



May 01, 2010

## Human Rights Monitoring Report

1-30 April, 2010

**Bhola-3 by-election result disputed: Post-election violence continues;**

**Verdict on BDR mutiny trials at Panchagar, Thakurgaon, Feni and Satkhira**

**BDR trial at Dhaka continues; Trial at Bandorban commences**

**Channel 1 closes down;**

**Attacks on journalists;**

**Arrests under Anti-Terrorism Act 2009;**

**Anti-Corruption Commission under government's control;**

**Extra-judicial killings continue;**

**Political violence and disruptions;**

**Violence against women persists**

Odhikar is concerned with civil, political, social, economic and cultural rights and as part of its mission observes, reports and analyses the human rights situation in Bangladesh. Odhikar documents and records violations of human rights and receives information from its network of human rights defenders as well as from the monitoring of media reports in twelve national daily newspapers. Odhikar conducts detailed fact-finding investigations where serious violations occur.

In line with this campaign, an account of the human rights situation of Bangladesh covering the period of April 2010 is presented below.

## **Bhola-3 by-election result disputed: Post-election violence continues**

1. By-elections to the Bhola-3 constituency were marked by violence, irregularities, attacks on political opponents and intimidation of voters. Incidents of attack and intimidation of voters have been observed outside the polling stations, despite the measures taken by law enforcers. Furthermore, it has been alleged that the polling agents of the BNP<sup>1</sup> candidate were driven out from various polling centres. A group of Awami League activists chased voters with sticks while they were going to the Banglabazar polling centre in Charbhuta union under Lalmohon Upazila.<sup>2</sup> At the Lalmohon Public Library Centre, about 300 meters from the Lalmohon Police Station, no BNP polling agent was present. At this centre, according to an election official, the total number of votes cast, was more than the number of voters.<sup>3</sup>
2. The Election Commission suspended the polling process in nine centres, due to allegations of various irregularities and violence. The Returning Officer said, polling at the nine centres— Lalmohan Public Library Centre, Azharuddin Registered Primary School, Karimganj Senior Madrassah, Satani Government Primary School, Kishoreganj Government Primary School, Maheshkhali Ashrafia Government Primary School, Uttar Annadaprasad Government Primary School, Lord Hardinge Fazil Madrassah and Syedabad Forkania Madrassah centres have been cancelled as instructed by the Election Commission due to intimidation, rigging and violence.<sup>4</sup>
3. The Chief Election Commissioner Dr. ATM Shamsul Huda said, “It was a successful election, though not one hundred percent. The election can be termed fair, except for some isolated incidents. We have not heard about the use of firearms anywhere, but knives and sticks were used in some places.”<sup>5</sup>

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<sup>1</sup> Bangladesh Nationalist Party, now in opposition

<sup>2</sup> The Daily Prothom Alo, 25/04/2010

<sup>3</sup> New Age Magazine Xtra, 30/04/2010

<sup>4</sup> The Daily Shamokal, 25/04/2010

<sup>5</sup> The Daily Prothom Alo, 25/04/2010

4. The election monitoring organisation, Democracywatch wrote in their report, that the Bhola-3 by-election was marked by intimidation of voters, violence, lack of management and poor turn out. The Election Commission, RAB, police and local officials abetted the ruling Awami League to stage a farce election.<sup>6</sup> While JANIPOP said, “more than hundred activists of the BNP were allegedly attacked and injured during the violence.”<sup>7</sup>
5. On April 25, 2010, the BNP rejected as a ‘farce’ the by-election to the Bhola-3 constituency and demanded the resignation of the Chief Election Commissioner and fresh polls to the constituency.
6. Odhikar believes that the Election Commission has to play an independent, neutral and proactive role in order to conduct a free and fair election which will help to create a democratic culture in the country.

