

# BANGLADESH

Last updated: 7 December 2016

RULES/GENERAL LAWS	
<b>General</b>	<p>1. Penal Code 1860</p> <p>2. The Army Act, 1952 and the rules made thereunder. <a href="http://bdlaws.minlaw.gov.bd/pdf_part.php?id=248">http://bdlaws.minlaw.gov.bd/pdf_part.php?id=248</a> Army - Act, 1952</p> <p>3. The Navy Ordinance, 1961 <a href="http://bdlaws.minlaw.gov.bd/pdf_part.php?id=310">http://bdlaws.minlaw.gov.bd/pdf_part.php?id=310</a> Navy Ordinance, 1961</p> <p>4. The Air Force Act, 1953 <a href="http://bdlaws.minlaw.gov.bd/pdf-part.php?id=256">http://bdlaws.minlaw.gov.bd/pdf-part.php?id=256</a></p> <p>Bangladesh military personnel are considered on duty twenty four hours when deployed in operations. <b>See Army Leave Rules, Rule 8.</b></p> <p>The United Nations rules on Sexual Exploitation and Abuse are implemented through pre-deployment training provided to the troops before they are deployed to the mission area. The pre - deployment training covers various subjects such as; Sexual Exploitation and Abuse, cultural awareness, host country laws and crime issues, SOFA and MOFA. <b>See Army Act Rules, 1954. Rules 13 – 15, and 157</b></p>
<b>SEA: military offence?</b>	<p>Sexual exploitations and abuses are also considered offences under the laws of the land and when committed by military personnel they are triable by Court Martial. Besides those there are other offences (Indecent, disgraceful and unnatural acts and acts or conduct to the prejudice of good order and military discipline) if committed by a military personnel may be tried under the <b>Army Act, Navy Ordinance and Air Force Act.</b></p> <p><a href="http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=11">http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=11</a></p> <p><a href="http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=11">http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=11</a></p> <p><a href="http://gov.bd/sections_detail.php?id=248&amp;sections_id=7648">http://gov.bd/sections_detail.php?id=248&amp;sections_id=7648</a></p> <p><a href="http://aw.gov.bd/sections_detail.php?id=248&amp;sections_id=7662">http://aw.gov.bd/sections_detail.php?id=248&amp;sections_id=7662</a></p>
<b>Powers of the Commanding Officer (CO)</b>	<p>The Commanding Officer has power to issue Standing Operating Procedures consistent with the existing military laws and policies of superior authority.</p> <p><b>See Army Regulations (Instructions), Instruction no 19-20</b></p> <p>The Commanding Officer has administrative, disciplinary, criminal and investigative powers. In addition both the Commanding Officer and Contingent Commander are empowered with legal and administrative authority and have power to investigate and prosecute any allegation brought against any contingent member in the mission area. The Commanding Officer is also empowered to order investigations into allegations and hold summary court martial (in case of Army) and may try summarily in case of Army, Navy and Air Force.</p> <p><a href="http://bdlaws.minlaw.gov.bd/sections_detail.php?id=248&amp;sections_id=7808">http://bdlaws.minlaw.gov.bd/sections_detail.php?id=248&amp;sections_id=7808</a></p> <p><b>See also the Act Rules, 1954, Rules 13 - 15 and 157</b></p>
INVESTIGATION	
<b>Who can investigate?</b>	<p>The military police as well as the Commanding Officer of the individual has the power to investigate any allegation including allegations on Sexual Exploitation and Abuse. When deployed in UN mission, then in addition to the above system the UN rules also apply.</p> <p><b>See The Army Act Rules, 1954, Rules 13 – 15 and 157</b></p>
<b>National Investigation Officer (NIO)</b>	<p>National Investigation Officers are deployed with the units in the mission area.</p>
PROSECUTION	
<b>Referral</b>	<p>The National Investigation Officer refers the investigation to the service Headquarters of Bangladesh and shares information with Conduct and Discipline Unit of the concerned mission where necessary.</p>
<b>Who can charge?</b>	<p>The Commanding Officer is empowered to formulate charges of Sexual Exploitation and Abuse. The Commanding Officer conduct prosecutions in summary trials and in other cases for example trial by court martial the Bangladeshi senior commander in mission area is empowered by the chief of services of that particular service to appoint an officer to conduct the prosecution.</p>
JUSTICE	
<b>Military justice</b>	<p>There is a military justice system in Bangladesh. It consist of General Court Martial, Field General Court Martial, District Court Martial and Summary Court Martial.</p> <p><a href="http://bdlaws.minlaw.gov.bd/sections_detail.php?id=248&amp;sections_id=7800">http://bdlaws.minlaw.gov.bd/sections_detail.php?id=248&amp;sections_id=7800</a></p>
<b>Deployable Court Martial?</b>	<p>Bangladesh has a deployable court martial system both during peace and war time.</p>
DISCLAIMER	
<p><i>While the information contained in the Member State (MS) fact sheet is periodically updated, the United Nations does not guarantee that the information provided is correct, complete or up to date. The fact sheet reproduces content received from the Member State, and therefore, the United Nations is not responsible for the content nor can it guarantee its accuracy.</i></p>	