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Human Rights Monitoring Report

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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 right to life and livelihood, right to environment and health; and the dignity and integrity of citizens. If all these are 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 May 2013, is presented here.

Violence on and killing of unarmed Hefazate Islam activists at midnight and the closure of opposition media

1. On the early morning of May 6, 2013, a reported 10 thousand members of the police, Rapid Action Battalion (RAB) and Border Guard Bangladesh (BGB), attacked thousands of unarmed leaders and activists of Hefazate Islam¹ Bangladesh, in the dark, after shutting down the power supply. The Hefazat men had gathered at Shapla Chottor (square), Motijheel in the Capital. That night, the law enforcement agencies opened fire in the dark with live ammunition, rubber-coated steel bullets and threw tear gas shells and sound grenades indiscriminately at the unarmed leaders and activists of Hefazate Islam, many of whom were sleeping after the day-long programme. It was reported that many people were either killed or injured as a result of this attack. Odhikar carried out a fact finding mission of the occurrence, but given the current situation, it is very difficult to ascertain the actual number of deaths without substantial evidence.
2. One of the injured persons, Rahmatullah, who was admitted to the Dhaka Medical College Hospital for treatment, informed Odhikar that he saw many bodies lying on the street after the attack by law-enforcing agencies. It has

¹ Hefazate Islam: a non-political religious group

also been alleged that members of the law-enforcing agencies took away bodies from the spot. The state-sponsored TV channel Bangladesh Television (BTV) and private TV channels and newspapers, (most of the owners belonging or supporting the ruling party), were silent in this regard. Two private television channels named Diganta TV and Islamic TV owned by the opposition were broadcasting the violence live on that night. The Government closed down the two TV channels at 4:30 am on May 6 due to their airing of the night-time operation. The channels are still closed. Hefazate Islam activists brought out protest rallies against the blanket attacks and killings later on May 6 at Kanchpur in Narayanganj, Hathazari in Chittagong and Fakirhat in Bagerhat districts, where clashes also took place between them and the police. It was reported that at least 27 people were reported killed, including one BGB member, one Army member and two policemen.²

3. It is to be mentioned that clashes also occurred between the activists of Hefazate Islam and law enforcers earlier on May 5, when Hefazate Islam activists were heading peacefully towards Motijheel to join the meeting from different areas (after completing the Dhaka blockade programme). During this time, activists of the ruling party, along with law enforcement agencies attacked the Hefazate Islam activists - most of whom were from rural areas. The activists of the ruling party attacked with deadly weapons, photographs of which were published in various media. At least 13 persons were reported killed and 200 others were injured during this clash.³ Many vehicles were vandalised and political party offices, shops and buses set on fire. While clashes were going on between Hefazate Islam activists and police and activists of the ruling party, a large number of Hefazate Islam leaders and activists continued their protests by remaining at Shapla Chottor in Motijheel, in order to implement their 13 point demand.
4. The government filed 27 cases in eight police stations over these incidents. Among them, 23 cases were with Motijheel, Paltan and Ramna Police Station in relation to organising illegal meetings, violence, destruction of properties, using explosives, arson, vandalizing, murder, extortion, looting, stealing and obstructing on government duty etc. More than hundred thousand people, including the top leaders of Hefazate Islam, were accused in these cases. The Secretary General of Hefazate Islam, Moulana Junaid Babunagari had been named as the principal accused. Some members of the police, Bangladesh Road Transport Corporation and Dhaka City Corporation filed these cases as plaintiffs. On May 7, 2013, police took Junaid Babunagari in remand for 9 days,

² The daily Prothom Alo, 06/05/2013

³ The daily Naya Diganta, 06/05/2013

after he was arrested.⁴ Later on May 16, he was taken into remand again for 22 days. Allama Ahmed Shafi, the head of Hefazate Islam claimed, in a press statement, that Babunagari had been tortured in custody. At present, Junaid Babunagari is in the Intensive Care Unit (ICU) at BIRDEM⁵ Hospital.

