



ASIAN FEDERATION AGAINST INVOLUNTARY DISAPPEARANCES

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Open Letter to the UN Special Rapporteur on the Situation of Human Rights Defenders

**H.E. Mrs. Margaret Sekaggya
UN Special Rapporteur on the Situation of Human Rights Defenders,
c/o Office of the High Commissioner for Human Rights – Palais Wilson
United Nations Office at Geneva
CH 1211 Geneva 10
Switzerland**

Dear Mrs. Sekaggya,

Warm greetings!

As we know, the full respect of human rights is an integral part of a working democracy where human rights defenders play a very important role in making human rights a reality in the ground.

May we put to your kind attention that we are extremely disturbed by the fact that many Asian governments today still fail to perform their duties to guarantee respect and protection of the fundamental freedom and liberties of their own citizens. What is even worse is that they are the ones who infringe on these rights.

The Asian Federation Against Involuntary Disappearances (AFAD), a regional federation of human rights organizations of advocates and families of the disappeared in Asia working directly on the issue of enforced disappearance, is deeply concerned with the bleak situation of human rights defenders (HRDs) in Asia, whose difficult work for human rights protection in their respective countries is putting their lives at a constant risk.

The attacks against human rights defenders have become increasingly alarming particularly in Bangladesh during the first two quarters of this year. Our newest member-organization, the *Odhikar* of Bangladesh have recently informed us

about the cases of direct assault, arbitrary detention, forced disappearance and harassment against Bangladeshi human rights defenders including themselves.

On Direct Assault

The first was the case of Mr. FMA Razzak, a human rights worker, who was severely assaulted in Paikgachha on 29 April 2011. Mr Razzak, and his brother Badiar Rahman were attacked by a group of people at the bus station in Paikgachha. After having been ganged up, Mr Razzak and his brother were brought to a house of a certain Major Mostafijur Rahman Bokul of the Bangladeshi Army where they were continuously beaten up. If not for the timely intervention of the media, they would have been killed or made to disappear. When the police arrived at the house of Major Bokul several hours later, they were brought to several hospitals before they were given proper medical treatment. Mr. Razzak was discharged from the hospital only on 23 May 2011 and is still recuperating from injuries. Please find report at <http://www.humanrights.asia/campaigns/attack-on-fma-razzak>.

The same story of a terrifying ordeal was the disappearance of a young human rights activist, Dipal Barua on 24 May 2011. Mr. Barua had been working for the last few weeks on the case of Mr. FMA Razzak.

On Enforced Disappearance and Arbitrary Detention

Mr. Barua was returning from a friend's house at Sayeedabad in the city of Dhaka on 24 May 2011 when he was called by a man wearing black sunglasses and asked him for a direction. The person requested Mr. Barua to go and show him the place which he politely followed. As they walked towards the place, a passing black jeep stopped and the person whom he was accompanying told him to get in. He was then forcibly dragged inside the vehicle. Immediately after taking Dipal inside the car, the men took his mobile phone away and blindfolded him. His head was covered with a black hood and his hands were handcuffed. After an hour, he dropped in an unknown place where his abductors took off the handcuffs and told him to remove his clothes. He was then put inside a cold room and stripped naked. After several hours, he was transferred to another room where he was asked about his relation with Razzak and his connection with the Asian Human Rights Centre. When he told them that he was just assisting Razzak and did not know anyone from AHRC, he was told to sever all connections with all persons associated with the AHRC and not visit any of them. When he pleaded to spare his life and he would do what they say, they took him back to the same place from where they had picked him up on the previous day. His disappearance case was documented and reported by the Asian Human Rights Centre. (Please find the report at <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-066-2011>)

Another dimension of the total disregard of the Bangladeshi authorities for due process was the continuing harassment against *Odhikar*. *Odhikar* is under the

scrutiny of the national security agencies and they have also been facing numerous acts of harassment.

Continuing Harassment

In July 2011, *Odhikar* reported that it had been under surveillance since December 2010. Its movement and activities are being monitored. Our Federation issued a statement condemning these acts of harassment against *Odhikar* and such statement was transmitted to the Bangladeshi government. (Please find copy of our statement at <http://afadsecretariat.wordpress.com/2011/04/>) But until now we did not receive any response from the government.

Just recently, *Odhikar's* education project entitled, "*Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh*" was cancelled by the NGO Affairs Bureau for reasons that the purpose of the program was objectionable. This happened despite the fact that the review period of 45 days already lapsed. In Bangladesh, it is mandatory for all NGOs to gain permission from the NGO Affairs Bureau to use foreign funds. The NGO Affairs Bureau, in charge of project approval and funding clearance, works under the auspices of the office of the Minister of Interior. It has established a 45-day review period during which, all proposals submitted for review are either approved or rejected. Please see report at <http://www.frontlinedefenders.org/node/2155>

Odhikar's education project only aims to campaign against torture by creating awareness about the Convention Against Torture (CAT) and lobbying for the ratification of the Optional Protocol to CAT. The project, which is designed to run for two years, includes activities such as carrying out fact-finding missions, lobbying members of parliament, organizing meetings with human rights defenders at grassroots level and documenting human rights violations.

The cancellation of *Odhikar's* human rights project by the NGO Affairs Bureau is nothing but a desperate attempt to hinder it from conducting human rights activities. The Bangladeshi government should not use legal procedures to prohibit human rights organizations from carrying out their legitimate work in defense of human rights.

Since the UN Commission on Human Rights unanimously adopted Resolution 2000/61 which provides the Special Representative on Human Rights Defenders with the fundamental duty to monitor the progress of States in fulfilling their obligations deriving from UN *Declaration on Human Rights Defenders*, we are humbly requesting your strong intervention:


1. By reminding the Bangladeshi government of its obligations under international law and, in particular, under the *UN Declaration on Human Rights Defenders*;
2. By transmitting these general allegations to the government, requesting them to comment thereon;
3. By signing and ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and
3. By stressing that a country visit would provide your good office with first-hand account of the situation of human rights defenders in the country.

We thank you very much in advance for your attention and corresponding action.

Sincerely yours,



MUGIYANTO
Chairperson



MARY AILEEN BACALSO
Secretary-General