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Six-Months Human Rights Monitoring Report

January 1 – June 30, 2015

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Odhikar believes that 'democracy' is a form of the State and presupposes that freedom and human rights are its foundations. Democracy is not merely a process of electing a ruler. Democracy is the result of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the State, defining 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 State's failure to recognise this 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 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 is also constitutive of a democratic state. In recent times, Odhikar's human rights defenders have been persecuted for their work and beliefs. However, this has only strengthened the organisation's resolve to fight for human rights, with no discrimination whatsoever.

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, Odhikar prepares and releases monthly situation reports. Odhikar has released six-monthly human rights monitoring report from January – June 2015, despite facing harassment and threats to its existence.

A. Violent political situation and its related issues

On average, 24 persons were killed in political violence every month

1. According to information gathered by Odhikar, from January to June 2015, 148 persons were killed and 4103 injured in political violence. Among them, 689 persons were burnt in petrol bombs and arson attacks during blockades and hartals¹ of which 69 persons succumbed to their burn injuries. Furthermore, 22 persons were killed in the internal conflict of the Awami League while one person was killed in the internal conflicts of BNP. During this period 1478 persons were injured in the internal conflicts of Awami League while 69 persons were injured in conflicts within the BNP. In addition to that, there were 155 incidents of internal violence in the Awami League and six in the BNP² recorded during this period.
2. Between January and June 2015, the political situation of the country was extremely confrontational until March. The country-wide blockade and strike

¹ General Strikes

² BNP: Bangladesh Nationalist Party

called by the BNP led 20-Party Alliance (former 18-Party Alliance) on January 5, 2015, over the controversial January 5, 2014 Parliamentary Elections³ created a huge political crisis. During this period the government randomly arrested and used various forms of repression on many leaders and activists of the opposition; in order to quell the opposition activities. As a result, incidents of enforced disappearance, extrajudicial killings, shooting in the legs and torture in remand occurred; and reports show that most of the victims of such incidents were activists of the BNP and Jamaat-e-Islami. Joint Forces carried out operations in various districts of Bangladesh. Thousands⁴ of leaders and activists of the 20-Party Alliance were arrested. As a result of the mass arrests, prisons became full of political detainees, resulting in inhumane conditions due to overcrowding. Incidents of bomb attacks, vandalizing and setting fire to vehicles continued during hartals and blockades. Many ordinary people, including women and children, were killed and injured due to these attacks. The government and the 20-Party Alliance were blaming each other for these incidents. The BNP led 20-Party Alliance withdrew blockades and hartals from March 29, 2015 so that the City Corporation elections in Dhaka and Chittagong could be held on April 28, 2015. Like the farcical Parliamentary elections in January 2014, City Corporations elections were held in Dhaka North, Dhaka South and Chittagong on April 28, 2015 where the government deprived the people from the right to vote; and ensured the victory of Awami League supported candidates through massive rigging and fake votes. It was easy for the government to conduct farcical elections by politicising various government institutes; making various independent institutions like the Election Commission and Anti Corruption Commission subservient to the government; through corruption, impunity and enacting and imposing various repressive laws. As a result, the political situation of the country has become very vulnerable and confrontational. Many incidents of internal altercation and casualties took place between Chhatra League⁵ and Jubo League⁶ activists as a result of criminalisation of politics. Activists of

³ 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).

⁴ According to a joint statement made by the Asian Legal Resource Centre and CIVICUS at <http://us6.campaign-archive1.com/?u=9283ff78aa53cccd2800739dc&id=12458ec493&e=41b94b008c>, the number of arrested 20-Party Alliance activists is about 14,000.

⁵ Student wing of Awami League

⁶ Youth wing of Awami League

Chhatra League and Jubo League were also seen using firearms openly during clashes, which were also published in the daily papers.

Some incidents of political violence between January and March 2015 during blockades and hartals

3. On January 5, 2015, in the presence of police, Awami League activists opened fire at a 20-Party Alliance rally which was preparing to bring out a procession with black flags, after a public meeting at Tebaria Hat in Natore district. Chhatra Dal⁷ leaders Rakib Hossain and Raihan Ali were seriously wounded and 15-20 more activists were injured. The injured were taken to Natore Hospital for medical treatment, where Rakib Hossain and Raihan Ali were declared dead by the duty doctor.⁸
4. In the night of February 6, 2015, a bus was travelling to Dhaka under police protection with 50-60 passengers, from Shicha under Sundarganj Upazila in Gaibandha District. At around 11:00 pm, criminals threw petrol bombs on the bus near the Polli Bidyut office⁹ on Gaibandha-Polashbari Road and it caught on fire. Passengers Syed Ali (42), Halima Bawa (50), Sumon Mia (12) and Rani (7) burnt to death on the spot. Later, Sonabhan Begum (28), Sujan (13), Abul Kalam Azad (40) and Saju Mia (25) died in Rangpur Medical College Hospital. At least 30 passengers were burnt in this incident.¹⁰
5. On February 13, 2015 at midnight, a group of criminals threw petrol bombs at vehicles in Motihara Bazar on the Dinajpur-Dhaka Highway. Though no casualties were recorded, the local police caught Putimara Union unit Chhatra League¹¹ General Secretary Ujjal and another Chhatra League leader Jobaer red-handed with petrol bombs. Later police of Nobabganj Police Station released the arrested Chhatra League leaders on request from the Awami League leaders.¹²

