

MONTHLY HUMAN RIGHTS MONITORING REPORT ON BANGLADESH

Dates covered: 01-28 February 2009

Odhikar expresses its grave concern over the violence that occurred in the BDR Head Quarters between February 25 and 26**Acceptance of Anti Terrorism Bill opens the way to human rights violation****Prolonged post election violence****Government expresses 'zero tolerance' on extrajudicial killing**

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 human rights monitoring report covering 1 -28 February, 2009.

The 9th Parliamentary Elections were held on 29 December 2008. The newly elected government, led by Sheikh Hasina was formed on 06 January 2009. Despite the fact that the government has only come into existence less than 2 months ago, it is already being faced with some serious challenges.

BDR Mutiny and Human Rights Violation

In the morning of 25 February 2009, at the Bangladesh Rifles Head Quarters, a section of BDR¹ soldiers ("Jawans") attacked superiors coming from the army, during a programme of 'BDR week'. The rebellion continued till around the evening of the 27th. The Prime Minister Sheikh Hasina announced a general amnesty to the rebel BDR Jawans in an attempt to quell the rebellion, in a public message on 26th February. During the attack, serious human rights violations took place, including the random killing of army officers and some civilians and the taking of army wives and their children in hostage. The rebels claimed their actions were a result of long term grievances against Army control² over and discrimination against the BDR Jawans. The Bangladesh Rifles Jawans had placed their grievances in a 50-point demand letter. Some of them include: denial of privileges in the force, since their commanders came from the Army; the demand for independence and that the BDR be run by its own officers; a demand for modernisation of the BDR by recruiting officers through BCS examination; ending the discrimination in the salary structure, etc. It has also been reported that after their surrender of firearms many BDR Jawans tried to flee, but were caught by RAB and many of them were blindfolded and

¹ Bangladesh Rifles- Bangladesh Border Security Force

² Those Army officers who work as a BDR officers under deputation

taken to unknown destinations. Those arrested inside the BDR were taken to the Army camp set up in a sports field, Abohani Maat, near the place of occurrence. Many Army officers still remain missing till the writing of this report and three mass graves containing the bodies of more than 63 Army officers, including that of the Director General of the BDR and also of his wife, have so far being discovered. Even though the rebels stated that they initiated the violence due to the fact that their long-standing grievances were being ignored, their actions show a magnitude of violence that seems to be quite disproportionate to their claims.

Odhikar express its grave concern over the Cabinet Approval of the Prevention of Terrorism Ordinance 2008

On 19 February the Cabinet approved of the Anti Terrorism Bill in order to enact it as law, without any public consultation or scrutiny. The Anti Terrorism Ordinance 2008 was first promulgated on 11 June 2008 by the military backed "Caretaker Government", and contains a new definition of terrorism and a list of 'terrorist acts'.

The definition given was quite broad and vague, opening up possibilities of abuse. When promulgated in 2008, Odhikar immediately condemned it, as such an important enactment had been made by an unelected and unconstitutional government, without even soliciting the views of the public.

Now that the Cabinet of the elected government has approved it once again and reportedly without bringing changes to its earlier version, Odhikar reaffirms its concerns and urges the Parliament to thoroughly examine the Bill to ensure that human rights are upheld in counter terrorism provisions.

Prolonged Post Election Violence

- a. According to Odhikar's documentation, 12 persons were reportedly killed and 998 were injured in post-election violence in February. In most cases, the violence involved students, who were mainly activists and supporters of the Awami League (AL) and were from different educational institutes across the country including Govt. Titumir College, Comillah University, Kustia Govt. College, University of Dhaka, University of Chittagong, Sylhet Govt. College, Rangpur Medical College, University of Jahangir Nagar, DUET, University of Rajshahi. They were involved in violent, intra party, and armed clashes. In many districts, AL activists attacked the houses and shops of the Opposition Bangladesh Nationalist Party (BNP) supporters and vandalised their property. In Rajshahi, the University Provosts office was vandalised by BCL³.
- b. 12 persons (4 from BNP and 8 from AL) were reportedly killed due to clashes between the supporters/activists of Awami League, BNP or intra party clashes. From the BNP side, the deceased were Almas Bepary, Shahjahan, Shah Alom and Arshad Ali who were allegedly killed by AL activists; and from the AL side, the deceased were Ayub Pramanik, Rashid Pramanik, Amin Pramanik, Shirjan Pramanik, Moslem Uddin, Ayub Ali Munna and Kamrul Islam who were victims of intra party clashes.

