

July 01, 2011

# Bangladesh Six Month's Human Rights Monitoring Report

January 01 – June 30, 2011

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Odhikar defends civil, political, social, economic and cultural rights of the people and as part of its mission, observes reports and analyses the human rights situation of Bangladesh.

Odhikar documents and records violations of human rights and obtains information from its network of local human rights defenders and by monitoring media reports in twelve national daily newspapers. Odhikar conducts detailed fact-finding investigations into occurrences of serious infringements of human rights.

In line with this campaign, an account of the human rights situation in Bangladesh, in the format of a six-month (January- June, 2011) report is presented below:

# POLITICAL VIOLENCE

#### Political Violence Continues into 2011

- 1. Political violence persisted in the first 6 months of the current year, 2011. Regarding the Caretaker Government issue, the Awami League- Jatiyo Party Grand Allaince, and the major Opposition political party- the BNP, have taken confrontational stances. The BNP, on June 05, called for a dawn to dusk hartal and on June 12 and 13 for a 36-hour long hartal on the issue of a caretaker government. During the county-wide hartal the law enforcement agencies, government activists and supporters came into a physical altercation with the Opposition activists. About 100 pro hartal activists were injured on June 05 during the dawn to dusk hartal, and police arrested about 40 persons.<sup>1</sup> On the eve of the hartal, on June 04 and June 11, pro hartal activists vandalised some vehicles and torched a few busses.
- 2. Odhikar expresses its concern over the incidents that took place on the eve and during the day of hartal, in which the pro hartal activists vandalised some vehicles, torched a few busses and pedestrians were arrested by the police. During the hartal, the mobile courts instantly arrested and sentenced people after summary trials. Such occurrences resulted in much political turmoil.
- 3. From January to June, 2011 according to information gathered by Odhikar, 65 persons were killed and 5513 injured in political violence. 155 incidents of internal violence in the Awami League and 48 in the BNP were also recorded during this period. In addition to this, 11 persons were killed and 1843 people were injured in Awami League's internal conflicts while one person was killed, 501 were injured in BNP internal conflict.

#### Political Violence Related to Election

#### Pourashobha (Municipality) Elections 2011

4. About two years after the scheduled time, elections were held in 252 Pourashobhas out of a total of 310; on January 12, 13, 17, 18 and 27, 2011 in seven divisions across the country. Pourashobha Elections were marked by physical attacks, irregularities, intimidation of voters, violence and the snatching away of ballot boxes. Incidents of attacks and

<sup>&</sup>lt;sup>1</sup> For more information see- The Daily Star, June 06, 2011

intimidation of voters were observed outside the polling stations, despite measures taken by law enforcement agencies.

- 5. A dawn to dusk Hartal<sup>2</sup> called by the local BNP, was observed in Noakhali, Laxmipur and Feni on January 19, 2011 after the Election Day, to protest the `capturing' of polling centres by supporters of the ruling party during the Pourashobha elections. Incidents of hurling bombs into buses and acts of vandalism took place during the Hartal.<sup>3</sup>
- 6. During the Pourashobha election, two persons were reportedly killed and 527 injured.<sup>4</sup>

#### **By-elections in two constituencies**

- 7. On January 27, 2011 by-elections were held in Brahmonbaria-3 and Habiganj-1 constituencies; with some incidents of clashes.<sup>5</sup>
- 8. Meanwhile, BNP demanded an immediate re-election and rejected the election results of the by-elections in Brahminbaria-3 constituency. On January 30, 2011 the BNP also observed a dawn to dusk hartal to protest alleged rigging in by-elections in the Brahminbaria-3 constituency and demanded the resignation of the Chief Election Commissioner. Police baton charged the supporters of the hartal during their picketing on the streets. Three persons were reported to have been injured in this incident.<sup>6</sup>

#### **Union Parishod Election**

- 9. Union Parishod Elections continue with widespread clashes, killings, physical attacks, snatching of ballot boxes, taking control of polling centers and vote rigging. Odhikar is observing the elections in 112 unions.
- 10. In the first phase, Union Parishad (UP) elections were held in 337 unions on March 29, 30 and 31, 2011 at the coastal areas under Chittagong, Khulna and Barisal divisions. The second phase started from May 31 and will continue until July 05. It covers 3825 unions in 414 upazilas of 57 districts. There are allegations of clashes, attacks, giving false votes etc.
- 11. Pre election, election day and post election violence caused 64 deaths and 6249 persons were injured.
- 12. Odhikar expresses its grave concern over the UP poll violence. It is found that misuse of power by the political activists has lead to many incidents of violence and the Election Commission has failed to exercise its control over the situation despite the presence of the police force.

#### Post-election violence against religious minority groups

13. Post election violence took place in Shailakupa under Jhenaidah district on January 13, 2011 after the Pourashobha election. At least 20 persons were injured in this incident. The supporters of Awami League backed candidate, Toiyabur Rahman, attacked people in different areas, physically assaulted businessmen and forcefully locked up their shops after

<sup>&</sup>lt;sup>2</sup> Hartal: a general strike

<sup>&</sup>lt;sup>3</sup> The daily Amar Desh, 20/01/2011, Page 1, <u>http://www.amardeshonline.com/pages/details/2011/01/20/64058</u>

<sup>&</sup>lt;sup>4</sup> Odhikar documentation

<sup>&</sup>lt;sup>5</sup> The daily Nayadiganto, 28/1/2011

<sup>&</sup>lt;sup>6</sup> The daily Amar Desh, 31/01/2011

Toiyabur Rahman lost the election. It has been alleged that many of the shops under attack, belonged to businessmen from the Hindu community.<sup>7</sup>

# EXTRAJUDICIAL KILLINGS

#### On average, every 4 days, 1 person is killed extra-judicially

14. According to information gathered by Odhikar, between January and June 2011, 49 people were killed extra-judicially. On an average, every 4 days one person was killed extra judicially.

#### Types of death of the victims of alleged extrajudicial killings from January 01- June 30, 2011

#### Crossfire/encounter/gun fight:

15. Among the 49 extra-judicial killings, 37 persons were killed in 'crossfire/encounters/gun fights'. Among the deceased 24 were allegedly killed by RAB, 08 by police, 03 by RAB-Police and 02 by RAB-Coast Guard.

#### Death due to torture:

16. Of the deceased, 09 were allegedly tortured to death by police and one by jail authorities.

#### Beaten to death:

17. Of the deceased, one was allegedly beaten to death by police.

#### Shot and killed:

18. One person was shot dead by police.

#### Identities of the deceased:

19. Of the 49 deceased, One was an Awami League activist, 03 were Purbo Bangla Communist Party (Red Flag) activists, 02 were Purbo Bangla Communist Party (Jonojuddho) activists, 04 were members of Gono Bahini, 02 youths, a 52-year-old man, a student of Northern College, a second year university student, a former Union Parishad Chairman, a medicine trader, a salesman of a cloth store, a veterinary surgeon, a worker, a convicted prisoner, 02 under trial prisoners and 26 were alleged criminals.

