Daily Star*, 11 September 2023; and "Bangladesh Development Update: New Frontiers in Poverty Reduction", World Bank, October 2023.

<sup>49</sup> External factors include not only the Russian invasion of Ukraine in February 2022, which pushed up commodity prices, but also major price increases for garment sector inputs and rising global interest rates, which have reduced financial flows to Bangladesh.

<sup>50</sup> A first tranche of \$476 million was disbursed in January 2023. "Bangladesh secures \$4.7 bln from IMF as other South Asian countries see delays", Reuters, 30 January 2023.

<sup>51</sup> Bangladesh Bank's figures for foreign exchange reserves are available at its website. See also "Forex reserves in rapid decline with growing import payments", *The Business Post*, 10 October 2023; and "Forex reserves below \$20 billion after paying ACU", *The Business Standard*, 7 November 2023.

lenges facing the economy, particularly the downturn's damaging effects on low-income households.<sup>52</sup>

The government's response to what were initially external economic challenges has made the situation worse. Most damagingly, it has tried to limit inflation by pegging the local currency, the taka, at an artificially high rate. It has devised a complex system of multiple exchange rates that has in turn created opportunities to turn a profit for the well-connected and discouraged overseas workers and exporters from repatriating foreign currency through official channels, putting further pressure on foreign currency reserves.<sup>53</sup> The government has also cracked down on the informal foreign currency market, where dollars were trading at a premium of more than 10 per cent, increasing the liquidity challenges for businesses.<sup>54</sup>

The government has also made a series of missteps on fiscal, monetary and trade policy. When most countries adopted policies aimed at squeezing money supply, the central bank kept caps on interest rates that it introduced at the start of the COVID-19 pandemic to protect the banks from a surge in bad debts. The caps made credit cheap in a high-inflation environment, increasing money supply and propping up demand for imports while eroding depositors' purchasing power.<sup>55</sup> To narrow the trade deficit, the government instead put in place restrictions, which caused shortages of key goods – particularly in the energy sector – and created new inflationary pressures.<sup>56</sup> Much of the widening budget deficit in the 2022-2023 fiscal year was covered through the central bank printing money, which only added to inflation.<sup>57</sup>

Leading credit rating agencies S&P and Fitch have accordingly downgraded their outlook for Bangladesh to negative, with the latter citing the government's "insufficient" measures to stem the fall in foreign currency reserves.<sup>58</sup> Although Moody's has maintained a stable outlook, in May 2023 it lowered Bangladesh's credit rating for the first time in a decade. "There's no real reason why Bangladesh should be in an

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<sup>52</sup> Crisis Group interview, Dhaka-based economist, October 2023. The inflation figure almost certainly understates the scale of the problem, as the consumer price index "basket" is calculated based on price caps that the government has set for key commodities, such as eggs, potatoes, onions, cooking oil, gas cylinders and more, but which it has been unable to enforce. See "The challenge of measuring inflation", *The Daily Star*, 7 November 2023; and "3 essential commodities: Price caps prove a total failure", *The Daily Star*, 12 October 2023.

<sup>53</sup> Despite a record number of Bangladeshis heading overseas for work, formal remittances have declined because workers can get better, market-based exchange rates using informal channels. Referred to locally as *hundi*, they are known as informal value transfer systems or informal transfer systems. See "Big drops in remittance, exports make reserves struggle harsher", *The Business Standard*, 2 October 2023. For an overview on *hundi* use among Bangladeshi migrant workers, see Maisha Tabassum Anima et al., "Impact of Informal Remittance Channels in Bangladesh: Understanding the Role of *Hundi* in Financial Crime beyond Economic Aspects", *Journal of Economic Criminology*, no. 2 (2023).

<sup>54</sup> "Dollar disappears from kerb market amid central bank-led raids on money exchanges", *The Business Standard*, 3 September 2023.

<sup>55</sup> "Taming the inflation monster in Bangladesh", *The Daily Star*, 9 October 2023.

<sup>56</sup> In the energy sector, the restrictions have led to regular blackouts and fuel shortages. "Bangladesh's worst electricity crisis in a decade", Reuters, 7 June 2023.

<sup>57</sup> "Cenbank keeps printing money amid inflation worries", *The Business Standard*, 19 July 2023.

<sup>58</sup> "Fitch Revises Outlook on Bangladesh to Negative; Affirms at 'BB-'", Fitch Ratings, 25 September 2023.

external balance of payments crisis”, said an economist. “They have strong fundamentals. It’s entirely self-inflicted”.<sup>59</sup>

Economic decisions by the government have largely been taken for political reasons, often with an eye on the 2024 national polls. A chief concern for the government was that allowing the taka to float in line with demand would send its value plummeting, fuelling even higher inflation and potentially social unrest. Although a weaker taka would likely have supported exports, particularly in the garment sector, many garment exporters own conglomerates that also import food, construction materials, fuel and other goods, and – at least at first – lobbied against allowing the currency to depreciate sharply and also pushed for interest rate caps. Their apparent influence over policy reflects in critics’ eyes the AL government’s cultivation of a crony capitalist class, which it now relies on for advice, making it difficult to carry out reforms as these individuals have personal interests at stake.<sup>60</sup> More than 60 per cent of the lawmakers now in parliament come from the business sector, most of them from the garment industry. An important factor in the government’s decision-making is the need to keep this elite onside.<sup>61</sup>

Policies aimed at fixing the exchange rate and keeping interest rates low have largely backfired. Inflation has remained high at around 10 per cent, according to official figures – in contrast to neighbouring India and Sri Lanka, where it has started to fall.<sup>62</sup> Ordinary Bangladeshis, particularly those with the lowest incomes, have seen sharp declines in their real wages, and many are struggling to cover even basic living expenses.<sup>63</sup> In one survey, 52 per cent of respondents said they had struggled to feed themselves or their families within the past year.<sup>64</sup> Surveys also indicate that economic hardship is a major reason for the government’s declining support and the BNP’s protest movement from mid-2022 onward (see Section IV.A). Meanwhile, the business class is increasingly concerned about the possibility of a balance of payments crisis.

Falling purchasing power has already led to industrial unrest. From late October to mid-November 2023, tens of thousands of garment workers – who had not had a pay rise since December 2018 – took to the streets demanding a near three-fold increase in the minimum wage, to the equivalent of around \$210 a month. On 7 November, the government announced a 56 per cent hike in the minimum wage, to around \$110, but protests continued.<sup>65</sup> Alleging that the BNP was behind the unrest, Sheikh Hasina reportedly told workers to get back to work or return to being unemployed in their villages.<sup>66</sup> By 14 November, the police had largely extinguished the protests through force, responding to the demonstrations with tear gas, shotgun pel-

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<sup>59</sup> Crisis Group interview, Dhaka-based economist, October 2023.

<sup>60</sup> “Fiscal, monetary reforms not possible even after elections: Ahsan H Mansur”, *The Business Standard*, 21 November 2023.

<sup>61</sup> “5pc lawmakers politicians, 61pc businesspeople, finds TIB”, *New Age*, 30 September 2020.

<sup>62</sup> “All that went wrong”, op. cit.

<sup>63</sup> “High inflation erodes real wages in Bangladesh”, *Financial Express*, 8 August 2023.

<sup>64</sup> “Open Society Barometer: Can Democracy Deliver?”, Open Society Foundations, September 2023.

<sup>65</sup> “RMG workers unhappy about wage hike, urge govt for taming inflation, instituting rent control”, *The Business Standard*, 7 November 2023.

<sup>66</sup> “Bangladesh PM stands firm on pay rise amid deadly garment worker protests”, Agence France-Presse, 10 November 2023.



lets and stun grenades; at least four people were killed, and charges have been filed against 11,000 workers.<sup>67</sup> A further round of garment worker-led protests seems unlikely, due to the government's repression.