³ BCL: Bangladesh Chattra League, student wing of the Awami League

- c. During the 61st Founding Anniversary of the Awami League's student wing, the Bangladesh Chattra League (BCL), the BCL was locked in intra party clashes where 9 activists were reportedly injured. The Prime Minister came to the meeting afterwards and asked students to refrain from violence and crime.
- d. During the intra party clashes between worker wings of the AL in Zia International Airport, 10 persons were injured and in Rangpur Bus Terminal 100 workers were reportedly injured.

Extrajudicial killing and culture of impunity

On 3 February 2009 Bangladesh came under a Universal Periodic Review for the first time at the Human Rights Council in Geneva. There, Bangladesh Foreign Minister, Dr. Dipu Moni said the Awami League Government has 'zero tolerance' for extrajudicial killing. On 11 February 2009 Bangladesh Prime Minister Sheikh Hasina said in Parliament that "*The criminals must be brought to justice according to the law, so there should be no extrajudicial killing in any circumstance*" and added "*legal action would be taken against those guilty of such killing.*"⁴ From 01 to 28 February 2009, two persons were reportedly killed by law enforcement agencies. Among them 1 was killed by Detective Branch (DB) Police and another 1 was killed by forest guards.

➤ Circumstances of death

It was reported that of the 2 persons killed, 1 was killed in DB police crossfire/ encounter/ gunfight/ shootout⁵ and another was shot and killed by the forest guards.

➤ Political allegiance and Other characteristics of the victims

The person who was killed by DB police was a member of Biplobi Communist Party. Another one was a 14-year-old boy who was killed by the forest guards.

India-Bangladesh Border Violence

From 01 to 28 February 2009, the Indian Border Security Force (BSF) reportedly killed 11 Bangladeshis, 5 were injured and 1 Bangladeshi national was abducted by them during this reporting period.

Freedom of Expression

From 01 to 28 February, 2009 it is reported that 1 journalist was injured, 2 were threatened, 1 reportedly attacked and 1 was assaulted.

⁴ Source: New Age, 12 February 2009

⁵ Reports in the press have increasingly used more than one of the terms "crossfire", "encounter", "gunfight" and "shootout" in one article to describe the same incident. It is, therefore, no longer possible for Odhikar to determine which of these descriptions best describes an incident of extra-judicial killing. Odhikar has, therefore, grouped these incidents together.

Rape

During 01 to 28 January 2009 a total of 26 women and girls reportedly became victims of rape. Among them, 9 were women and 17 were children aged below sixteen. Out of 9 women, 3 were reportedly killed after rape and 3 were victims of gang rape. Out of the 17 girls, 1 was reportedly killed after rape and 3 were victims of gang rape.

Odhikar believes that the actual figures are likely to be higher, since all such violations are either not reported to police or that police sometimes do not file rape cases and favour the perpetrators. Another reason is associated with social stigma.

Dowry related violence

The most common reason for violence against women occurs due to dowry⁶ demands. Between 01 and 28 February 2009, a total of 14 women reportedly became victims of dowry demands. Due to dowry related violence, a total of 11 women were reportedly killed and 2 were tortured and 1 committed suicide.

Acid Violence

During the period 01 to 28 February 2009 reports show that a total of 2 persons, a woman and a man, fell victim to acid violence.

Death in Jail

During the period 01 to 28 February 1 person reportedly died in prison due to illness.

Ready Made Garments (RMG) Worker's Situation

During the period 01 to 28 February 2009 a total of 110 ready made garments workers were injured and among them, 70 persons were injured in clashes that occurred between agitated workers and the law enforcement officers. Most of the violence took place due to the non-payment of the workers by factory owners.

Recommendations

1. Odhikar demands that the alleged perpetrators who were involved in killings and injuries in the BDR Headquarters be brought to book according to the law and open and fair trials be held. Odhikar condemns the killings and acts of human rights violation and expresses its condolences to the families of the victims. Odhikar also urges that the Government should consider the justified demands of the BDR, to avoid any future mutiny and in this regard a parliamentary committee needs to be formed.
2. Odhikar demands the re examination of the Anti Terrorism Bill by the Cabinet, which must seek extensive public opinion before making it a law.

⁶The Dowry Prohibition Act 1980 makes the giving or taking/demanding of dowry an offence, punishable with imprisonment and/or fine.

3. The Government should take effective steps to stop post election violence. Those who are engaged in violence must be brought to justice. Law enforcement agencies should be strengthened to stop the violence.
4. The 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/survivors. It must ensure that victims and witnesses are protected so that perpetrators cannot intimidate and re-victimise them. In this regard, Odhikar calls upon the government to set up a special fund to give both physical and psychological support to victims of gender violence and to offer adequate compensation.
5. The Garments workers must be paid their dues regularly. The BGMEA must monitor the garments owners regarding pay, dues and increments and payment times and uphold the tripartite agreement.

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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.