## **DEATH IN CUSTODY**

20. From January to June 2011, 84 persons died in custody. Among them, 61 persons died in jail. Among those, 51 persons allegedly died due to 'sickness'; a sick 18 month old child was kept in prison with her mother, where she died within 12 days due to lack of treatment. During this time one woman 'committed suicide' while in Police Station. Another 19

<sup>&</sup>lt;sup>7</sup> Report from local human rights defender of Odhikar at Jhenaidah, 14/01/2011

persons were allegedly killed extra judicially while under custody of RAB, police and the jail authority. 03 former BDR jawans also died during this time while in custody.

# **PUBLIC LYNCHING**

- 21. In the last six months a total of 75 persons were killed by mob violence. Odhikar observes that the tendency to take the law into one's own hands merely proves lack of public confidence in the criminal justice system.
- 22. Odhikar expresses deep concern about public lynching. This signifies a desperate situation where people have lost confidence in the law and institutions in charge of maintaining law and order.

# **RAB IN THE NEWS**

## Limon permanently disabled as a result of RAB's bullet

- 23. On March 23, 2011, Limon Hossain (16), son of a day-labourer Tofazzal Hossain of Saturia village under Rajapur Upazila in Jhalokathi district, and an Higher Secondary Certificate School examinee from Kathalia PGS Polytechnic College, was returning home with cattle when a team of RAB-8, led by Deputy Assistant Director (DAD) Mohammad Lutfar Rahman, accosted him in front of local resident Shahid Zomaddar's house, and inquired about his identity. Limon replied that he was a student. RAB members then shot at his left leg. RAB members kept the wounded Limon without medical aid for about two/three hours at that spot. Later he was admitted to the Barisal Medical College Hospital and shifted to the Orthopedic Hospital in Dhaka after his condition deteriorated. Limon's left leg had to be amputated at the Orthopedic Hospital.<sup>8</sup>
- 24. On April 10, 2011, Limon's mother Henowara Begum filed a case at the Senior Judicial Magisrate's Court of Jhalokathi, accusing 12 persons in total, including the Deputy Assistant Director Lutfar Rahman and five other members of the RAB-8 unit and against six unidentified people.<sup>9</sup>
- 25. Meanwhile, police 'secretly' submitted a charge sheet against Limon showing him as an associate of alleged criminals Mizan and Morshed and since he was a child, recommended he be prosecuted at the Juvenile Court. On April 24, 2011 Sub-Inspector Ariful Islam of Rajapur Police Station, investigating officer of the case filed by RAB, 'secretly' submitted a charge sheet before the Court.<sup>10</sup>
- 26. At a Press Conference, the Prime Minister's Defense Advisor Tareque Ahmed Siddiquie commented that, "Limon and his father were directly involved with criminal Morshed Zomaddar. Allegations against RAB of shooting Limon's leg after capturing him were false.

<sup>&</sup>lt;sup>8</sup> Fact-finding report of Odhikar

<sup>&</sup>lt;sup>9</sup> The daily Amar Desh, 24/4/2011

<sup>&</sup>lt;sup>10</sup> The daily Prothom Alo, 28 April 2011, <u>http://www.prothom-alo.com/detail/date/2011-04-28/news/150207</u>

Limon was trying to escape the scene while the RAB attempted to capture Morshed Zomaddar, and he was shot by them in order to prevent the escape" The press conference was at the Prime Minister's Office on May 19, 2011.<sup>11</sup>

- 27. On May 22, 2011, Home Minister, Shahara Khatun, said that Limon and his father were involved with a criminal group and the comment of the Prime Minister's Defense Advisor was the statement of the government.<sup>12</sup>
- 28. On May 23, 2011 M Sohael, Director, Legal and Media Wing of RAB, told a press conference held in RAB headquarters that, the investigation report of RAB had come to their hands. He said, Limon, his parents and siblings are associated with Morhsed Zomaddar, his group and his wife.<sup>13</sup>
- 29. The persistent efforts of various government officials to tarnish Limon's reputation and to portray him as a guilty person while his case is still under trial, is an attitude worthy of censure. Investigation into the incident of Limon being shot and disabled has also been carried out by members of the RAB; Odhikar fears that this has potentially hampered the credibility of the entire investigation. It appears that such statements would encourage impunity of law enforcement agencies. Odhikar condemns and protests such statements by the government.

#### School student allegedly killed by RAB firing

30. On June 14, 2011 a student of class nine, Shadhin Ahmed Shuvo was allegedly killed and his younger brother and Shuvo's classmate Badal Mia were allegedly injured by stray bullets shot by RAB-10 during an operation conducted by them against drug peddlers in Pagla at Narayangonj.<sup>14</sup>

#### `Disappeared' after being picked up by RAB

- 31. On February 15, 2011, a grocer, Rafiqul Islam (41), was picked up by some plain clothed and uniformed RAB members from 620 North Shahjahanpur in Dhaka city and his whereabouts remain unknown to date. The family members of Rafiqul Islam informed Odhikar that they have searched for him at various places, including the RAB-3 office and at the local police station. The eye-witnesses to this incident told Odhikar that 15/20 uniformed and plain clothed RAB members picked up Rafiqul from a shop. RAB did not say why Rafiqul had been picked up. Many people, including his fellow shopkeepers and pedestrians witnessed Rafiqul's arrest. His home district is Gaibandha.<sup>15</sup>
- 32. On February 22, 2011, Tawfique Ahmed Hasan, a second year student of Stamford University in Dhaka, was arrested along with two others while in possession of posters of the banned organisation Hizb-ut Tahrir. He obtained bail on May 13, 2011 in the case filed

<sup>&</sup>lt;sup>11</sup> The daily Amader Shomoy, May 20, 2011, <u>http://www.amadershomoy1.com/content/2011/05/20/news0424.htm</u>

<sup>&</sup>lt;sup>12</sup> The daily Prothom Alo, May 23, 2011, http://www.prothom-alo.com/detail/date/2011-05-23/news/156474

<sup>&</sup>lt;sup>13</sup> The daily Prothom Alo, May 24, 2011, http://www.prothom-alo.com/detail/date/2011-05-24/news/156694

<sup>&</sup>lt;sup>14</sup> Fact finding report by Odhikar

<sup>&</sup>lt;sup>15</sup> Fact finding report of Odhikar/The daily Amar Desh, 18/02/2011, Page 2, staff reporter

by the police. However, Hasan's father, Mohammad Khabir Uddin, having received information from police officers and jail guards, alleged that plain-clothed RAB personnel abducted his son when he came out of the jail.<sup>16</sup>

33. Odhikar expresses deep concern over such incidents of arrests followed by disappearances and demands that the Government arrange for the search and rescue of lost persons and also take action against those involved in perpetrating such acts.