#### ***Post-election violence***

7. Post-election violence commenced soon after the by-election to the Bhola-3 constituency. The activists and supporters of the opposition were beaten by the pro-government activists. On April 26, 2010, a disabled girl was molested and beaten up by a group of criminals in Keyamulla village of Chadpur Union under Tajumoddin Upazila. The criminals also attacked the girl’s mother, Shoyful, and left her seriously wounded when she tried to protect her daughter. Shoyful said, a group of criminals identified themselves as Awami League supporters and beat them because they voted for the BNP candidate.<sup>8</sup> Furthermore, 5 BNP activists, including Ayub, Morshed, Hanif, Siraj of the same village and Nur Nabi of Golakpur village were allegedly beaten by unidentified assailants.
8. It has been learnt that incidents of forced eviction have allegedly taken place at Char Zahiruddin under Tajumoddin Upazila. Mohibullah Nagor, Convener, Upazila BNP unit, claimed that more than 50 BNP activists were

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<sup>6</sup> The Daily Naya Diganto, 25/04/2010

<sup>7</sup> The Daily Manabzamin, 25/04/2010

<sup>8</sup> The Daily Amader Shomoy, 27/04/2010

beaten and forcefully dispossessed from Char Zahiruddin by the ruling party cadres.<sup>9</sup>

9. Moreover, the incidents of election violence had also sparked in different places in Lalmohan Upazila. The violence seemed to be an act of revenge over the BNP winning the 8<sup>th</sup> Parliamentary Election in 2001.<sup>10</sup> It has been alleged that the wife and daughter of a BNP activist, Shafi Majhi, from Kochuakhali village of South Charumed union under Lalmohon Upazila, were raped by Awami League activists on April 24, 2010. According to Shafi Majhi, Awami League activists Siraj, Saiful, Shohag, Abdul and Jewel entered his house at midnight and tied him up. Saiful and Jewel raped his daughter, a student of class IX. His wife was also raped by Shohag and Abdul when she tried to save her daughter. Later they threatened Shafi Majhi not to disclose this matter.<sup>11</sup>
10. A woman leader of the local BNP unit at Chachra union in Tozumoddin Upazila was allegedly gang raped by a group of criminals who allegedly belong to Jubo League<sup>12</sup>. The victim alleged that on April 24, 2010, at night Jubo League activists Rakib, Safiullah, Sohel, Nozu, Abbas and Al-Amin kidnapped her from her house at gun point and raped her.<sup>13</sup> She had been recovered unconscious from a field the next morning.
11. The Election Commission did not take any measures to prevent post-election violence although the EC and local administration took security measures before and during the polls. As a result, political grudges vis-à-vis personal feuds have instigated the violence.
12. According to Odhikar documentation, a total of 218 people were reported injured during Bhola-3 election violence. Among them 109 were injured in pre-election violence, 46 on Election Day and 63 in post-election violence.
13. Odhikar believes that this type of revengeful and aggressive politics will hinder the practice of a democratic culture in the country. Odhikar urges

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<sup>9</sup> The Daily Kaler Kantho, 27/04/2010

<sup>10</sup> Four Party Alliance led by the BNP won the 8<sup>th</sup> Parliamentary election in 2001.

<sup>11</sup> The Daily Amar Desh, 26/04/2010

<sup>12</sup> Youth wing of Awami League

<sup>13</sup> The Daily Kaler Kantho, 28/04/2010

that the government take immediate action to stop post-election violence and that the perpetrators of violence be brought to justice.

### **Verdict on the BDR mutiny trials at Panchagar, Thakurgaon, Feni and Satkhira**

14. The verdict on the BDR mutiny trials at Panchagar, Thakurgaon, Feni and Satkhira have been delivered. Local human rights defenders of Odhikar have monitored the proceedings of the trial process.

