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Human Rights Monitoring Report

April 1-30, 2013

Political violence continues
Meetings and assemblies barred
Imposition of Section 144 of the Code of Criminal Procedure
Allegations of enforced disappearance after making arrests by law enforcement agencies
Many workers and others die due to building collapse in Savar
Extrajudicial killings continue
Torture in custody
Arrest and torture of the Acting Editor of the daily Amar Desh; government shuts down the newspaper
Freedom of the media
Human Rights situation of the religious minority communities
Human rights violations along the border by BSF
Violence against women
Public lynching continues
Government bars fund clearance of Odhikar's 'Human Rights Research and Advocacy' programme

Odhikar believes that 'democracy' is a form of the State and not merely a process of electing a ruler. Democracy is the product of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the State and to define collective aspirations and responsibilities. Therefore, the individual freedoms and democratic aspirations of the citizens - and consequently, peoples' collective rights and responsibilities - must be the foundational principles of the State. The States failure to recognise this at the founding moment is a continuing curse that people are

forced to carry. A State cannot be 'democratic' if the people do not realise and participate as 'citizens' in all sectors of the functioning of the state. The democratic legitimacy of the State is directly related to its commitment and capacity to ensure human rights, such as rights to life and livelihood, rights to environment and health; and the dignity and integrity of citizens. If all this is not ensured by the State, it cannot be called a 'democratic' state. These civil and political rights, as the foundational principles of the State, must remain inviolable; and accordingly, the Parliament, Judiciary and Executive cannot and should not have any power to abrogate them through any legislation, judicial verdict or executive order. The people's inviolable rights are the foundational principles of the State.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure these civil and political rights. Odhikar stands against all forms of human rights violations and accordingly participates and remains directly involved in the human rights movement in Bangladesh. Odhikar brings to the movement the strategic perspective that in its demand for civil, political, economic, social and cultural rights, the human rights movement not only endeavours to protect the victims, but also, in countries like Bangladesh, is constitutive of a democratic state. The movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic, political community.

As part of its mission, Odhikar monitors the human rights situation of Bangladesh to report violations and defend the victims. In line with this campaign, an account of the human rights situation of Bangladesh, in April 2013, is presented here.

Political violence continues

1. According to information gathered by Odhikar, in April 2013, 25 persons were killed and 1450 injured in political violence. 28 incidents of internal violence in the Awami League and six in the BNP¹ were recorded during this period. In addition to this, five persons were killed and 240 were injured in internal conflicts of the Awami League while one person was killed and 38 were injured in BNP internal conflicts. Some instances are as follows:

¹ BNP: Bangladesh Nationalist Party. The main Opposition party.

2. Two wings of the ruling party Awami League, namely Chhatra League and Jubo League², have been involved in regular clashes ever since the government came to power. The clashes mostly take place over economic or financial interests. Moreover, death rates were significantly raised in clashes with Jamat-e-Islami and its student wing, Islami Chhatra Shibir as well. Considering the present political situation, Hefazate Islam's long march towards Dhaka has also led to violence at some places with supporters of the ruling party which resulted in a number of deaths.
3. On April 8, 2013 two factions of Jubo League got into a fight over submissions of tender bids in Nagerbazar under Bagerhat district; where a Jubo League activist named Kalu Sheikh (32) was shot dead. A child named Shaikat was also wounded due to the shooting.³
4. On April 6, 2013, leaders and activists of Hefazate Islam were marching towards Dhaka from Nagar Kanda upazila under Faridpur district when Awami League supporters threw bricks at them when they reached the Bhanga municipal area; and both groups got into a clash on the Khulna-Dhaka Highway. Awami League leader Nousher Ali was killed and about 50 people, including 7 policemen and the district correspondent of private TV channel, GTV, Monir Hossain were injured.⁴
5. On April 5, 2013 Awami League activists clashed with Hefazate Islam and police at Kamrangirchor in Dhaka where an Awami League activist named Shahidul Islam (35) was killed and at least 10 others were injured.⁵
6. On April 2, 2013 a clash took place between two factions of Chhatra League led by the district Chhatra League President Sheikh Rejaul Islam and its Vice-President Ruhul Amin on the Khulna-Dhaka Highway near the BRAC office at Parnanduwali of Magura District. The reasons behind the clash were collection of extortion money and the establishment of supremacy in the area. Azad Sheikh, a Chhatra League activist was shot dead while at least 10 were injured.⁶
7. In the month of April 2013, according to Odhikar's information, a total of 36 hartals were called. Among them 34 were called by BNP and their alliance

² The student and youth wing of the Awami League.