5. On May 12, 2013 Hafez Moazzemul Huq Nannu, a resident of Khoraki in Jessore, died in Al-Manar Hospital at Lalmatia, Dhaka while under treatment. He was shot and wounded by law-enforcing agencies on May 6 at Shapla Square in Motijheel. His burial rites were supposed to be done on May 13 at the Jessore Eidgah Maidan, but could not be made possible due to police interference. The family of the deceased alleged that police took away the megaphones when they were connecting them at the Eidgah Maidan for the prayer ritual. Police informed them that the rituals could not be carried out, by the instructions of the 'higher authority'. The family then organised the rituals at the field of Jessore Government M M College, where police also took away the megaphones and stopped people from attending.⁶
6. On May 14, 2013 Nazrul Islam (35), a resident of Monohardi under Narshingdi district died at the Dhaka Medical College hospital. He was at the Hefazate Islam meeting at Motijheel and was injured during the clash between police and Hefazate Islam activists. He was employed at the daily Gonojagoran newspaper office in Dhaka.⁷
7. On May 10, 2013 the government issued a press note signed by the Additional Secretary of the Ministry of Home Affairs, Mainuddin Khandker, in relation to the incident of May 6. The press note stated that the operation on the Hefazate Islam gathering was 'unavoidable' in order to prevent violence and ensure public safety. The Home Ministry stated that the allegations of killing many people were 'untrue' and 'intentional'. Water cannons, sound grenades and rubber bullets were used instead of lethal weapons during this operation.⁸
8. Odhikar believes that State repression has reached the maximum, causing a dangerous and unstable situation in Bangladesh. This is the first incident of large-scale indiscriminate killing of unarmed people by state agencies at night, in independent Bangladesh. It is a practice that ruling party activists, along with the police, often attack the opposition with lethal weapons in order to stop protests and dissent. Odhikar believes that the press note on the incident of May 6, issued by the government is not acceptable. Many people were shot and killed, as seen from various video footage and also uploaded on the internet. Hefazate Islam also brought many children to their meeting, which is

⁴ The daily Jugantor/Ittefaq, 08/05/2013

⁵ BIRDEM: Bangladesh Institute of Research and Rehabilitation for Diabetes, Endocrine and Metabolic Disorders

⁶ The daily Manabzamin, 13/05/2013

⁷ The daily Naya Diganta, 15/05/2013

⁸ The daily JaiJaiDin, 11/05/2013

condemnable. At the same time it is also to be mentioned that the government has also engaged children in their party activities. Many school children were seen in the ruling party backed 'Gonojagoran' meeting at Shahbagh. Odhikar believes that the duty of the State is to protect the human rights of its citizens and to ensure their fundamental freedoms. In this regard, the presence of children at political rallies violates their right to security and life and contravenes the child rights convention, of which Bangladesh is a party. The State has failed to ensure such rights; rather the State has resorted to killing, torture and repression in such meetings over when the children are largely present, in order to silence the dissenting voices. Odhikar condemns such acts of brutality on unarmed citizens by the State actors.

Violent political situation

9. According to information gathered by Odhikar, in May 2013, a reported 46 persons were killed and 948 injured in political violence⁹. 15 incidents of internal violence in the Awami League and three in the BNP¹⁰ were recorded during this period. In addition to this, two persons were killed and 169 were injured in internal conflicts of the Awami League while 23 were injured in BNP internal conflicts.
10. After assuming power by the current government in 2009, most of the violence and intra-party clashes occurred due to criminalization and clashes over establishing supremacy of party activists. However, since 2012 the opposition political parties have organised a movement for the re-establishment of a 'caretaker government' system. As a result, hartals and blockade programmes with violence, killings, arson and vandalism are taking place. Furthermore, the protest movement of Hefazate Islam for the punishment of some bloggers, who defamed Islam and its Prophet in various ways; and the indiscriminate shootings and blanket attacks on Hefazate Islam activists on May 6, has put the whole political situation in a very critical position.
11. On May 12, 2013 at around 7 pm Jamaat-Shibir brought out a procession in protest of the arrest of Jamaat-e-Islami Nayebe Amir¹¹, AKM Yusuf from the Baten Khan intersection in Chapainawabganj, for alleged crimes against humanity in the 1971 liberation war. A clash took place between police and Jamaat-Shibir activists and a man named Ebadat Ali (31) was shot. He was admitted first to Chapainababganj District Hospital and later shifted to

⁹ This excludes those reported killed in the early morning of May 6, 2013 at Shapla Chottor, as this is yet to be ascertained by an independent investigation.