#### ***Panchagar***

15. The special BDR Court in Panchagar issued the first verdict on the BDR mutiny trial on April 7, 2010. 29 accused members of the 25<sup>th</sup> Rifles Battalion have been sentenced to different terms of imprisonment. Of them the maximum penalty, of 7 years imprisonment with 1 hundred Taka fine, has been given to 13 BDR jawans. One BDR jawan has been convicted to 6 years imprisonment, one jawan receive 4 years, six jawans got 3 years each, two jawans got 2 years each, five jawans got 1 year and 1 month and one was convicted to 4 months imprisonment. Furthermore, all of them were fined 1 hundred taka each. A total of 31 witnesses gave their testimonies in this case. Six of the 29 accused had appointed 3 local lawyers as 'friends of the accused'. However, the legal counsels of the accused did not have an opportunity to cross-examine the witnesses. The accused themselves had to carry out the cross-examinations one by one using a microphone kept on the witness-box. During examination of witnesses at the time of trial many of the accused told the informant of the case: "you have brought false allegations against me and are biased." The accused jawans alleged that the informant himself was involved in the mutiny. He had brought false allegations against them because they had not followed his orders. In response to that, the informant Subedar Major Amirul Huq Sheikh said, "The accused lie, whatever I said was true."<sup>14</sup>

16. Before delivering judgement, the Chair of the Court, Moinul Islam said, "All legal processes have been followed. 57 days were given for self-defense instead of 27 days. A BDR officer was appointed for legal assistance.

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<sup>14</sup> Odhikar's Human Rights Defenders at Panchagar

Moreover, six civilian lawyers were also engaged in this process. The prosecution made his statement in the presence of the visitors and journalists. All legal matters have been examined. The charge was framed on April 4, 2010. Seven accused had pleaded for mercy admitting their guilt while 22 accused jawans claimed innocence. No one was willing to give evidence. Examining the prosecution witness, it has been found that a mutiny took place in Panchagar on 26 February 2009. It has been proved that the accused BDR members were involved.<sup>15</sup>

17. Moinul Islam also said, 3 things were taken into consideration during prosecution. They are - (i) maintenance of law and order by law enforcers as per Articles 45 and 152 of the Constitution; (ii) maintenance of discipline by law enforcers; and (iii) The accused who admitted their offence and regrets.

18. The convicted BDR jawans loudly protested that the verdict was 'unfair' when the judges left the Court after delivering judgement. Some BDR jawans broke into tears. Many said, "The real culprits are roaming around and we are being punished. The informant and witnesses were involved in the mutiny, but they have been spared. We did not get fair justice." The convicted also stated that the internal investigation of the BDR had not been neutral at all.<sup>16</sup>

### ***Thakurgaon***

19. The second judgement of the BDR mutiny case has been delivered in Thakurgaon on April 12, 2010. 50 out of 51 BDR jawans of the 20<sup>th</sup> Rifles Battalion were sentenced to different terms of imprisonment. Nayek Subedar Saiful Islam was released as the allegations against him could not be established. Of these convicted the maximum penalty of 7 years imprisonment was given to two persons. Among others, five got 6 years of imprisonment each, two jawans got 5 years and 6 months, five jawans got 5 years, two jawans got 3 years, four jawans got 2 years, three got 1 year and

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<sup>15</sup> Odhikar's Human Rights Defenders at Panchagar

<sup>16</sup> Odhikar's Human Rights Defenders at Panchagar

1 month, fifteen got 6 months and twelve jawans were sentenced to 4 months imprisonment each<sup>17</sup>.

20. It has been learnt that those BDR members who claimed to be innocent were produced before the Court in fetters while others with handcuffs. The BDR jawans who claimed to be innocent were- Nayek Enamul Huq, Assistant Lance Nayek Siddiquil Islam, Nayeb Subedar Shahidullah Biswas, Sepoy Shahjahan, Sepoy Nahidur Rahman Khan, Habibur Rahman and Saidur Rahman.

21. In a tent next to the Court, before the judgement was passed, the accused BDR members Shahjahan, Nahid and Ziaur told Odhikar: "we are not criminals. If anyone is accused of the offense then all BDR members must be accused. All were physically or mentally involved in that incident." The convicted BDR jawans stated after the verdict that "a general amnesty declared by the Prime Minister was not considered. They have violated the Prime Minister's commitment regarding a general amnesty to all."<sup>18</sup>