³ The daily Amader Shomoy, 10/04/2013

⁴ The daily Prothom Alo, 07/04/2013

⁵ The daily Ittefaq, 06/04/2013

⁶ The Prothom Alo, 03/04/2013

Jamat-e-Islami, one was called by Hefazate Islam and one was called by the Ghatok Dalal Nirmul Committee along with 25 other civil society organisations. Of them, nine were observed as nationwide hartals and 27 were observed in specific areas.

8. Police and the activists in support of the hartal got into violent altercations during the hartals in various places across the country. Buses and other vehicles were vandalised and set on fire the day before and during hartal hours. Both the ruling party and the Opposition blamed each other for these acts of violence.
9. In the hartal called by Islami Chatra Shibir on April 11, 2013, a public transport driver named Monsur Ali Gazi (40) was shot dead in police firing while Jamat-Shibir activists were involved in 'picketing' in the Chedhuriya village of Dumuria Upazila under Khulna district.⁷
10. On April 9, 2013 a truck driver named Shahidul Islam Khokon (42) was killed in an attack by the hartal supporters in the Dhaka-Rangpur highway in Bogra during the 36-hour hartal called by the BNP-led 18-party alliance.⁸
11. Odhikar believes that state repression and political violence have taken an alarming turn. If it is not controlled immediately, the country's unrest will amplify and the administration will collapse. Ruling party-backed Chhatro League and Jubo League activists have been attacking opposition activists during hartal hours along with the police since 2012. An innocent Hindu youth, Bishwajit, has been killed in such an incident. In many districts, the local administration has lapsed into inefficiency and society is divided. In order to overcome this division, the media and civil society have to come out of their bias and be united immediately to protect human rights. The State should not instigate or encourage confrontational politics or the use of violence by its law enforcers. Rather the State should take effective measures to ensure human rights and democratic practice. Odhikar is also anxious about the absence of an environment for dialogue among the political parties to resolve the political crisis.

⁷ A report sent by Odhikar's human rights defender, Nuruzzaman from Khulna

⁸ The Daily Ittefaq, 10/04/2013

Meetings and assemblies barred

12. On April 20, 2013, online activists and some young journalists showed their support for Mahmudur Rahman, acting editor of daily Amar Desh, near the national press club. Some Pro-government party youths started beating them till they left. One of the protestors was a female journalist who was also physically assaulted.⁹
13. Odhikar condemns the incident. Article 37 of the Constitution of the People's Republic of Bangladesh states the right of assembly and holding of peaceful meetings are a democratic right of every citizen.

Imposition of Section 144 of the Code of Criminal Procedure, 1898¹⁰

14. According to Odhikar's inquiry, Section 144 of the CrPC was used two times in the month of April in order to stop various meetings/assemblies.
15. Odhikar believes such stoppage is a misuse of the law against democratic rights. Article 37 of the Constitution states that holding peaceful movements, meetings or assemblies are fundamental rights and therefore stopping these would hamper democracy.

Allegations of enforced disappearance by law enforcement agency

16. According to Odhikar's documentation, in April 2013, eight persons were allegedly disappeared by men claiming to be members of law enforcement agencies.
17. On April 4, 2013 at around 9:00 pm, Mofizul Islam Rashed (34), son of Shahidullah and senior vice-president of Chhatra Dal¹¹ from ward number 10 under Darus Salam Police Station was taken away allegedly by plain-clothed men claiming to be members of the law enforcement agency and later he

⁹ The daily Ittefaq, 21/04/2013

¹⁰ Section 144 of the Code of Criminal Procedure, 1898 states about power to issue order absolute at once in urgent cases of nuisance or apprehended danger.

¹¹ Student wing of BNP

disappeared. It was unearthed during fact finding that Mofizul went for a cup of tea in front of Diamond Sweater Industries Limited within the jurisdiction of Darus Salam Police Station. At that time a group of three or four men in plain clothes introduced themselves as members of the law enforcement agencies and abducted him by putting him into a grey coloured microbus. The whereabouts of Mofizul Islam Rashed remain unknown since then. His family went to the police station and to the DB office several times, but the agencies always denied arresting him.¹²

18. On April 4, 2013, the Rajshahi team of Rapid Action Battalion-5 detained the Rajshahi Chhatra Shibir office secretary Anwarul Islam Masum from the Notun Bilshimola Bondho Gate area of the 11th ward of Rajpara Police Station. He was picked up from his maternal uncle's house. Members of his family complained that they were kept in a room while the RAB members took Anwarul Islam Masum into another room alone and physically assaulted him. When he was not taken in front of the Court in 24 hours' time, family members rushed to RAB's local office and RAB's Railway Colony camp but they denied having any information with regard to the arrest.¹³

