

## MONTHLY HUMAN RIGHTS MONITORING REPORT ON BANGLADESH *01-31 October, 2008*

### REVOKE EMERGENCY FOR CREDIBLE ELECTION

### EXTRAJUDICIAL KILLINGS MUST END

### VIOLENCE AGAINST WOMEN MUST RECEIVE HIGH PRIORITY

Odhikar, a human rights organisation, is committed to uphold the civil, political, economic, social and cultural rights of the people and as part of its commitment, monitors the human rights situation in Bangladesh. Odhikar presents below a report on the state of human rights during 01-31 October, 2008.

#### *Emergency is an antithesis to democracy*

Odhikar believes that State of Emergency as imposed in Bangladesh is incompatible to internationally guaranteed human rights and has consistently demanded its withdrawal. An election, which is the only legitimate way to transit to democracy, cannot be held while the oppression of a State of Emergency is in place, with rights denied. Odhikar considers the State of Emergency as nothing but a state of fear and an election to restore electoral democracy cannot be held under such circumstances.

Odhikar however, is concerned that the Government has not yet lifted the State of Emergency to create an enabling environment for elections to be held, and is reportedly considering partial suspension of some provisions. Odhikar reiterates its position that there cannot be any credible and legitimate election, if it is held under the State of Emergency. Emergency is inherently abusive, anti-human rights and anti-democratic and must therefore be totally lifted.

#### *Election is the only option*

Odhikar is concerned that even if the declared date for the general election on 18 December is only seven weeks away, the Government has failed to dispel widespread doubts about its true intention. Its statements, actions or inactions have contributed to create an uncertain situation. Odhikar firmly believes in participatory, free, fair, credible and 'unmanaged' election as the only legitimate method for transition to democracy. Odhikar believes that democracy is the primary condition to ensure human rights, and no other measures, including any extra constitutional sojourns, should be allowed and that elections must be held on the scheduled date.

#### *Extrajudicial Killings*

According to Odhikar records, in October 14 persons were reportedly killed by law enforcement agencies.

➤ **Circumstances of deaths**

Among those 14 persons, 6 were allegedly killed by RAB, 6 by police and 2 persons were killed by the joint operation of RAB -police.

➤ **Crossfire/ encounter/gunfight/shootout**

A total of 13 incidents of crossfire/ encounter/ gunfight/ shootout<sup>1</sup> were recorded. Among them 5 persons were killed in RAB crossfire, 6 in police crossfire, and RAB and police jointly killed 2 persons.

➤ **Torture to death**

It has been reported that 1 person was allegedly tortured to death by RAB during this period.

➤ **Political allegiance of the victims**

According to reports, political affiliations of some of the victims of extrajudicial killings were as follows: 2 from Purbo Banglar Communist Party, 1 from Purbo Banglar Communist Party (Red Flag), 1 each from Biplobi Communist Party, Gonomukti Fouz and Communist Juddho.

➤ **Other characteristics of the victims**

Odhikar also recorded the identities of the victims and found, amongst those killed, one was a timber trader and the other one was a worker of an automobile service centre. However, RAB claimed that they were 'criminals' belonging to sahadat Bahini. Besides, 1 was a young man, whose identity could not be revealed. 3 were alleged criminals and 2 were alleged robbers.

➤ **Absolute Impunity**

No punitive action was taken against the perpetrators. Absolute impunity prevails in such killings.

## ***Freedom of Expression***

The fundamental right of freedom of expression has been severely curtailed since the imposition of the State of Emergency on 11 January 2007. Pressure on journalists poses a very significant threat. People do not have free access to information as journalists continued facing pressure and intimidation for publishing factual reports, contravening recognised rights of press under national and international laws.

It is reported that from 01 to 31 October 2008, 1 journalist was injured, 2 were attacked, 1 was assaulted and another one was arrested.

## ***Deaths in Jail and Custody***

Between 1 and 31 October 2 persons reported died in prison due to illness.

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<sup>1</sup> Reports in the press have used more than one of the terms "crossfire", "encounter", "gunfight" and "shootout" in one article to describe the same incident. It is, therefore, not possible for Odhikar to determine which of these descriptions best describes an incident of extra-judicial killing. Odhikar has, therefore, grouped these incidents together and consider as "crossfire".