### *Feni*

22. The third verdict of the BDR mutiny case has been delivered in Feni on April 18, 2010. The Special Court-3 in Feni sentenced 57 out of 62 BDR jawans of the 19 Rifles Battalion to different terms of imprisonment for the offence of committing mutiny. Habildar Mohammad Ali, Nayek Dulal Mia, Lt. Nayek Sahidul Islam, Sepoy Kazi Saifuzzaman and Sepoy Omar Faruk have been acquitted as the charges brought against them were not proven. Of the convicted, the maximum punishment of 7 years imprisonment was given to four BDR jawans. Three got 4 years and 6 months of imprisonment each, one jawan got 4 years and 3 months, two jawans got 4 years, six jawans got 3 years, eight jawans got 2 years, sixteen jawans got 2 years and 6 months, four got 1 year and 6 months, five got 1 year, two got 6 months and six jawans were sentenced to 4 months imprisonment each. Furthermore, they have been fined one hundred Taka each.<sup>19</sup>

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<sup>17</sup> Odhikar's Human Rights Defenders at Thakurgaon

<sup>18</sup> Odhikar's Human Rights Defenders at Thakurgaon

<sup>19</sup> Odhikar's Human Rights Defenders at Feni

23. Habildar Ruhul Amin, Sepoy Mizanur Rahman, Sepoy Bashir Ahmed and Sepoy Mohiuddin Roni were sentenced to 7-years imprisonment and pleaded 'not-guilty' during the prosecution. In this regard, Raju, son of Bashir Ahmed and Mohsin Ali, father of Mizanur Rahman told Odhikar that "it was a farce in the name of trial. We did not get fair justice." They also stated that the Court acquitted 5 accused BDR members who had confessed in writing before the Court during the prosecution. Whereas those who claimed innocence were given the maximum penalty. They claimed that the accused had no scope for self-defense in the Court. The accused BDR jawans had to cross-examine the witnesses as their lawyers were not allowed to do so and that the judge himself replied on behalf of the witnesses.

### *Satkhira*

24. The fourth judgment has been pronounced in Satkhira on April 19, 2010 in connection with the BRD mutiny. The BDR Special Court-1 sentenced 56 out of 60 BDR jawans of the 7<sup>th</sup> Rifles Battalion to different terms of imprisonment. The Court acquitted Sepoy Zahidul Islam, Habildar Golam Masud, Nayek V M Moqbul Hossain, Sepoy Golam Mostafa Sagir as the charges brought against them were not proven. Among the convicted, 24 jawans were given the maximum penalty of 7 years rigorous imprisonment while four jawans were sentenced to 5 years imprisonment, three jawans got 4 years and 6 months, five got 4 years, three got 3 years, one received 2 years and 6 months, four got 2 years, three got 1 year and 6 months, five got 1 year and 1 month, one got 6 months and three were sentenced to 4 months of imprisonment each. They have also been fined one hundred Taka each.<sup>20</sup>

25. The BDR Director General, Moinul Islam, before delivery of judgement, warned the accused BDR members that if any BDR jawan was found reacting during or after the pronouncement of the verdict, he will be charged for contempt of Court and his term of imprisonment increased. While taking the convicted BDR members to the prison, they shouted and said "we were innocent; we have been punished with prejudice. We oppose this verdict." After the judgement, Aklima, wife of one of the convicted BDR jawans, told Odhikar that it had not been a fair trial. Her husband had been punished

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<sup>20</sup> Odhikar's Human Rights Defenders at Satkhira



unlawfully based on false testimony. The son of a BDR jawan told Odhikar, "My father was innocent. It was a farce trial. Innocent people have been punished."

### **BDR trial at Dhaka continues**

26. The trial of the BDR mutiny started again at Dhaka on April 12, 2010. As per the Court order, 293 BDR jawans from jail and 330 jawans from different units of the Rifles Battalion were produced before the Special Court. Of them, Nayek Subedar Helal, Habildar Shafiqul Islam and Sepoy Mizanur Rahman who were sick, were kept in the ambulance with prison guards in front of the main gate. The prosecutor demanded exemplary punishment and delivered a brief allegation against the accused in connection with the Pilkhana killing. The Court heard the statement of the prosecutor and 623 BDR members standing in the witness-box were given more than 27 days for self-defense under the BDR Ordinance, 1972. The Court fixed May 19, 2010 as the next date for hearing.