# **ANTI-TERRORISM ACT 2009 AND TORTURE**

- 34. On February 21 and 25, 2011, five members of the banned political organisation **Hizb-ut** Tahrir were arrested for posting alleged anti government posters on walls. Later they were shown as arrested under the Anti Terrorism Act of 2009.<sup>17</sup> Furthermore, at least 73 members of Hizb-ut Tahrir were arrested by police across the country between January and June 2011 for conducting 'anti-government campaigns'.<sup>18</sup>
- 35. On February 14, 2011, the Public Relations Department of Hizb-ut Tahrir Bangladesh forwarded written allegations to the human rights organisations that the members of Hizb-ut Tahrir were tortured by law enforcement agencies at the Task Force Interrogation (TFI) Cell. It has been alleged in the statement that after banning the Hizb-ut Tahrir on October 22, 2009, many were arrested, including leaders Professor Mohiuddin Ahmed, Kazi Morshedul Huq and Professor Syed Golam Mawla. They are still detained in jail. On December 22, 2010 and on January 19, 2011, police arrested more Hizb-ut Tahrir members and they were allegedly tortured in various ways at the TFI Cell in 'remand' for extracting information. They were reportedly stripped naked, tied and suspended upside down and also given electric shocks. They were alleged also to have been compressed between slabs of ice for long periods of time.<sup>19</sup>
- 36. It is to be mentioned that many people were allegedly tortured at the TFI Cell during interrogation in the same way under the State of Emergency in 2007 and 2008 and that the trend continues even after the present government assumed power on January 6, 2009.
- 37. Verbal and physical harm and abuse during interrogation in remand is not only a criminal offence but also a serious violation of human rights. Odhikar is alarmed by the fact that despite its 'zero tolerance' policy on torture, the government has not taken any effective step to stop acts amounting to torture by the law enforcement agencies; rather it is encouraging the law enforcers to act with impunity by ignoring such incidents of human rights violations.

<sup>&</sup>lt;sup>16</sup> New Age, 1/6/ 2011, http://newagebd.com/newspaper1/frontpage/20827.html

<sup>&</sup>lt;sup>17</sup> The daily Jugantor, 23/02/2011 at page 20, <u>http://jugantor.us/enews/issue/2011/02/23/news0901.php</u>, the daily Amader Shomoy, 27/2/2011

<sup>&</sup>lt;sup>18</sup> Odhikar documentation

<sup>&</sup>lt;sup>19</sup> Appeal released by the public relations department, Hizb-ut Tahrir Bangladesh , dated 14.02.2011

# HUMAN RIGHTS VIOLATIONS IN BORDER AREAS

## BSF's torture and killing

- 38. Human rights violations by the Indian Border Security Force (BSF) at border areas continued till June 2011. The BSF are killing Bangladeshi nationals either by shooting at them or torturing them. BSF have also killed farmers at work in the fields by intruding into Bangladesh territory. On January 7, 2011, a 15-year old girl, Felani Khatun, was shot and killed by the BSF while she was entering Bangladesh from India, near the number 947 international pillar of the Anantapur border in Phulbari Upazila under Kurigram district. She was left hanging on the fence for 5 hours. Later the BSF brought down Felani's body and handed her over to the BGB 30 hours later.<sup>20</sup>
- 39. BSF Director General Raman Srivastav stated, in a joint press briefing on 12 March, 2011, after a 5-day DG level conference between Border Guard Bangladesh (BGB) and BSF in New Delhi that "non-lethal weapons will be given to the border guards at the sensitive areas of the India-Bangladesh frontiers. This is an experimental decision. If it is successful, it will be implemented along 4096 kilometers of border area between the two countries." He said that BSF did not want to kill any Bangladeshi citizen.<sup>21</sup>
- 40. Despite this assurance, BSF continues to torture and kill at the border. On April 18, 2011, a 17-year-old Rekatul Islam, son of Mansur Ali, was shot dead by the BSF at Gazipur border under Satkhira district.<sup>22</sup> On May 7, 2011 Hafizur Rahman (30), son of Faizur Rahman of Khanpur village of Dinajpur was killed by BSF in between Shundora main pillar of 316 BOP and sub pillar four.<sup>23</sup> Further, it has been alleged that the BSF are now employing a new method of assaulting Bangladeshi's at the border areas by injecting petrol into their veins. On June 16, 2011 BSF arrested Shaheen, Shoriful Islam and Mulfikkar of Dhannokhola upazila, Jessore and beat them with hockey sticks and allegedly injected petrol into their bodies.<sup>24</sup>
- 41. According to information gathered by Odhikar, since January to June 2011, along the India-Bangladesh border, the BSF allegedly killed 17 Bangladeshis, injured 49 Bangladeshis and abducted 05.
- 42. Odhikar is gravely concerned to see that despite the criticism and protests from the human rights organisations from both Bangladesh and India as well as around the world, the Indian policy of violence along the border is still continuing.

## Bangladesh-India joint Land survey suspended amid protests

43. During the joint land survey by Bangladesh and India, near the Tamabil border of Tamabil of Sylhet and Padua; it was found that a portion of land was being handed over to India in the process. Upon receiving news of such occurrence, on June 18 and 20 the inhabitants of

<sup>&</sup>lt;sup>20</sup> Fact finding report of Odhikar, dated 16/01/2011

<sup>&</sup>lt;sup>21</sup> The daily Prothom Alo, 13/03/2011, Page 1, reported by New Delhi correspondent

<sup>&</sup>lt;sup>22</sup> Information collected by the fact-finding officer of Odhikar, April 24, 2011

<sup>&</sup>lt;sup>23</sup> Amar Desh, 08 May, 2011

<sup>&</sup>lt;sup>24</sup> The daily Kaler Kantho, 18/6/2011

that area started protesting. The BSF chased Bangladeshi citizens along the Padua border, entering about 50 yards inside Bangladeshi territory. During this time, Border Guard Bangladesh (BGB) was not seen anywhere in the area. The government was compelled to suspend the survey by the strong protest of Bangladeshis. It is to be mentioned that on 4 and 5 June at the Padua border, from pillar 1270 to 1271-7S from BSF post, about 350 acres of land in total, across 3 locations, was handed over to India.<sup>25</sup>

44. Odhikar's strong opinion is that giving up Bangladeshi land in the name of a joint survey is to belittle the country's sovereignty. Odhikar calls on the government to refrain from such shameless anti-people conduct.

