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Human Rights Monitoring Report

April 1 - 30, 2015

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Hindrance of human rights activities of Odhikar

Odhikar believes that 'democracy' is a form of the State and that freedom and human rights are its foundations. Democracy is not merely a process of electing a ruler; it is the result of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the State. 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 State's failure to recognise this basis of democracy at the founding moment, is a continuing curse that people in Bangladesh 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 willingness, commitment and capacity to ensure human rights, dignity and integrity of citizens. If the state does not ensure full participation in the decision making process at all levels - from the lowest level of the administration to the highest level - it cannot be called a 'democratic' state. Citizens realise their rights

and responsibilities through participation and decision making processes. The awareness about the rights of others and collective benefits and responsibilities, can be ensured and implemented through this process as well. There is no alternative. The Parliament, Judiciary and Executive cannot and should not, have any power to abrogate fundamental civil and political rights through any legislation, Judicial verdict or Executive order, as such rights are inviolable and are the foundational principles of the State.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure internationally recognised civil and political rights of citizens. Odhikar stands against all forms of human rights violations; and participates and remains directly involved in the human rights movement in Bangladesh. The dimension of constituting a democratic state has been achieved through historical movements and the universality of these civil and political rights has been established worldwide through various international declarations, conventions and treaties.

Thus Odhikar does not believe that the human rights movement merely endeavours to protect the 'individual' from violations perpetrated by the state; rather, it believes that the movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic state. As part of its mission, Odhikar monitors the human rights situation in order to promote and protect civil, political, economic, social and cultural rights of Bangladeshi citizens and to report violations and defend the victims. In line with this campaign, Odhikar prepares and releases human rights status reports every month. The Organisation has released the human rights monitoring report for April 2015, despite facing persecution and continuous harassment and threats to its existence since August 10, 2013.

Farcical elections held in Dhaka North, Dhaka South and Chittagong City Corporation

1. On April 28, 2015 elections were held in Dhaka North, Dhaka South and Chittagong City Corporations that were fraught with violence, illegalities and disappointment. The government deprived the people from the right to vote; and ensured the victory of Awami League -supported candidates. According to the government's demand, the Election Commission declared the election schedule and fixed April 28, 2015 for voting. The role of the present Election Commission was widely questioned due to its previous activities.¹ Though it

¹ Election Commission was made a subservient institution of government, by nominating commissioners through a selection committee made by the government in 2012.

was proved that the elections held in three city corporations were a ‘mockery’, the Chief Election Commissioner justified the polls as “free and fair”.

2. The BNP-led 20-Party Alliance-supported candidates and their supporters were arrested and obstructed when they came out for election campaigns.² In several places the supporters of the ruling party also attacked supporters of the other Mayor candidates of Ganasanghati Andolan; Communist Party of Bangladesh; and Socialist Party of Bangladesh. The supporters of the ruling party attacked and even shot at BNP Chairperson Khaleda Zia’s motorcades several times, while she was campaigning for candidates.³ Furthermore, allegations arose about the widespread use of the law enforcement forces to act in favour of the government supported candidates.⁴ On April 23, 2015 Mofazzal Hossain Chowdhury Maya, Minister for Disaster Management and Relief said, “The Awami League knows well how to win elections”.⁵ Following this, elections in Dhaka North, Dhaka South and Chittagong City Corporations had been accomplished with the encircling and capturing of polling centers, over powering polling agents, vote rigging and violence. In protest of these, after noon on April 28, BNP led 20-Party Alliance-supported candidates in the three city corporations; left wing political party Ganasanghati Andolan-supported candidate Jonayed Saki; Communist Party Bangladesh-supported candidate Abdullah Al Kafi; Socialist Party of Bangladesh-supported candidate Bazlur Rashid Firoze; and Jatiya Party-supported candidate of Dhaka South, Saifuddin Milon boycotted the elections. Members of law enforcement agencies were deployed in polling stations at the time the irregularities and violence occurred, but they were inactive in many places, and were even seen helping the ruling party supporters. About 500 Magistrates were deployed for arranging peaceful elections; however, most of them were inactive too.⁶ Law enforcement officers also barred journalists from entering different polling centres. Many people went to the polls, only to find that their vote had already been cast.
3. The Election Commission did not allow Odhikar to observe these city corporation elections. For this reason, human rights defenders, who are associated with Odhikar observed the overall situation of elections and monitored the level of election related violence outside the polling centers in

² The daily Naya Diganta, 20/04/ 2015

³ On April 20 and 22, 2015 BNP Chairperson Khaleda Zia’s motorcade was attacked by a group of youth, chanting “Joy Bangla” (the slogan used by the Awami League) while she was campaigning for BNP supported Mayoral candidate of Dhaka North City Corporation, Tabith Awal at Kawran Bazar and Bangla Motor areas in Dhaka. Sources: The daily Jugantor, 21/04/2015 and The daily Manabzamin and Prothom Alo, 23/04/2015

⁴ The daily Manabzamin 17/04/2015

⁵ The daily Manabzamin, 23/04/2015. This was also aired in the news broadcasts on 22/04/2015.

⁶ The daily Jugantor, 29/04/2015

Dhaka North and Dhaka South City Corporations.⁷ A few human rights defenders in Chittagong, who were involved with the media, were able to get permission to observe the polls. Moreover, Odhikar collected reports from various media through coordination. A few incidents to highlight the irregularities are given below:

4. On the night before the elections, there were allegations of 'capturing' of polling centers by the ruling party supporters in many places in the Capital. In some places, the Presiding Officers were ousted from the polling centers. The ruling party supporters ousted Presiding Officer of Khilgaon Government Staff Quarter School (Center No. 19) of Dhaka South, telling him that he had been 'granted leave'. It was learnt that Jubo League⁸ activists were encircling the polling center from outside. The same scenario was also seen in Khilgaon Government Colony Primary School and Khilgaon Model School and College polling stations in Dhaka South; and Shere Bangla School and College; and Nakhhalpara Ali Hossain School polling centers in Dhaka North.⁹ On the night before the election day, at around 2:30 am, local criminal Munna and five or six other armed men entered Mirpur University College polling center and stamped ballot papers on symbol 'Table Clock' of Awami League supported Mayor candidate Anisul Haque, with the help of high officials of the police.¹⁰ Votes were cast by Awami League supporters after locking the door in Narinda Primary School polling center of Dhaka South. Local voters alleged that, they were not being allowed to go to the polling center. This polling center was taken over by agents of Awami League-supported Mayor candidate Sayeed Khokon and Councilor candidate Sarwar Hassan. Voters of this polling center, Abul Kalam Azad and four of his family members went to cast their votes; but, after entering the polling center, he was told that his vote had already been cast. More than one hundred people, wearing the badge of (Awami League-supported) of Mayor candidate Sayeed Khokon and Councilor candidate Sarwar Hassan took position at the entrance of Dakkhin Moishundi Girls School and took control over this polling center. At around 10:30 am, some youths wearing badges obstructed voters when they wanted to go inside the center.¹¹ Polling agents of the BNP-led 20-Party Alliance-supported candidates were ousted forcibly from many polling stations. Police arrested agents of the 20 Party Alliance candidate from Mirpur Girls Ideal Institute polling center of Dhaka North. Police claimed that they were accused

⁷ On April 12, 2015, Odhikar applied to the Election Commission for permission to observe elections in three city corporations.

⁸ Youth wing of Awami League

⁹ The daily Manabzamin (online), 28/04/2015

¹⁰ The daily Manabzamin (online), 28/04/2015

¹¹ The daily Prothom Alo (online), 28/04/2015

persons in a case.¹² In many places, journalists were attacked and their cameras vandalized and they were ousted from the polling centers with threats. At least six journalists were attacked and 25 journalists were barred by threats in Dhaka and Chittagong.¹³ Police barred journalists from taking pictures in three polling centers at Mohammadpur of Dhaka North. Sub Inspector of Police Golam Kabir said, “Journalists are barred from taking pictures as per orders of the Police Commissioner.¹⁴ Among the polling centers which Odhikar HRDs observed, no leaders or activists of the opposition parties were seen at the polling centres, except in MDC Model Institute polling center of Dhaka North and Faridabad Madrassa polling center of Dhaka South. Supporters of the ruling party (Awami League) were seen distributing voters’ slips¹⁵ outside every polling center. Supporters of the 20-Party Alliance, including BNP were not allowed to distribute voters’ slips. However, many voters alleged that police did not allow general voters to enter the polling centers without voter slips bearing the poster of the Mayor and Councilor candidates supported by the ruling party.¹⁶ At around 9:30 am, altercations took place between supporters of Awami League and Jatiya Party backed Councilor candidates at East Bengal Institution polling center of Dhaka South City Corporation. At one stage, hundreds of people wearing the badge of Awami League supported Mayor candidate, Sayeed Khokon took position around the polling center. 20 - 25 people entered the polling center and stayed there for over half an hour. Two female voters of Suritola informed Odhikar HRDs that they came to the polling station at around 9:00 am. Immediately after they entered the polling center; some people told them “your votes have already cast, you can go away”. A fight took place between two groups of the Awami League over casting fake votes at Pogoje School polling center of Dhaka South. At one stage, one group snatched ballot papers from the polling center. Voting at this polling center was temporarily suspended. After two hours, voting resumed but in the mean time voters had left the centre in fear of further violence. Supporters of the ruling party vandalized the voters’ slip distribution camp of (20 Party Alliance- supported) Councilor candidate, Abdul Mannan in Faridabad Madrassa polling station.¹⁷ A group of the ruling party activists were seen stamping ballot papers on the symbols of the Awami League supported candidates after taking over booths

¹² The daily Prothom Alo (online), 28/04/2015

¹³ The daily Prothom Alo, 30/04/2015

¹⁴ The daily Prothom Alo, 28/04/2015

¹⁵ Voter slips are slips denoting the voter’s name, voter ID number and polling centre, prepared on the basis of lists handed out by the Election Commission. There have been many complaints from people whose names have not been included in these lists. Every candidate hands out slips as part of the campaign process.

¹⁶ Information gathered by Odhikar

¹⁷ Information collected by the human rights defenders related to Odhikar in Dhaka

of Tejgaon Government Girls School polling center. The Presiding Officer remained passive and silent at that time. This incident of rigging was witnessed by a journalist of BBC.¹⁸ Supporters of the government also marked ballot papers at Nawab Habibullah School and College polling center in Uttara without any obstruction, even after the voting time ended at 4:00 pm.¹⁹ At around 11:30 am, Presiding Officer Obaidul Islam was seen stamping ballot papers at Narinda Government Primary School polling center, Dhaka South.²⁰

5. Vote rigging and government supporters' rampage were observed in at least 500 polling centers in Chittagong City Corporation elections out of the 719 polling centers.²¹ Three to four hundred youths entered Ali Ahmed Government Primary School polling center under Dakkhin Pahartali ward of Chittagong City Corporation and forcibly ousted all the voters from there. They stamped the ballot papers on the election symbol of the Awami League supported candidate and then brought out a procession chanting 'Joy Bangla'.²² The leaders and activists of Chhatra League²³ took control over Ali Ahmed Government Primary School polling center under Fateyabad Charar Kul area at around 9:00 am, and Merit Bangladesh School and College polling center at 11:30 am. It was also announced that voting was over in Balihar Hat Sanoara High School polling center at noon.²⁴ A 14-year old child named Maruf was even able to cast five fake votes at New Tiger Pass Government Primary School polling center,²⁵ while at Muslim Education Society High School polling station an eight year old boy called Abrar cast his mother's vote as she could not come.²⁶
6. Odhikar is deeply concerned about the pervasive crisis in the electoral system which has created a very frustrating and violent situation in Bangladesh. Odhikar believes that the country is being placed in an extremely vulnerable position by abolishing the process of free, fair and inclusive elections under a 'caretaker' government system.²⁷ As a result the controversial 10th National Parliamentary elections were held on January 5, 2014 and extensive irregularities and violence occurred in Upazila Parishad Elections²⁸ afterwards. Odhikar expects that there will be new inclusive elections soon

¹⁸ http://www.bbc.co.uk/bengali/news/2015/04/150428_mek_city_elex_voting

¹⁹ The Prothom Alo, 29/04/2015

²⁰ The daily Jugantor, 29/04/2015

²¹ The daily Manabzamin, 29/04/2015

²² The daily Prothom Alo (online), 28/04/2015

²³ Student wing of Awami League

²⁴ Reports from the human rights defenders related Odhikar

²⁵ The daily Manabzamin, 29/04/2015

²⁶ The daily New Age, 29/04/2015

²⁷ The caretaker government system was abolished by the Awami League led government through the 15th Amendment to the Constitution when they were in power from 2009-2013.