27. 256 alleged mutineers of the BDR hospital unit were taken before the Special Court-6 set up at the BDR Headquarters at Pilkhana. On April 29, 2010, the three-member Court, presided over by the outgoing BDR Director General, Moinul Islam, set the date for framing of charges on November 22, 2010 after prosecutor Lt. Col. SMA Al-Muid had read out the charges against the accused BDR members. It ordered the arrest of 166 of the alleged mutineers as they were still in service. The 90 others were already in jail. The Court also ordered the prosecutor to produce all 256 accused BDR members in court on November 22, 2010.<sup>21</sup>

### **Trial of BDR mutiny begins at Bandorban**

28. The trial of the BDR mutiny case began at Balipara, Bandorban on April 22, 2010. Outgoing Director General of the BDR, Moinul Islam chaired the panel as Judicial Head.

29. Human rights defenders of Odhikar from Bandorban have informed that Md. Sultan Ahmed, acting Subedar Major of the battalion, submitted allegations

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<sup>21</sup> New Age, 30/04/2010

before the 'Special Court-4' against 35 accused BDR members out of 110 arrestees belonging to the 10 Rifles Battalion. It was learnt that the Court has fixed October 10, 2010 as the date for the next hearing.

### **Channel 1: closes down**

30. A private television channel, Channel 1 was shut down by the government on April 27, 2010. A three-member team of the Bangladesh Telecommunications Regulatory Commission led by S M Shahiduzzaman, Director (Legal and Licensing) went to the Channel 1 office at Uday Tower in Gushan and switched off its transmission over the using of rented broadcasting equipment. The Post and Telecommunications Minister Rajiuddin Ahmed Raju said, Channel 1 had mortgaged its broadcasting equipment although the telecommunications law prohibited the transfer of frequency ownership and broadcasting equipment. As the owners failed to pay back the loan, its broadcasting equipment was auctioned.<sup>22</sup>

31. Meanwhile the Channel 1 authority claimed that the bank auctioned its equipment and a company won the bid, although the auction winner had not yet made the payment. Thus the channel still owns the equipment. The channel went off while broadcasting a news bulletin and the employees of Channel 1 broke down in tears. They had repeatedly urged the BTRC team not to shut down the transmission and requested them to take alternative action if they found any irregularities.

32. The channel had more than 400 staff, including journalists, technicians and administrative officials whose career, livelihood and future are now uncertain.

33. It is to be mentioned that Focus Multimedia Company Limited (CSB News) had been shut down for allegedly filing forged documents to obtain frequency allocation by the military-backed 'Caretaker' government in August 2007.

34. Although the regulatory control of the telecommunication sector is an issue, it is also linked to the constitutional rights of freedom of speech and

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<sup>22</sup> New Age, 28/04/2010

conscience. Due process of the law should be followed in a transparent manner. Odhikar expresses its deep concern over the shutting down of a TV channel abruptly.

### **Attacks on journalists**

35. Senior journalist and regional correspondent of the Shaptahik 2000 in Sylhet Foteh Osmani, who was stabbed by a group of criminals on April 18, succumbed to his injuries at the Apollo Hospital in Dhaka on 28 April 2010. He was attacked with sharp weapons by criminals in front of the Eidgah in Sylhet while he was returning home from the Doladoli area of the city with a friend.
36. The supporters of the Awami League-backed Chattra League attacked two journalists in the Dhaka University campus. On April 4, 2010, a group of Awami League-backed Chattra League activists led by Sajid Jahan Saikot, President of S M Hall<sup>23</sup> unit Chattra League beat up Fayeze Ahmed, reporter of the weekly Budhbar and Anis Raihan, reporter of Shaptahik in front of the Public Library in the university campus. Fayeze Ahmed and Anis Raihan had been admitted to Dhaka Medical College hospital with severe injuries. Both the journalists alleged that they were attacked due to a report on extortion and tender bidding of Awami League-backed Chattra League, which was recently published in the weekly magazines.
37. On April 8, 2010, Jasim Reza and Solaiman Salman, Jagannath University representatives of the Daily Kaler Kantho and the Daily Manabzamin, were attacked by the activists of the Jagannath University unit Awami League-backed Chattra League at Kawran Bazaar in the city.
38. Odhikar expresses its deep concern over the incidents of journalists being assaulted and threatened by criminals supported by political parties while performing their professional duties. Odhikar also demands that the criminals be arrested immediately and brought to justice.
39. In the month of April, 01 journalist was killed, 01 injured, 08 assaulted, 05 threatened and 03 were attacked.

