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August 11, 2013

ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME

Urgent Appeal Case: AHRC-UAC-104-2013

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11 August 2013

BANGLADESH: Human rights defender, Mr. Adilur Rahman Khan arbitrarily detained

ISSUES: Arbitrary arrest and detention; ill-treatment; fabricated charges; freedom of expression and opinion; human rights defender; corruption; impunity

Dear friends,

The Asian Human Rights Commission (AHRC) has received information that the Detective Branch of Dhaka Metropolitan Police has arrested Mr. Adilur Rahman Khan, one of most respected human rights defenders in Bangladesh and the Secretary of Odhikar. A group of plain clothed men picked up Mr. Adilur from his residence at 10:20 p.m., on 10 August 2013. Neither Adilur, nor the family was informed why they were taking Adilur into custody and where they were taking him. Later, media in Bangladesh have published reports, quoting police officers Adilur was arrested in relation to a case registered at Gulshan Police Station, for offenses punishable under the Information and Communications Technology Act, 2006. However, the Gulshan police has informed Odhikar that they had no case registered against Adilur at the station, and that the officers there learned about Adilur's arrest through the media. There is serious concern about Adilur's safety in custody. Please intervene immediately in this case, so that Adilur remains safe in custody and released without delay.

CASE NARRATIVE:

The Asian Human Rights Commission (AHRC) has obtained information that, at 10:20 p.m., on 10 August, officers from the Detective Branch (DB) of Dhaka Metropolitan Police (DMP) have taken into custody, Mr. Adilur Rahman Khan, one of the most respected human rights defenders in Bangladesh, from his residence in Dhaka. Adilur is the Secretary of Odhikar, a prominent human rights organisation in the country, known for its critical assessments of human rights in performance and practice, by the Government of Bangladesh. Adilur has also served as the Deputy Attorney General of Bangladesh and is a Senior Lawyer practicing at the Supreme Court.

The AHRC is in contact with Adilur's family and is provided with the following information:

At about 10:20 p.m., Adilur was returning home in his vehicle along with his wife and children. When the vehicle entered the compound of the house where the family resides, at No: 35, Road 117, Gulshan, Dhaka; an SUV and a white minibus approached the house. About 8 to 10 men in civilian dress, who came in the two vehicles, entered the compound. The security guard at the house tried to prevent the strangers from entering the compound and demanded to know who they were. The men did not bother to respond and they surrounded Adilur's car.

When Adilur came out of his car and demanded to know from the men who they are and what business they had without permission at his residence, they reportedly informed Adilur that they are from the Detective Branch of Bangladesh Police. The men then ordered Adilur to accompany them immediately. It is reported that without waiting for Adilur to respond, the men forced Adilur into their vehicle and left. Neither Adilur, nor the family was informed why they were taking Adilur into custody and where they were taking him.

It is reported that Adilur is detained at the Office of the Detective Branch of Dhaka Metropolitan Police, at 36 Minto Road, Dhaka. It is suspected that the reason for the government to arrest Adilur is a report Odhikar has published, after its fact-finding mission concerning the 5 May 2013 violence in Bangladesh. In the report, Odhikar has alleged, that 61 persons were killed in the violence. The Government of Bangladesh demanded Odhikar to produce proof regarding the murder of these people, with the details of the family members, who spoke to Odhikar in confidence. Fearing that the government, after receiving such information would hunt down the families who spoke about the deaths of their relatives to Odhikar, Odhikar requested the government to constitute an independent enquiry commission to probe the deaths, and assured the government that it will produce its findings before such a body and not to the government. The Government of Bangladesh has been denying any deaths in the 5 May incident and has been trying its best to silence everyone who has spoken against the killing spree that hit the country in May this year.

Adilur's son, while speaking to the AHRC has expressed serious concern about his father's safety in police custody. Adilur's wife, Mrs. Saira Rahman Khan, a barrister and Professor of Law at the BRAC University in Dhaka, has informed the AHRC that the family has convened a press conference at Odhikar's office.