²⁸ Local government elections

under a neutral caretaker government or under the supervision of the United Nations under which the people of Bangladesh will be able to restore the democratic system based on the principles of the liberation war, equality, human dignity and social justice. Otherwise, the people will continue to be deceived; and the country be pushed to extreme political instability.

Political violence continues

7. According to information gathered by Odhikar, in April 2015, 11 persons were killed and 262 were injured in political violence. 17 incidents of internal violence in the Awami League and one in the BNP²⁹ were recorded during this period. In addition to this, four persons were killed and 184 were injured in internal conflicts of the Awami League while one person was killed in conflicts within the BNP.
8. The country faced a tumultuous political situation for about three months as a result of the nationwide blockades and strikes called by the BNP-led 20 Party Alliance which started from January 5, 2015, one year after the controversial January 5, 2014 Parliamentary Elections.³⁰ The violent political situation temporarily came to a halt after the 20-Party Alliance withdrew hartals and blockades due to the City Corporation Elections. However, criminalisation of politics by Chhatra League³¹ and Jubo League³² activists continue. Most of the criminal activities and violence are linked to vested interest and mainly occur by using political influence and as a result of it. During these altercations, guns and other weapons are being used openly. Several incidents of political violence took place. Of them, two examples in April are as follows:
9. On April 11, 2015 an altercation took place between two groups of Chhatra League over taking photographs at a conference of Chhatra League activists; in the presence of the President of the Chhatra League Central Committee, Badiuzzaman Shohag and General Secretary, Nazmul Alam at the Town Hall in Comilla. During the clash, Comilla Metropolitan unit Chhatra League President Saiful Islam was stabbed and shot by some Chhatra League

²⁹ BNP: Bangladesh Nationalist Party

³⁰ The Awami League led government of 2009 – present amended the Constitution, repealing the provision of an interim Caretaker Government without any consensus between the then all opposition political parties or referendum. The Election Commission then declared an Election Schedule, which was not shared with the then BNP-led parliamentary Opposition. The BNP-led Opposition refused to participate in the elections unless a caretaker government was reinstated. In 153 constituencies (out of 300), Awami League candidates were declared uncontested winners, even before the polling commenced, as there was no other candidate contesting. People did not even have the chance to exercise their right to franchise and the Parliament without opposition opinion had also repealed the provision of negative voting. There were also widespread reports of irregularities and election-related violence on the day of polls. The present government is again led by the Awami League. The Parliamentary Opposition is the Jatiya Party, which, incidentally, also has Ministers in the Awami League government. However, the main opposition party to the Awami League, has always been considered to be the Bangladesh Nationalist Party (BNP).

³¹ Student wing of Awami League

³² Youth wing of Awami League

activists. Later he was admitted to Moon Hospital at Jhautola in the city where he succumbed to his injuries on April 12. At least 10 persons were injured during this incident.³³

10. On April 17, 2015 violence took place between supporters of Hazi Mohammad Danesh Science and Technology University unit Chhatra League President Iftekharul and expelled General Secretary Arun Kanti; and supporters of Chhatra League activists Asaduzzaman Jemi and Nahid Ahmed Nayan, which resulted in the deaths of a second year BBA student, Zakaria and a Master's student of Veterinary Science, Milton. Moreover, at least 10 persons, including a teacher, Fazlul Huq, were injured during this clash.³⁴
11. Odhikar expresses grave concern over the on-going political violence. Odhikar believes that it is very important to ensure free, fair and impartial elections through the participation of all political parties in a democratic process, which is equally significant for political stability. The political leadership has gained vested interest by misdirecting the youth of this country for a long time, taking advantage of their economic instability; and they have blocked the way for youth to play a positive role for the betterment of the nation. Odhikar demands that the government take legal action against its party activists who are involved in criminal activities, in order to stop criminalisation of politics.

Allegations of vandalization and looting during Joint Forces operation

12. Allegations of vandalization and lootings were made during operations carried out by the joint forces at midnight on April 7, 2015 in Khansama Upazila under Dinajpur and in Bholahat under Chapainababganj. The members of the joint forces entered the house of a farmer named Obaidur Rahman during the operations in Makorshapara area under Khansama Upazila in Dinajpur district; and assaulted the women, as there were no men in the house. Joint forces also vandalised furniture and household goods. Women in Tiloki, Suranpur and Bireswarpur villages alleged that the members of the joint forces looted cash and ornaments; and vandalised furniture after entering 20-25 houses in Bholahat upazila in Chapainababganj.³⁵

³³ The daily Naya Diganta, 13/04/2015

³⁴ The daily Manabzamin, 18/04/2015

³⁵ The daily Naya Diganta, 09/04/2015

Extrajudicial killings

13. According to information gathered by Odhikar, in April 2015, a total of nine persons were allegedly killed extra-judicially.
14. Among the deaths, eight were killed in alleged 'crossfire/encounters/gun fights'. Of them, one was killed by RAB and seven were killed by the police.
15. One person was reportedly shot dead by police.