¹⁰ BNP: Bangladesh Nationalist Party. The main Opposition party.

¹¹ Nayebe Amir: Vice President of Jamat-e-Islami

Rajshahi Medical College Hospital where he died on the operation table. The father of the deceased, Moslem Uddin said that his son Ebadat Ali was a vendor at the Baten Khan intersection, and was shot by police.¹²

Prohibition on meetings and assemblies

12. On May 19, 2013 the Home Minister Mohiuddin Khan Alamgir, at a meeting in Chittagong, declared a prohibition on all kinds of political meetings and programmes for one month. Later, in the evening he said in an interview with BBC that “this prohibition will continue for an indefinite period”.¹³ The government imposed a prohibition on meetings and gatherings and even on ‘human chain’ programmes. However, police said that prior permission was required before organising meetings and programmes at specified areas. But police are now refusing permission. It was stated, on behalf of the police, that in some places meetings and political programmes will not be granted. The main Opposition party BNP did not get permission to hold meetings in front of its party office on May 12 and 16, even though there was no written prohibition to hold meetings at the Purana Paltan and Naya Paltan areas.¹⁴
13. Odhikar believes that this kind of prohibition is an interference on the democratic rights and contrary to the Constitution of the People’s Republic of Bangladesh. Article 37 of the Constitution states that the right of assembly and holding of peaceful meetings are a democratic right of every citizen.

Extrajudicial killings continue

14. In May 2013, according to information gathered by Odhikar, 25 persons were killed extra-judicially. These killings were allegedly committed by RAB, police and BGB. It must be noted here, that in the UPR session on 29 April 2013, the government claimed that there was no extrajudicial killings in the country and that the deaths occurred when law enforcement officers shot back in self defense. Odhikar fact finding reports prove otherwise.

Types of extrajudicial deaths

Crossfire/encounter/gunfight:

15. Among the 25 persons extra judicially killed, four were killed in ‘crossfire/encounters/ gun fights’. Among the deceased, two were allegedly killed by the Rapid Action Battalion (RAB) and two by the police.

¹² Report sent by human right defender affiliated with Odhikar Faisal Mahmud from Chapainababganj

¹³ The daily Manabzamin, 20/05/2013

¹⁴ The daily Manabzamin, 19/05/2013

Shot to death:

16. Among the deceased, 16 persons were shot dead by police and two by the BGB.

Tortured to death:

17. Among the deceased, three persons were tortured to death, one by the RAB and two by the police.

Identities of the deceased:

18. Of the 25 deceased persons killed extra judicially, one was leader of Bangladesh Nationalist Party (BNP), three were activists of Hefazate Islam Bangladesh, one was a member of Islamic Shramik Andolan, two were businessmen, two were drivers, one was a bus helper, one was a Moulana, one was a madrasa student, two were alleged muggers, two were drug dealers and nine persons professions could not be determined.

Tortured to death by law-enforcing agencies

19. On May 14, 2013 Shamim Reza (28), a resident of Sonargaon upazila in Narayanganj district, was arrested by police as a suspect in the murder of the wife of Pirozpur Union Parishad Chairman, Rafiqul Islam and three others. Shamim Reza, who died in custody, was detained on May 14 and allegedly tortured for six days by Sonargaon Police Station Inspector (Investigation), Arup Tarafdar and others. It was learnt during fact finding that police demanded 10 hundred thousand taka from his family for the release of Shamim. After bargaining, the family agreed to give five hundred thousand taka to the police for not torturing Shamim nor implicating him in the murder case. His family gave two hundred and fifty thousand taka to Inspector Arup Tarafdar on May 19 at around 11.00 pm. On May 20, police sent Shamim to the Court accusing him in a 4-murder case, as his family failed to pay the rest of the money on time. Shamim was also forced to make a statement under section 164 of the Code of Criminal Procedure. The Court ordered police to provide Shamim with medical treatment, as his physical condition was bad. Shamim was admitted to Victoria Hospital in Narayanganj. Later he was shifted to Dhaka Medical College Hospital as his condition deteriorated. On May 22, Shamim died in hospital while under treatment. A three-member probe committee, headed by Additional DIG Golam Faruk (Dhaka range), had been formed to investigate the matter and the committee had found in a primary investigation that Shamim was tortured in custody before his death. The probe committee also retrieved the money that was taken from Shamim's family. Inspector (Investigation), Arup Tarafdar and Sub Inspector Poltu Ghosh were 'closed' from the police