Political violence between April and June

6. 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 activists. Later he was admitted to Moon Hospital at Jhautola in the city

⁷ Student wing of Bangladesh Nationalist Party (BNP)

⁸ The daily Jugantor, 06/01/2015

⁹ Office of the Rural Electrification Board

¹⁰ The daily Prothom Alo, 07/02/2015 and the daily Jugantor, 12/02/2015

¹¹ Student wing of Bangladesh Awami League

¹² The daily Naya Diganta, 15/02/2015

where he succumbed to his injuries on April 12. At least 10 persons were injured during this incident.¹³

7. In the morning of June 2, 2015 an altercation took place between the supporters of Kutubpur Union unit Awami League President Ibrahim Shikdar and the supporters of Kutubpur Union unit Jubo League President Atique Matubbor, in Shibchar Upazila under Madaripur District. Arshed Matubbor (35) was shot dead during the clash. At that time, a local shopkeeper Shahjahan Ghorami (40) was also shot and he succumbed to his injuries on the way to Shibchar Upazila Health Complex.¹⁴

City Corporation Elections 2015

8. Human rights defenders associated with Odhikar, observed the overall situation of elections and monitored the level of election related violence outside the polling centers in Dhaka North and Dhaka South City Corporations on April 28, 2015 as the Election Commission did not allow Odhikar to observe elections in the three city corporations.¹⁵ 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.
9. On April 28, 2015 elections were held in Dhaka North, Dhaka South and Chittagong City Corporations that were fraught with ousting polling agents of the opposition political parties, capturing polling centres, casting fake votes, obstructing journalists from entering the polling centres and attacks on them and other forms of violence. 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.¹⁶ The BNP led 20-Party Alliance-supported candidates and their supporters were arrested and obstructed when they came out for election campaigns.¹⁷ 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.¹⁸ In several places, the supporters of the ruling

¹³ The daily Naya Diganta, 13/04/2015

¹⁴ The daily Manabzamin, 04/06/2015

¹⁵ On April 12, 2015, Odhikar applied to the Election Commission for permission to observe elections in three city corporations.

¹⁶ Election Commission was made a subservient institution of government, by nominating commissioners through a selection committee made by the government in 2012.

¹⁷ The daily Naya Diganta, 20/04/ 2015

¹⁸ 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

party also attacked supporters of the other Mayor candidates of Ganasanghati Andolan; Communist Party of Bangladesh; and Socialist Party of Bangladesh. The Election Commission did not take any effective measures in this regard. Though it was proved that the elections held in three city corporations were a 'mockery', the Chief Election Commissioner justified the polls as "free and fair".

10. 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.¹⁹ As a result the controversial 10th National Parliamentary elections were held on January 5, 2014 and extensive irregularities and violence occurred in Upazila Parishad Elections²⁰ afterwards. Odhikar believes that the media, civil society and ordinary citizens have to be united without any prejudice, in order to restore the democratic system based on the principles of the liberation war - equality, human dignity and social justice.

104 people killed extra judicially in six months

11. According to information gathered by Odhikar, a reported total of 104 persons were extra judicially killed, between January and June 2015. The types of deaths and the identities of the deceased persons are stated below:

Types of extrajudicial killings

Crossfire/encounter/gun fight:

12. Among the 104 persons extra judicially killed, 79 were killed in 'crossfire/encounters/gun fights'. Of them, 55 were killed by the police, 21 by the RAB, two were killed by the BGB and one by the Joint Forces.

Tortured to death:

13. During the first six months of 2015, three persons were allegedly tortured to death by the police.

Shot to death:

14. Among the deceased, 16 persons were shot and killed during this period. Among them, 14 were by the police and two by the BGB.

¹⁹ 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.

²⁰ Local government elections

Beaten to death:

15. From January to June 2015, two persons were reported beaten to death. Among the deceased, one was beaten to death by the police and one by RAB.

Strangled to death:

16. Among the deceased, one was allegedly strangled to death by police.

Others death:

17. Two persons were killed in a road accident, as claimed by police. The victim families said that the men were picked up by police; and one person was allegedly stabbed to death by BGB.