Identities of the deceased persons:

16. Of the nine persons who were killed extra-judicially, three were activists of Jamaat-e-Islami and six were alleged criminals.
17. On April 12, 2015 at around 12:30 am, Anisur Rahman Anis (18), an Islami Chhatra Shibir³⁶ activist of Ullapara in Sirajganj, died in Sirajganj General Hospital, after being admitted with bullet injuries. He was also a first year college student at Mawlana Bhasani Degree College. Emergency doctor Foysal Ahmed and Medical Officer of the Orthopedic Department, Nurul Islam informed Odhikar that Anis was shot in his leg and he died due to severe bleeding. The Officer-in-Charge (OC) of Sirajganj Police Station, Habibul Islam informed Odhikar that in the evening of April 12, a group of Shibir activists led by Anisur Rahman Anis, threw two crude bombs at the police station during the hartal called by the Jamaat-Shibir on April 13, in protest of the execution of Jamaat leader Kamruzzaman.³⁷ Police arrested Anis after chasing him down. Police planned to conduct an operation at Ekdala and Goyla areas adjacent to the city protection barrage and took Anis with them. At around 12:15 am, Shibir activists opened fire at the police who fired back. According to Habibul Islam, at that time Anis was shot in his right leg by the Shibir activists; and was admitted to hospital. He died there later in the morning. Meanwhile District unit Jamaat President Shahinur Alam informed Odhikar that Anis was shot dead by police. He said the police arrested Anis in the evening of April 12, from Bhai Bhai Mess situated at Dhanbandhi area, adjacent to Nabodeep Bridge. Police shot him in his leg and he succumbed to his injuries due to negligence while under treatment.³⁸
18. On April 21, 2015 at around 2:30 am, a youth named Milon Ali (32), a resident of Laxmidhorodia village under Mirpur Upazila in Kushtia, was killed in 'gunfight' with police in a field adjacent to Shunipara on the Kushtia-Meherpur Road. Police claimed that the deceased Milon was a leader of dacoits and had been implicated in several cases. However, the family of the victim claimed that Milon was arrested by police three days before he was

³⁶ Student wing of Jamaat-e-Islami

³⁷ Mohammad Kamrunzaman was sentenced to death after being found guilty of war crimes committed in 1971, by the International Crimes Tribunal.

³⁸ Report sent by human right defender associated with Odhikar from Sirajganj.

killed extra-judicially. Milon's wife Yeasmin Akhter and his sister Ferdous Ara alleged that Milon was arrested by Halim, Sub Inspector of Mirpur Police Station and Assistant Sub-Inspector Atiq at around 11:00 pm on April 18, 2015 from Alim Shah's shrine in the village. The next morning they went to Mirpur Police Station to look for Milon but police said that they did not know. SI Halim denied the incident and informed that he heard that Milon was picked up by some unknown persons.³⁹

19. The law and justice delivery system of the country is becoming increasingly questionable and human rights are being seriously violated due to the persistence of extrajudicial killings. When police delay or refuse to investigate deaths and disappearances, their lack of duty only draws one to suspect them of involvement.

Shooting in the leg after arrest by law enforcers

20. According to information gathered by Odhikar, in April 2015, one person was shot in the leg allegedly by the police. Between January – March 2005 a reported number of 26 persons were shot in the leg by police.
21. Law enforcers are not only targeting political opponents but allegedly attacking ordinary citizens in this manner too. Several people have already become disabled due to shooting by law enforcement agencies.

Unlawful acts by law enforcement agency

22. On April 20, 2015 at around 10:00 pm, a 70-year old man named Abdul Majid went out to buy medicine at Battala area in Baunia under Turag Police Station in Dhaka. At that time some men called out to him from a microbus parked beside the road. When he approached the microbus one of them asked him to get in. Abdul Majid asked for their identity and they claimed they were police. Abdul Majid refused to get into the microbus at night with strangers. This irritated them, and they beat him severely on the street. Abdul Majid was admitted to Dhaka Medical College Hospital the same night. While in the hospital, Abdul Majid said, "Many people including BNP leader Salah Uddin Ahmed were picked up by men claiming to be police. I did not want to get into trouble. That is why I did not get into the microbus". The Officer-in-Charge of Turag Police Station, Mahbube Khuda said that a team of police of Joydebpur Police Station under Gazipur district were responsible for this.⁴⁰

³⁹ Report sent by human right defender associated with Odhikar from Sirajganj.

⁴⁰ The daily Prothom Alo, 21/04/2015

Allegations of enforced disappearance⁴¹ against law enforcement agencies

23. According to information gathered by Odhikar in April 2015, two persons have been disappeared; of them, one body was later found and one person was later produced before the Court.
24. Incidents of enforced disappearance continue in Bangladesh. Families of victims of enforced disappearances claim that members of law enforcement agencies made the arrests and then the victims disappear.⁴² In some cases, law enforcement agencies deny the arrest; but days later, the arrested persons are producing in public or handed over to a police station and appear in court or their bodies later found.
25. On April 3, 2015 a Jubo Dal leader Toiyabur Rahman Turan (32) was picked up in a white microbus by men claiming to be members of law enforcement agencies, from in front of his welding shop at the Arappur area in Jhenaidah. On April 10, his body, bearing gunshot wounds, was found beside Jhenaidah-Magura Highways in Shachani village under Magura district. Turan's wife Tania Akhter Mukti informed Odhikar that in the evening of April 3, her husband left the house to go to his welding shop. Later she heard that some people had picked him up. After reaching the place of occurrence, she learnt that some armed men claiming to be members of the law enforcement agency, arrested Turan and took him away in a white microbus. She also informed that when they contacted police in this regard, they denied the arrest. It is to be noted that the deceased's mother became ill after receiving the body of her son and on April 29, 2015 she died.⁴³

Hindrance to freedom of expression and the media

26. According to information gathered by Odhikar, in April 2015, 16 journalists were injured, two were attacked, two were threatened and one was arrested.
27. On April 4, 2015 an organisation of the Editors of the daily newspapers, Sompadok Parishad (Editors Council), met to express grave concern regarding incidents of torture, attack and harassment on journalists by police, influential politicians and by local criminals; and over a recent letter from the

⁴¹ Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance states, "enforced disappearance" as: "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."