Media in the country have reported, citing Mr. Masudur Rahman, Deputy Commissioner (Intelligence) and Mr. Abu Yusuf, Assistant Commissioner, of the Dhaka Metropolitan Police, that there is a case against Adilur registered at the Gulshan Police Station, registered under Section 57 of the Information and Communications Technology Act, 2006. The officers however did not provide any details of the case, including its number or when it was registered. The officers also claimed that Adilur was kept in the Detective Branch Office at 36 Minto Road in Dhaka. Police officer Mr. Masudur Rahman has alleged that Adilur "...has distorted facts about Hefazat-e-Islam and distorted photographs using Photoshop..."

At 12:30 a.m., on 11 August, Odhikar went to the Detective Branch Office at 36 Minto Road, where the sentries denied them entry into the office. At 2:00 a.m., Odhikar went to the Gulshan Police Station, and the police there denied having registered any case against Adilur and claimed that they learnt about Adilur's arrest through the media.

ADDITIONAL COMMENTS:

The AHRC is informed that the arrest is allegedly on the accusation, that Adilur has committed offences under the Information and Communications Technology Act, 2006, a legislation misused at will in Bangladesh, to silence freedom of opinion and expression, and often used by the government in violation of personal privacy and professional indemnity of the citizens.

Adilur's arrest and detention is a chilling proof of the witch-hunt the Government of Bangladesh is systematically carrying out in the country, silencing all forms of voices against the incumbent government's human rights abuses. Adilur's arrest, and the manner in which it has been carried out, is further proof to the fact that the space for human rights, free expression and opinion has drastically reduced in the country. That such arrest in Bangladesh often is accompanied by brutal forms of torture, leading to even deaths in custody, places Adilur's life and security at great peril in the hands of the state agency.

Adilur being a senior member of the Supreme Court Bar, his arrest and detention can also be viewed as unjustifiable encroachment into professional freedom and indemnity of lawyers in Bangladesh. The AHRC hopes that the Supreme Court Bar Association and the country's judiciary will not let such arrest and detention continue without being legally challenged. The AHRC urges all diplomatic missions in Dhaka to intervene in this case so that Adilur will not be ill-treated by the police or tortured in custody.

SUGGESTED ACTION:

Please write a letter to the Government of Bangladesh to immediately release Adilur from custody. We further request the government, to ensure that Adilur is neither tortured nor inhumanly treated by the police.

Please also be informed that the AHRC is writing separate letters to the UN Special Rapporteurs on the Situation of Human Rights Defenders and the Working Group on Arbitrary Detention, calling for their interventions into this matter.



To support this appeal, please click here:

SAMPLE LETTER:

Dear

BANGLADESH: Release Mr. Adilur Rahman Khan immediately from arbitrary detention

Name of victim:

1. Mr. Adilur Rahman Khan, Secretary Odhikar, living in House No: 35, Road 117, Gulshan, Dhaka, Bangladesh

Names of persons involved:

1. Officers of the Detective Branch, Dhaka Metropolitan Police, 36 Minto Road, Dhaka, Bangladesh
2. Mr. Masudur Rahman, Deputy Commissioner (Intelligence)
3. Mr. Abu Yusuf, Assistant Commissioner, of the Dhaka Metropolitan Police

Date of arbitrary arrest and detention: 10 August 2013

Place of arrest: Residence of the detainee at House No. 35, Road No. 117, Gulshan, Dhaka

I am writing to express concern about the arbitrary arrest and detention of human rights defender, Mr. Adilur Raman Khan, by the Detective Branch of Dhaka Metropolitan Police, on 10 August 2013.

I have received the following information regarding the arrest:

At about 10:20 p.m., Adilur was returning home in his vehicle along with his wife and children. When the vehicle entered the compound of the house where the family resides, at No: 35, Road 117, Gulshan, Dhaka; an SUV and a white minibus approached the house. About 8 to 10 men in civilian dress, who came in the two vehicles, entered the compound. The security guard at the house tried to prevent the strangers from entering the compound and demanded to know who they were. The men did not bother to respond and they surrounded Adilur's car.

When Adilur came out of his car and demanded to know from the men who they are and what business they had without permission at his residence, they reportedly informed Adilur that they are from the Detective Branch of Bangladesh Police. The men then ordered Adilur to accompany them immediately. It is reported that without waiting for Adilur to respond, the men forced Adilur into their vehicle and left. Neither Adilur, nor the family was informed why they were taking Adilur into custody and where they were taking him.