Identities of the deceased:

18. Of the 104 persons who were killed extra-judicially, 19 were leaders-activists of BNP, 14 were activists of Jamaat-Shibir, one was a member of the Purba Banglar Communist Party, six were youths, two were drivers, one was an office employee, one was an employee of a mobile servicing centre, one was a factory worker, one was a supporter of a Upazila (local government) chairman candidate, one was a fisherman, one was a tailor, one was an owner of a motor garage, one was a security guard of a private firm, one was an accused in a murder case, five were alleged human traffickers, two were tea stall owners and 46 were alleged criminals.
19. The government had conducted operations by Joint Forces to resist the opposition political parties during the volatile political situation between January and March; and during the operations, several incidents of extrajudicial killings allegedly occurred in different places of the country. Furthermore, it has been reported that the security forces are killing people in the name of 'shootout' and stating they were traffickers at the border areas of Cox's Bazaar and Teknaf even before proving their crimes in Court. This also creates an obstruction to tracing the actual masterminds behind human trafficking. 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. Families of victims of extrajudicial killings claimed that members of law enforcement agencies have shot dead their relatives. The government denied the incidents of extrajudicial killings, despite repeated demands to bring the perpetrators to justice. As a result, responsible members of law enforcement agencies are enjoying impunity.
20. The General Secretary of Khilgaon Thana²¹ unit Chhatra Dal, Nuruzzaman Jony was shot dead by Detective Branch (DB) of Police near the Jorapukur playground at Khilgaon Tilpapara. Nuruzzaman's family alleged that the

²¹ In the Dhaka Metropolitan area.

Detective Branch police arrested him on January 19, 2015 from in front of the Dhaka Central Jail gate. On January 20, 2015 at around 3:00 am, Nuruzzaman was shot dead by DB police at Jorapukur playground. Nuruzzaman's father Yakub Ali said that on January 16, 2015 police arrested his youngest son, Moniruzzaman Hira. On January 19, Nuruzzaman went to Dhaka Central Jail with another Chhatra Dal activist Moin, to see his younger brother. He spoke to Nuruzzaman last at around 1:15 pm after reaching the jail gate. After that, Nuruzzaman could not be found. On January 20 at around 8:30 am, a stranger phoned him and told him to go to the Dhaka Medical College Hospital morgue. The inquest report mentioned that 16 bullets wounds were found on Nuruzzaman's body.²²

21. On February 2, 2015 at around 4:00 am, Assistant Sub Inspector Tasneem of Monirampur Police Station, under Jessore District brought the bodies of two Jubo Dal²³ activists, Yusuf Ali and Liton, to the Jessore Medical College Hospital. Police claimed that both had died in a road accident while they were preparing to throw petrol bombs. Yusuf's father Abdul Aziz said that at around 12:30 am on February 2, 2015 a group of men claiming to be police picked up Yusuf from their house. Yusuf's mother Rowshan Ara said that she went to Monirampur Police Station in the morning to search for her son. Rowshan Ara claimed that police killed her son after taking him; and were now staging a 'drama'.²⁴
22. Nazmul Huda Lablu, President of Shramik Kalyan Federation²⁵ and ex-president of Islami Chhatra Shibir²⁶ was killed in an altercation between police at Mithapukur in Rangpur. The brother-in-law of the deceased, Masud said that on March 8 at around 7:00 pm, Lablu was picked up at gunpoint by some men in plain clothes who said they were from the law enforcement agency from his home in Shanerhat Kalanur Shahpur village under Pirganj Upazila. Later on March 9 at noon, police told the family to take Lablu's body. Nurunnabi Shah, Lablu's father, said that police staged a drama of 'gunfight' after killing his son.²⁷
23. On May 8, 2015 at around 3:00 am, Dholu Hossain (55), Mohammad Jahangir Alam (30) and Mohammad Jafar Alam (25) were killed in 'gunfight' in the Jhauban area of Moheshkhalipara beach under Teknaf Upazila of Cox's Bazaar. Aatur Rahman, the Officer-in-Charge of Teknaf Police Station claimed that the deceased persons were human traffickers listed by police. The incident of a 'shootout' took place when police conducted operations after

²² The daily Prothom Alo, 21/01/2015

²³ Youth wing of Bangladesh Nationalist Party (BNP)

²⁴ Report sent by human right defender associated with Odhikar from Jessore.

²⁵ Labour Welfare Federation

²⁶ Student wing of Jamaat-e-Islami

²⁷ The daily Naya Diganta, 10/03/2015

learning that human trafficking was going on at Jhaubon.²⁸ Furthermore, on May 10, 2015 Zafor Majhi (45) from Ukhiya of Cox's Bazaar²⁹ and on May 12, 2015 Belal (38) from Bhumirghona village of Cox's Bazaar were also killed in the name of 'shootout'.³⁰

24. Odhikar demands the government take action against the members of law enforcement agencies who were involved in such killings through independent and neutral investigations.