19. On April 11, 2013 at 12:15 am, men dressed as members of the law enforcement agency picked up the Secretary of Jamat-e-Islami of Joypurhat district and the teacher of Joypurhat's Talimul School and College, Mr. Nazrul Islam. He was abducted from his own residence at Shahebpara on Thana Road. His wife Salma Sultana informed Odhikar that a group of 20-25 men broke into the house. At first they broke the lock of a collapsible gate downstairs and went up to their bedroom. They said they were from law enforcement agencies and ordered them to open the door. Members of the family told them to come back the next day. The men were about to break down the door when Nazrul Islam opened it. He was then forcibly taken away in a brown colored microbus. Later when family members went to search for him at the police station, the Detective Branch and also the Rapid Action Battalion office, they all denied detaining him and keeping him in custody. Nazrul's wife told Odhikar that the reason behind her husband's enforced disappearance was probably because he was involved with the opposition political party.¹⁴

¹² Fact finding report of Odhikar, 10/04/2013

¹³ Fact finding report of Odhikar, 11/04/2013

¹⁴ Fact finding report of Odhikar, 20/04/2013

20. Odhikar expresses grave concern about the incidents of enforced disappearances and demands the government search for the disappeared persons and bring the ones involved with such crime to justice. Odhikar believes that for the purpose of containing and averting the activities of the opposition parties, constant allegations of enforced disappearances by the law enforcement agencies is worsening the already unstable political situation of the country. It must be noted here, that at the UPR session of the UN Human Rights Council, on 29 April 2013, the government of Bangladesh mentioned that there were no enforced disappearance in Bangladesh; and no laws regarding this. It further stated that there were laws only for abduction and kidnapping by criminals. Such suppression of the truth regarding the occurrence of enforced disappearance is totally unacceptable to human rights community.

Many workers and others die due to building collapse in Savar

21. On April 24, 2013 at around 9:15 am, Rana Plaza a 9-storied building situated at Savar Bus Stand collapsed, resulting in the loss of many lives and injuries. At the time of the writing of this report, the death toll is reportedly about 410 while the rescue teams saved the lives of about 2437 people who were injured and admitted them to hospitals. New Wave Button Limited had their garments factory on the second floor; the third and the fifth floor were used as the factory of Ithar Tex Limited; the fourth floor belonged to Phantom Apparel Limited; and garments factories of New Wave Style Limited were also set up on the sixth and seventh floors. About 4000 garments workers were present inside the building during the tragic incident. Cracks in the building were noticed on April 23, in the morning and immediately, workers of the four garments factories were granted leave and asked to evacuate. Reports state that on that particular day, the Mayor of Savar, Refayet-Ullah, UNO (Upazila Nirbahi Officer) Kabir Hossain Sarkar, Upazila Chief Engineer posted in Savar and many other government officials went for inspection and ordered that the building must be sealed, considering safety issues. It is alleged that, even after the decision of closure, the owner of the building, Sohel Rana took an initiative to bring an engineer to inspect it, who ensured that the building was not in danger; and the UNO also endorsed his view. Therefore, the workers were asked to be present at their respective work places the next day on April 24.

With regard to this, on April 24, 2013 Helal Ahmed, the authorised officer of RAJUK¹⁵ being the plaintiff filed a case against the owner of the building, Sohel Rana with Savar Model Police Station under section 12 of the Building Construction Act, 1952¹⁶. The Case number-53; date: 24/04/2013. Savar Model Police Station Sub-Inspector Wali Ashraf on April 25 also field another case against Sohel Rana, his father Abdul Khalek and garment owners Aminul Islam, David Meyer Recko, Anisur Rahman and Bazlus Samad under Section 337/338/304A/427/34 of the Penal Code 1860. Building owner Sohel Rana and Ithar Tex Limited chairman Anisur Rahman were arrested on April 28. New Wave Button Limited chairman Bazlus Samad and director Mahmudur Rahman were arrested on April 26 and Phantom Apparels and Phantom Tech Limited chairman Aminul Islam were arrested on April 27.