The malaise has highlighted systemic problems that the government has failed to address during its time in office. Bangladesh's economy has just two major export earners – ready-made garments and labour – and is heavily reliant on imports, particularly for food and energy. Tax collection is the lowest in South Asia as a percentage of GDP, and revenues are dependent on trade-related taxes and VAT because they are easy to collect.<sup>68</sup> The country also attracts little foreign investment, due to protectionist policies and the general complications of doing business in Bangladesh.<sup>69</sup> Banks have been particularly affected by chronic mismanagement, with a high (and growing) non-performing loan ratio of above 10 per cent. Powerful firms have been allowed to default on loans with impunity, while several banks, in the words of an economist, have been “looted” by their owners, in part through the issuing of loans lacking any financial justification.<sup>70</sup> “A giant robbery took place in the banking sector”, said another economist, who is close to the government. “Much of the money has been siphoned abroad”.<sup>71</sup>

Macro-economic management has improved to some degree over the past six months. Partly in response to IMF pressure, the central bank has upped interest rates and created incentives for overseas workers to send money through formal channels, while the government has reduced its reliance on money printing to finance the budget deficit. On 12 December, the IMF Executive Board approved disbursement of a second tranche of \$689 million under the \$4.7 billion program, welcoming “recent implementation of corrective actions and the efforts to push key reforms forward”.<sup>72</sup>

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<sup>67</sup> “Bangladesh garment industry wage fight shakes core economic pillar”, *Nikkei Asia*, 14 November 2023.

<sup>68</sup> Just 1.4 per cent of adults submitted a tax return in the 2021-2022 fiscal year. For a discussion of tax challenges, see “Why does Bangladesh tax so little?”, International Growth Centre, 3 April 2023.

<sup>69</sup> Although the garment industry is highly globalised, most factories are run by local firms. Foreign investment is just 0.4 per cent of GDP, barely a quarter the level of India. For an overview of the investment environment, see “2023 Investment Climate Statements: Bangladesh”, Bureau of Economic and Business Affairs, U.S. State Department.

<sup>70</sup> Crisis Group interview, Dhaka-based economist, October 2023. On non-performing loans, which now account for 10 per cent of total disbursed credits, see “Default loans hit an all-time high”, *The Daily Star*, 2 October 2023. On favourable treatment of defaulters, see “Our banking sector, where no rules apply for vested quarters”, *The Daily Star*, 25 September 2023.

<sup>71</sup> Crisis Group interview, Dhaka-based economist, October 2023. The scale of corruption and money laundering, which were always pervasive, has also grown dramatically under the AL government; the central bank governor recently estimated mis-invoicing of imports alone was costing between \$12 billion and \$18 billion a year. Mis-invoicing enables companies to move funds offshore illegally. For example, a company prices an import worth \$200 at \$300, and gets a letter of credit through a local bank for that amount; it then pays the overseas supplier and keeps the extra \$100 abroad. See “Economy likely to bounce back after elections: Cenbank governor”, *The Business Standard*, 6 November 2023. Between 2009 and 2015, illicit financial flows, mainly due to trade mis-invoicing, were estimated to average \$8.3 billion a year. See “Trade-Related Illicit Financial Flows in 134 Developing Countries 2009-2018”, Global Financial Integrity, 16 December 2021.

<sup>72</sup> “IMF Executive Board Concludes 2023 Article IV Consultation with Bangladesh and Completes the First Review Under the Extended Credit Facility, Extended Fund Facility, and Resilience and Sustainability Facility”, International Monetary Fund, 12 December 2023.

Yet the government missed IMF-mandated targets on foreign exchange reserve levels and has resisted important reforms. Despite committing to setting a unified, market-driven exchange rate by June 2023 as part of the IMF loan package, it has put off this step until after the election.<sup>73</sup>

Opinions remain divided as to how the economy might evolve over the coming months. By delaying on exchange rate reform, the government is playing a risky game, as foreign currency reserves are expected to decline further – by as much as \$1 billion a month. The further they fall, the fewer resources the government will have to manage a float of the currency after the election.<sup>74</sup> “The economy is a mess and won’t improve any time soon. ... Hasina needs to implement shock therapies”, said an economist close to the government, suggesting a free float of the taka, suspension of all costly development projects and a 20 per cent pay cut for civil servants. “She needs a strong economic team. But right now, she doesn’t have it”.<sup>75</sup> A senior AL official echoed these concerns, saying of the economy that the “cancer has set in – we just don’t know how bad it is”. “We hope [after the election Hasina] will bring in a new team, who are more up to date, to face the economic challenges”, he added.<sup>76</sup>

Other officials and businesspeople are more sanguine. The central bank governor recently remarked that while he had “never witnessed an economic crisis of this magnitude” in his 36 years in public service, he expected the economy to recover after the election.<sup>77</sup> Similarly, a prominent businessman told Crisis Group that he expected foreign reserves to pick up after January, once the election was completed. “We have political violence every election”, he said. “It’s like a viral flu that visits us every five years. We have learned to live with it”.<sup>78</sup>

## B. *U.S. Policy Shift*

The November 2020 election of President Joe Biden precipitated a shift in relations between the U.S. and Bangladesh. Shortly after taking office, Biden articulated his vision for a return to diplomacy “rooted in America’s most cherished democratic values: defending freedom, championing opportunity, upholding universal rights, respecting the rule of law and treating every person with dignity”.<sup>79</sup> This “values-based foreign policy” has been applied selectively, but the Biden administration has made Bangladesh a centrepiece.

In December 2021, the U.S. Treasury announced Magnitsky sanctions – which Washington imposes on individuals implicated in corruption and human rights abuses – against six senior officials from Bangladesh’s Rapid Action Battalion, a security force under the Home Ministry tasked with combating crime and terrorism. The Battalion had been accused of involvement in hundreds of “forced disappearances”,

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<sup>73</sup> “Bangladesh makes grade for \$681m from IMF but tougher tests await”, *Nikkei Asia*, 19 October 2023.

<sup>74</sup> Crisis Group interview, Dhaka-based economist, October 2023.

<sup>75</sup> Crisis Group interview, Dhaka-based economist, October 2023.

<sup>76</sup> Crisis Group interview, senior Awami League official, November 2023.

<sup>77</sup> “Economy likely to bounce back”, *op. cit.*

<sup>78</sup> Crisis Group interview, top garment exporter, November 2023.

<sup>79</sup> “Remarks by President Biden on America’s Place in the World”, The White House, 4 February 2021.

as well as thousands of extrajudicial killings.<sup>80</sup> Although Dhaka rejected the basis for the sanctions, and has lobbied hard for their removal, they appeared to have an almost immediate effect, with extrajudicial killings and forced disappearances declining sharply.<sup>81</sup> Subsequently, the climate of fear that the AL government had created began to lift, opening space for greater media freedom and political activity, and enabling the BNP to resume holding rallies from July 2022.

The U.S. State Department proceeded to announce in May 2023 a visa policy designed to “promote democratic elections” in Bangladesh, under which it could deny visas to Bangladeshis deemed to be undermining the electoral process.<sup>82</sup> It warned that the policy could target current and former officials, members of major parties, law enforcement officials, and members of the judiciary and security forces, and would also apply to their immediate families. The announcement sent shock waves through Dhaka’s corridors of power, as countless Bangladeshi officials have family and economic interests in the U.S., as well as other Western countries.<sup>83</sup>

In the government’s eyes, these U.S. moves are tantamount to backing the opposition. Hasina has even publicly accused Washington of trying to bring about regime change.<sup>84</sup> U.S. ambassador Peter Haas – who received Senate confirmation eight days after the sanctions against the Rapid Action Battalion were announced – has been vocal about the importance of upholding democracy and human rights, bringing him into conflict with the government. In December 2022, Haas was forced to cut short a meeting with a co-founder of Maayer Daak, a platform for relatives of forced disappearance victims, for “security reasons”, after AL supporters surrounded the meeting venue; in May 2023, the government scaled back the security measures accorded to him.<sup>85</sup> Haas has since said he has concerns for his safety and for that of “everyone who works at the embassy”. In early November, a local AL politician was arrested after making death threats against the ambassador.<sup>86</sup>

Although the U.S. measures have clearly irked the government, they have not stopped it from clamping down on the opposition in the months prior to the election (see Section V.B). If anything, they may have aggravated the political confrontation, as the visa policy emboldened the opposition but did not deter officials from seeking

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<sup>80</sup> Allegations of corruption and other abuses swirl around two new Rapid Action Battalion units the government created to police the Rohingya refugee camps in the south. See Crisis Group Asia Report N°335, *Crisis Mounts for Rohingya Refugees in Bangladesh*, 6 December 2023, Section II.