station and the Assistant Superintendent of Police (circle B), Uttam Prashad was transferred to another station.¹⁵

20. On May 2, 2013 members of RAB-12 arrested a man named Iqbal Hossain Murad (25) from Aruapara in Kushtia district. At around 7.00 pm on that day, Iqbal Hossain died in Kushtia General Hospital. His elder brother Kamruzzaman Belal Biswas informed Odhikar that Iqbal was allegedly tortured by RAB. Meanwhile, Dr. Ashraful Islam of the emergency department at the Hospital said that on May 2 at around 7.00 pm some members of Kushtia RAB Camp brought Iqbal Hossain Murad to the Hospital in a critical condition. An inquest report was prepared by the Sub Inspector (SI) of Kushtia Model Police Station, Tofazzel Hossain. SI Tofazzel Hossain told Odhikar that marks of injuries were found on various parts of the deceased's body.¹⁶
21. Odhikar believes that torture in custody during interrogation is a serious violation of human rights. Odhikar recalls that torture is a serious violation of human rights. Despite the claim of 'zero tolerance' on torture, the Government has not taken steps or effective measures to curtail torture and other forms of custodial violence and acts of impunity by law enforcement officers. Such lack of action against perpetrators only encourages human rights violations.

RAB killed a youth after keeping him 'disappeared' for eight days

22. On May 4, 2013 between 2.00 pm and 5.00 pm, members of RAB-3 arrested Abdullah Omar Nasif Shahadat (26), son of Aktaruzzaman Manu and Sabiha Begum of Kazla village under Motihar Police Station in Rajshahi. He was arrested from residence no. 707 at Moddho Monipur at Mirpur-2 in Dhaka. His whereabouts were unknown since his arrest. RAB also arrested Shahadat's friend Sabid, but later released him. The family of Shahadat alleged that members of RAB-5 shot him dead on May 12 at around 3.30 am in a field near Binodpur Radio Centre, near Rajshahi University after keeping him disappeared for eight days. One hand and one leg on his body had been broken. Shahadat was an electrician and an undergrad student at Katakhalı Adorsha College. He was also engaged with the Rajshahi Metropolitan unit Islami Chhatra Shibir.¹⁷
23. Odhikar believes that extrajudicial killings and enforced disappearances are dangerous indicators of the deteriorating law and order situation. The strategy

¹⁵ Report sent by human rights defender affiliated with Odhikar, Billal Hossain Robin from Narayanganj, 26/05/2013

¹⁶ Fact finding report of Odhikar

¹⁷ Student wing of Jamat-e-Islami. Information from fact finding report of Odhikar

of the government of using law enforcement agencies to stop all opposition has created an unstable and vulnerable political situation.

Government statement at the UN Human Rights Council on extrajudicial killings and enforced disappearances: Suppression of the truth