Torture, inhuman and degrading treatment in custody and shooting in the legs

25. There are allegations that law enforcers inflict torture in custody at police stations to get confessional statements. Torture in the custody of law enforcement agencies during remand is not only a criminal offence but also a serious violation of human rights. Article 35(5) of the Constitution says that "No one shall be subjected to torture, inhuman or degrading punishment or treatment". The High Court Division of the Supreme Court in 2003 in the matter of BLAST vs. Bangladesh gave 15 directives regarding interrogation in remand³¹ and in 2013, the Parliament passed the Torture and Custodial Death (Prevention) Act. However, the directives of the High Court Division and the law are violated. When anyone is arrested, it is now perceived that person will be physically or mentally tortured. Odhikar has, for the last 20 years, documented and carried out fact finding missions on incidents of torture, highlighting the fact that this practice must stop. To add to this violation, the Police Headquarters sent a proposal to the Ministry of Home Affairs regarding amendments to the Torture and Custodial Death (Prevention) Act 2013 which are mainly for their own benefit.³²
26. Between January and March 2015, media activists, apart from politicians were also arrested and taken into remand during the violent political situation. Among them, Joint Secretary General of BNP, Ruhul Kabir Rizvi was taken into 27-day remand under different cases; and the Acting Secretary General of BNP, Mirza Fakhrul Islam Alamgir was taken into 12-day remand in four intervals. Private TV Owners' Association - ATCO President Mosaddek Ali Falu was taken into 13-day remand in different police stations under arson attack cases; and Ekushey TV Chairman Abdus Salam was taken into 5-day remand under a pornography case. Furthermore, the Convener of Nagorik Oikya, Mahmudur Rahman Manna was shown as arrested after 21 hours and

²⁸ Information sent by human rights defender associated with Odhikar from Cox's Bazaar.

²⁹ Naya Diganta, 11/05/2015.

³⁰ The daily Prothom Alo 13/05/2015.

³¹ BLAST and Others vs. Bangladesh and Others, 55 DLR 323. The High Court Division of the Supreme Court of Bangladesh enumerated 15 directives regarding the arrest, detention and interrogation of accused persons in order to avoid and prevent torture in remand/custody. In 2013, the Parliament also passed a torture prevention Act.

³² The daily Prothom Alo, 05/03/2015

the Court granted a 10-day remand on February 25 in a sedition case.³³ On March 7, Manna was produced before the Court after a 10-day remand where he told the Magistrate that he was worried about the security of his life and that he was tortured in police custody during interrogation.³⁴ However, the Court granted a 10-day remand again in another case.³⁵

27. On January 16, 2015 Sechchasebak Dal³⁶ leader, Mohan Bepai Molla died in Dhaka Medical College Hospital during treatment, under the supervision of the jail authority. The brother-in-law of the deceased, Mohammad Alamin claimed that on January 12, 2015 police of Shah Ali Police Station arrested Mohan under a criminal case and beat him in the police van. Mohan was tortured the whole night in the police station. After he was produced before the Court, the Court sent him to jail. However, his physical condition did not improve and he was taken to Dhaka Medical College Hospital by the jail authorities on January 16, where he died.³⁷
28. On March 17, 2015 an altercation took place between the Sub Inspector (SI) of Kalaiya Police Outpost, Mohammad Halim Khan and Bauphal Upazila correspondent of the daily Prothom Alo, Mizanur Rahman at Langra Munshir Bridge area in Kalaiya under Bauphal Upazila in Patuakhali District. Later it was mutually resolved. But police filed a case with Bauphal Police Station against Mizanur accusing him of beating a police officer. Mizanur was arrested in the evening of March 17 and was severely beaten by police in the room of the Officer-in-Charge, Noresh Chandra Karmokar. He was beaten until he became unconscious. According to Mizanur, he was tortured by Assistant Superintendent of Police (Sadar Circle), Saheb Ali; Officer-in-Charge of Bauphal Police Station, Noresh Chandra Karmokar; and two more police officers.³⁸ On March 22 Mizanur Rahman was produced before the Court from Patuakhali District Jail. Mizanur showed the marks of torture to the Magistrate by taking off his shirt.³⁹ On March 24 the High Court Division Bench of the Supreme Court issued a rule as to why torture on Mizanur Rahman would not be declared illegal.⁴⁰ At present Mizanur Rahman is free on bail and the case is under trial.
29. On June 9, 2015 at around 10.00 pm five members of Rajshahi Metropolitan Detective Branch of Police picked up Al Amin Opu (13), a student of class IX of Horipur School, from the road, after pointing guns at his chest and then tortured him. Opu's father Milon said that on June 8 he went to Rajshahi