22. Odhikar strongly condemns the death of hundreds of workers in the building collapse. It believes that export of readymade garments hugely contributes to the nation's economy and foreign currency remittance. The contribution of the workers in this sector is immense, although many have to work in hazardous and dangerous environments due to negligence of owners of garment factories and also the concerned government authorities. Such accidents at garment factories go unabated as the garment owners enjoy impunity. Therefore, such incidents are not new. In the recent past, a significant number of workers died due to fires in two garment industries, Smart Garments (2013) and Tazreen Fashion (2012). Odhikar demands that the government take necessary steps in order to pay compensation to the victims and families that lost their relatives and to cover the expense of treatment. Furthermore, Odhikar also demands that those responsible for such negligence be tried accordingly in the Court of Law.

Extrajudicial killings continue

23. Extrajudicial killings continued in April, despite the government's commitment to stop such violations. In April 2013, according to information gathered by Odhikar, eight persons were killed extra-judicially. These killings were allegedly committed by RAB and police. It must be noted here, that in the UPR

¹⁵ RAJUK-The Rajdhani Unnoyon Karthipokkho, the government authority for urban development in the Capital city.

¹⁶ Section 12 provides penalties for the acts that contravene the Building Construction Act, 1952.

session on 29 April 2013, the government claimed that there was no extrajudicial killings in the country and that the deaths occurred when the law enforcement officers shot back in self defense. Odhikar fact finding reports by to prove otherwise.

Types of extrajudicial deaths

Crossfire/encounter/gunfight:

24. Among the eight persons extra judicially killed, five were killed in 'crossfire/ encounters/ gun fights'. Among the deceased, three were allegedly killed by the Rapid Action Battalion (RAB) and two by the police.

Shot to death:

25. Among the deceased, two persons were shot to death by police.

Strangled to death:

26. Among the deceased, one person was allegedly strangled to death by a member of the Detective Branch (DB) of the police.

Identities of the deceased:

27. Of the eight deceased persons killed extrajudicially, one was an activist of Bangladesh Awami League, one was a BNP leader, one was an assistant of a tea stall, one a van puller and four were alleged criminals.

Torture in custody

28. On April 11, 2013, two students of the Polytechnic Institute were shot by the police and crippled in Chittagong in a jurisdiction of Pachlaish Police Station. A third semester student Md. Mohsin, son of Mr. Abdul Waheb of Borohatiya Union in Chittagong, informed Odhikar that, he used to reside along with some of his friends in an apartment in the multi-storied building next to the Shulkobohor Mosque. On April 11, at midnight, the OC (officer-in-charge) of the Pachlaish Police Station entered their apartment while they were sleeping. Mohsin was arrested along with his roommate Alauddin. Mohsin said he was blindfolded when they reached the ground floor and some minutes later he was asked to say his prayers, since the police threatened to kill him in the name of 'cross-fire'. Having been blindfolded, he grabbed a policeman's leg to beg for mercy

but he was shot in his leg. He was dragged into the car and blindfolded. The pain was so severe that at one point he lost consciousness. When he came to his senses, he found himself in a hospital. Md Alauddin, son of Mohammad Islam of Noakhali's Shuboronochor Union and a third semester student, notified Odhikar that he was having his semester final examinations. Due to exams, he thought it would be helpful to reside at Mohsin's place to study. On April 12, he was accused of being a Shibir activist by the police and arrested. Although he informed that he was simply there due to examinations, he was taken to the OC's office room and beaten. He was then dragged into a vehicle and taken near Jongishah shrine where he was blindfolded with a piece of red cloth. The police pointed a gun at his leg, touching it and shot three rounds. He fell down. Then 8-10 minutes later he was again dragged into the vehicle while his eyes were still covered. He found himself in the hospital later on. At present, these two students are under treatment in Chittagong Medical College Hospital, while still under arrest.¹⁷

29. Odhikar believes that torture is an extreme form of human rights violation. Despite Bangladesh ratifying the Convention against Torture on October 5, 1998, the obligations under this treaty are not followed. In accordance to this Convention, no persons can be mentally or physically tortured. Article 35(5) of the Constitution of the People's Republic of Bangladesh also guarantees the same.
30. Odhikar demands the judgment of BLAST and Others versus Bangladesh and Others of 2003 to be implemented immediately, and an anti-torture law passed.