24. The Government of Bangladesh in its report to the UN Human Rights Council on February 7, 2013 and on April 29, 2013 during the second cycle of the Universal Periodic Review (UPR) session on Bangladesh at the Human Rights Council, denied the incidents of extrajudicial killings and enforced disappearances. The Foreign Minister, Dipu Moni, stated that extrajudicial killings have no legal basis. She also said that if any allegations of human rights violations are made against any law enforcement agencies, the government takes action. However, Odhikar statistics show that until May 2013, 608 persons were killed extra judicially after the current government assumed power. Not a single case was investigated independently or in an unbiased manner. Furthermore, Dipu Moni denied the allegations of enforced disappearance stating that there is no scope for such under existing laws. She said the Penal Code only punishes kidnapping. She claimed that in many cases, criminals in the guise of law enforcement agencies commit crimes. However, Odhikar fact finding and media reports show a trend of human rights violations, that can be labeled 'enforced disappearances'. From 2009 to May 2013, 87 people have been 'disappeared' by persons claiming to be state agents; many of the disappeared were members or supporters of the opposition or persons belonging to alternative political beliefs. Among the persons disappeared are BNP leaders Chowdhury Alam and Ilias Ali; and RMG worker's rights leader, Aminul Islam.
25. The families of the disappeared claimed that all incidents of enforced disappearance took place by the members of the law enforcement agencies, and the whereabouts of the persons are unknown. But the government denies these allegations; and instead of taking action against the responsible persons through proper investigation, its indifference only strengthens the culture of impunity.

Freedom of the media

26. In May 2013, according to Odhikar's documented statistics, 13 journalists were injured and one was arrested.
27. The internet frequency in Bangladesh has been obstructed after an instruction given by the Bangladesh Telecommunication Regulatory Commission (BTRC).

The BTRC has instructed to provide a 75% bandwidth for reducing the speed to upload anything on the internet. This was instructed on May 15, 2013, through an email to the International Internet Gateway companies by BTRC's Senior Assistant Director, Sabina Islam.¹⁸

28. On May 27, 2013 Mahmudur Rahman, Acting Editor of the daily Amar Desh was transferred to the Kashimpur Central Jail from Bangabandhu Sheikh Mujib Medical University (BSMMU) Hospital even though his treatment was incomplete.¹⁹

29. Odhikar strongly condemns the attacks on journalists. Odhikar also protests against the government's decision of controlling communication systems by reducing internet speed and also demands the release and proper treatment of Mahmudur Rahman.

Public lynching continues

30. In the month of May 2013, a reported nine people died in mob violence.

31. 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.

Human rights violations on religious minority communities

32. On May 28, 2013, criminals set fire to a Buddhist family's house over a land dispute at Thakurpara in Comilla. It was reported that the house of Subrato Proshad Barua at Kandirpar near Thakurpara Buddhist temple, came under the arson attack. After attacking the Buddhist family the minority communities of this area are in a state of insecurity. The victim-family claimed that the arson attack was conducted by supporters of the Zila Parishad's Administrator and Vice-President of the central committee of the Krishak League²⁰, Alhaj Omar Faruque. However, Omar Faruque denied the allegation of the involvement of his supporters in this attack. On May 29, 2013 Subrato Barua filed a case in this regard accusing three or four unknown persons. Subrato Barua told the journalists that a case against Omar Faruque over 23 decimals of land, adjacent to a Buddhist temple, was pending at the High Court Division of the Supreme Court. It is to be noted that earlier on May 26, 2013 a group of

¹⁸ The daily Prothom Alo, 19/05/2013

¹⁹ The daily Naya Diganta 28/05/2013

²⁰ Peasant wing of Awami League

criminals threatened this Buddhist family to withdraw the case filed against Omar Faruque and vandalised valuables at the house.²¹

33. On the night of May 12, 2013, criminals set fire to Shri Shri Sarbojanin Sanaton Harishobha Mandir of the Hindu community in Kanchanpur under Ramganj Upazila in Laxmipur. The President of Ramganj upazila Hindu-Buddhist-Christian Oikko Parishad, Apurba Kumar Saha informed Odhikar that five idols and the boundary wall of the temple were burnt, which amounted to approximately three hundred and fifty thousand taka worth of damage. Police and local inhabitants said that criminals set fire to the temple at night by pouring petrol. The General Secretary of the Shri Shri Sarbojanin Sanaton Harishobha Mandir Committee, Prodip Kumer Saha filed a case with Ramganj Police Station (case no. 07, dated 12/05/2013) in this regard.²²
34. Odhikar observes with serious concern that vested interest groups are attacking property belonging to religious minority communities and ransacking or setting fire to their temples at various districts; and taking advantage of the unstable political situation. Odhikar expresses concern over such acts of violence against minority communities and condemns the failure of the government to protect life and properties belonging to religious minority communities.