³³ Information gathered by Odhikar

³⁴ The daily New Age, 11/03/2015

³⁵ The daily Manabzamin, 11/03/2015

³⁶ Volunteer wing of the BNP

³⁷ The daily Jugantor, 17/01/2015

³⁸ The daily Prothom Alo, 21/03/2015

³⁹ The daily Prothom Alo, 23/03/2015

⁴⁰ The daily Prothom Alo, 24/03/2015

District Judge Court to make an appearance in a narcotics case while a group of eight DB police led by Sub Inspector Monowar stayed downstairs in the court's grounds. One of them called Milon on his cell phone and told him to give Taka two hundred thousand and also threatened that if he failed to pay then they will take him away. At that time he informed the Court of this, through his lawyer. The Court ordered the Court police to take necessary steps. However, Court police did not take any action. After that, a constable of the DB Police called him on his cell phone to tell him to bring money and also threatened him with death if he did not bring the money. Milon escaped from the Court by jumping over the wall. However, his left leg broke when he landed. DB Police searched for Milon but they could not find him. As Milon had escaped, they detained Milon's son Al Amin Opu. Then a constable called Milon on his cell phone and told him that if he wants his son back then he had to pay by that night. At the custody of the DB Police, Opu was beaten with a stick and he shouted with pain. Opu's parents heard that over the phone. Opu was also blindfolded and taken in a room by Sub Inspector Azhar along with two constables. There they gave him electric shocks on his penis and tortured him in various other ways. After getting Taka one hundred thousand from his family they took Opu's signature on a blank sheets paper and released him.⁴¹

30. Torture during remand or interrogation is a serious violation of human rights. Torture in custody continues in Bangladesh. The Act of 2013 had been passed basically due to pressure put by the families of victims and human rights defenders, though it was tabled in the Parliament in 2009. Odhikar had campaigned since 2009 for the enactment of such a law; and also organised several meetings with the government and the opposition in order to pass the law. Odhikar believes that if the proposed sections are repealed or amended as per recommendations from the Police Headquarters, this Act will lose all purpose. Although levels of torture have not declined; rather a new trend of shooting in the legs has been added; Odhikar believes that this law, as it stands, is necessary for a democratic society.

Shooting in the legs

31. According to information gathered by Odhikar, from January to June 2015, 30 persons were shot in the leg by the law enforcement agencies after arrest.
32. Apart from extrajudicial executions and incidents of torture, shooting in the legs of detainees/accused persons has been highlighted as a new trend of police brutality since 2011. Several people have already become disabled due to shooting by law enforcement agencies in the last few years. It was learnt that such incidents widely took place at the time of resisting the protests of the BNP-led 20-Party Alliance.

⁴¹ The daily Jugantor, 26/06/2015

33. On February 4, 2015 at around 8:30 pm, Nayan Bachhar, a student of Philosophy at Jagannath University in Dhaka, boarded a bus from in front of Victoria Park in old Dhaka to go to Mir Hazirbagh. His bus was set on fire and Nayan got down with other passengers. Police arrested him and asked whether he was involved with Jammāt-Shibir. Nayan gave the police his name and said he was Hindu⁴². The policemen paid no heed and shot him in the leg. Nayan was admitted to the National Institute of Traumatology and Orthopedic Rehabilitation with severe injuries.⁴³
34. On March 3, 2015 Mohammad Noman came to Sadarghat in Dhaka to do some shopping. At that time some cocktail bombs exploded near the Victoria Park. Police caught Noman when he ran in fear to find a safe place. Later police beat him and shot him in his left leg. Noman, son of Abdul Monnaf, a poor farmer of Bhola, was admitted to the National Institute of Traumatology Orthopedics and Rehabilitation (Pongu Hospital) under police custody.⁴⁴
35. On May 24, 2015 Sabbir Hossain Sohan (17) a Higher Secondary Certificate examinee of Keshobpur Degree College Jessore, was detained from Keshobpur Bazaar and was beaten and shot in his right leg by the police of Monirampur Police Station. Sabbir Hossain, while under treatment at Monirampur Upazila Health Complex, said that after finishing his exam, he was on his way home and as soon as he reached the southern part of Keshobpur Bazaar, police apprehended him and shot him in his right leg after beating him.⁴⁵
36. Odhikar believes that the tendency to shoot in the legs of the accused or detained persons with no justification, was created due to the culture of impunity in the law enforcement agencies. Odhikar urges the government take legal action against the responsible persons after an investigation of all such incidents in a neutral manner.

Conditions in prisons

37. Law enforcement agencies conducted arrest operations against the leaders and activists of the 20-Party Alliance across the country, even before January 5, 2015.⁴⁶ Police arrested thousands of leaders and activists belonging to the 20-Party Alliance, including BNP Acting Secretary General Mirza Fakhrul Islam Alamgir and some other central leaders, for allegedly being involved in criminal activities.⁴⁷ Allegations were also made of police harassing ordinary people after arresting them. As a result of these mass arrests, the prisons of Bangladesh are facing tremendous pressure, due to overcrowding. The prison

⁴² Jamaat-e-Islami and its student wing Islami Chhatra Shibir are Islamist political organisations.

⁴³ The daily Manabzamin, 18/02/2015

⁴⁴ The daily Manabzamin, 15/03/2015

⁴⁵ The daily Jugantor 26/05/2015.