<sup>81</sup> Mubashar Hasan, “Sanctions help bring accountability in Bangladesh”, *The Interpreter* (blog), Lowy Institute, 26 January 2023. But while extrajudicial killings declined significantly, rights groups said Bangladeshi authorities responded by retaliating against victims’ relatives. See “Bangladesh: Stop Reprisals against Victims, Activists”, Human Rights Watch, 7 April 2022.

<sup>82</sup> “Announcement of Visa Policy to Promote Democratic Elections in Bangladesh”, U.S. State Department, 24 May 2023.

<sup>83</sup> In September, the State Department said it was “taking steps to impose visa restrictions” on unnamed individuals, including “members of law enforcement, the ruling party and the political opposition”. “Taking Steps to Impose Visa Restrictions on Individuals Involved in Undermining the Democratic Election Process in Bangladesh”, U.S. State Department, 22 September 2023.

<sup>84</sup> “Sheikh Hasina accuses US of seeking regime change in Bangladesh”, *Scroll*, 11 April 2023.

<sup>85</sup> “Bangladesh govt criticizes US envoy for visiting home of missing opposition politician”, *Benar News*, 16 December 2022. Five other ambassadors also saw their security details cut back. “Additional security no longer needed for foreign diplomats: Momen”, *The Business Standard*, 15 May 2023.

<sup>86</sup> “Bangladesh-U.S. election rift widens over visas, envoy safety”, *Nikkei Asia*, 3 October 2023.

to crush the protest movement the BNP has led. Expectations are nevertheless rising in Bangladesh that the U.S. is preparing sanctions against members of the government, especially after authorities rejected the U.S. State Department's proposal, conveyed through the embassy, for unconditional dialogue between the major parties. On 30 October, a State Department spokesperson said the U.S. would "take actions if necessary to support democracy in Bangladesh", without providing detail.<sup>87</sup> As yet, Washington has not announced any further measures.

The U.S. is also at loggerheads with the Bangladeshi government over labour rights. On 16 November, just days after the authorities forced protesting garment workers back to their jobs, the White House issued a new global labour directive, warning it would hold accountable "those who threaten, who intimidate, who attack union leaders, labor rights defenders, labor organizations" through measures such as sanctions, trade penalties and visa restrictions. In launching the policy, Secretary of State Antony Blinken pointedly mentioned Kalpona Akter, a Bangladeshi labour activist, "who says that she is alive today because the U.S. embassy advocated on her behalf".<sup>88</sup> Sanctions targeting the garment sector would likely have a huge impact on the economy and, while seriously hurting the AL government, would also harm the livelihoods of workers.

The European Union has been less outspoken on the political deadlock, with a greater focus on bilateral economic relations. As the largest buyer of garments from Bangladesh, officials from the EU and its member states meet regularly with the government to discuss labour rights and access to the European market after Bangladesh transitions from least-developed country status in 2026. Protests demanding a minimum wage hike in November took place just as a visiting EU team said Bangladesh needed to do more on labour and human rights to meet its commitments under the Everything but Arms trade arrangement, which currently grants it tariff-free access to the European market.<sup>89</sup>

Washington's tougher line has been offset by India's continued support for the AL. New Delhi has enjoyed close ties to the party, dating back to the 1971 war of independence. It considers the AL a trusted partner for maintaining stability in its north-eastern states, which border Bangladesh, and protecting minority Hindus. In recent months, it has asked the U.S. to ease the pressure on Bangladesh, arguing that its principled approach risks "strengthening the hand of extremist forces" and pushing Dhaka closer to Beijing.<sup>90</sup> The election of an anti-Indian president in the Maldives in early October has strengthened India's resolve to maintain alliances in its immediate neighbourhood, and the AL is at the top of the list. "Delhi can't afford clean elections in Dhaka", a prominent Indian foreign policy expert told Crisis Group.<sup>91</sup>

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<sup>87</sup> "US will take action if necessary to support democracy in Bangladesh: State Department", *The Business Standard*, 31 October 2023.

<sup>88</sup> "Secretary Antony J. Blinken at the Rollout of the Presidential Memorandum on Advancing Worker Empowerment, Rights, and High Labor Standards Globally", U.S. Department of State, 16 November 2023.

<sup>89</sup> "EU EBA monitoring mission Bangladesh 12-16 November 2023", Delegation of the European Union to Bangladesh, 15 November 2023.

<sup>90</sup> "Pushing Bangladesh may aid extremist forces, India indicates to US", *Hindustan Times*, 29 August 2023.

<sup>91</sup> Crisis Group interview, Indian foreign policy expert, October 2023.

The U.S. and India differ over the best course to take with regard to the Bangladeshi elections: at the 2+2 Ministerial Dialogue on 10 November, Indian and U.S. officials failed to reach a consensus, with the former insisting the poll was an internal matter for Dhaka, while implicitly backing the AL by referring to supporting a “stable, peaceful and progressive” Bangladesh.<sup>92</sup> For now, it seems that India’s position may temper Washington’s willingness to take further action against the AL government, for fear of antagonising a key ally.

### C. *A Rejuvenated Opposition*

The BNP has capitalised on the weakening economy, as well as the renewed U.S. focus on democracy and human rights, to harness public resentment toward the government. This process gained momentum after a Dhaka court jailed BNP leader Khaleda Zia for ten years for corruption in February 2018 (she has since been hospitalised due to ill health).<sup>93</sup> Following the decision, her son, Tarique Rahman, began asserting greater control of the party. He has since become its undisputed leader, running the party from exile in London while senior officials oversee activities on the ground in Bangladesh.<sup>94</sup>

Rahman has endeavoured to reconnect with activists and rebuild the party’s strength. A mid-level BNP official claimed that he had won grassroots support by making himself accessible to the point of giving out his WhatsApp number.<sup>95</sup> This step, together with his frequent appearances on Facebook and YouTube, has helped bridge the physical gap arising from his exile. He has also written letters to activists at the Union Parishad level, the lowest rung of party administration, boosting his image as a leader in touch with ground realities. A foreign analyst in Dhaka commented: “Although intellectuals paint him as a disaster, Tarique Rahman has a following – we’re not talking small numbers”.<sup>96</sup>

Zia’s imprisonment has also created the opportunity for reform-minded members of the BNP Standing Committee to try to reshape the party’s image as liberal and secular. In July 2023, it announced a 31-point plan of “transformative reform measures”, including the creation of a “constitutional reforms commission” to review the national charter, the reintroduction of a neutral caretaker government, the imposition of measures to strengthen the Election Commission’s independence, the creation of an upper house of parliament and the establishment of a two-term limit for prime ministers. Given the BNP’s own history of resisting the caretaker government system (in 1995-1996) and then attempting to manipulate it (in 2006) in a bid to stay in power, these pledges should be treated with a dose of scepticism, but they at least offer the possibility of a much-needed institutional overhaul.

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<sup>92</sup> “Election is Bangladesh’s internal matter, India tells US”, *Prothom Alo*, 11 November 2023.

<sup>93</sup> “Khaleda Zia jailed for five years in corruption case”, *Al Jazeera*, 8 February 2018.

<sup>94</sup> Crisis Group interviews, October-November 2023. Like his mother and Sheikh Hasina, Tarique Rahman was arrested for corruption and other alleged offences by the military-backed caretaker regime in 2007. He was permitted to leave Bangladesh for medical treatment in September 2008 – shortly before that year’s general election – after promising not to practice politics from abroad. He has never returned. “Tarique flies into exile in London”, *bdnews24.com*, 12 September 2008.

<sup>95</sup> Crisis Group interview, mid-level BNP activist, November 2023.

<sup>96</sup> Crisis Group interview, Dhaka-based analyst, November 2023.