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<sup>23</sup> A residential hall of the Dhaka University

## **Arrests under Anti-Terrorism Act, 2009**

40. On April 20, 2010, Professor Mohiuddin Ahmed, Chief Coordinator of the banned Hizb ut-Tahrir, was arrested after six months under house arrest. He had been taken into remand for 3-days following his arrest. He has been shown as arrested under a case which was filed at the Uttara Police Station on February 24, 2010 under the Anti-Terrorism Act of 2009. He had no lawyer to represent him during an appeal for remand in the Court. In his statement before the Court, he said that he was kept under house arrest for the last six months and was not allowed to leave his house after the organisation had been declared forbidden. Police have seized his cell phone and computer.<sup>24</sup> Mohiuddin Ahmed had been interrogated in the Joint Interrogation Cell during police remand. Meanwhile, the Joint Coordinator, and second in command of Hizb ut-Tahrir, Kazi Morshedul Huq was arrested on April 21, 2010 under 'suspicion of anti-state activities'. A case under the Anti-Terrorism Act, 2009 was also filed against him.
41. On October 22, 2009, Hizb ut-Tahrir was banned by the government under a press note signed by Dr. Md. Kamal Uddin, Joint Secretary (Political) of the Ministry of Home Affairs. The press note stated that the government has declared Hizb ut-Tahrir, Bangladesh as outlawed on October 10, 2009, considering it as a threat to public security. The Chief Coordinator of Hizb ut-Tahrir and a Professor of the Institute of Business Administration, Dhaka University, Dr. Mohiuddin Ahmed was given forced leave from the University and his residence had also been surrounded by law enforcement agencies since October 22, 2009 without any specific allegations.
42. The then Military-backed 'Caretaker' government promulgated the Anti-Terrorism Ordinance on June 11, 2008. The present government approved the Ordinance and passed it as law at the first session of Parliament after assuming power on January 6, 2009.
43. Odhikar has been strongly protesting against repressive measures and repressive laws, particularly the Anti-terrorism Act of 2009 from its very inception. The law of 2009 is against human rights norms and has all the

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<sup>24</sup> The Daily Prothom Alo, 21/04/2010

potential of being abused by the government in power. Such law seriously undermines the democratic aspirations of the people and may eventually breed politics of repression and violence, bringing instability to the country.

44. Odhikar also protests the taking of anyone to the Joint Interrogation Cell in the name of interrogation, as the arrested persons are allegedly being tortured in that cell in order to force confessional statements from them.

### **Anti-Corruption Commission under government's control**

45. On April 26, 2010, following a cabinet meeting, the government approved the proposed amendments to the Anti-Corruption Commission Act of 2004, making it directly controlled by the government. As per amendments, the Anti-Corruption Commission (ACC) will be accountable to the President; it has to seek the government's permission before filing a case against any government official; senior government officers can not be asked questions by junior officers; five years imprisonment with fine will be given if anyone makes false allegations. Furthermore, the Secretary of the Commission will be appointed by the government and he will also perform as the Chief Officer.

46. It is to be mentioned that under the present law, the ACC is not accountable to anyone and it can sue anyone on allegations of corruption. The ACC is independent as well regarding appointing its Secretary.

47. Odhikar believes that the ACC will lose its authority, neutrality and independence if the approved amendments are passed in Parliament. The Executive division of the State will influence its activity.

### **Extra-judicial killings continue**

48. Incidents of extra-judicial killings continue despite the government's repeated assurance that they will be stopped. The law enforcement agencies have been killing suspected 'criminals' without following the due process of law.