⁴⁶ The daily Manabzamin, 22/01/2015

⁴⁷ The daily Prothom Alo, 12/02/2015

authority is also struggling to maintain such huge numbers of inmates. Scarcity of food, medicine, water and sanitation are just some of the problems. 400 inmates are kept in a room meant for 100 only. Severe environmental and health disasters have been caused due to toilets becoming unusable. Most of the inmates had to pass sleepless nights. In many jails, inmates were being kept in tents.⁴⁸ Furthermore, those who are released on bail were arrested again on other charges, from the jail gate.⁴⁹ Most of the family members/relatives of inmates were found to be anxious and upset.

38. On February 10, 2015 Abul Kashem, brother of a grocer named Akbar Ali, broke into tears after meeting him in Dhaka Central Jail. Abul Kashem said that his brother was passing a miserable time. He fell sick in jail and was exhausted due to lack of sleep.⁵⁰

Death in Jail

39. According to information gathered by Odhikar, from January to June 2015, 26 persons reportedly died in jail. Among them 25 persons died allegedly due to 'illnesses', and one person allegedly committed suicide.
40. It is alleged that due to lack of treatment facilities and negligence by the prison authorities, many prisoners became ill, which caused their death.
41. On May 3, 2015 a convicted prisoner of the BDR Mutiny⁵¹ and former MP of BNP, Nasiruddin Pintu died in Rajshahi Medical College Hospital.⁵² His family alleged that Pintu was killed intentionally by being deprived of proper treatment. The Head of the Cardiology Department of Rajshahi Medical College Hospital, Dr. Rais Uddin stated that on May 2, 2015 he went to see Pintu at Rajshahi Central Jail. However, when the doctor went to prison, the Superintendent of Prison, Shafiqul Islam, did not give him permission to treat Pintu.⁵³
42. Odhikar demands the better treatment for all inmates in every jail. Deprivation of treatment to inmates is a violation of human rights.

Allegations of enforced disappearance against law enforcement agencies

43. According to information gathered by Odhikar, from January to June, 2015, 38 persons have been disappeared after being picked up allegedly by the men

⁴⁸ The daily Naya Diganta, 08/02/2015

⁴⁹ The daily Manabzamin, 18/01/2015

⁵⁰ The daily Bangladesh Protidin, 11/02/2015

⁵¹ On 25-26 February 2009, a mutiny was carried out, allegedly by junior officers and members of the Bangladesh Rifles (BDR)- now known as the Border Guard Bangladesh (BGB)- at the BDR Headquarters at Pilkhana in Dhaka. The mutiny resulted in the deaths of 78 BDR officers, and spread to BDR camps across the country. Many lower ranking BDR personnel were arrested and tried in Special Courts.

⁵² Report sent by human right defender associated with Odhikar from Rajshahi

⁵³ On April 23, 2015 the Directorate of Prison issued a letter to Rajshahi Medical College Hospital regarding treatment of Nasir Uddin Pintu.

claiming to be members of law enforcement agencies. Among them, eight were found dead and 20 were later produced before the Court and the whereabouts of 10 persons are still unknown.⁵⁴

44. Several incidents of enforced disappearance have been reported during the violent political situation from January to March 2015. This is a dangerous indicator of the deteriorating law and order situation and impunity of the security forces. In the past, incidents of enforced disappearance were denied by responsible persons of the government and no action was taken against any member of law enforcement agencies, despite having evidence after investigation by the Home Ministry. As a result, incidents of enforced disappearance continue.
45. On January 14, 2015 at around 3:00 pm, men claiming to be members of the Joint Forces conducted an operation in Mithapukur in Rangpur District and picked up Al-Amin Kabir (35), his wife Beauty Begum (30) and housemaid Moushumi (30) from their house. Al-Amin's cousin Tariqul Islam informed Odhikar that a bus was set on fire at the Mithapukur area during the ongoing blockade, on January 13, 2015. Due to this incident, on January 14, 2015 at around 2:30 pm, men from the Joint Forces wearing RAB, BGB and police uniforms, conducted an operation in their area. They attacked Al-Amin's house at around 3:00 pm; vandalized the home; dragged Al-Amin to the courtyard, tied his hands and legs and beat him severely. Al-Amin's wife Beauty and their domestic help stepped forward to save him. But they were also picked up in the car with Al-Amin. Al-Amin was a court typist and was a BNP supporter. The whereabouts of the three persons are still unknown even after six months.⁵⁵
46. On February 12, 2015 at around 1:00 am, Nur Alam, General Secretary of Pallabi Thana unit Jubo Dal⁵⁶, was taken away from his elder brother's house in Gazipur by approximately 10 plain clothed armed men claiming to be members of a law enforcement agency. On February 26, Nur Alam's wife, Rina Alam, alleged in a press conference at the Dhaka Reporters Unity, that while taking her husband away from the house, the armed men told her to contact Joydevpur Police Station in the morning. She contacted the police station, hospital and DB police office but could not find Nur Alam. Since then, his whereabouts remain unknown.⁵⁷

⁵⁴ According to information gathered by Odhikar from January 2009 to June 2015, 208 persons have been disappeared; of them, 28 were later found dead and 71 were later produced before the Court or freed in different places. Still now, there is no whereabouts of 109 disappeared persons. 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.