The BNP has also sought to repair its international image. It has distanced itself from its ex-partner in the 2001-2006 government, Jamaat-e-Islami. This process began during the 2018 election, when the BNP allied with centrist and leftist parties rather than its longstanding Islamist ally. After the vote, the BNP leadership held lengthy internal discussions about the relationship with Jamaat, and most of the standing committee advocated severing ties permanently. A mid-level BNP official said the party's grassroots had also "overwhelmingly" backed the decision.<sup>97</sup> "Our ties with Jamaat were electoral in nature but they proved to be hugely costly, he explained. "We have been described as an Islamist and right-wing party. But we are neither – we are a liberal and centrist party. Yet even today, when Awami League leaders talk about the BNP, they talk about 'BNP-Jamaat'".<sup>98</sup> A senior Jamaat official said he and his party colleagues doubt the BNP would have ended the alliance if Khaleda Zia was still in charge.<sup>99</sup>

The party's international charm offensive has taken other forms as well. To appeal to Western countries, it has pursued a largely non-violent protest movement over the past eighteen months. It has tried to reach out to New Delhi with the aim of dispelling perceptions it could be a threat to Indian interests.<sup>100</sup> In September 2023, it organised a seminar on the Rohingya refugee crisis, issuing a sixteen-point policy broadly in line with what the UN and Western donors have been advocating for – and which the AL government has resisted. The proposals included allowing refugees to work, improving access to formal education and consulting the Rohingya on repatriation.<sup>101</sup> On 23 October, it released an Indo-Pacific strategy document aimed at appealing to the West, particularly the U.S.<sup>102</sup> "Through these policies we want to send a message loud and clear that we are a liberal, progressive and democratic party", Standing Committee member and foreign policy chief Amir Khosru Mahmud Chowdhury told Crisis Group.<sup>103</sup>

It is unclear if these policies have convinced the public and Bangladesh's foreign partners of the BNP's suitability to rule. Many remember the violence and corruption of the party's last term in government, between 2001 and 2006, including an infamous grenade attack on an AL rally that Hasina only narrowly survived.<sup>104</sup> While Rahman appears to have the loyalty of the BNP grassroots, his image has undoubtedly been sullied by criminal convictions in absentia for money laundering, corruption and orchestrating the 2004 grenade attack.<sup>105</sup> Hasina and other AL leaders take

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<sup>97</sup> Crisis Group interview, BNP official, September 2023. Tarique Rahman personally surveyed district committees to gather feedback on whether to continue the partnership with Jamaat.

<sup>98</sup> Crisis Group interview, mid-level BNP official, November 2023.

<sup>99</sup> Crisis Group interview, Jamaat-e-Islami official, October 2023.

<sup>100</sup> Arkoprabho Hazra, "What will India's changing approach to Bangladesh's national elections mean for the Hasina government?", *The Diplomat*, 1 September 2023.

<sup>101</sup> "Govt failure leads Rohingya issue to obscurity: BNP", *New Age*, 3 September 2023; and "Sixteen BNP proposals for dealing with the Rohingya crisis", *Jagonews24.com*, 3 September 2023 [Bengali]. See also Crisis Group Report, *Crisis Mounts for Rohingya Refugees in Bangladesh*, op. cit.

<sup>102</sup> "A Democratic Future for Bangladesh and the Indo-Pacific Strategy", Bangladesh Nationalist Party, 23 October 2023.

<sup>103</sup> Crisis Group interview, Amir Khosru Mahmud Chowdhury, October 2023.

<sup>104</sup> "Explosions at protest rally in Bangladesh kill 12", *The New York Times*, 22 August 2004.

<sup>105</sup> "State-backed crime punished", *The Daily Star*, 11 October 2018.

every opportunity to decry his history, and their comments are widely circulated in the media, most of which backs the AL government. Opposition leaders, however, insist that they now have the public on their side, while the BNP has shown that it can rally substantial numbers of supporters.<sup>106</sup>

Beyond the BNP itself, the AL government is also facing other challenges to its control of political debate. The massive increase in internet usage in Bangladesh has stymied its efforts to muzzle the media; many people now get political news and views from Facebook or YouTube pages, which are beyond state censorship and where some commentators living in exile have millions of followers. The support that the AL once enjoyed from civil society, which gravitated toward the party due to its more secular leanings, has also shrunk over the past decade.

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<sup>106</sup> Crisis Group interview, November 2023.

## IV. Election Stalemate and Political Showdown

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### A. Opposition Mobilisation and State Responses

In July 2022, the BNP launched protests over the rise in fuel and commodity prices and growing power blackouts, criticising the government for its handling of the economy and failure to protect the poor. The party's first major rallies in almost a decade were followed by months of marches throughout the country.<sup>107</sup> Although clashes broke out between BNP supporters, on one side, and security forces and AL supporters, on the other, with deaths and injuries reported, the security forces showed restraint, likely due to concern about further U.S. sanctions.<sup>108</sup> The movement's first phase culminated with a large gathering in Dhaka on 10 December 2022, at which BNP leaders turned their focus to the forthcoming elections. They issued a list of ten demands, including that Sheikh Hasina hand power to a caretaker government ahead of the polls, and said they would boycott the vote if the government did not comply.

Despite harassment and attacks by the police and AL supporters, the BNP managed to continue its activities through 2023, staging hundreds of sit-ins and marches in various cities. In July, the BNP, along with 36 allied parties, replaced its ten-point agenda with a single demand – that the AL government resign, paving the way for elections under a caretaker government.<sup>109</sup> On 28 July, the party assembled hundreds of thousands of supporters in Dhaka. Although the demonstration was mostly peaceful, violence erupted the following day when the police halted the BNP's attempt at enforcing a blockade at entrances to the capital.<sup>110</sup>

Despite mounting pressure in the streets, the AL has consistently rejected the opposition's demands for a caretaker government, insisting that it would be unconstitutional in light of the 2011 amendment. Party leaders, including Hasina, have also impugned the BNP's credibility by describing it and Jamaat as parties of "terrorists" and "killers".<sup>111</sup> Hasina has also refused to let her ailing rival Zia travel abroad for medical treatment, despite a panel of independent doctors warning that she was at "high risk of death anytime". Unperturbed, Hasina recently told supporters that "it is time [for Zia] to die. ... There is no point in crying so much".<sup>112</sup>

On the ground, the authorities have used violent and non-violent tactics to thwart BNP rallies. They have routinely set up roadblocks to stop supporters from reaching protest sites and switched off mobile internet nearby. Officials have also rejected the BNP's proposed spots for demonstrations, forcing it to use less propitious locations. The AL has tried to match the BNP in the streets, by holding counter-protests – which

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<sup>107</sup> "Government-opposition confrontation looms in Bangladesh", *The Diplomat*, 22 November 2022.

<sup>108</sup> Crisis Group interviews, October 2023.

<sup>109</sup> "BNP declares one-point demand to oust govt, announces countrywide silent march on 18 July", *The Business Standard*, 12 July 2023.

<sup>110</sup> "Bangladesh police clash with opposition supporters calling on PM to resign", Reuters, 30 July 2023.

<sup>111</sup> These statements refer to the events of 2013-2016, when the BNP was accused of carrying out deadly attacks to disrupt the election and undermine the government, and Jamaat staged rallies against the execution of its senior officials due to war crimes convictions. See "Election in due time, no dialogue with killers", *Bangladesh Sangbad Sangtha*, 31 October 2023.

<sup>112</sup> "She's over 80, her time is up; it's no use crying", *Desh Rupantor*, 3 October 2023 [Bengali].



it calls “peace rallies” – close to opposition gatherings. Its supporters, wielding sticks and wearing helmets, have regularly clashed with BNP rivals.

Using its control of the security forces and judiciary, the government has arrested large numbers of BNP supporters, often on seemingly spurious charges.<sup>113</sup> While exact numbers are impossible to verify, the authorities have targeted activists at every level of the party, from the top to the grassroots; some senior officials are facing hundreds of charges each. A single violent incident can result in hundreds of people being charged, in what the opposition has dubbed “ghost” or “fictitious” cases.<sup>114</sup> The home minister has denied the cases are trumped up, but media outlets report that long-deceased BNP members and others living overseas are routinely named on charge sheets.<sup>115</sup>

One objective of this legal onslaught seems to be to tie up BNP officials in costly court battles, distracting them from political activities.<sup>116</sup> As the vote draws closer, the courts have started working overtime to close cases and sentence BNP officials to prison, preventing them from contesting races.<sup>117</sup> These shenanigans have hurt the BNP but also steeled party activists’ resolve to defeat the AL government.<sup>118</sup>

Another major political development has been the return of the Jamaat-e-Islami to the public sphere. Like the BNP, it had been unable to engage in public activities for most of the past decade, particularly since the 2013 High Court decision declaring its registration illegal. But in June 2023, the party suddenly re-emerged, holding a rally in Dhaka that drew tens of thousands of supporters.<sup>119</sup> The party’s resurgence arguably benefits the AL government, by creating the impression that it has allowed an open environment for parties to campaign ahead of the elections.<sup>120</sup> The AL likely also hoped that the BNP and Jamaat would rekindle their alliance, deepening suspicions about the main opposition party in Western countries and among Bangladeshis. But largely for this reason, the BNP has avoided working with Jamaat, even as they have carried out political activities in service of the same goal: ousting the AL from power.