49. During the month of April 2010, 09 people have reportedly been killed extra-judicially. It has been further alleged that of these people, 05 were

killed by RAB<sup>25</sup> and 04 by the Police. Of these casualties, 04 died while they were in custody of the law enforcement agencies.

### ***Types of death***

#### **Crossfire / encounter / gun fight:**

50. It has been alleged that of these extra-judicial killings, all 09 of the deceased were killed in 'crossfire/encounters/gun fights'<sup>26</sup>. Among them, 05 were killed by RAB and 04 by Police.

#### **Identities of the deceased**

51. Of the 09 deceased, 02 belonged to the Gono Mukti Fouz, 01 from Gono Bahini, 01 Biplobi Communist Party, 01 Islami Chatro Shibir, 01 was an alleged robber and 03 were alleged criminals.

#### **Disappearance**

52. On April 27, 2010, Mizanur Rahman Shumon, a businessman, was arrested by RAB members in plainclothes from Mohimganj of Gaibandha district and brought to Dhaka. He has disappeared since his arrest. His wife Shurovi Akhter looked for him at all the possible places and finding no trace of him, organised a press conference at the Crime Reporters Association on April 30, and made public the abduction of Shumon by RAB. Shumon had been vocal about the criminal activities at the Kafrul area in Dhaka.

#### **Death in jail custody**

53. It has been found that 05 people reportedly died while in jail custody due to illness during the month of April 2010.

#### **Political violence (Excluding Bhola-3 Election) and disruptions**

54. As in prior months, internal conflicts within factions of different political parties and clashes between two or more parties have reportedly occurred in the month of April 2010. Of them, incidents of attacks on police by the Awami League-backed Chattra League also took place.

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<sup>25</sup> Rapid Action Battalion

<sup>26</sup> 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.

55. On April 19, 2010, hundreds of Awami League-backed Chattra League activists attacked the police station at Swarupkathi in Pirozpur due to the arrest of eight Chattra League activists. At least 30 persons, including 9 policemen were injured during this attack.
56. A police constable was attacked by Awami League-backed Chattra League activists in Narayanganj on April 16, 2010. Chattra League activists were teasing women who attended the *Baishakhi Mela*<sup>27</sup>. When the policeman tried to stop them they attacked him and badly injured his head.
57. According to information gathered by Odhikar, 20 have reportedly been killed and 1517 injured in political violence during the month of April 2010. There were also 40 incidents of internal clashes of the Awami League and 10 in the BNP. In addition to this, 04 people were allegedly killed in Awami Leagues internal conflict while 691 were injured. On the other hand, 115 people were injured in intra-party clashes in the BNP.
58. On April 17, 2010, the local Jubo League<sup>28</sup> thwarted a political assembly of the Communist Party of Bangladesh in Natore. The Communist Party of Bangladesh, Natore District unit had organised a public meeting at Moukhora Bazaar in Boraigram Upazila, placing a 12 point demand, including the trial of war criminals and protest against criminal activity across the country and price hikes. The meeting could not take place due to hindrance from the local Jubo League.<sup>29</sup>
59. Odhikar believes that any citizen of the State has the right to form a political party or an organisation and organise political activities in a peaceful manner. These political parties or organisations also hold the right to criticise the Government. Furthermore, all citizens have the right to organise and take part in meetings and associations and assemblies as guaranteed in Articles 38 and 39 of the Constitution.
60. Limiting the space for democracy only provokes resentment.

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<sup>27</sup> A fair on the occasion of Bangla New Year

<sup>28</sup> Youth wing of Awami League

<sup>29</sup> The Daily Amader Shomoy, 18/04/2010

## **Human rights violations at the Bangladesh-India border**

61. As per information gathered by Odhikar, during the month of April 2010, there have been several incidents of human rights violations at the border areas by the Indian Border Security Forces (BSF). During this time, 03 Bangladeshi civilians were reportedly shot dead, 07 were tortured and 02 were abducted by the BSF.