# POLITICAL LENIENCY TO ACCUSED CRIMINALS

#### Criminal cases withdrawn out of 'political consideration'

- 45. The Government is withdrawing cases of murder, rape, robbery, corruption, extortion and for keeping illegal arms, by considering those as 'politically motivated cases' bypassing the Judiciary or any judicial process. The Awami League grand alliance government in two years recommended the withdrawal of about 7032 cases. Among those, under the purview of Penal Code and other sections of the law, 6717 cases and under the purview of Anti Corruption Commission and dissolved Anti Corruption Bureau, 315 cases were recommended for withdrawal. A numbers of cases have already been withdrawn under Penal Code and other sections of the law. Furthermore, some cases have also been withdrawn where the plaintiff and accused were not even involved in politics. In the last two years about 10, 387 cases came for review to the politically motivated case related committee led by State Minister for law Advocate Quamrul Islam. In many cases there was no recommendation from the District Committee. According to the government rule, no case can be proposed for withdrawal to the National Committee without recommendations from the District Committees. However, these cases have been proposed with the influence of Ministers, Parliamentarians and leaders of the ruling party, without recommendations of the District Committees. It is to be noted that between 2001 and 2006, during the tenure of the four party alliance led by BNP, 5888 cases were withdrawn under 'political consideration' and several accused persons had been acquitted from 945 'politically motivated' cases. A total of 73,541 accused persons had been acquitted in this process.<sup>26</sup>
- 46. Odhikar expresses its concern over withdrawing significant cases filed against the ruling party activists in the name of 'political consideration'. Odhikar believes it would be contrary to the rule of law, if the criminal cases are withdrawn randomly under such a

<sup>&</sup>lt;sup>25</sup> June 19, 20 reports from the daily Prothom Alo and the daily Amar Desh

<sup>&</sup>lt;sup>26</sup> The daily Prothom Alo, 11/01/2011, Reported by Rozina Islam, 1<sup>st</sup> page, <u>http://www.prothom-alo.com/detail/date/2011-01-11/news/122536</u> / The daily Amar Desh, 12/01/2011, staff reporter, Back page <u>http://www.amardeshonline.com/pages/details/2011/01/12/62771</u>, the daily Amader Shomoy, 20/6/11

pretext. Such practices will further extend the culture of impunity in Bangladesh and will cause grave injustice to the victims.

#### President's clemency for person accused of murder

- 47. President Zillur Rahman granted mercy to Ahsan Habib Titu, principal accused in the case of the murder of lawyer Abdur Razzaque, who was also former BNP President of Dewanganj Upazila under Jamalpur district. On October 12, 1999, Awami League and Chatra League activists attacked a procession and hacked Abdur Razzaque to death. The prime accused of the murder case, Ahsan Habib Titu, had avoided arrest by going into hiding for 9 years. The Court reduced his punishment to a life-sentence, based on Ahsan Habib Titu's appeal before the Court after Awami League assumed power in 2009. However, his lifetime imprisonment had also been repealed after submitting a mercy petition to the President.<sup>27</sup>
- 48. It is to be noted here that President Zillur Rahman pardoned 20 prisoners who were on death row in the Sabbir Ahmed Gama murder case. The jail authority received the mercy order in this regard on September 6, 2010. On August 24, 2006, 21 accused persons were sentenced to death. The accused persons appealed in the High Court Division, challenging this verdict. But they withdrew the appeal before the completion of the hearing and appealed for mercy to the President, through the Home Ministry on April 15, 2010. On September 2, 2010, the President signed the mercy petition. 14 prisoners have been released from jail following the general amnesty given by the President. Six other prisoners could not be released as they were involved in other cases. It is to be mentioned that Sabbir Ahmed Gama was stabbed and shot dead on February 7, 2004 at Ramsharkazipur Amtali Bazar under Naldanga Upazila in Natore.<sup>28</sup>
- 49. Odhikar observes with deep concern that this kind of clemency will hinder the justice delivery system and people will loose their confidence in the Judiciary if clemency is given without trial. Such practice for convicted prisoners undermines the judicial process and demonstrates injustice to the victims. It is also to be mentioned that Jhintu, a convicted prisoner, who was on death row had been pardoned and brought back from abroad during the BNP regime.<sup>29</sup>

## **RIGHT TO PEACEFUL ASSOCIATION**

50. On January 9, 2011, a discussion meeting at Dhaka University, organised by `Lamppost' to demand the release of garments workers leader Moshrefa Mishu; was stopped by Dhaka University Proctor KM Saiful Islam Khan and Awami League-backed Chhatra League activists. Chhatra League activists alleged that `Lamppost' was a banned organisation on campus and could not hold any meeting there. Ashish Koraya, General Secretary of

<sup>&</sup>lt;sup>27</sup> The daily Prothom Alo, 19/03/2011

<sup>&</sup>lt;sup>28</sup> The daily Prothom Alo/The daily Amar Desh, 07/09/2010

<sup>&</sup>lt;sup>29</sup> The daily Prothom Alo, 19/03/2011

`Lamppost' informed Odhikar that Lamppost is not a banned organisation and when the Proctor was questioned regarding the issue, he failed to provide an answer.<sup>30</sup> Lamppost has been under watch by the security forces since an incident on July 5, 2009 when a `Lamppost' procession in front of the Indian High Commission was organised against the Tipaimukh dam in India and Indian interference in Bangladesh politics.

- 51. On January 22, 2011, Chhatra Gonomoncho (A left wing student's platform) organised an open study circle at the Dhaka University Central Student Union (DUCSU) building to protest against the killing and torturing of Bangladeshi citizens by the Indian BSF. About 50 Awami League-backed Chhatra League activists led by Zahural Huq Hall unit President, Reaz Uddin Shumon, attacked and blocked the programme. At least 15 activists of Chhatra Gonomoncho were injured in this attack.<sup>31</sup>
- 52. On January 26, 2011 a procession organised by Arial Beel Rakkha Committee (Arial Lake Protection Committee) to protest against the construction of an airport at the Arial Lake area, was disrupted by the police. When the activists of the Committee gathered at the Muktangaon area in Dhaka in the evening to participate in a scheduled programme, police took away their banner and imposed a blockade. Later, the Committee went to the National Press Club and tried to make a human chain in front of the club, but the police obstructed that initiative as well. The people who gathered for a human chain took shelter in the Press Club when police chased them. Arial Beel Rakkha Committee alleged that police disrupted the peaceful programmes despite them having been conducted under written permission from the Dhaka City Corporation and Dhaka Metropolitan Police. They also complained that police held back people from attending the procession and three protestors received bullet injuries in the process.<sup>32</sup>
- 53. On April 8, police and Awami League activists attacked a convention arranged by the Shakta Union fraction of the Keraniganj, BNP and its auxiliary bodies, which left 50 BNP activists injured, among whom 10 had bullet wounds.
- 54. On June 12 and 13, a large number of members of the law enforcement agencies were deployed and for the first time mobile courts were put on the streets, with the task of sentencing arrestees on spot who were suspected of being involved in picketing during hartal. On June 12 police arrested 252 persons, including two vice chairman of the main Opposition party BNP, Altaf Hossain Chowdhury and Major (Retd) Hafizuddin Ahmed. The mobile court sentenced 81 persons to varying terms of punishment.<sup>33</sup>
- 55. The present government passed in the Parliament the <u>Mobile Court Bill 2009</u>, in the absence of the main Opposition BNP, enacting an earlier Ordinance allowing and authorising the Metropolitan and District Magistrates to punish offenders on the spot, awarding a maximum sentences of two years for offences under 85 different sections. The <u>Mobile Court Bill 2009</u> was formulated in June 4, 2009 and placed in Parliament on September 13 of the same year. President Zillur Rahman had earlier promulgated an emergency ordinance in July, during a parliamentary recess, to allow mobile courts to continue functioning until the passage of the bill. The President's Ordinance followed an earlier Mobile Court Ordinance 2007 passed