It is reported that Adilur is detained at the Office of the Detective Branch of Dhaka Metropolitan Police, at 36 Minto Road, Dhaka. It is suspected that the reason for the government to arrest Adilur is a report Odhikar has published, after its fact-finding mission concerning the 5 May 2013 violence in Bangladesh. In the report, Odhikar has alleged, that 61 persons were killed in the violence. The Government of Bangladesh demanded Odhikar to produce proof regarding the murder of these people, with the details of the family members, who spoke to Odhikar in confidence. Fearing that the government, after receiving such information

would hunt down the families who spoke about the deaths of their relatives to Odhikar, Odhikar requested the government to constitute an independent enquiry commission to probe the deaths, and assured the government that it will produce its findings before such a body and not to the government. The Government of Bangladesh has been denying any deaths in the 5 May incident and has been trying its best to silence everyone who has spoken against the killing spree that hit the country in May this year.

Adilur's son, while speaking to the AHRC has expressed serious concern about his father's safety in police custody. Adilur's wife, Mrs. Saira Rahman Khan, a barrister and Professor of Law at the BRAC University in Dhaka, has informed the AHRC that the family has convened a press conference at Odhikar's office.

I am informed that the media in the country have reported, citing Mr. Masudur Rahman, Deputy Commissioner (Intelligence) and Mr. Abu Yusuf, Assistant Commissioner, of the Dhaka Metropolitan Police, that there is a case against Adilur registered at the Gulshan Police Station, registered under Section 57 of the Information and Communications Technology Act, 2006. The officers however did not provide any details of the case, including its number or when it was registered. The officers also claimed that Adilur was kept in the Detective Branch Office at 36 Minto Road in Dhaka. Police officer Mr. Masudur Rahman has alleged that Adilur "...has distorted facts about Hefazat-e-Islam and distorted photographs using Photoshop..."

I am also informed that at 12:30 a.m., on 11 August, Odhikar went to the Detective Branch Office at 36 Minto Road, where the sentries denied them entry into the office. At 2:00 a.m., Odhikar went to the Gulshan Police Station, and the police there denied having registered any case against Adilur and claimed that they learnt about Adilur's arrest through the media.

I am informed that the arrest is allegedly on the accusation, that Adilur has committed offences under the Information and Communications Technology Act, 2006, a legislation I am informed is misused at will in Bangladesh, to silence freedom of opinion and expression, and often used by the government in violation of personal privacy and professional indemnity of the citizens.

I believe Adilur's arrest and detention is a chilling proof of the witch-hunt the Government of Bangladesh is systematically carrying out in the country, silencing all forms of voices against the incumbent government's human rights abuses. The manner, in which the arrest has been carried out, is further proof to the fact that the space for human rights, free expression and opinion has drastically reduced in the country. That such arrest in Bangladesh often is accompanied by brutal forms of torture, leading to even deaths in custody, places Adilur's life and security at great peril in the hands of the state agency.

Adilur being a senior member of the Supreme Court Bar, his arrest and detention can also be viewed as unjustifiable encroachment into professional freedom and indemnity of lawyers in Bangladesh. I hope that the Supreme Court Bar Association and the country's judiciary would not let such arrest and detention continue without being legally challenged.

I therefore request you to immediately release Adilur from custody. I further request the government, to ensure that Adilur is neither tortured nor inhumanly treated by the police. I call upon the Government of Bangladesh to drop the case against Adilur immediately.

Yours sincerely,

PLEASE SEND YOUR LETTERS TO:

1. Mrs. Sheikh Hasina
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2. Mr. Md. Muzammel Hossain
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E-mail: chief@bdc.com or supremec@bdc.com

3. Mr. Muhiuddin Khan Alamgir MP
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4. Barrister Shafique Ahmed
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Thank you.

Urgent Appeals Programme
Asian Human Rights Commission (ua@ahrc.asia)

Send an Appeal Letter

Document Type :	Urgent Appeal Case
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Countries :	Bangladesh http://www.humanrights.asia/countries/bangladesh
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