## **Condition of ready-made garments factory workers**

62. On April 10, 2010, a clash took place between the workers and factory owners over unpaid wages at the Opex Knitwear Limited, a sister concern of the Sinha Group at Kanchpur of Sonargaon in Narayanganj. One person named Ziaur Rahman Khan was killed and at least 15 were injured.

63. On April 12, 2010, men supporting the factory owner attacked a procession brought out by workers of Navana Textile Ltd. at Kolma in Savar. The workers brought out this procession over their 15-point demand, including unpaid wages. At least 50 people, including the Officer-in-Charge of Savar Police Station, were injured.

64. In the month of April, 2010, 01 worker had died and 239 have been injured while protesting in demand of their overdue wages and increase of their wages at the ready-made garments factories.

65. Odhikar demands that the Government should cancel the licenses of those garments factories which are not following the tripartite agreement and thereby causing labour unrest.

## **Violence against women persists**

### ***Female student killed/committed suicide***

66. In the month of April 2010, there have been reported incidents of female students committing suicide due to harassment by depraved youth. On April 3, 2010, Umme Kulshum Ilora (14), a student of class eight, committed suicide at Nandipara in Khilgaon, Dhaka due to eve-teasing. It was learnt that Ilora had been verbally harassed by one Rezaul for a long time. Furthermore, Rezaul had threatened Ilora and her mother a few days before her death. She committed suicide following the incident.



67. An adolescent girl named Pinki was allegedly burnt to death by a youth named Tobarak when she refused his proposal to have an affair. It was learnt that Moriam Pinki (16), resident of Konabhawal village in Tarail Upazila under Kishorganj district, had been harassed by Tobarak from the same village for a long time. On April 5, 2010, Tobarak, being refused, entered Pinki's residence and allegedly burnt her by pouring kerosene over her. She succumbed to her injuries at Dhaka Medical College Hospital.

### ***Rape***

68. In the month of April 2010, it has been reported that 63 women and girls were raped of which 24 were adults and 39 were children<sup>30</sup>. Of the 24 female adults raped, 08 were killed after being raped and 12 were gang raped. Of the 39 girls who were raped, 02 were killed after being killed and 10 were subjected to gang rape. Among them a housewife was raped by an Assistant Sub Inspector Obaydul Haq at Jhenaidah.

### ***Dowry related violence***

69. In the month of April 2010, 36 women were subjected to dowry<sup>31</sup> related violence. It has been alleged that of these women, 20 were killed due to dowry related issues and 11 were tortured in various ways. During this span of time, 05 women allegedly committed suicide after failing to cope with dowry related torture.

### **Acid violence**

70. In the month of April 2010, 06 persons were victims of acid violence. Of these, 05 were women and 01 was a man.

### **Recommendations**

- The Election Commission should play an independent, neutral and proactive role in order to conduct a free and fair election. The perceived partisan role of election can be very dangerous, given the overall political and economic situation of the country.

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<sup>30</sup> 'Children' are those below 16 years of age, as per the Children's Act, 1974.

<sup>31</sup> The Dowry Prohibition Act, 1980 makes the giving or taking/ demanding of dowry an offence, punishable with imprisonment and/or fine.

- The government should take immediate action to stop post-election violence and perpetrators of violence must be brought to justice.
- Transparency and accountability must be ensured during the trial of the BDR jawans accused of treason and mutiny.
- The persons responsible for the attacks on journalists must be arrested and brought to justice.
- The Anti-Terrorism Act 2009 is a repressive law. It should be repealed immediately.
- The government must stop extra-judicial killings as per its commitment and perpetrators must be brought to justice.
- The Government must take steps to bring an end to political violence and those involved must also be made accountable before the law. The law enforcement agencies must play a pivotal role in ending such forms of violence.
- The government should refrain from limiting the space for practice of democracy, which will only provoke resentment.
- The wages of the garment workers must be paid on time.
- The Government must take effective steps with the goal to end violence against women. The offenders must be brought under the purview of the law to ensure that justice is served. The victim must be provided with adequate legal support. Public awareness regarding the rights of women, prevention of violence against women and children as well as related laws must be incorporated into the primary, secondary and higher secondary school books.

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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.