 <sup>&</sup>lt;sup>30</sup> Shomen Chakma, human rights defender of Odhikar, 09/01/2011
<sup>31</sup> The daily Naya Diganta, 23/01/2011,

http://dailynayadiganta.com/2011/01/23/fullnews.asp?News\_ID=257813&sec=2

<sup>&</sup>lt;sup>32</sup> The Daily Ittefaq, 27/01/2011, <u>http://ittefaq.com.bd/content/2011/01/27/news0262.htm</u>

<sup>&</sup>lt;sup>33</sup> Source: June 13, 2011. Ittefaq

under the last caretaker government, which stated that "there was a vacuum in the operation of mobile courts by executive Magistrates, who lost judicial powers, since the separation of the Judiciary from the Executive on Nov 1, 2007. It caused problems in controlling law and order and crime at the field level." The caretaker government's ordinance became ineffective in February 2009 after the new Parliament led by the Awami League convened at the start of the year. <sup>34</sup>

- 56. Convictions of arrestees following summary trials in the mobile courts is unconstitutional and against fundamental rights, first because citizens have the right to assemble and participate in public meetings and processions peacefully (Article 37 of the Constitution of the People's Republic of Bangladesh) and secondly, due process of the law has been conspicuously violated, e.g., the arrestees are deprived of their opportunity to defend themselves or have a lawyer to defend them.
- 57. On June 14, the National Committee for the protection of Oil, Gas, Minerals, Resources, Power and Ports, in protest of the agreement between the government and US company Conoco Phillips for oil and gas exploration and extraction in the Bay of Bengal in keeping with the model PSC, brought out a procession and headed to the Energy Ministry to submit a memorandum. However, police stopped and baton charged on the protesters. About 30 persons were injured including Rehnuma Ahmed, a teacher of Jahangirnagar University.<sup>35</sup>
- 58. On June 27, 2011 police beat up activists of the National Committee for the protection of Oil, Gas, Minerals, Resources, Power and Ports and detained two of them while they tried to bring out procession in Dhaka.<sup>36</sup>
- 59. Odhikar believes that any citizen of the State has the right to form associations or organisations and carry out activities through peaceful means. Article 38 and 39 of the Constitution also guarantees the rights of citizens to organise meetings and peaceful processions without hindrance. Odhikar vehemently condemns engaging the mobile courts to curb political programmes and asks the government to refrain from further resort to such unconstitutional measures.

## THE ANTI-CORRUPTION COMMISSION

## Bill presented in the Parliament, aimed at weakening the Anti Corruption Commission

- 60. On February 28, 2011, a Bill on the Anti Corruption Commission (Amendment) Act 2011 was tabled in Parliament with a provision that the prior permission of the government is to be required in order to file cases against government officials and public representatives.
- 61. Odhikar is concerned that political and administrative corruption will increase further if the Bill is approved by the Parliament.

<sup>&</sup>lt;sup>34</sup> bdnews24. http://www.bdnews24.com/details.php?id=144135&cid=2

<sup>&</sup>lt;sup>35</sup> The daily Amar Desh, 15/6/2011

<sup>&</sup>lt;sup>36</sup> New Age, 28.6.11

## **FREEDOM OF MEDIA**

- 62. On March 19, 2011 a senior reporter of Channel I and the editor and publisher of the local Narayanganj paper- 'The Daily Juger Chinta', Morshalin Babla was allegedly threatened by Nasim Osman, a Parliament Member from the Jatiya Party, elected from Narayanganj-5 constituency and his brother Shamim Osman, former MP and a leader of Awami League. Journalist Morshalin Babla informed Odhikar in writing, that Nasim Osman and Shamim Osman threatened him for publishing reports about their misdeeds in The Daily Juger Chinta.<sup>37</sup>
- 63. On April 29, 2011 assailants attacked and inflicted brutal physical harm on F M Abdur Razzak (45) a former Secretary of the Paikgachha Press Club in Khulna and the editor of the fortnightly Gono Michhil, who is also a volunteer for the Asian Human Rights Commission, and his brother Badiur Rahman (22), a shrimp farmer at Paikgachha, over a land dispute at Godaipur of Paikgachha in Khunla. The victims were admitted to the Paikgachha Health Complex, Khulna Medical College Hospital and Dhaka Medical College Hospital. When their condition deteriorated, they were shifted to the Trauma Centre at Dhaka on April 30, 2011.<sup>38</sup>According to Razzak some 30 people led by Moklesur Rahman Kajal, brother of one major Mustafizur Rahman of the Bogra Cantonment, had attacked them near the Paikgachha bus stand at about 10.00 pm on April 29. On May 06 the wife of Abdur Razzak, Rahima Akter, as plaintiff filed a case with Paikgacha police station accusing 38 persons. The case filed was number- 8-6/5/11. Police arrested the accused Abdur Rouf Sarder, Afsar Sarder, Zillah Sarder and Nurul Islam Chana. Presently all accused are out on bail except Nurul Islam Chana.<sup>39</sup>
- 64. On June 3, 2011 at Shilaidaho Kuthibari under Kumarkhali union of Kushtia, a group of criminals attacked and injured Tauhidi Hasan, the local correspondent of Prothom Alo, Sheikh Belal Hossain, the local correspondent of RTV, Jahirul Islam, the local correspondent of Ekushey TV and Ahmed Sajeeb, the cameraman from Ekushey TV. Severely injured Prothom Alo Kushtia correspondent Tauhidi Hasan was admitted to hospital. The journalists alleged that the Education and Cultural Secretary of the Kushtia Municipalty Awami League, Ali Hossain and people loyal to him, attacked the journalists because they had begun to investigate the irregularities and discrepancies in four projects including one for the maintenance work at Rabindranath Tagore's 'Kuthi Bari' residence.<sup>40</sup>
- 65. Between January June 2011, 71 journalists were injured, 34 received threats, 19 journalists assaulted and 04 journalists attacked.