⁴² Odhikar only documents allegation of enforced disappearance where the family members or witnesses claim that the victim was taken away by people in law enforcement uniform or by those who said they were from law enforcement agencies.

⁴³ Information gathered by Odhikar

- Press Council. The letter issued by the Press Council, addressed to the Editors, mentioned some conditions that were to be imposed in journalism.⁴⁴
28. April 11, 2015 marked two years of detention of the Acting Editor of the daily Amar Desh, Mahmudur Rahman. On April 11, 2013 Detective Branch (DB) of police arrested Mahmudur Rahman from the Amar Desh office.⁴⁵ Later a team of DB police raided the office located at Tejgaon Industrial Area and confiscated a computer and some important documents. At around 10:45 pm, police locked the newspaper press.⁴⁶
29. A staff reporter of the daily Jugantor, Mohammad Hanif was given death threats by the President of Noakhali Maizdi city unit Awami League, Abdul Wadud Pintu. On April 24, 2015 Hanif published this incident in the daily Jugantor. This irritated Abdul Wadud Pintu and he, along with five criminals, including Rafi, Rajib and Raju attacked the office of journalist Hanif located at Town Hall Mor at around 4:00 pm on the same day. Criminals physically assaulted Hanif and vandalized office furniture. Locals rescued Hanif and admitted him to Noakhali General Hospital with severe injuries.⁴⁷

Meetings and assemblies prohibited

30. The right to freedom of assembly and the holding of peaceful meetings, rallies and processions are the democratic and political rights of every citizen, as enshrined in Article 37 of the Constitution of the People's Republic of Bangladesh. Banning and attacking meetings and assemblies imply the shutting down of democratic space. The present government is imposing a ban on meetings and assemblies of the opposition and groups with alternative beliefs; and also engages the police and party activists to disrupt such gatherings.
31. On April 23, 2015 Awami League supported Projonmo League⁴⁸ attacked a human chain organised by Jatiyatabadi Sangskritik Jote⁴⁹ in protest of attacks on the motorcade of Khaleda Zia, in front of the National Press Club.⁵⁰ Later on April 25, a group of 30-35 activists of the ruling party led by Amir Hossain, attacked a human chain at the same place, organised by Swadhinota Forum⁵¹ in protest of attacks on the motorcade of Khaleda Zia. During the attack BNP

⁴⁴ The daily Prothom Alo, 08/04/2015

⁴⁵ Mahmudur Rahman was staying at the Amar Desh office to avoid his arrest soon after a case filed against him with Tejgaon Police Station on December 13, 2012. It is to be mentioned that Mahmudur Rahman was earlier arrested under the present government on June 2, 2010 and was detained in jail for nine months. He was physically tortured at that time and the government closed down the daily Amar Desh.

⁴⁶ The Daily Ittefaq, 18/04/2013

⁴⁷ Report sent by human right defender associated with Odhikar from Noakhali.

⁴⁸ A pro-Awami League organisation

⁴⁹ BNP supported cultural alliance

⁵⁰ The daily Manabzamin, 26/04/2015

⁵¹ A pro-BNP organisation

executive member and former parliamentarian, Khaleda Yeasmin, was beaten.⁵²

Situation of ready-made garment workers

32. On April 24, 2013, the nine-storied building, Rana Plaza collapsed in Savar, Dhaka. During the incident, around five thousand workers were working in the five garments factories situated in the building. After the collapse, rescuers retrieved 1135 dead bodies and 2438 workers were pulled out from the debris with severe injuries. Many of the deceased remain unknown till date. Odhikar remembers the incident with deep sorrow and sends its heartfelt condolence to all the family members of the workers who died during the collapse.⁵³ There are many vulnerable and unplanned buildings constructed around the country like Rana Plaza, they may collapse any time and cause many casualties. The readymade garments sector is the main foreign currency earner of Bangladesh's economy. Workers connected with this sector are playing a vital role in the economy. Workers are facing disasters due to gross negligence and carelessness of some vested interest groups; and the irresponsibility of concerned government agencies. Unless the perpetrators are brought before justice, the culture of impunity for the owners of both factories and buildings will continue to bring on disaster.
33. According to information gathered by Odhikar, in April 2015, 20 workers were injured during protests and 10 workers were trampled on when they rushed to go downstairs in panic.
34. On April 16, 2015 the authority of Jabbar Fashion Factory in Fatulla under Narayanganj district, declared the factory shut down and decided to shift it to another location. On April 19, workers of that factory demanded that the factory reopen and they tried to enter the factory by breaking the locks. Workers were entangled in an altercation with police when police stopped them. Police baton charged and fired on the workers in an attempt to disperse them. At least 10 workers, including seven women workers Rehana (19), Parveen (22), Moriam (18), Shiuly (22), Rekha (25), Rozina (22), Munni (21) were shot and injured. The injured persons were rescued by their fellow workers and taken to Khanpur 300 Bedded Hospital.⁵⁴
35. On April 25, 2015 in another incident of workers unrest, the authority of Cadtex Garment at Katherpool area in Fatulla closed down the factory for an indefinite period. In the morning of April 26, workers gathered to demand

⁵² The daily Jugantor, 26/04/2015

⁵³ Odhikar- FIDH- UNI released a statement regarding the Rana Plaza incident on April 24, 2015. Please see the link http://1dgy051vgyxh41o8cj16kk7s19f2.wpengine.netdna-cdn.com/wp-content/uploads/2015/04/Rana_Plaza_PR_Odhikar-FIDH_21.04.15_Eng.pdf

⁵⁴ Report sent by human right defender associated with Odhikar from Narayanganj.

that the factory reopen. At one stage they tried to bring out workers from the adjacent factory, and were throwing brickbats at some other factories. Hearing the news, police reached the spot and tried to control the situation; but workers threw brickbats at police too. Police opened fire to disperse aggressive workers, which resulting in 10 workers being injured.⁵⁵