Arrest and torture of the Acting Editor of the daily Amar Desh; government shuts down the newspaper

31. On April 11, 2013 the Detective Branch (DB) of Police arrested the acting editor of the daily Amar Desh, Mahmudur Rahman from the paper's head office. A journalist from the Amar Desh, Mahbubur Rahman informed Odhikar that the police broke into the office of the daily Amar Desh which is located on the 11th floor of the BSIC building in Karwan Bazaar, Dhaka. The police entered and acted roughly with the employees of Amar Desh. A photo journalist was pushed

¹⁷ Fact finding report of Odhikar, 12/04/2013

and his camera was taken away by the police when he wanted to capture the moment. Mahmudur Rahman was taken to the Detective Branch (DB) office in Shegunbagicha. On the basis of three cases pending against Mahmudur Rahman with regard to sedition and under sections 56 and 57 of the Information and Communication Technology Act, 2006 he was taken to the Chief Metropolitan Magistrate's Court where police prayed for 24 days remand. The Court granted 13 days remand.¹⁸ At 8:30 pm on the same day, a team of Metropolitan Detective Branch of Police went inside the press of the daily Amar Desh in Tejgaon Industrial Area and took away a computer and some important and confidential documents. At around 10:45 pm the press was closed down by the police while the employees were forced to leave the premises. The Deputy Commissioner of the Detective Branch of Police Masudur Rahman informed the Daily Ittefaq that three cases were filed against Mahmudur Rahman and an operation was carried out at the press in accordance with the search warrant issued by the Court.¹⁹ On April 17, 2013 after the remand period was over, Mahmudur Rahman was brought to Chief Metropolitan Magistrate Shahidul Islam's court. Mahmudur Rahman's lawyers complained that he was physically tortured inside the cell during remand and there were bleeding wounds on his legs. Mahmudur Rahman was physically weak and collapsed to the ground while he was standing on the dock.²⁰

32. On April 20, 2013 in a press conference organised by the daily Amar Desh, journalists informed that Mahmudur Rahman was tortured in various ways during remand. When his physical condition was worsening, he was hurriedly taken to the Court on 17 April, before the remand period was over and moved to jail. Afterwards he was admitted to the Bangabandhu Sheikh Mujib Medical University Hospital. On April 19, having taken permission from the government, the family of Mahmudur Rahman visited him at hospital. At that time, the family members observed several circular wounds on his wrists and his knees. They came to know in consultation with specialised doctors that the wounds were probably due to electric shocks.²¹ It is to be mentioned that Mahmudur Rahman had resided inside the Amar Desh office in order to avoid arrest ever since the case was filed against him on December 13, 2012. Having asked for

¹⁸ Prothom Alo, 12/04/2013

¹⁹ The daily Ittefaq, 13/04/2013

²⁰ The daily Ittefaq, 18/04/2013

²¹ Written information provided in the press conference organised by the daily Amar Desh family

bail from the High Court Division of the Supreme Court, the concerned Bench of the High Court Division rejected his bail and returned his bail petition. It is to be noted that Mahmudur Rahman spent 9 months in jail when arrested on June 2, 2010. During that period he was also tortured in custody. The daily Amar Desh was banned by the government during that time as well.

Freedom of the media

33. In April 2013, according to Odhikar's documented statistics, 17 journalists were injured, nine were threatened, 20 were assaulted and four were harassed in different ways.
34. A female Ekushey Television journalist Nadia Sharmin was beaten by supporters of Hefazate Islam at Bijoy Nagar on April 6, 2013 during the long march called by them. The alleged reason being that she was not wearing a hijab and was filming footage of a programme that included the presence of only men. She was admitted to the Dhaka Medical College Hospital. Furthermore, bdnews24.com reporter Foyzul Siddique and a free-lance photojournalist Nazrul Islam were also injured during Hefazate Islam's movement.²²
35. Students belonging to Gonojagoron Moncho of Jahangirnagar University, in support of the protest called against Hefazate Islam, blocked the Dhaka-Aricha highway in order to bar the Hefazate Islam members from marching and entering towards Dhaka from that route. When journalists tried to get footage of the protest, members of the Gonojagoron Moncho harassed Nazmul Huda of Ekushey Television and Abdul Halim of Boishakhi Television and snatched away Ekushey Television's camera.²³
36. Odhikar strongly condemns the arrest of journalist Mahmudur Rahman and his torture in custody, the banning of the daily Amar Desh newspaper and the attacks on journalists. Odhikar believes that all media should look into the matter of Mahmudur Rahman and the actual reasons for his arrest. Odhikar demands immediate release of Mahmudur Rahman and lifting of the ban on press. Moreover, members of the Hefazate Islam involved in attacking the journalists should be arrested and tried in the Court of Law for their crime.