<sup>&</sup>lt;sup>37</sup> Written statement by senior reporter of Channel I and the Editor and Publisher of 'The Daily Juger Chinta', Morshalin Babla, dated 21/03/2011

<sup>&</sup>lt;sup>38</sup> Urgent appeal from the Asian Human Rights Commission, April 30, 2011, <u>http://www.humanrights.asia/news/urgent-appeals/AHRC-UAU-013-2011</u>

<sup>&</sup>lt;sup>39</sup> June 20, 2011, information from Abdur Razzak

<sup>&</sup>lt;sup>40</sup> Report from Human Right local defender of Odhikar at Kushtia

# ATTACKS ON RELIGIOUS MINORITY COMMUNITIES AND JOURNALISTS

66. On April 5, 2011, supporters of local Awami League parliamentarian Zahid Malek Swapon attacked a Hindu temple and ransacked the houses of the local Hindu community at Ukiara Bazar under Manikganj district. The attackers ransacked the *Durga* temple and allegedly set fire to four houses and a shop belonging to members of the Hindu. Hearing this, Manikganj representative of a private TV channel, Bangla Vision, and the daily Shomokal, Biplob Chokroborty; and private channel ATN Bangla representative Abul Kalam Azad rushed to the spot. Awami League activists attacked and wounded them allegedly under the instructions of Manikganj District Awami League Religious Affairs Secretary Israfil Hossain. The attackers also took away their cell phones and cameras.<sup>41</sup>

# THE GOVERNMENT, ODHIKAR AND HUMAN RIGHTS DEFENDERS

#### Government's unwillingness to approve project of Odhikar

- 67. Odhikar has become the victim of numerous acts of harassment by the government agencies. The NGO Affairs Bureau under the Prime Minister's Office, has kept pending its approval and fund clearance of Odhikar's project for 6 months when this process should not take more than 45 days; and human rights defenders of Odhikar are under the surveillance of the intelligence agencies.
- 68. According to its Rules of Business, the NGO Affairs Bureau has to issue a decision on a proposed project within 45 days after the reception of all relevant information. Odhikar sent a letter to the NGO Affairs Bureau (NGOAB) on December 28, 2010 for the project titled 'Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh' (funded by the European Union). Odhikar has already clarified a number of queries made the NGOAB. The Bureau, till date, has not given approval to the project. Previously, through a letter dated February 11, 2010, the NGO Affairs Bureau had refused to grant extension of one of Odhikar's projects titled 'Human Rights Defenders training and Advocacy Programme in Bangladesh'.

#### HRDs are victims of harassment

- 69. Human rights defenders of Odhikar are under the scrutiny of the national security agencies and they have also been facing instances of harassment. Odhikar is committed to protect and promote human rights. Odhikar demands a clear explanation from the government as to why it has been subject to such harassment from government agencies.
- 70. On May 21, a representative of the Asian Human Rights Commission, William Gomez, was allegedly picked up by plain-clothed RAB from Sayedabad bus stand. A report <sup>42</sup> from the Asian Human Rights Commission informed that he was taken to a place, which his abductors referred to as 'Headquarters' and their conduct and dialogue connoted that the

<sup>&</sup>lt;sup>41</sup> The daily Amar Desh, April 6, 2011, <u>http://www.amardeshonline.com/pages/details/2011/04/06/75633</u>

<sup>&</sup>lt;sup>42</sup> Email from Asian Human Rights Commission – Bangladesh : Midnight Interrogations, 14/6/2011

place was the RAB Headquarters. There, he was stripped naked, his hands and legs cuffed, and he was made to remain in a difficult crouching position while they virulently abused him and threatened to inflict severe physical torture on him. They interrogated him about his activities.

## WORKER'S RIGHTS

#### Worker shot dead by police in Narayanganj

71. One worker was killed and over 50 workers had been injured in a clash which broke out between the workers in agitation for their 6-point demand at the ACI Pharmaceuticals Company, and the police in Siddirganj under Narayanganj District. On January 21 and 22, 2011, workers stopped their work and demanded an increase in wages and permanent jobs<sup>43</sup> and protested against the termination of a worker named Gopal. The workers, on January 23, 2011, stopped their work as no result came out of the meeting between workers and the authority. An argument occurred between the workers and Ishtiaque Ahmed, General Manager of the company. At one stage workers became annoyed and a clash commenced when the General Manager asked police to intervene. A worker named Enamul Huq (25) died in the police firing and at least 50 workers were injured by rubber bullets at the time.<sup>44</sup>

#### Cases filed against Trade union leaders

72. On May 1, 2011, three cases were filed against a few trade union leaders including Dr. Faizul Hakim Lala, President of the Bangladesh Trade Union Federation and Editor of fortnightly Jonojug; Khalilur Rahman, President of Central Committee of Bangladesh Trade Union; Rajekuzzaman Ratan, General Secretary of Somajtantrik Sramik Front; and Aslam Khan, Member, Central Committee of Bangladesh Trade Union Centre and the Secretary of the Dhaka city unit. The cases were filed with Tejgaon Police Station under sections 143/448/427/380/323/506 of the Penal Code, Paltan Police Station under sections 143/147/323/380/506 of the Penal Code, and Motijheel Police Station under sections 143/448/332/380/427/506 of the Penal Code. It is to be mentioned that hotel workers organised a meeting at the Central Shahid Minar on April 27, 2011 demanding the implementation of the Minimum Wages and Labour Act, 2006 proclaimed by the government in 2009. The said leaders at the meeting expressed solidarity with the protesting hotel workers. This was the reason that the cases had been filed against them.<sup>45</sup>

#### **Readymade Garments sector**

- 73. Due to unpaid wages, or demands for an increase in wages most of the violence and clashes took place in the readymade garments sector.
- 74. From January-June 2011, 02 workers died, 562 were injured and 04 were arrested.

<sup>&</sup>lt;sup>43</sup> There are about 750 temporary workers at ACI Pharmaceuticals Company, according to this report

<sup>&</sup>lt;sup>44</sup> The daily Jugantor, 24/01/2011, <u>http://jugantor.us/enews/issue/2011/01/24/index.php</u> and The Daily Ittefaq, 24/01/2011, <u>http://ittefaq.com.bd/content/2011/01/24/news0061.htm</u>

<sup>&</sup>lt;sup>45</sup> Statement of the Minimum Wages and Labour Act Implementation Council, 2 May 2011

# PEOPLE STRUGGLING FOR SELF-DETERMINATION HANDED OVER TO THE INDIAN AUTHORITIES

- 75. Members of the Border Guard Bangladesh (BGB) handed over three leaders of the United Liberation Front of Asom (ULFA), Captain Antu Chaudanga, Second Lieutenant Prodeep Chetia and Corporal Shourav, to the Indian authority. On February 5, 2011, the Indo-Asian News Service reported that the ULFA leaders were handed over to the Indian Border Security Forces (BSF) through Dauki border near the Meghalaya state of India after detaining them for a long time in Bangladesh.<sup>46</sup>
- 76. Odhikar expresses concern over the stance taken by the Government of Bangladesh regarding the struggle for self-determination of oppressed people.