Human rights violations by BSF in border areas

36. According to information collected by Odhikar, in April 2015, nine Bangladeshi citizens were killed by the Indian Border Security Force (BSF). Of them, five were shot dead and four were tortured to death. Furthermore, four Bangladeshis were injured. Of the four, three were shot and one woman was tortured.
37. According to the Memorandum of Understanding and related treaties signed between Bangladesh and India, if citizens of either country illegally cross the border, it would be considered trespass and as per law those persons should be handed over to the civilian authority. However, over the years, we have noticed that India has been repeatedly violating treaties, shooting at anyone seen near the border or anyone trying to cross the border; and illegally entering Bangladesh, which is a clear violation of international law and human rights; and threats to the sovereignty of Bangladesh.
38. Two Bangladeshi citizens named Aku Mia (31) and Shanto Mia (35) of Putkhali village, were shot dead by the BSF at Doulatpur border under Shahrsha Upazila in Jessore. Doulatpur BGB Camp Commander Nayeb Subedar Amjad Hossain informed Odhikar that on April 11, 2015 at around 5:30 am, some Bangladeshi cattle traders were returning from India with cows. At that time BSF members of Kaliani camp shot at them when they reached Ghonar Math near the Putkhali border. Some cattle traders, including Aku and Shanto were injured. Shanto died on the way to hospital and Aku Mia was declared dead by the duty doctor at Sharsha Upazila Health Complex.⁵⁶
39. On April 22, 2015 at around 11:00 am, a Bangladeshi woman named Hashura Khatun (35), a resident of Chancha area of Jessore, was beaten by BSF in Petrapole BSF Camp when she was returning to Bangladesh legally through Benapole Check post. Hashura's cousin Tuni Begum said, "We were returning from India together. We bought some gifts for relatives. After reaching the Petrapole check post and after clearance of immigration and customs, suddenly BSF members from the no-man's land caught Hashura and took her to the camp before she could enter the Bangladesh side. At that time BSF

⁵⁵ Report sent by human right defender associated with Odhikar from Narayanganj.

⁵⁶ Report sent by human right defender associated with Odhikar from Jessore.

demanded a bribe for taking Indian goods to Bangladesh. Hashura was beaten and became unconscious as she refused to give bribes. Later BSF sent her towards Bangladesh check post in a rickshaw van. BSF also threatened me not to disclose the matter". The Officer-in-Charge of the immigration police at Benapole check post, Aslam Khan acknowledged the incident of torture on the Bangladeshi woman by the BSF. He said, "We recovered Hashura Khatun still unconscious from no-man's land after hearing the incident. She had wound marks on different parts of her body".⁵⁷

40. Odhikar believes that the role of the Bangladesh Government should be independent and sovereign in order to protect its citizens. No independent and sovereign state would passively watch its citizens being indiscriminately killed, tortured and abducted by another state.

The human rights violations of religious minority communities

41. Attacks on citizens belonging to religious minority communities continue. Vested interest groups are oppressing citizens of the religious minority community over various interests, including land grabbing and extortion. This kind of attack continues as a result of obtaining political gains and the perpetrators are yet to be held accountable.
42. Criminals attacked a Hindu temple and some houses belonging to Hindus in Bongram area under Gazipur City Corporation; and they looted and vandalized their valuables. Locals including a Bongram inhabitant, Sunil Chandra Barman informed that on the night of April 19, 2015 a group of 50-60 criminals led by a local influential, Rafiqul Islam, fired blank shots near 'Bongram Sree Sree Sudhonya Kripamoyee Kali Mandir' at Bongram area. Later criminals vandalized some houses and shops and looted money in the adjacent area. Criminals broke four idols of gods and goddesses at the Kali Mandir. At least six people were injured during this attack.⁵⁸
43. Odhikar strongly condemns the incidents of attacks on citizens belonging to religious minority communities and also urges the government to bring the perpetrators before justice. Odhikar also urges government to ensure security of the victims and bring victim families who had fled in fear, back to their homes.

Public lynching continues

44. In April 2015, 15 people were reportedly killed due to public lynching.

⁵⁷ Report sent by human right defender associated with Odhikar from Jessore.

⁵⁸ Report sent by human right defender associated with Odhikar from Gazipur.

45. The lack of respect for law, distrust of the police and instability in the country has increased fear and insecurity among people, who have resorted to taking the law into their own hands, fearing that they will not get justice any other way.

Violence against women

46. In April 2015, a significant number of women have been victims of rape, dowry related violence, acid attacks and sexual harassment by stalkers.

Sexual harassment: Dhaka University, Jahangirnagar University and Jagannath University campus

47. Numerous women became victims of sexual harassment by gangs in Dhaka University campus during celebrations of Bangla New year on April 14, 2015, and the exact number of which could not be ascertained as these remained unreported. On the other hand, it is reported that in April 2015, a total of six girls and women were victims of sexual harassment. Of them two were assaulted and four were stalked.
48. On April 14, 2015 on the occasion of Bengali New Year criminals began sexually harassing women in front of the gate of Suhrawardy Udyan⁵⁹ at the northern side of the Raju Sculpture on Dhaka University campus. Women, from adolescents to the elderly were subjected to sexual harassment. The incidents became known to public when women were rescued by Dhaka University unit President of Chhatra Union⁶⁰, Liton Nandi and others from the hands of the attackers. After investigation, such incidents and some perpetrators were revealed from the recording of CCTV cameras in the area. Liton Nandi informed that they saw a group of 30-35 youths sexually abusing women in the crowd at the Suhrawardy Udyan gate. When he protested, the attackers pushed him down; and he broke his arm. This situation was immediately informed to the University Proctor, A M Amjad but he did not take any action. The police were inactive during the incident and even let five criminals free after they were handed over to them.⁶¹ On April 16, 2015 a Bench of the High Court Division of the Supreme Court comprising of Justice Kazi Reza-Ul Huq and Justice Abu Taher Mohammad Saifur Rahman, issued a suo moto rule asking the government what measures were taken to bring the accused to justice after investigating the incidents of sexual harassment.