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<sup>113</sup> “Bangladeshi police accused of filing false cases as election nears”, VOA, 26 September 2023.

<sup>114</sup> See, for example, “Thousands of BNP men sued, more than 25 arrested over Tuesday’s clashes”, *The Business Standard*, 19 July 2023.

<sup>115</sup> “Home minister: Cases filed if incidents occur, none is fake”, *Dhaka Tribune*, 21 October 2023; and “In Bangladesh, dead political activists return to life in ‘ghost’ cases”, *Benar News*, 14 November 2023.

<sup>116</sup> “Quietly crushing a democracy: millions on trial in Bangladesh”, *The New York Times*, 3 September 2023. Many cases are constantly adjourned, as prosecution witnesses fail to turn up at hearings.

<sup>117</sup> Under section 66(2)(d) of the constitution, anyone who has been sentenced to two years or more in prison is ineligible to run for election to parliament unless five years have elapsed since their release. “Cases against BNP-Jamaat leaders: Trials now rolling well into the night”, *The Daily Star*, 23 October 2023.

<sup>118</sup> Crisis Group interviews, October–November 2023.

<sup>119</sup> “Jamaat holds rally after a decade”, *The Daily Star*, 11 June 2023.

<sup>120</sup> The law minister said the government had permitted the rally because the party had appealed the High Court verdict cancelling its registration and no final decision had been reached. “Contempt rule sought against authorities for allowing Jamaat to hold rally”, *New Age*, 27 June 2023.

### B. *The 28 October “Grand Rally” and Its Aftermath*

In mid-October 2023, the BNP announced plans for a “grand rally” in Dhaka, with the aim of bringing hundreds of thousands of supporters into the capital’s streets.<sup>121</sup> The 28 October rally was widely perceived as a pivotal moment in the year-long battle between the two parties. With the AL government refusing to consider a caretaker government, and seemingly no prospect of a negotiated solution regarding the elections, the BNP felt it had little choice but to intensify pressure on the authorities by showing that it had much of the public on its side.<sup>122</sup> BNP officials said they were not against an agreement with the AL but had received no indication from the ruling party that it was willing to engage in talks.<sup>123</sup>

The grand rally was likely the largest the BNP had mustered since it launched the protest movement in mid-2022; police said the turnout was over 100,000, but eyewitnesses put the number far higher.<sup>124</sup> As had been feared, BNP supporters, police and AL members engaged in skirmishes before the rally got under way.<sup>125</sup> Police then moved in to shut down the demonstration while BNP officials were speaking from the dais, firing tear gas and stun grenades to clear the area. Soon after, street fighting broke out between BNP supporters and the police, killing a police officer and a BNP member.<sup>126</sup>

The authorities soon began rounding up thousands of party members, many of whom had outstanding charges against them. They detained most of the party’s leadership, including secretary general Mirza Fakhrul Islam Alamgir – in effect the BNP head, with Khaleda Zia under house arrest and her son in exile – and his second-in-command, Standing Committee member and foreign policy chief Amir Khosru Mahmud Chowdhury, on charges related to the policeman’s death.<sup>127</sup> According to the BNP, in the three weeks after its 28 October demonstration, at least 13,210 of its members and supporters were arrested, and fourteen killed; Jamaat counted 2,317 arrested and three killed in the same period.<sup>128</sup> Although these figures are difficult to verify, official data show the country’s jails are bursting, with prisoner numbers rising by more than 10,000, or over 14 per cent, between September and November.<sup>129</sup> The AL spokesman has since confirmed that 11,000 BNP members have been “incarcerated”.<sup>130</sup>

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<sup>121</sup> “BNP announces grand rally in Dhaka on 28 Oct”, *Prothom Alo*, 19 October 2023.

<sup>122</sup> “What will happen on October 28?”, *The Daily Star*, 27 October 2023.

<sup>123</sup> Crisis Group interviews, senior BNP official and political analysts, October 2023.

<sup>124</sup> Crisis Group interviews, October 2023.

<sup>125</sup> The authorities had also arrested as many as 1,200 supporters in the days leading up to the rally, most of whom were already facing charges.

<sup>126</sup> The authorities later accused BNP supporters of attacking the chief justice’s residence and a police hospital, as well as torching vehicles, including an ambulance. “BNP top brass cannot avoid responsibility of anarchy: Home minister”, *Prothom Alo*, 3 November 2023.

<sup>127</sup> “Full prisons and false charges: Bangladesh opposition faces pre-election crackdown”, *The Guardian*, 10 November 2023.

<sup>128</sup> Jamaat-e-Islami held a rally in Dhaka the same day, ignoring the police’s decision to deny their protest application.

<sup>129</sup> “Prisons teeming with inmates”, *Prothom Alo*, 9 November 2023.

<sup>130</sup> “Those obstructing polls will face resistance: Quader”, *The Business Standard*, 19 December 2023.

The crackdown prompted the opposition to overhaul its approach. Almost immediately after the rally, the party declared a *hartal*, or general strike, for 29 October, the first of its kind since 2019. Jamaat called its own *hartal* for the same day, and the shutdown was observed throughout the country. Both parties then announced “blockades” – in which they sought to keep vehicles, particularly buses and trucks, off the roads – from 31 October to 2 November, and have since kept up the momentum: since early November, they have held two *hartals* or blockades a week. The goal of these measures is to make the country ungovernable and increase the pressure on Hasina to hand power to a neutral government.<sup>131</sup> Although the BNP lacks the strength to enforce the blockades nationwide, drivers’ fear of being caught up in clashes was sufficiently widespread to ensure their effectiveness, at least in the first weeks; more than 150 vehicles, mainly buses and trucks, have reportedly been torched, with the sides blaming each other.<sup>132</sup>

Escalating violence and growing polarisation have prompted renewed calls for rapprochement between the country’s two largest parties. On 30 October, seven diplomatic missions issued a statement calling on all sides to show restraint and “work together to create the conditions for free, fair, participatory and peaceful elections”.<sup>133</sup> Following a meeting with the head of the Election Commission on 31 October, U.S. ambassador Haas also urged the parties to convene for “unconditional dialogue” to resolve the crisis. Two weeks later, Haas sought meetings with the AL and BNP (as well as the country’s distant third political force, the Jatiya Party), again encouraging “all sides to engage in dialogue without preconditions”.<sup>134</sup> The BNP and Jatiya Party agreed to talks, but at a 15 November meeting AL general secretary Obaidul Quader told Haas there was no time for such discussions.<sup>135</sup> The party issued a formal rejection of talks the same day, claiming it had been open to negotiations “for many months” but could not join them now because the BNP was demanding Hasina’s resignation.<sup>136</sup>

### C. *Stacking the Field of Candidates*

On 15 November, the Election Commission announced the schedule for the poll, setting 7 January as voting day and a campaign period stretching from 18 December to 5 January. Candidates had until 30 November to register and could withdraw at any time before 17 December.

Working on the assumption that the BNP would boycott the polls, the AL has sought to create the impression of a credible election. AL officials have reportedly been negotiating deals with token opposition parties by which they will participate on

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<sup>131</sup> The blockades have most impact outside the capital, with intercity bus travel almost completely stopped and a large decrease in truck transport. Crisis Group interviews, November 2023.

<sup>132</sup> “BNP’s hartal begins”, *Somoy News*, 19 November 2023.

<sup>133</sup> The statement was signed by the embassies or high commissions of Australia, Canada, Japan, South Korea, Norway, the UK and the U.S.

<sup>134</sup> The Jatiya Party was established in 1986 as a vehicle for former military ruler Hussain Mohammad Ershad. Since military rule ended, it has struggled to compete with the AL and BNP. Today, its support is strong only in Ershad’s home region of Rangpur.