²² The Daily Ittefaq, 7/04/2013

²³ The daily NoyaDigonto, 7/04/2013

Human Rights situation of the religious minority communities

37. On February 28, 2013, the judgment containing the death penalty of Delwar Hossain Sayeedi by the International Crimes Tribunal-1 for committing crimes against humanity during the War of Liberation, led to a violent political situation and the Hindu community has experienced severe human rights violations.
38. On April 1, 2013, the Sri Sri Kali Mandir (Hindu temple) situated Folda village in Bhuapur in Tangail was set on fire by criminals at around 12:00 am. A total of 20 idols were burnt. The criminals also looted the ornaments the idols wore. On April 5, 2013 the Sri Sri Kali Mondir Committee's President, Shri Smaron Dutta filed a case (No. 2, dated 05/04/2013) against Bhuapur's Awami Jubo League Adviser Taherul Islam Tota, Folda Union's General Secretary of BNP Abdul Hannan, BNP activist Nazmul Sharkar, Ershad Ali and many more under Sections 143/448/295/436/380/427/506/114/34 of the Penal Code. The case number is 2; date: 5/4/2013.²⁴
39. On April 5, 2013, criminals attacked an ancient Hindu temple situated in Mirzapur, Tangail. The 'Shiblingo' was broken along with 11 idols and the criminals looted the temple as well.²⁵
40. Little action against the criminals has been taken. Such indifference to the acts on Hindu temples will only encourage the criminals to trigger more communal violence. Keeping the 2012 Ramu incidents and aftermath in mind, these incidents prove that the Government has failed to protect the life and livelihood of the religious minority communities. Odhikar demands the government immediately ensure security to all minority groups and bring the perpetrators to justice.

Human rights violations along the border by BSF

41. According to information documented by Odhikar, several incidents of human rights violations of Bangladeshi citizens were committed by the Indian Border Security Force (BSF) in April 2013. During this period, one Bangladeshi was

²⁴ Fact finding report, 11/04/2013

²⁵ The daily Ittefaq, 06/04/2013

- torture to death by the BSF along the border. Besides, the BSF tortured two Bangladeshis and injured two by bullets and 12 were also abducted by the BSF.
42. On April 9, 2013 in Damurhuda under Chuadanga district near the Chakuliya border, a paralysed patient named Nur Alam went to quack doctor ('kibiraz') on a three wheeler cycle van for treatment. From Noluapara under the jurisdiction of Chapra Police Station in Rajjher Nadiya district in the west side of India, the BSF members, while patrolling, entered the Bangladesh border and injured Nur Alam, hitting him with a rifle butt. Later, locals rescued him after he was left at the border by the BSF, and he was taken to the nearby clinic. ²⁶
43. The attack on Bangladeshi nationals along the border are commonplace - often ending in torture and even death. Instead of proper legal proceedings, members of the BSF continue their atrocities, even entering Bangladeshi territory. Odhikar believes that the role of the Government of Bangladesh as an independent and sovereign state has been extremely weak and ineffective. No independent and sovereign country can ever accept the killing, torture and abduction of its citizens by another country without reason.

Violence against women

44. Odhikar believes that violence against women is increasing as the perpetrators are not being arrested or properly punished. In the process, potential offenders are becoming encouraged.

Acid violence

45. According to information gathered by Odhikar, in April 2013, it was reported that four persons became victims of acid violence. Of these affected persons, two were women, one a girl and one a boy.
46. Incidents of acid throwing are occurring due to the lack of effective implementation of Acid Crimes Prevention Act, 2002 and Acid Control Act, 2002. Although the law stipulates a 90-day time frame for the disposal of the cases, the provision is not being followed either.

²⁶ The daily Amar Desh, 10/04/2013

Dowry related violence

47. In April 2013, a total of 27 women were subjected to dowry related violence, among them two were also the victims of child marriage. Among the two victims of child marriage, one was 14-year old girl and one was student of class seven. Of these women, it has been alleged that 12 were killed and one committed suicide because of dowry and 14 were physically abused. During this period a five year old child was also physically abused.
48. On April 9, in the Mistripara of Rangpur, Minara Begum Moyna (20) was beaten to death by her husband Milan Mia for not being able to pay the remaining Tk 5000/- of the total dowry of Tk 20,000/-. Locals caught him hiding after committing the murder and gave him to the police.²⁷

Rape

49. In April 2013, a total number of 62 females were reportedly raped. Among them, 23 were women, 36 were children below the age of 17 and the age of three victims could not be determined. Of the women, one was killed after being raped and 12 were victims of gang rape. Out of the 36 child victims, two children were killed after being raped and nine were victims of gang rape.
50. On April 3, 2013 a woman belonging to the Hindu community was gang raped by four men Mostafa Paik, Lal Mia Talukder Firoze Molla and Hossain Sheikh in Kotalpara area of Gopalganj district²⁸