# VIOLENCE IN THE CHITTAGONG HILL TRACTS

- 77. On February 17, 2011 some people belonging to the ethnic minority community were injured when local Bengali settlers attacked them at Rangipara and Gulskhali village under Longudu Police Station in Rangamati. The attackers allegedly set fire to the houses of some members of the ethnic minority community. It was learnt that a local Bengali wood-cutter, Saber Ali, went missing on February 15, 2011 when he went to the jungle to collect wood. His body was found at Rangipara on February 16, 2011. In protest of this incident, local Bengali settlers brought out a procession and attacked the ethnic minority community people. People of the ethnic minority communities alleged that the Border Guard Bangladesh (BGB) members were present when Bengali settlers attacked them.<sup>47</sup>
- 78. On April 17, 2011, a clash broke out between the people belonging to ethnic minority communities and Bengali settlers, over a land related dispute at Guimara area under Ramgarh Upazila in Khagrachhori in the Chittagong Hill Tracts. Three Benagli settlers-Ayub Ali, Mohammad Noab Ali and Sunil Chandra Sarkar died and 10 people were injured during the violence. It was learnt that Abdul Kashem of Boro Pilak area along with 8/9 labourers went to excavate soil from a disputed hillock at Shonkholapara. At that time, some members of the ethnic minority community attacked them. Soon after this, news spread around the area and some local Bengalis conducted a counter-attack on the local ethnic minority people. It was alleged that the attackers set fire to 30 houses belonging to the ethnic minority people at Shonkholapara and Reo Murangpara areas and incidents of looting also occurred at the time.<sup>48</sup>
- 79. Odhikar observes that conflicts erupt in the Chittagong Hill Tracks due to the State's discrimination and lack of political will to settle the land related to these disputes. It is the responsibility of the State to protect the fundamental rights of all the people along with protecting their land rights and all that rightfully belongs to them. Odhikar expresses

<sup>&</sup>lt;sup>46</sup> The daily Amar Desh, 06/02/2011, Page 2, Shirsho News, <u>http://amardeshonline.com/pages/details/2011/02/06/66929</u> /The daily New Age, 06/02/2011, Page 2, UNB, <u>http://newagebd.com/newspaper1/national/7758.html</u>

<sup>&</sup>lt;sup>47</sup> Report from Somen Chakma, Odhikar's human rights defenders, 18/02/2011

<sup>&</sup>lt;sup>48</sup> The daily Prothom Alo, April 19, 2011, <u>http://www.prothom-alo.com/detail/date/2011-04-</u> /the Daily Ittefaq, April 19, 2011, <u>http://new.ittefaq.com.bd/news/view/8712/2011-04-18/1</u>

concern over the conflicts in the CHT area and the incidents of bloodshed, arson and looting between Bengalis and the people belonging to ethnic minority communities. Odhikar demands that the government form a judicial probe committee to investigate all these incidents impartially.

80. Odhikar also urges the government to take immediate action in order to ensure human rights and peace for the Bengali and ethnic minority communities in the CHT, failing which, the situation might become unstable.

## **TRIAL OF THE BDR MUTINY**

- 81. Judgments of the BDR mutiny trials have been given for the 15 Rifles Battalion in Naikkhangchari Bandorban on January 4, 2011; for 29 Rifles Battalion in Khagrachari on January 13, 2011; for 40 Rifles Battalion in Dinajpur, Fulbari on January 16, 2011; for 43 Rifles Battalion in Naoga on January 24, 2011; for Sylhet BDR on January 31,2011; for 9 and 18 Rifles Battalions in Rangamati on February 5, 2011; for 46 Rifles Battalion in Naoga on February 20, 2011; for 42 Rifles Battalion in Teknaf on February 23, 2011; for 17 Rifles Battalion in Cox's Bazaar on February 24, 2011; for 27 Rifles Battalion in Kurigraam on February 28, 2011; in Rangpur on February 28, 2011; for 41 Rifles Battalion in Shatkhira on March 3, 2011; for 6 Rifles Battalion in Jamalpur on March 16, 2011; for 16 Rifles Battalion in Netrokona on March 16, 2011; for 45 Rifles Battalion in Mymensingh on March 16, 2011; for 30 Rifles Battalion in Khagrachari on March 24, 2011; for 14 Rifles Battalion in Moulovi bazaar on March 30, 2011; for 23 Rifles Battalion in Khulna on April 2, 2011; for BDR's sector headquarters and coastal assistance company in Khulna on April 26, 2011; for 24 Rifles Battalion in Jessore on April 27, 2011; for 'Sector Headquarter-Dhaka' unit on May 11, 2011 and for Rifle Security Unit on June 6, 2011 and for 24 Rifles Battalion on June 27, 2011. Through these trials 1857 former BDR Jawans were convicted and sentenced to different periods of imprisonment and varying amounts of fine. 45 BDR Jawans were acquitted.
- 82. Jailed former BDR Jawans who are accused of being mutineers for their alleged participation in the 2009 BDR mutiny and their lawyers have complained that the BDR Jawans are being deprived of their right to medical care in the prisons. The accused have presented complaints to both the Special Tribunals arranged for the BDR trials and the Criminal courts stating that the prison authorities have not provided them with medical care and have, instead, instructed them to contact the BGB to access these facilities. The appointed lawyer of one particular accused has said that he had, according to the Courts Orders, submitted an application regarding the issue but the jail authority is yet to take any action in response.
- 83. Odhikar demands that the government take measures to ensure transparency and accountability with regard to the BDR mutiny trials. Alongside this Odhikar also demands that ample opportunity should be provided for the complainants to be cross examined by the defense / defense counsel for all fairness of the BDR trials.

# WIDESPREAD VIOLENCE AGAINST WOMEN

Women's human rights in Bangladesh are continually being infringed. A significant number of women have been the victims of rape, dowry related violence, acid violence, domestic violence and sexual harassment in last six months.