Human rights violations along the border by BSF

35. 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 May 2013. During this period, three Bangladeshis were killed and 10 were injured by the BSF along the border. Among the 10 injured persons, two were tortured and eight were shot. Furthermore, 10 Bangladeshi citizens were also abducted by the BSF.
36. On May 24, 2013 a Bangladeshi cattle trader, Belal Hossain (24), of Satkuri village under Hakimpur upazila in Dinajpur district, was reported tortured by the BSF at Mongla border in Dinajpur. It was learnt that BSF members of Agra camp caught Belal Hossain from near the border and beat him with sticks, leaving him critically injured and unconscious.²³
37. On May 12, 2013 BSF members of Phulbari camp picked up a Bangladeshi farmer named Imani from Daburi border under Ranishankoil upazila in Thakurgaon district, while he was working at the field near international pillar 317.²⁴
38. On May 12, 2013 labourers were working on a river bank protection project to protect Bangladeshi land from the Mohananda river erosion, at Shanyashipara

²¹ The daily New Age and Naya Diganta, 29/05/2013

²² Report sent by human rights defender affiliated with Odhikar, Masudur Rahman Bhutto from Laxmipur

²³ The daily Prothom Alo, 25/05/2013

²⁴ The daily Samakal, 13/05/2013

of Banglabandha union under Tentulia upazila in Panchagarh district. During this time, some BSF members from Hatirampur camp entered into Bangladesh and took away a labourer named Shariful Islam (28) from the border.²⁵

39. On May 11, 2013 a 13-year Indian girl named Swarup Shikari was allegedly beaten to death by BSF members of Dharampur Camp, who assumed she was a Bangladeshi citizen, at Medinipur border under Jibonnagar upazila in Chuadanga district. Her body was left in Bangladesh territory near the border fence.²⁶

40. Odhikar believes that the foreign policy of the Government of Bangladesh as an independent and sovereign state is extremely weak and ineffective. No independent and sovereign country can accept such killing, torture and abduction of its citizens by another country without reason.

Situation of readymade garment factory workers

41. The readymade garment industries were built in the early 1980's. The rights of workers are violated as a result of the extreme profit making tendency of the owners. Lack of monitoring of the government and corruption; construction of defective buildings; hazardous working conditions in rented buildings; violation of labour laws; and lack of effective prosecution have put the RMG sector under serious threat. On November 24, 2012, 113 workers died due to fire at Tazreen Fashions Limited and on January 26, 2013 seven workers were burnt to death at Smart Garment Factory Ltd. On April 24, 2013 Rana Plaza, a 9-storied building situated at Savar Bus Stand collapsed, which resulted in the reported death of 1129 and about 3000 injuries. There were five garment factories from the second to seventh floors at Rana Plaza. About 5000 garments workers were working inside the building during the tragic incident.

42. It was learnt during fact finding mission that in the morning of April 23, three pillars of the factory cutting section (middle of the building) had two inch deep cracks. Hearing this news, local journalists came to Rana Plaza. But the guards did not allow journalists to enter the building as being instructed by the building owner, Sohel Rana. A local engineer, Abdur Razzak, visited the place of occurrence and opined the building 'vulnerable'. He also suggested that the building be immediately inspected by engineers from BUET²⁷ and RAJUK²⁸, considering the safety issues of the building. Hearing this, the owner of the

²⁵ The daily Prothom Alo, 13/05/2013

²⁶ The daily Inqilab, 13/05/2013

²⁷ Bangladesh University of Engineering and Technology

²⁸ RAJUK-The Rajdhani Unnoyon Karthipokkho, the government authority for urban development in the Capital city.

building, Sohel Rana, who is also Jubo League²⁹ leader, came to the spot. Sohel Rana said that cracks in the building was not a hazard. He told the journalists not to report it. That day the owners of five garment factories declared their factories closed. On April 24, workers refused to work in the vulnerable building. It is alleged that, Sohel Rana was present at his office situated in the basement of the building and he was taking initiatives to bring people to work in order to defy the hartal called by the BNP and for organising an anti-hartal procession. During this time, hearing of the refusal of workers to join work, Sohel Rana and the owners of the factories came out and forced the workers to enter the workplace. The building collapsed at 8.58 in the morning. Sohel Rana was trapped in the basement when the building collapsed. He was rescued by his men and escaped from the scene with the help of Member of Parliament and Awami League leader, Talukder Mohammad Touhid Jong Murad. It has been learnt that on April 24, an anti-hartal procession led by parliament member Murad Jong was supposed to be brought out from Rana Plaza.³⁰