<sup>135</sup> “The ship has sailed”, he commented. “No scope for dialogue, Quader says after receiving Donald Lu’s letter for unconditional talks”, *The Business Standard*, 15 November 2023.

<sup>136</sup> Letter from Obaidul Quader to Donald Lu, 15 November 2023.

the understanding that they will be allowed to win seats. The aim is to avoid a rehash of the widely derided 2014 vote, when the AL and its allies won more than half the seats uncontested. In the background, officials from security agencies have pressured recalcitrant minor party leaders to join the vote or offered financial inducements to encourage participation.<sup>137</sup> These tactics have been moderately successful: 29 of 44 registered parties are competing, with around 2,700 aspirants submitting nomination papers for the 300 elected seats, compared to twelve parties and fewer than 1,000 candidates in 2014.<sup>138</sup>

The most significant inclusion is the Jatiya Party, which has registered candidates for nearly every constituency. The party's decision to join the vote is not surprising, given that its popularity has been on the wane for decades. In a reasonably fair election, the Jatiya Party would likely get just a small share of the vote in most constituencies and win a tiny number of seats. To secure the Jatiya Party's participation and ensure the next parliament has a token opposition in the BNP's absence, the AL agreed to withdraw candidates in 26 constituencies, essentially giving these seats to the Jatiya Party.<sup>139</sup>

Yet the AL has struggled with another of its tactics: attempts to induce or coerce BNP leaders to join its ranks, form new parties or run as independents. Several new parties set up over the past year by former BNP members, including the Trinamool BNP and Bangladesh Nationalist Movement, have largely failed to attract more BNP officials to their cause.<sup>140</sup> After the registration deadline for the election passed, an AL spokesperson said fifteen "central leaders" and 30 former lawmakers from the BNP would participate in the poll.<sup>141</sup> Few of them, however, wield much influence in the party.<sup>142</sup> The highest ranking of the turncoats is vice chairman Shahjahan Omar, who announced he was running as an AL candidate a day after being freed.<sup>143</sup> Under-scoring the existence of a quid pro quo, the courts have rejected bail requests from all other top BNP officials, including those arrested in relation to the same incident for which Omar received bail. A government minister later confirmed that jailed BNP leaders were promised release if they agreed to stand as candidates.<sup>144</sup>

Likely in response to this failure to split the BNP, the AL took the unusual step of announcing that its own party members who did not secure pre-selection from party

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<sup>137</sup> Crisis Group interviews, November 2023. See also "Pressure to pull BNP outcasts into the 'king's party'", *Samakal*, 21 November 2023 [Bengali]; and "Why have small parties gained so much importance?", *Prothom Alo*, 19 November 2023.

<sup>138</sup> "Record 747 independent candidates submit nominations to contest in 12th JS polls", *The Business Standard*, 1 December 2023.

<sup>139</sup> Crisis Group interviews, November 2023. See also "Never-ending drama in JP", *The Daily Star*, 5 January 2019; and "AL relinquishes 26 seats to JaPa, 6 to allies", *Prothom Alo*, 18 December 2023.

<sup>140</sup> At least thirteen former BNP officials have joined Trinamool BNP, and six are running on the Bangladesh Nationalist Movement ticket. See "33 expelled, former BNP leaders join polls", *Prothom Alo*, 2 December 2023.

<sup>141</sup> See "BNP's 15 central leaders, 30 former MPs taking part in election: Quader", *The Business Standard*, 1 December 2023. Other reports put the number at just 33 BNP officials, including only five lawmakers. See "33 expelled, former BNP leaders join polls", *op. cit.*

<sup>142</sup> For an overview of AL efforts to entice or coerce BNP officials to run, see "Initiatives to bring BNP leaders in election individually, not the party", *Prothom Alo*, 10 November 2023.

<sup>143</sup> "BNP's Shahjahan gets AL ticket, walks out of jail", *New Age*, 30 November 2023.

<sup>144</sup> "Govt offered BNP leaders release from jail if they join polls", *Prothom Alo*, 17 December 2023.

chiefs would be allowed to run as independent candidates – even though this work-around violates the party charter.<sup>145</sup> Addressing the party's pre-selected contenders, Hasina described these independents as “dummy candidates” and said they were needed to create “competition” for the party's first choices.<sup>146</sup> Subsequently, around 440 AL members registered as independents, including dozens of MPs who had failed to secure nomination.<sup>147</sup> Media reports have quoted party insiders as saying the decision was taken to ensure that AL candidates would not run unopposed – for example, if candidates from other parties later withdrew or were barred from standing – and in hopes of boosting turnout.<sup>148</sup>

Contrary to expectations, the “dummy candidates” ploy seems to have backfired, creating consternation with both the party's official nominees and allied parties. AL candidates have expressed concern that they might lose to these “dummies”, some of whom have a strong local following, and clashes have already broken out between their supporters and those of AL independents running against them.<sup>149</sup> A day after the party said it would carefully review all independents, the state-appointed deputy commissioners who act as district returning officers during elections found grounds to disqualify around 200 of them, including some sitting MPs.<sup>150</sup> Meanwhile, smaller members of the AL-led fourteen-party alliance have been perturbed at the lack of a seat-sharing deal with the AL, which they say is unprecedented.<sup>151</sup> The AL eventually agreed to allocate six seats to its allies.<sup>152</sup>

Complicating matters further for the AL, a broader movement appears to be coming together to oppose the election. While only a dozen or so registered parties are boycotting the vote, the BNP the most prominent among them, scores more than the Election Commission has refused to register say they would have declined to participate as well.<sup>153</sup> This group includes not only the BNP's more traditional allies, but also leftist and Islamist parties that have not normally aligned themselves with the BNP, such as the country's second-largest Islamist party, Islami Andolan Bangladesh. The BNP is reportedly considering trying to bring all boycotting parties, both regis-

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<sup>145</sup> See, for example, “No post for rebels in party”, *The Daily Star*, 19 September 2021.

<sup>146</sup> “PM Hasina directs inclusion of dummy candidates in uncontested seats”, *Dhaka Tribune*, 26 November 2023.

<sup>147</sup> “Over 400 independent candidates from AL”, *Prothom Alo*, 2 December 2023.

<sup>148</sup> “AL candidates upset at party strategy to field independent candidates”, *Prothom Alo*, 2 December 2023.

<sup>149</sup> *Ibid.*

<sup>150</sup> See “AL's independent candidates: Party to decide their fate on a case-by-case basis”, *The Daily Star*, 2 December 2023; and “Many AL nominees, MPs lose candidacy”, *New Age*, 3 December 2023. The officers also disqualified AL candidates for some seats, seemingly leaving the way open for the “opposition” to win them. See “AL candidate's nomination cancelled, nomination of Kalyan Party's Ibrahim valid”, *Prothom Alo*, 3 December 2021.

<sup>151</sup> See “AL in chaos over seat sharing, dummies”, *New Age*, 3 December 2023; and “14-party waits AL's decision on seat sharing”, *Prothom Alo*, 3 December 2023.

<sup>152</sup> “AL relinquishes 26 seats”, *op. cit.*

<sup>153</sup> In August, the Election Commission approved two parties linked to ex-BNP members but rejected ten other applications due to “incorrect information”. See “Why are new parties struggling to get EC registration?”, *Dhaka Tribune*, 21 August 2023; and “BNP, 62 other parties boycott 12th nat'l election”, *Shampratik Deshkal*, 2 December 2023.

tered and unregistered, into a single platform.<sup>154</sup> This task may prove difficult, as some parties say they will not join a movement alongside Jamaat. But the BNP is likely to work with at least some of these parties to organise demonstrations and rallies calling for the government's resignation, while also continuing its blockades.<sup>155</sup> On 16 December, the BNP held its largest rally since 28 October. Police said the event drew tens of thousands of supporters, but a journalist who was present put the number at 300,000.<sup>156</sup>

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<sup>154</sup> "BNP plans to bring all opposition to one platform", *Prothom Alo*, 3 December 2023.

<sup>155</sup> *Ibid.*

<sup>156</sup> Mubashar Hasan, "Crackdown on Bangladesh Nationalist Party hasn't broken its morale yet", *The Diplomat*, 18 December 2023.