### Dhaka University Professor subject to vicious domestic violence

84. On June 05, 2011, a teacher of International Relations at Dhaka University- Rumana Manzur, had been subjected to inhuman abuse from her husband Hassan Syed. The abuse inflicted has caused her to permanently lose her eye- sight and left severe injuries on various parts of her body including her nose, mouth, head and limbs.<sup>49</sup>

## Sexual harassment and stalking:

85. During the period of January – June 2011, according to information gathered by Odhikar, a total of 345 girls and women were victims of sexual harassment. Among the 345 females, 17 committed suicide, one was killed, 35 injured, 59 assaulted, 08 abducted and 09 were the victims of attempted rape. In protest against such acts of sexual harassment against women, 07 men were killed and 98 men were injured. During this time 23 women were injured and one was assaulted by stalkers as they protested against such sexual harassment.

#### Rape

- 86. On June 2, 2011, teenager, Josna resident of Tongi in Gazipur, was gang raped by her landlord Kajumuddin's son Moinuddin and his associates outside her home. After they raped her they doused her body with kerosene and set her on fire. Josna was admitted to Dhaka Medical College Hospital in a critical condition. On June 5, 2011, Josna died while under care at the burn unit of the same hospital. Police have failed to arrest any of the perpetrators to date.<sup>50</sup>
- 87. During the period of January June 2011, a total of 297 women and girls were reportedly raped. Among them, 103 were women and 191 were girls and 03 females, whose age could not be ascertained. Of the adults, 35 were killed after being raped and 57 were victims of gang rape. Out of the 191 child victims, 19 children were killed after being raped and 50 were victims of gang rape. Furthermore, 04 woman and 07 children allegedly committed suicide after being raped. During this time one child and one adult female were raped by an Ansar and Army personnel respectively.

## Dowry-related violence

88. During the last six months, a total of 205 women were subjected to dowry related violence. Of these women, it has been alleged that 137 women were killed because of dowry, 57 were ill-treated in various other ways for dowry demands and 11 women committed suicide. During this period, 07 children were victimised in dowry related violence along with their mothers. Among them 02 were burnt with hot milk and palm syrup, an attempt had been made to bury one alive, one girl child was killed, one was injured by their father and a

<sup>&</sup>lt;sup>49</sup> The daily Manobzamin June 12, 2011

<sup>&</sup>lt;sup>50</sup> The daily Manobzamin June 14, 2011

mother committed suicide with her son, one 10-month old boy was thrown into a well and killed by his father.

## Acid violence

89. According to information gathered by Odhikar during the period of January – June 2011, it was reported that 55 persons became the victims of acid violence. Of these affected persons, 30 were women and 16 were men, 05 were boys and 04 were girls.

Statistics: January 01 - June 30, 2011*								
Type of Human Rights Violation		January	February	March	April	May	June	Total
Extra- judicial killings	Crossfire	7	15	5	3	2	5	37
	Tortured to death	0	1	3	2	4	0	10
	Beaten to death	0	1	0	0	0	0	1
	Shot	0	0	0	0	1	0	1
	Total	7	17	8	5	7	5	49
Human rights violations by Indian BSF	Bangladeshi Killed	4	1	0	5	4	3	17
	Bangladeshi Injured	3	6	21	12	1	6	49
Death in Jail		4	10	12	7	15	13	61
Attack on journalists	Injured	8	8	4	9	6	36	71
	Threatened	4	6	10	0	14	0	34
	Assaulted	4	1	5	3	1	5	19
Political violence	Killed	14	10	6	8	14	13	65
	Injured	664	1015	848	1229	630	1127	5513
Acid violence		6	7	17	7	14	4	55
Dowry related violence		24	36	46	30	47	30	213
Rape		31	52	56	60	55	43	297
Sexual harassment /Stalking against women		54	88	72	57	46	28	345
Public lynching		8	18	12	18	11	8	75

\* Odhikar's Documentation

## RECOMMENDATIONS

- 1. Political and election related violence must be stopped. While the political culture of confrontation and violence prevails among all the competing major political parties, there is ample scope for the Government to improve the situation. The Government must take effective measures to stop such violence by initiating effective dialogue between the political parties for the sake of strengthening the democratic culture. Those who are involved in political violence should be brought to book regardless of affiliation with any party. During hartal or political activities, the Government must stop using the mobile court.
- 2. Extra-judicial killings, torture and disappearance must be stopped. The Government must bring all involved in extra-judicial killings before justice through proper and independent investigations by an independent investigation committee, and must keep its promise of 'Zero Tolerence' to torture.
- 3. The Bangladesh Government should take effective measures to stop illegal trespass and killings by the BSF and also ensure the security of its citizens residing at the border areas. The Bangladesh Government should investigate the incidents of all killings and torture of Bangladeshi citizens by the BSF and strongly demand from the Indian Government adequate compensation for the families of the victims and trial and punishment for the perpetrators. Odhikar also believes that the issue must also be discussed at the regional and international level.
- 4. The issues related to human rights violations and aggression at the Bangladesh border by the Indian BSF should be incorporated in the agenda of discussion between India and Bangladesh. Illegal intrusions into an independent and sovereign State and the shooting of its citizens are serious violations of human rights and international laws.
- 5. In the name of joint survey, the Bangladesh Government must refrain from anti people activities by giving away the Bangladeshi land to India. The acts only question the sovereignty of Bangladesh.
- 6. The clemency of the President and criminal cases being withdrawn out of political consideration undermines rule of law and the right of the victims for justice; such clemency will seriously hinder the justice delivery system and people will lose their confidence in the Judiciary. The Judiciary must be strengthened to bring back people's confidence in it.
- 7. In order to strengthen and make independent the Anti Corruption Commission, the Bill which was placed in the Parliament on February 28, 2011, must be withdrawn.
- 8. Torture in remand must be stopped and the 2003 directives of High Court must be followed.
- 9. Wages of the readymade garment workers must be paid on time. The government should monitor the implementation of the tripartite agreement so that the owners of the garment factories regularly pay wages to the workers. The cases filed against the trade union leaders should immediately be withdrawn and the Minimum Wages and Labour Act, 2006 proclaimed by the government must be implemented properly.
- 10. Scope must be given to the accused BDR jawans to present statements through their lawyers. Full investigation reports prepared by the Government regarding the BDR massacre must be made public.

- 11. The Mobile Court Bill 2009 must be reviewed immediately and elements in it that violate constitutional and democratic rights must be repealed. The Government should refrain from shrinking the space for the practice of democracy and abstain from the repression of opponent political activists. It is both the Government and the opposition that represent a healthy democracy.
- 12. The Government must take appropriate measures to stop violence against women and the offenders must be brought under the purview of the law to ensure that justice is served. The relevant authorities need to be proactive in providing adequate legal support to the victims. 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.
- 13. The Government should approve projects of Odhikar and refrain from harassment of human rights defenders. Human rights organisations, such as Odhikar, are watch dogs on the state of the country and its people. Reports from the organisation can be utilised by the Government to improve the situation of the people who elected it.

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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.