Sexual Harassment

51. According to information gathered by Odhikar, a total of 44 girls and women were victims of sexual harassment in April 2013. Among them, one was killed, one was injured, eight were victims of attempted rape, three were abducted, five were assaulted and 26 were sexually harassed in various ways. During this period, one man was killed and three men and two women were injured by stalkers when they protested against such acts of harassment.
52. On April 14, 2013 two female Master's Degree students of Jahangirnagar University were riding on a rickshaw. As they reached Tarjan Point, paint was thrown at them from a rally brought out on the occasion of Bangla New Year. When the girls protested, some Chhatra League activists of the Kamaluddin

²⁷ The daily Jugantor, 11/04/2013

²⁸ The daily Amar Desh, 05/11/2013

Residential Hall of the University allegedly slapped them while pulling their clothes at the same time.²⁹

Public lynching continues

53. On April 11, 2013 in protest of the hartal called by the Jamat-e-Islami, former Chairman of Fatikchari in Chittagong and Awami League leader Mr. ATM Peyarul Islam and his men took about 300 motorcycles and other vehicles and travelled from Jaftongor Union police camp to various parts of Fatikchari, chanting slogans against the hartal. Some locals then got into a fight with some Awami and Chatra League activists when the OC (officer-in-charge) of the nearby Bujhpur Police Station used sticks to beat up the locals till they scattered. While they crossed Kajirhat Market and were coming back through the same route, some more locals attacked them, hurling stones from a distance and Awami League activists did the same. A window of the Kajirhat Mosque was broken. Then an announcement was made through the mosque's microphone that Awami and Chatra League activists attacked Kajirhat Madrassah and the mosque. Similarly, many other mosques around declared the same. In moments, thousands of villagers used whatever they could as weapons and attacked the activists, cutting off trees in order to create a blockade so that they would not be able to escape. Shechcha Shebok League's President of Bottonpur Union Faruk Iqbal Bipul (35), Chatra League activist Jamal Uddin Rubel (23) and leader of Jaftongor's unit Jubo-League, Forkan were killed and almost 300 Awami League and Chatra League activists were injured. Moreover due to the firing from Border Guard Bangladesh (BGB) and the police, over 50 villagers were injured in the incident. At least 50 Awami League and Chatra League supporters and activists got injured.³⁰

54. In the month of April 2013, a reported six people died in mob violence.

55. Odhikar expresses concern over the public lynching and believes that since people have lost confidence in the law enforcing agencies due to their inefficiency and also because of the weakness of the justice delivery system, citizens tend to take up the law in their own hands.

²⁹ The daily Shongbad, 16/11/2013

³⁰ Fact Finding report of Odhikar

Government bars fund clearance of Odhikar's 'Human Rights Research and Advocacy' programme

56. The NGO Affairs Bureau under the Prime Minister's Secretariat has been repeatedly putting up barriers at giving fund clearance to Odhikar's programme on 'Human Rights Research and Advocacy'. The Bureau has not cleared the project even after six months of its submission. On October 30, 2012 Odhikar submitted the application for fund clearance for the three year programme to the NGO Affairs Bureau. But the NGO Affairs Bureau asked Odhikar to bring no objection certificates from the concerned Deputy Commissioners (DC) and Odhikar sent all relevant information and documents accordingly to the DC offices. Despite providing all documents, Odhikar has been asked to explain on various matters which are not even relevant to the project, like- why Odhikar does not have offices at the district level, whether local human rights defenders were paid etc. No DC offices in six districts (Rangpur, Rajshahi, Sylhet, Chittagong, Barisal and Khulna) have given clearance certificates so far. A letter issued on March 19, 2013 (Odhikar received it on April 25, 2013) from the Khulna DC office said that a certificate cannot be given as the Organisation has no local office in Khulna, no paid staff or income-expenditure and salary register. Basically the NGO Affairs Bureau is illegally imposing this burden onto the human rights organisations and some DC offices like in Khulna are refusing to give certificates.