43. In May 2013, 316 workers were injured due to unrest in the readymade garment factories. Most of the violence in this sector was caused due to protests of late payment of overdue wages and termination of workers. Besides, 45 workers were trampled as they feared of fire in two garments factories.
44. On May 13, 2013 workers of ABM Garment Factory protested over the termination of 13 workers from the factory at Kafrul in Dhaka. A clash took place between police and workers when workers came out of street and started vandalising vehicles. Police arrested three workers in this connection.³¹
45. Odhikar believes that issues such as poorly equipped factories; terminating garment factory workers without any valid reason; hazardous conditions, keeping wages and overtime pay pending; and calling the police to physically assault workers, all amount to human rights violations.

Violence against women

Dowry related violence

46. In May 2013, a total of 15 women were subjected to dowry related violence. Of these women, it has been alleged that nine were killed and six were physically abused.

²⁹ Youth wing of Awami League

³⁰ Fact finding report of Odhikar

³¹ The daily Prothom Alo, 14/05/2013

Rape

47. In May 2013, a total number of 28 females were reportedly raped. Among them, ten were women, 18 were children below the age of 17. Of the women, two were killed after being raped and three were victims of gang rape. Out of the 18 child victims, three were victims of gang rape.

Sexual Harassment

48. According to information gathered by Odhikar, a total of ten girls and women were victims of sexual harassment in May 2013. Among them, one was injured, two were victims of attempted rape, one was assaulted, one was committed suicide and five were sexually harassed in various ways.

Acid violence

49. According to information gathered by Odhikar, in May 2013, it was reported that one female became victim of acid violence.

Government illegally bars fund clearance of Odhikar's human rights programmes

50. The NGO Affairs Bureau under the Prime Minister's Office has been repeatedly putting up barriers against giving fund clearance to two of Odhikar's programmes on 'Human Rights Research and Advocacy' and 'Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh'. The Bureau has not given the fund clearance of on-going projects even after seven months of its submission. Now, approval has to be sought from the NGOAB at the beginning of every year of a programme, despite overall approval. Odhikar submitted the applications for fund clearance for the 3rd year's programme costs under 'Human Rights Research and Advocacy' and 2nd year's programme costs under Education on the Convention against Torture and OPCAT Awareness' to the NGO Affairs Bureau on October 30, 2012 and March 6, 2013 respectively. But the NGO Affairs Bureau asked Odhikar to bring no objection certificates from the concerned Deputy Commissioners (DC) and Odhikar sent all the relevant information and documents accordingly to the DC offices. Despite providing all relevant documents, Odhikar has been asked to explain 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. However, two clearance certificates have been received so far from Barisal and Pabna DC offices out of 16 districts. 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.