⁵⁵ Information gathered by Odhikar

⁵⁶ Youth wing of Bangladesh Nationalist Party (BNP)

⁵⁷ The daily Manabzamin, 26/02/2015

47. Joint Secretary General of BNP and former Deputy Minister Salah Uddin Ahmed was allegedly picked up by members of the law enforcement agency from a house in Sector-3 at Uttara, Dhaka. Salah Uddin's wife Hasina Ahmed informed Odhikar that Salah Uddin was operating party programmes in hiding at a residence belonging to a relative in Uttara.⁵⁸ She said that security guard and caretaker of the house, Akhtaruzzaman told her that on March 10, 2015 at around 10:10 pm, two RAB cars and two police cars came and parked in front of the house and blocked the road for a while. Later some men in plain clothes claiming to be the members of law enforcement agencies, entered the house forcibly and took Salah Uddin Ahmed away in blindfolds.⁵⁹ In the meanwhile, Salah Uddin Ahmed's personal secretary Osman Gani and his driver Shafique and Khokan were picked up by men in plain clothes, claiming to be from law enforcement and later handed over to the police station. 63 days after his disappearance on May 11, 2015 he was left in a street in front of the golf club in Shillong, the Capital of Meghalaya, India by some abductors. Salah Uddin informed the Shillong police, with the help of local people and police arrested him.⁶⁰ Later, they admitted Salah Uddin to a hospital called Meghalaya Institute of Mental Health and Neuro Sciences. On May 12, 2015 he called his wife Hasina Ahmed in Bangladesh by a cell phone taken from a hospital employee; and informed her of his whereabouts.⁶¹ On May 18, 2015 when he was being taken for a CT scan from one building to another at the Shillong Civil Hospital, Salah Uddin Ahmed informed the journalists that he was confined in a room for 63 days after his abduction. On May 11, 2015 the abductors left him after a 12 or 14 hour long journey, in a spot beside Shillong Golf Course. He was blindfolded and his mouth and hands were tied during the whole journey.⁶² On May 26, 2015 he was taken to Shillong Police Station after treatment where a case was filed against him under the Foreigners Act, 1946 of India as he had entered India without a passport.⁶³ Currently Salah Uddin is on conditional bail. As per the condition he had to live in Shillong and also present himself at the police station once every week.⁶⁴

48. Odhikar believes that the law enforcement agencies have become uncontrollable as they are being abused politically. As a result, they are involved in human rights violations, including enforced disappearance. Odhikar expresses grave concern regarding the incidents of enforced disappearance and also demands that the Government rescue or recover the

⁵⁸ Salah Uddin Ahmed was sending updates and press releases everyday as most of the top/senior leaders of BNP are in jail.

⁵⁹ Information gathered by Odhikar

⁶⁰ The daily Prothom Alo 19/05/2015.

⁶¹ The daily Manabzamin, 13/05/2015.

⁶² The daily Prothom Alo 19/05/2015.

⁶³ The daily Prothom Alo, 27/05/2015.

⁶⁴ The daily Naya Diganta, 24/06/2015

victims of enforced disappearances and take stern action against the perpetrators by forming an impartial and independent inquiry committee.

Lack of accountability of law enforcement agencies

49. The government is abusing the law enforcement agencies in order to resist the opposition political parties. As a result, they are enjoying impunity. For this reason, many members of the law enforcement agencies have been engaged in unlawful activities.
50. On February 23, 2015 at around 3:30 am, Mahmudur Rahman Manna, the Convener of Nagorik Oikya⁶⁵, was picked up by a group of men who said they were members of the DB Police, from a residence at Banani in Dhaka. Dhaka Metropolitan Police and DB Police denied arresting him. On February 24, 2015 at midnight RAB members handed Manna over to Gulshan Police Station and claimed that they had arrested Manna at around 11:00 pm on February 23, from in front of Star Kebab Restaurant in Dhanmondi, Dhaka. A case was filed against Manna with Gulshan Police Station under section 131 of the Penal Code⁶⁶ for allegedly instigating the Army.⁶⁷
51. On February 24, 2015 members of law enforcement agencies conducted an operation at Dewanji Bari area of Baralia village in Dattapara union under Lakkipur Sadar Upazila. During the operation, they picked up 60-year old Shamsunnahar, the mother of Dattapara Union Ward unit Jubo Dal President, Sumon, after being unable to arrest him; and took her to Chandraganj Police Station. She was detained in the police station for five days.⁶⁸
52. On April 20, 2015 at around 10:00 pm, a 70-year old man named Abdul Majid went out to buy medicine at the 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. He 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. 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.⁶⁹
53. Odhikar expresses grave concern over the unlawful acts of the law enforcement agencies. Odhikar demands the members of law enforcement

⁶⁵ Citizens Unity

⁶⁶ Section 131 of the Penal Code states, Whoever abets the committing of mutiny by an officer, soldier, sailor or airman, in the Army, Navy or Air Force of Bangladesh, or attempts to seduce any such officer, soldier, sailor or airman from his allegiance or his duty, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

⁶⁷ The daily Prothom Alo, 26/02/2015

⁶⁸ The daily Manabzamin. 01/03/2015

⁶⁹ The daily Prothom Alo, 21/04/2015

agencies who are involved in such unlawful activities be immediately brought to justice. No one is above the law.