## V. Avoiding Bloodshed

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The past few months have left Bangladesh in some peril. The ruling party has sent an unequivocal message that it has little interest in dialogue, let alone compromise, ahead of the polls. As a result, one of the country's two largest political forces will boycott the election, greatly reducing the legitimacy of the process and increasing the risk of violence and instability in its aftermath and over time.

### A. *The Risks of a Flawed Election*

To an extent, the events of the past year are not unusual in Bangladeshi politics. Since the end of military rule in 1990, both the AL and BNP have typically used the tools at their disposal to cling to office. Meanwhile, whichever of them was in opposition, along with other smaller parties, has taken to the streets to force the incumbent to make a pre-election handover of power to a neutral, caretaker administration, on the assumption that the opposition would win in a reasonably fair vote. The AL itself did this twice when in opposition, forcing the BNP to hold a second election in 1996 (which the AL won), and violently opposing a planned January 2007 election (leading to a military-backed caretaker government). The BNP tried a similar strategy from 2013 to 2015, following Hasina's amendment of the constitution to remove the caretaker government provision, but it was unsuccessful.

The present crisis, however, runs deeper. The feud between the two parties – and their leaders, Hasina and Zia – has always been bitter and personal. But fifteen years of state repression, with flare-ups of violence on both sides, have raised the antagonism to new heights. The government's decision to break up the "grand rally" on 28 October and prosecute opposition leaders has both confirmed its determination to stymie its main adversary and increased the opposition's desperation to see the AL removed from power. Outbreaks of violence on the sidelines of political rallies in Bangladesh are, regrettably, commonplace. Sending in the police to disperse such gatherings with stun grenades and tear gas is unusual. But arresting virtually the entire leadership of the main opposition party is unprecedented.<sup>157</sup> An estimated 20,000 political activists are now in prison and many more on trial, while the BNP, Jamaat, Islami Andolon Bangladesh, the Democratic Left Alliance and dozens of other parties (most of which were blocked from even registering) will not take part in the polls.

While the AL has gone to great lengths to create the impression of a competitive election, many Bangladeshis will see the poll as a charade. The fact that few BNP leaders have defected to other parties means that the country's main opposition force remains largely intact, even though it is not standing and is calling for a national boycott of the vote.<sup>158</sup> Furthermore, turnout is likely to be low, and the AL and local officials may fall back on ballot box stuffing – not to change the results, but to generate the sense of a higher participation rate, as occurred in two recent by-elections.<sup>159</sup>

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<sup>157</sup> Crisis Group interviews, November 2023.

<sup>158</sup> "BNP launches vote boycott campaign", *Prothom Alo*, 22 December 2023.

<sup>159</sup> The Election Commission suspended the results of the 5 November by-elections after evidence emerged of ballot box stuffing, including a video in which an AL polling agent stamped dozens of

Given that the last two national elections were also one-sided affairs, this is likely to mean that almost an entire generation will have yet to vote in a genuinely competitive contest.<sup>160</sup>

In these conditions, the dangers of deepening unrest and violence are manifest. The BNP is likely to continue its blockades, and may also work with leftist, centrist and Islamist parties to launch a new round of protests after the elections, possibly provoking a repressive response from security forces and AL supporters. Meanwhile, the AL's internal unity, which has already proved hard to maintain over recent years, is likely to come under even greater strain.<sup>161</sup> In May 2023, up to twelve AL supporters were killed in intra-party violence in just nine days.<sup>162</sup> If the ruling party cannot manage these competing demands, the polls risk triggering more clashes between rival party supporters or between AL supporters and "opposition" parties that believe seat allocation deals are being broken.

Even graver risks could lie in wait. The BNP's hope was that the AL could be forced to compromise in the face of a combination of mostly non-violent protests, economic crisis and external and/or internal interventions – particularly from foreign governments and the Bangladeshi army. U.S. policies toward Bangladesh over the past two years have created space for BNP political activities but have also served to restrain the BNP from pursuing the violent tactics it has employed in the past. If the party's strategy appears to have failed, however, BNP leaders – many of whom are now in prison – will face pressure from factions within the party to revert to their old tactics of more overt violence, possibly by teaming up with Jamaat.<sup>163</sup>

That would be a mistake. Over the past eighteen months, the BNP has done much to repair its international image and to show supporters inside Bangladesh that it is far from a spent force. It should continue to eschew political violence, even as it maintains its movement against the AL government and efforts to restore democracy. Although violent protests have worked in the past in Bangladesh to pressure governments into making concessions, the current level of state repression means it is less likely to succeed as a tactic. Meanwhile, a strategy of violence plays into the hands of the AL, providing it with more ammunition to portray the BNP as "terrorists" and "killers". As the election approached, Hasina stepped up this rhetoric at campaign

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ballots for the ruling party's candidate. See "EC suspends results of two by elections for irregularities", *New Age*, 7 November 2023.

<sup>160</sup> The preliminary report from the 2022 Population and Housing Census suggests that about 25 per cent of the population – or approximately 40 million people – are in the 18-33 age bracket and have therefore never had the chance to vote in a credible general election. Indeed, many people in this age cohort have never voted in a general election at all. See "Population & Housing Census 2022 Preliminary Report", Bangladesh Bureau of Statistics.

<sup>161</sup> Badiul Alam Majumdar, "New Trends in Violence in Bangladesh", Centre for Governance Studies, February 2022.

<sup>162</sup> "Infighting, killing at grassroots a headache for Awami League", *Prothom Alo*, 7 May 2023. Local elections in 2016 – the first in which political parties were able to nominate candidates – resulted in scores of deadly clashes, most of them between AL supporters. See "Electoral Violence in South Asia: Local Elections in West Bengal and Bangladesh", ACLED, 17 October 2016.

<sup>163</sup> Crisis Group interviews, December 2023.



rallies, claiming the BNP has “no right to do politics”, signalling a possible intensification of her government’s crackdown on the opposition after the vote.<sup>164</sup>

### B. *Handling the Poll’s Aftermath*

The window for an agreement between the AL and BNP to ensure a more inclusive vote on 7 January has almost certainly closed. But the case for resuming dialogue and improving relations between the two sides is likely to grow even more compelling as the government confronts a host of challenges after the poll.

The election is set to go ahead, but without genuine competition between the country’s main political forces. Although the AL will almost certainly secure a large majority, victory under these conditions may not serve the party’s interests. The 2024 elections are taking place in circumstances vastly different to those of 2014 or 2018, when the AL government was more popular at home and abroad and flawed electoral procedures carried few consequences for its public standing. Nowadays, the AL has lost much of its support because of the country’s economic malaise and the government’s repressive behaviour. The crackdown it has mounted against the opposition has also been harsher than at any time since the return of democracy in 1990-1991. In contrast, the BNP has mainly avoided resorting to the violence it used between 2013 and 2015 and kept its distance from Jamaat. The U.S. for its part seems to be more willing to push for fairer electoral conditions and a more inclusive democracy, though how far it can or will go in doing so after the polls is unclear.

Although victory for the AL in the January general election appears inevitable, the government’s prospects for the month ahead could darken. As noted above, protests are likely to intensify and could well be met by harsher state crackdowns. A balance of payments or banking crisis would affect not only the country’s poor, who are already suffering from high inflation, but also the middle classes and even the wealthy who have until now tended to back the government. If Washington or other Western capitals impose further sanctions, that would inflict further damage, both in terms of their direct economic impact as well as the signal they send about the government. Although the AL government has reduced the threat posed by the army, it is not completely out of the question that the military would intervene if it felt the alternative was chaos, though it would look for strong and broad international support before stepping in. As in 2007, it would likely do so only temporarily, yet any seizure of power could still entail several years of military government.

Even if such dire scenarios do not materialise, the government may well slide toward more pronounced authoritarian rule. To maintain its grip on power when the economy is struggling and its support is falling, the AL will likely have to engage in higher levels of state control and coercion. Comments late in the campaign from senior officials, including Hasina, suggest that a further clampdown may be planned after the election. In certain ways, however, the past eighteen months have shown the limits of such an approach. While controlling the levers of power, the AL’s attempts to weaken the BNP have not only failed but also catalysed the formation of a broad opposition front. This outcome would seem very far from the founding ideals of the

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<sup>164</sup> “BNP has no right to do politics”, *The Daily Star*, 30 December 2023.