51. Basically the NGO Affairs Bureau is illegally imposing this burden onto the human rights organisations, in particular to Odhikar even before the new and repressive NGO regulatory law is passed as an Act.
52. Odhikar believes that the proposed NGO 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-May 2013* | | | | | | | |
|--|-----------------------|----------------|-----------------|--------------|--------------|------------|--------------|
| Type of Human Rights Violation | | January | February | March | April | May | Total |
| Extrajudicial killings | Crossfire | 5 | 7 | 5 | 5 | 4 | 26 |
| | Torture to death | 0 | 1 | 0 | 0 | 3 | 4 |
| | Shot to death | 2 | 72 | 47 | 2 | 18 | 141 |
| | Beaten to death | 2 | 1 | 0 | 0 | 0 | 3 |
| | Strangled to death | 0 | 0 | 0 | 1 | 0 | 1 |
| | Total | 9 | 81 | 52 | 8 | 25 | 175 |
| Torture (Alive) | | 4 | 3 | 3 | 2 | 0 | 12 |
| Disappearances | | 2 | 1 | 1 | 8 | 0 | 12 |
| Human rights violations by Indian BSF | Bangladeshis Killed | 5 | 1 | 2 | 1 | 3 | 12 |
| | Bangladeshis Injured | 16 | 7 | 6 | 4 | 10 | 43 |
| | Bangladeshis Abducted | 12 | 3 | 16 | 12 | 10 | 53 |
| Deaths in Jail | | 3 | 6 | 6 | 2 | 12 | 29 |
| Attack on journalists | Killed | 0 | 0 | 0 | 0 | 0 | 0 |
| | Injured | 20 | 18 | 21 | 17 | 13 | 89 |
| | Threatened | 2 | 3 | 7 | 9 | 0 | 21 |
| | Attacked | 0 | 7 | 0 | 0 | 0 | 7 |
| | Assaulted | 1 | 5 | 4 | 20 | 0 | 30 |
| Political violence | Killed | 18 | 86 | 76 | 26 | 46 | 252 |
| | Injured | 1643 | 2772 | 3055 | 1450 | 948 | 9868 |
| Acid violence | | 5 | 3 | 2 | 4 | 1 | 15 |
| Dowry related violence (including women victims, their children and relatives) | | 37 | 42 | 54 | 64 | 16 | 213 |
| Rape | | 109 | 93 | 115 | 108 | 28 | 453 |
| Sexual harassment /Stalking of women | | 44 | 31 | 51 | 46 | 10 | 182 |
| Section 144 of Cr.PC | | 9 | 10 | 4 | 2 | 0 | 25 |
| Public lynching | | 17 | 8 | 10 | 6 | 9 | 50 |
| RMG | Killed | 8 | 0 | 0 | 1129 | 0 | 1137 |
| | Injured | 235 | 178 | 75 | 2683 | 361 | 3532 |

* Odhikar's Documentation 119 persons were killed by law enforcement agencies firing which was also added in political violence statistics

Note: Some monthly data has been updated after receiving information in May 2013.

Recommendations

1. The Government should let the nation know the real facts about the May 6, 2013 operation against Hefazate Islam activists and conduct an impartial judicial investigation into this matter.
2. By showing respect to rule of law and human rights, dialogue should be organised immediately among all the stakeholders to promptly resolve the current political crisis. Criminalisation of the ruling party and handing arms to activists of political parties must be banned.
3. Children must not be engaged in any political party programme or rally and the government should be careful in its crowd dispersement actions where children are present.
4. The members of law enforcement agencies have to follow principles of human rights and 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.
5. Incidents of torture by law enforcement agencies must be investigated and the perpetrators be brought to justice under criminal law. The Government must ensure accountability of law enforcement agencies and also take action to put an end to their impunity. The Government must ratify the Optional Protocol to the UN Convention against Torture and also enact an anti-torture law.
6. The government should give an explanation about the disappearances and killings in the name of 'encounter'. 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.
7. The Government must ensure accountability of all members of the law enforcement agencies and effective measures to be taken to end their impunity.
8. 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 religious minority communities and vandalised their temples should be identified, arrested and taken to trial and provided exemplary punishment.
9. Incidents of attacks on journalists must be properly investigated and perpetrators of such acts must be brought to justice. The Government must withdraw all embargoes from the daily Amar desh, Diganta TV and Islamic TV. Amar Desh editor Mahmudur Rahman should be released from jail for the sake of freedom of expression and media freedom.
10. The Government must ensure the safety and security of the Bangladeshi citizens residing at the bordering areas. The Government should also protest

strongly against human rights violations on Bangladeshi citizens by the BSF; and demand from the Indian Government adequate compensation for the families of the victims and trial and punishment for the perpetrators.

11. All forms of human rights violations against RMG workers should be stopped; and their demands for their well being must be reviewed. The owners of all RMG factories, who were responsible for irregularities and the killing of garment workers, must be brought to justice.
12. 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.
13. Government should withdraw the proposed Bill regarding the NGO Affairs Bureau which was brought to control and repress the NGOs including human rights organisations. The clearance for Odhikar's human rights related programmes should be given immediately.

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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.