⁵⁹ Suhrawardy Udyan, adjacent to Dhaka University campus formerly known as Ramna Race Course ground is a national memorial located in Dhaka, Bangladesh. It is named after Hussain Shaheed Suhrawardy. Originally it served as the military club of the British soldiers stationed in Dhaka. It was then called the Ramna Race Course and later Ramna Gymkhana. After the end of colonial rule, the place – sometimes referred to as *Dhaka Race Course* – was used for legal horse racing.

⁶⁰ Student wing of the Communist Party of Bangladesh

⁶¹ The daily Manabzamin and Prothom Alo, 16/04/2015

49. On April 14, 2015 some female students of Jahangirnagar University were returning to their residential hall after celebrating *Pohela Boishakh* (Bengali New Year 1422). On the way to their dormitory, five Chhatra League activists, residents of Shaheed Salam Barkat Hall, halted them at Chourangir Mor and took away a female student belonging to the ethnic minority community. They tried to rape her and snatched away her bag and cell phone. Chhatra League activists fled the scene when people of the adjacent areas started gathering, hearing the screams of the students. The victim and her classmates filed a complaint to the University Proctor, Tapan Kumar Saha, against those five Chhatra League activists; but the Proctor did not pay any heed to it. Later they filed another complaint to the Vice-Chancellor. The accused of this incident are Nishat Imtiaz Bijoy, a student of the Journalism and Media Studies Department and University unit Chhatra League member; Nafiz Imtiaz, Salam-Barkat Hall unit Chhatra League's Publicity Secretary; Chhatra League activists Rakib Hassan, Abdur Rahman Ifti and Nurul Kabir.⁶²
50. On April 26, 2015 Aroj Mia, Vice-President of Jagannath University unit Chhatra League and student of the Islamic History and Culture Department, slapped a female teacher of the Public Administration Department of Jagannath University, when they collide while walking on the same road. Aroj Mia was also pulling her scarf. After this incident the female teacher filed a written complaint to the University authority; and the members of University Proctorial Body apprehended Chhatra League leader Aroj Mia and handed him over to police. When police were taking Aroj Mia to the police station, a group of Chhatra League activists, led by University unit Chhatra League's General Secretary S M Sirajul Islam, attacked the police and snatched Aroj Mia from police custody.⁶³
51. Odhikar expresses grave concern over the incidents of sexual harassment on women. Odhikar believes that violence against women increases as a result of failure of bringing the perpetrators to justice and due to lack of morality. Odhikar demands the government immediately bring the perpetrators to justice after indentifying them, regardless of any political affiliation.

Dowry-related violence

52. In April 2015, according to Odhikar documentation, 11 women were subjected to dowry violence. Of these women, it has been alleged that eight were killed because of dowry and three were physically abused over dowry demands.
53. On April 13, 2015 at night, a housewife named Malika Rani (20) was killed by her husband Sudhangshu and his family over dowry demands in Phulbari Upazila under Dinajpur District. Malika Rani and Sudhangshu got married in

⁶² The daily Manabzamin, 17/04/2015

⁶³ The daily Amader Shomoy, 27/04/2015

February 2015. Soon after the marriage, Malika's in-laws started creating pressure on her for dowry.⁶⁴

Rape

54. In April 2015, Odhikar recorded a total number of 41 females who were raped. Among them, 20 were women, 20 were children below the age of 16 and the age of one person could not be determined. Of the women, three were killed after being raped; 13 were victims of gang rape. Out of the 20 child victims, one was killed after being raped; 10 were victims of gang rape. Furthermore, three women and children were victims of attempted rape.
55. On April 16, 2015 two female college students came to Ulipur Bazaar to buy books in Ulipur under Kurigram District. After buying books they were sitting on a bench near an oil depot, adjacent to the bus terminal and waiting for a bus to return home. At that time a man named Erfan Ali and 7-8 of his associates raped the two college students, after threatening the security guard of the depot at gun point to keep quiet. Later the rapists took their cell phones and money. Police arrested Erfan, Atiq and the security guard of the oil depot, Nogen.⁶⁵

Acid violence

56. According to information gathered by Odhikar, in April 2015, five persons became victims of acid violence. Of them one was a woman, three were men and one was a girl.
57. On April 14, 2015 at midnight, criminals threw acid on Sumaiya Akhter, a student of class III and her elder sister Jhumur Khan in Goretddar Village of Baishali Union under Banaripara Upazila in Barisal. Both were gravely injured and admitted to Banaripara Upazila Health Complex.⁶⁶
58. Odhikar expresses concern regarding the persistence of violence against women. Odhikar believes that women are being victimized mainly due to lack of implementation of laws; failure of the Judiciary; perpetrators' affiliation with the ruling party, lack of victim and witness protection; corruption in police department; economic instability; and weak administration. Odhikar believes that since the perpetrators of violence against women escape punishment, potential violators are encouraged and incidents of violence increase.

⁶⁴ The Daily Star, 16/04/2015

⁶⁵ The daily Jugantor, 17/04/2015

⁶⁶ The daily Prothom Alo, 13/04/2015

Information and Communication Technology Act, 2006 (Amended 2009 and 2013) still exists

59. The repressive law, Information and Communication Technology Act 2006 (amendment 2009 and 2013) is still functioning. The latest amendment to the ICT Act was made on October 6, 2013. Section 57⁶⁷ of the ICT Act 2013, states that publishing or transmitting in a website or in any other electronic form, of any defamatory or false information is considered to be a cognizable and non-bailable offence. Moreover, punishment for committing this offence has been amended from a maximum of 10 years, with no minimum to a term of a minimum of seven years and maximum of 14 years imprisonment. This law has curtailed the freedom of expression and the government is using it against human rights defenders, journalists, bloggers and people who have alternative or dissenting opinions.
60. Odhikar believes that the repressive Information and Communication Technology Act, 2006 (Amendment 2009 and 2013) is being used indiscriminately. Odhikar urges the government to repeal this repressive law immediately.⁶⁸

Activities of Odhikar hindered

61. The severe state repression on Odhikar commenced on August 10, 2013. The case filed under section 57 of the Information and Communication Technology Act, 2006 (Amended 2009) against Odhikar's Secretary Adilur Rahman Khan and its Director ASM Nasiruddin Elan, for publishing a report on human rights violations, is pending in the Cyber Crimes Tribunal. Human rights defenders who are associated with Odhikar are being watched and sometimes harassed and human rights activities hindered. Apart from that, the NGO Affairs Bureau (NGOAB), which is under the Prime Minister's Office, has barred the release of all project related funds that were to be utilized by Odhikar to implement human rights awareness and documentation activities. As a result, all activities from the grass roots level to the Odhikar office are being hindered.