AL, which spearheaded Bangladesh's independence movement and, in the eyes of its supporters, best represented the people in their political and economic struggles.<sup>165</sup>

Bangladesh, in short, appears poised for a period of instability that serves no one's interests. Ideally, the general election would be pushed back to create a new opportunity for dialogue, in which the U.S. and India would work together to encourage a compromise between the two parties. With only days until the polls, it seems far too late for a delay. But a flawed election provides only more reason to redouble efforts to get the AL and its opponents talking again after 7 January.

Dialogue should aim to rebuild a modicum of trust between the two major parties, but its success will depend on concessions from the AL primarily, as well as the BNP to a lesser extent. The two leading parties should begin by refraining from the inflammatory rhetoric that has become common in recent months. The AL should then enable BNP leaders to get bail (by not opposing their applications) in exchange for the opposition calling off its blockades. It could also take other steps to defuse tensions – even symbolic ones, such as allowing Khaleda Zia to travel overseas for medical treatment. It should also take measures to demonstrate its willingness to open political space, such as further reform of the Cyber Security Act and labour laws.

The BNP, for its part, should relax its hardline position on Hasina's resignation. Senior AL figures fear fierce and bloody reprisals from the BNP in the event of a transfer in power, particularly at the grassroots level where Bangladeshi politics tends to be most violent. For the AL to agree to a deal, the BNP would need to provide guarantees that no such payback would occur if government changes hands. Enforcing such an agreement may require the involvement of the army, the country's only institution that is not partisan.

One possible outcome of this dialogue might be a second election in which the BNP and other opposition forces participate. While it is highly improbable that the AL would consider a rerun, there are precedents for it in Bangladesh, though admittedly usually only in the face of mass and often violent protests. Under General Hussain Muhammad Ershad, popular movements brought an early end to parliaments elected in 1986 and 1988. The most similar recent example came in the mid-1990s, when the AL and its allies, including Jamaat, forced the ruling BNP to hold a second election in June 1996, after most parties boycotted a vote in February of that year that saw dismal turnout. In January 2007, events played out somewhat differently, with the AL's boycott of a planned election prompting the military to install an emergency caretaker government. Although the AL is likely to resist any move toward a second vote, it may begin to consider the merits of another poll if conditions for governance deteriorate sharply in the coming months.

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<sup>165</sup> Aside from this challenge to its identity, the AL also faces the longer-term issue of managing the succession from its all-powerful leader. Sheikh Hasina is in her mid-70s and, while she appears to remain in good health, she has no heir apparent. Given the dynastic nature of Bangladesh politics, most assume that her successor will be a close relative. Yet none of the obvious candidates from her family have emerged as a clear favourite, and analysts doubt that any of them would have the power base or experience to maintain party unity in the way that Hasina has done so effectively over the years. This issue is particularly pressing because of Hasina's iron grip on the party's decision-making, which has inhibited the rise of capable younger leaders.

For the two parties to reach such an agreement will no doubt be challenging and will likely require support from foreign governments. But for the sake of its 170 million citizens, the country should aim to move away from zero-sum politics in which both major parties view each election as an existential fight that they cannot afford to lose.

### C. *International Support*

Foreign powers also have an important role to play in shaping Bangladesh's political future. Washington's recent moves have had a decisive impact – not only in terms of enabling the opposition to resume political activities to some extent, but also in dissuading opposition groups from resorting to the violence seen in the past. The U.S. should continue to press all sides, including the BNP and its allies, to engage in dialogue and avoid bloodshed. It should make clear that its actions are aimed at supporting the country's democratic credentials and not to bring a particular party to power.

It is not yet clear whether the U.S. would be ready to enact further sanctions, nor whether other foreign governments would follow suit. Nor is it evident that further sanctions would be useful in persuading the AL government to adopt a more pragmatic approach.<sup>166</sup> If sanctions are deployed, they should remain targeted, in order to not harm ordinary Bangladeshis, and should be accompanied by clear guidance on the prerequisites for having them lifted. Given their potential impact on the wider economy and the Bangladeshi people, a better outcome would be to avoid sanctions entirely by instead nudging both the AL and BNP toward negotiations. As events unfold in the months after the election, international partners should try to present political off-ramps to the AL government, emphasising the risks of its current intransigence. They could, for example, make the non-application or lifting of sanctions, or financial support to avert an economic crisis, contingent on progress in talks with the BNP.

It would also be helpful for India and the U.S., the two foreign powers with the most influence on Bangladeshi political forces, to reach an agreement on their respective Bangladesh policies that could enable them to work together to avert violence in the months ahead. So far, their positions and interventions have served to entrench both parties: Indian support makes the AL feel secure, while the BNP thinks U.S. pressure and possible sanctions will force the AL to buckle. Both should push the two sides to engage in dialogue after the 7 January elections. For New Delhi, in particular, unfettered support for one party is a risk-laden strategy. Bangladesh is entering a period of uncertainty, and there is no guarantee that the AL will remain in office over the long term. Adopting a more balanced position would put India's relations with its neighbour on a more sustainable footing.

The EU, for its part, should use its considerable leverage in Bangladesh to press the government to take steps toward opening political space and entering talks with its opponents. Bangladesh's graduation from least-developed country status in 2026 will trigger the removal of automatic tariff-free access to the European market, fol-

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<sup>166</sup> Some evidence suggests that sanctions on Bangladeshi officials have resulted in behaviour change; measures such as the visa policy announced in May have had less effect. Crisis Group interviews, October-November 2023.

lowing a three-year transition period. After that, access will be contingent on complying with benchmarks on human and labour rights. If Bangladesh does not meet the requirements, its most important industry will likely lose preferential access to the largest buyer of the country's garments.

## **VI. Conclusion**

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Just a few years ago, the AL's grip on power in Bangladesh seemed unshakable. But a sharp economic downturn and readiness at home and abroad to contemplate a change in government have undermined its public support and reinvigorated the opposition. A dangerous stalemate has ensued. The AL remains determined to stay in office and has proven adept at wielding the state machinery against its opponents. The country's leading opposition force, the BNP, is determined to force the ruling party into holding credible elections – which the opposition assumes it would win.

In the absence of conditions needed for a competitive poll, and with thousands of its leaders and activists in jail, the BNP is set to boycott the 7 January elections. The deadlock could push the opposition to adopt more violent tactics, while disputes over seats among AL candidates, internal rivals and the token opposition could also fuel clashes. Although it may be impossible before polling day, it is incumbent on both sides to enter talks as early as possible to avoid a lengthy and potentially deadly political showdown. Foreign governments, for their part, should work together to cajole the two sides into negotiations aimed at forging a new political settlement.

Although foreign countries play an outsized role in Bangladeshi politics, it will be up to the people of Bangladesh to determine the country's future direction. Based on the decisions that the AL and BNP take in the months ahead, the public will decide either at the ballot box or on the streets.

**Dhaka/Brussels, 4 January 2024**

Appendix A: Map of Bangladesh



## Appendix B: About the International Crisis Group

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The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, [www.crisisgroup.org](http://www.crisisgroup.org). Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is co-chaired by President & CEO of the Fiore Group and Founder of the Radcliffe Foundation, Frank Giustra, as well as by former Foreign Minister of Argentina and Chef de Cabinet to the United Nations Secretary-General, Susana Malcorra.

Comfort Ero was appointed Crisis Group's President & CEO in December 2021. She first joined Crisis Group as West Africa Project Director in 2001 and later rose to become Africa Program Director in 2011 and then Interim Vice President. In between her two tenures at Crisis Group, she worked for the International Centre for Transitional Justice and the Special Representative of the UN Secretary-General in Liberia.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Addis Ababa, Bahrain, Baku, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Jerusalem, Johannesburg, Juba, Kabul, Kyiv, Manila, Mexico City, Moscow, Seoul, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

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**January 2024**

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## Appendix C: Reports and Briefings on Asia since 2021

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- 7 Priorities for the G7: Managing the Global Fallout of Russia's War on Ukraine*, Special Briefing N°7, 22 June 2022.
- Ten Challenges for the UN in 2022-2023*, Special Briefing N°8, 14 September 2022.
- Seven Priorities for Preserving the OSCE in a Time of War*, Special Briefing N°9, 29 November 2022.
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*Southern Thailand's Stop-start Peace Dialogue*, Asia Briefing N°176, 25 May 2023 (also available in Malay and Thai).

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