## *Rape*

Incidents of rape are high in Bangladesh. It is reported that during 01 to 31 October a total of 31 women and girls became victims of rape-15 were women and 16 were children aged below 16. Out of these incidences 12 were gang raped. Out of the 15 women, 6 were reportedly killed after rape and 8 were victims of gang rape. On the other hand, out of 16 girls<sup>2</sup>, 3 were reportedly raped and then killed, and 4 became victims of gang rape.

Among those raped, one was a woman from Boalia Model police station of Rajshahi who was raped by Sub Inspector Abdul Hamid.

Actual figures are likely to be much higher since all such violations are not reported to police or police sometimes do no file rape cases and favour the perpetrators. Another reason is the associated social stigma.

## *Dowry related violence*

The most common reason for violence against women occurs due to dowry<sup>3</sup> demands. Between 01 and 31 October, 2008 a total of 24 women reportedly became victims of dowry demands. Due to dowry related violence, a total of 15 women were killed and 8 tortured and 1 woman allegedly committed suicide.

## *Acid Violence*

Between 01 and 31 October a total of 6 persons became reportedly victims of acid violence; amongst them, 3 persons were women, 2 men and a girl.

## *India- Bangladesh border violence*

Between Bangladesh and Indian border region, human rights violations continued over the period. The Indian Border Security Force (BSF) reportedly killed 5 Bangladeshis and 8 Bangladeshi were abducted in this period.

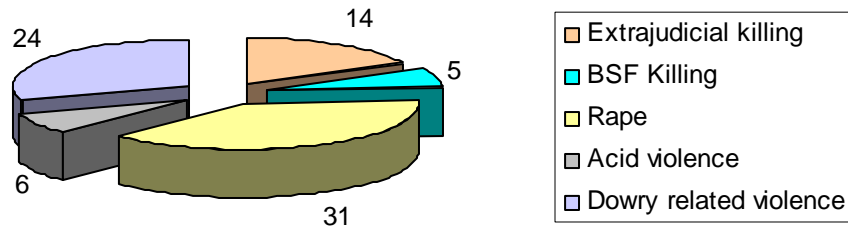
<i>Statistics of Human Rights violations</i>	
<i>01 -31 October 2008</i>	
<b>Name of the violation</b>	<b>Number of violence</b>
<b>Extrajudicial killing</b>	<b>14</b>
<b>BSF Killing</b>	<b>5</b>
<b>Rape</b>	<b>31</b>
<b>Acid violence</b>	<b>6</b>
<b>Dowry related violence</b>	<b>24</b>

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2 As per the **Children's Act 1974**, an adult is a person above the age of 16 years.

3. **The Dowry Prohibition Act 1980** makes the giving or taking/demanding of dowry an offence, punishable with imprisonment and/or fine.

### Statistics of Human Rights Violations: 1-31 October 2008



### *Recommendations*

- The State of Emergency must be lifted immediately and totally. Elections must be held in a free, fair and transparent manner.
- Odhikar demands an immediate end to the culture of crossfire, absolute impunity and extrajudicial killings.
- Government should take effective measures to stop violence against women. It must be pro-active in bringing perpetrators under the law and offer practical assistance to victims. It must ensure that victims and witnesses are protected so that perpetrators cannot intimidate and re-victimise victims. In this regard, Odhikar calls upon the government to set up a fund specially to give both physical and psychological support to victims of gender violence and to offer adequate compensation.
- The government should take immediate and effective initiatives to stop the killing, injuring and abduction of Bangladeshi citizens by the Indian Border Security Force (BSF).

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#### Notes:

1. Odhikar seeks to uphold the civil, political, economic, social and cultural rights of the people.
2. Odhikar documents and records violations of human rights and receives information from its network of human rights defenders and monitors media reports in twelve national daily newspapers.
3. Odhikar conducts detailed fact-finding investigations into some of the most significant violations.
4. Odhikar is consistent in its human rights reporting and is committed to remain so.