57. The NGO Affairs Bureau (NGOAB), under the Prime Minister's Office, drafted a proposed Bill, named the Foreign Donations (Voluntary Activities) Regulation Act, 2012 that has been developed by amending the Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978 (XLVI of 1978) and integrating the Foreign Contributions (Regulation) Ordinance, 1982 (XXXI of 1982), in order to regulate NGO activities. The NGO Affairs Bureau is already executing this proposed Bill on Odhikar's project 'Human Rights Research and Advocacy' even before it is passed as an Act, which has resulted in obstacles to project implementation. According to section 15 (3), (4) and (5) of the proposed Bill, the Divisional Commissioners, Deputy Commissioners (DC) and Upazila Nirbahi Officers (UNO) have been given power of inspection, observation and evaluation on the activities of NGOs in their respective areas. DCs shall observe activities of NGOs on behalf of the Bureau in their respective areas. DCs shall discuss activities of NGOs at coordinating meetings every month at the district

level. DCs shall inform the Bureau by submitting a report about any irregularity/arbitrary acts of any NGO.

58. Although the Bureau has all the information about Odhikar with them, yet in order to keep the NGOs under their regulation, they are implementing the Proposed Act, the Bill of which has not been passed as yet by the Parliament.
59. Odhikar believes that the proposed Law will violate freedom of expression and association; and will control human rights and voluntary organisations, which is contrary to the Bangladesh Constitution and the UN Declaration on Human Rights Defenders.

Statistics: January-April 2013*						
Type of Human Rights Violation		January	February	March	April	Total
Extra-judicial killings	Crossfire	5	7	5	5	22
	Torture to death	0	1	0	0	1
	Shot to death	2	72	47	2	123
	Beaten to death	2	1	0	0	3
	Strangled to death	0	0	0	1	1
	Total	9	81	52	8	150
Torture (Alive)		4	3	3	2	12
Disappearances		2	1	1	8	12
Human rights violations by Indian BSF	Bangladeshis Killed	5	1	2	1	9
	Bangladeshis Injured	16	7	6	4	33
	Bangladeshis Abducted	12	3	16	12	43
Deaths in Jail		3	6	6	2	17
Attack on journalists	Killed	0	0	0	0	0
	Injured	20	18	21	17	76
	Threatened	2	3	7	9	21
	Attacked	0	7	0	0	7
	Assaulted	1	5	4	20	30
Political violence	Killed	18	86	76	25	205
	Injured	1643	2772	3055	1450	8920
Acid violence		5	3	2	4	14
Dowry related violence (including women victims, their children and relatives)		37	42	54	28	161
Rape		109	91	112	62	374
Sexual harassment /Stalking of women		44	31	51	44	170
Section 144 of CrPC		9	10	4	2	25
Public lynching		17	8	10	6	41
RMG	Killed	7	0	0	410	417
	Injured	235	178	75	2682	3170

Note: Some monthly data has been updated after receiving information in April 2013 from Odhikar's documentation

Recommendations

1. By showing respect to rule of law and human rights, dialogue should be arranged immediately among all the stakeholders to promptly resolve the current political crisis. Handing arms to activists of political parties must also be banned.
2. The persons responsible for the incident of the building collapse at Savar should face trial and provide compensation to the families of the killed and injured and should arrange treatment for the injured workers.
3. The members of law enforcement agencies have to follow principles of human rights and also the UN Basic Principles of the use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement officials.
4. The government should rescue the detained and disappeared persons and given explanation to their families. Odhikar demands that the 'International Convention for the Protection of all Persons from Enforced Disappearance' be ratified by the government in order to prove its claims that there are no such incidents.
5. The Government must protect the life and property of all its citizens regardless of religion or economic background. Those criminals who destroyed the properties of the citizens belonging to the Hindu community and vandalised their temples should be identified, arrested and taken to trial and provided exemplary punishment.
6. Incidents of attacks on journalists must be properly investigated and perpetrators of such acts must be brought to justice.
7. The Government should protest more strongly against human rights violations on Bangladeshi citizens by the BSF; and investigate all incidents and demand from the Indian Government adequate compensation for the families of the victims and trial and punishment for the perpetrators. The Government should also ensure the safety and security of the Bangladeshi citizens residing at the bordering areas. To date, all such demands seem to be falling on deaf ears.
8. Government should withdraw the proposed Bill regarding the NGO Affairs Bureau which was brought to control and repress the private organisations including human rights organisations. The funds for Odhikar's 'Human Rights Research and Advocacy Programme' should be released immediately.

9. Human rights violations against RMG workers should be stopped; and their demands for their well being must be reviewed.
10. The Government must ensure proper trial and punishment of the perpetrators of violence against women under the purview of the law, to ensure that justice is served. The Government should also execute mass awareness programmes, broadly including the media in order to eliminate Violence against women.

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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.