⁶⁷ Section 57 of the ICT Act states: (1) If any person deliberately publishes or transmits or causes to be published or transmitted in the website or in electronic form any material which is fake and obscene or its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, or causes to deteriorate or creates possibility to deteriorate law and order, prejudice the image of the State or person or causes to hurt or may hurt religious belief or instigate against any person or organization, then this activity of his will be regarded as an offence.

(2) Whoever commits offence under sub-section (1) of this section he shall be punishable for a term of minimum of seven years' imprisonment and a maximum of 14 years or a fine of Taka one crore or both.

⁶⁸ The ICT Act 2006 (Amended in 2009) is also the law under which the Secretary and Director of Odhikar have been charged. Also charged under this Act are bloggers and journalists in 2013.

62. As a human rights organisation it is Odhikar's duty to highlight human rights violations and take appropriate actions and measures to prevent future violations. The Government is trying to gag the voice of Odhikar in order to stop the victims and their families from speaking of the human rights violations they have suffered. Odhikar is the voice of victims.

Statistics: January-April 2015*						
Type of Human Rights Violation		January	February	March	April	Total
**Extrajudicial killings	Crossfire	12	30	9	8	59
	Shot to death	5	5	2	1	13
	Beaten to death	1	0	0	0	1
	Strangled to death	0	1	0	0	1
	Tortured to death	0	0	1	0	1
	Others	0	2	0	0	2
	Total	18	38	12	9	77
Shot on legs by law enforcement agencies		2	16	8	1	27
Disappearances		14	9	10	2	35
Human rights violations by Indian BSF	Bangladeshis Killed	2	5	1	9	17
	Bangladeshis Injured	11	7	5	4	27
	Bangladeshis Abducted	4	9	3	0	16
Attack on journalists	Injured	6	3	16	16	41
	Threatened	1	1	0	2	4
	Assaulted	2	1	0	0	3
	Tortured	0	0	1	0	1
	Arrested	2	0	1	1	4
Political violence	Killed	48	40	33	11	132
	Injured	1947	722	580	262	3511
Dowry related violence (including women victims, their children and relatives)		13	15	15	11	54
Rape		33	44	40	41	158
***Sexual harassment /Stalking of women		19	9	19	6	53
Acid violence		8	4	3	5	20
Public lynching		12	7	8	15	42

*Odhikar's documentation

**On January-April five persons were allegedly extra judicially killed by the law enforcement agencies due to political violence which is also included in the statistical part of the Political Violence

***It is to be noted that numerous women became victims of sexual harassment by gangs in Dhaka University campus during celebrations of Bangla New year on April 14, 2015 which could not be determined as the victims did not report the incident, therefore, in the statistical part of sexual harassment/stalking of women could not be added.

Recommendations

1. A free, fair and credible Parliamentary election needs to be held immediately by ensuring the participation of all political parties, under a neutral caretaker government or under the supervision of the UN, in order to restore democracy based on the principles contained in the Proclamation of Independence, such as equality, human dignity and social justice.
2. Political violence must stop. The Government must take legal action against the ruling party activists for criminalisation. All parties must come to a consensus to curtail violence and confrontational politics and stop the culture of 'blame games' when violence occurs; and ensure punishment of the perpetrators, as provided under the law.
3. Incidents of extrajudicial killings by law enforcement agencies must be investigated and the perpetrators be brought to effective justice. The law enforcement agencies must follow the international guidelines "Basic Principles on the use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials".
4. The Government has to explain all incidents and allegations of enforced disappearance and killings. Victims of disappearance should be handed back to their families. It must bring the members of the security and law enforcement forces who are involved to justice. Odhikar urges the Government to accede to the International Convention for the Protection of All Persons from Enforced Disappearance, adopted by the UN on December 20, 2006.
5. The Government should refrain from attacking peaceful public events and from carrying out repressive activities.
6. The Government must stop interference on freedom of expression and media. The Government should investigate incidents of attacks on human rights defenders and journalists; and take appropriate measures to bring the perpetrators to justice. The ban on the publication of the daily Amar Desh and the broadcasting of Diganta TV, Islamic TV and Channel One should be removed. All political detainees, including the Acting Editor of the daily Amar Desh, Mahmudur Rahman⁶⁹ should be released.
7. The Government should protest strongly against human rights violations on Bangladeshi citizens by the BSF and take initiatives to investigate and make the Indian Government accountable and compensate the families of the victims. The Government should also ensure the safety and security of the Bangladeshi citizens residing at the border areas.
8. The Government should take all measures to protect the rights of the citizens belonging to religious and ethnic minority communities and ensure their

⁶⁹ Mahmudur Rahman is in jail since April 11, 2013.

security. Perpetrators of attacks on all minority communities must be brought to justice.

9. The perpetrators of sexual harassment against women in Dhaka University, Jahangirnagar University and Jagannath University must be brought to justice; as must all perpetrators of sexual and gender related crimes. There should be no discrimination whatsoever.
10. The Government must execute mass awareness programmes in the print and electronic media in order to eliminate violence against women.
11. All repressive laws, including the Information and Communication Technology Act, 2006 (amendment 2009 and 2013) and the Special Powers Act, 1974 must be repealed.
12. The case filed against Odhikar's Secretary and its Director under the Information and Communication Technology Act, 2006 (Amended in 2009) must be withdrawn. All repressive measure and harassment against human rights defenders associated with Odhikar must cease. The government must release the funds of Odhikar urgently to enable it to continue its human rights activities.

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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, with assistance from trained local human rights defenders.
4. Odhikar is consistent in its human rights reporting and is committed to remain so.