Hindrance to freedom of the media

54. According to information gathered by Odhikar, from January to June 2015, 46 journalists were injured, three were assaulted, 29 were threatened, two were attacked, one was tortured, five were arrested and 10 were sued. Furthermore, eight local newspapers were shut down.
55. In the first six months of 2015, the government intimidated and filed cases against the media and also arrested citizens for expressing their free opinions. In addition to this, members of the law enforcement agencies attacked journalists at the time they were gathering information. Meanwhile lack of professionalism amongst journalists was also observed, in terms of neutrality, due to enormous partisan/favouritism.
56. The present government is controlling most of the media, particularly the electronic media. The only state-sponsored TV, Bangladesh Television (BTV) broadcasts news relating to the government and about the ruling party. Meanwhile the government closed down the pro-opposition electronic and print media, such as Channel 1, Diganta TV, Islamic TV and the publication of the daily Amar Desh. In recent times, the government is also putting pressure on the media in various ways; and as a result, the broadcasting and publishing of accurate and neutral news are being hindered. On February 24, 2015 Sompadok Parishad (Editors Council), an organisation of the editors of the national dailies, organised a meeting. In a press statement in this regard, it was stated that currently it had become difficult to work independently in the print and electronic media. Incidents of attacks on journalists are taking place in the name of political programmes. The freedoms of the press and the broadcasting media are also being curtailed. Several false cases have already been filed against some editors and publishers. Furthermore, a fearful environment has been created by arresting a number of private TV channel owners. Interfering in TV talk-shows and banning some talk-shows has also occurred.⁷⁰ Later Sompadok Parishad (Editors Council) expressed grave concern in another meeting held on April 4, 2015, regarding incidents of torture, attack and harassment on journalists by police, influential politicians and by local criminals; and over a recent letter from the Press Council.⁷¹
57. In the night of January 4, 2015 a private TV channel 'Ekushey Television (ETV)' telecasted live 50-minute statements of BNP Vice-Chairman Tareque Rahman, from the United Kingdom. Later, in the morning of January 6, 2015, the Detective Branch (DB) police arrested ETV Chairman Abdus Salam from

⁷⁰ The daily Prothom Alo, 25/02/2015

⁷¹ The daily Prothom Alo, 08/04/2015

- the ground floor of the ETV office. Later he was shown as arrested in a case filed under the Pornography Control Act. On January 8, 2015 the Sub Inspector of Tejgaon Police Station, Borhan Uddin filed a sedition case⁷² against Tareque Rahman and Abdus Salam and ‘four or five unnamed persons’ after getting an approval the Ministry of Home Affairs.⁷³
58. On January 9, 2015 Chhatra Dal brought out a procession from Rajshahi College campus in support of the blockade programmes. Hearing this news, journalists went to cover the procession. The protestors ran away when police chased them. After that, police attacked the journalists. Jamuna TV reporter Sohrab Hossain was injured during this attack.⁷⁴
59. On January 13, 2015 a team of DB police arrested BNP’s Information and Research Secretary, Habibur Rahman Habib from outside the studio of Channel 24, after he had taken part in a talk-show. Human rights activist Mohammad Nur Khan and the Prime Minister’s Press Secretary Abul Kalam Azad also participated in the talk show. Mohammad Nur Khan said that Habibur Rahman Habib had criticized the government strongly for confining BNP Chairperson Khaleda Zia.⁷⁵
60. 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 Jagantor. 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 on the same day. Hanif was injured and his office furniture vandalized.⁷⁶
61. On May 12, 2015 Justice Abu Ahmed of the Special Judge Court-3 set up in the field of Alia Madrassa at Bakshibazar, gave an embargo against the publication of the statement given to the Court by the Acting Editor of the daily Amar Desh Mahmudur Rahman.⁷⁷
62. On May 20, 2015 the Deputy Commissioner (DC) of Munshiganj, Mohammad Saiful Hassan Badal abruptly cancelled the publication (declaration) of eight local newspapers published from Munshiganj without any reason or notice. These are the Doinik Deshseba, Saptahik Munshiganj, Saptahik Munshiganj Songbad, Saptahik Bikrampur Songbad, Saptahik Kagojer Khobor, Saptahik Munshigonjer Bani, Saptahik Khola Kagoj and Saptahik Shotto Prokash.⁷⁸

⁷² According to fifteenth amendment of the Constitution of Peoples’ Republic of Bangladesh which was passed on June 30, 2011, death penalty is the highest punishment for sedition.

⁷³ The daily Prothom Alo, 09/01/2015

⁷⁴ The daily Jugantor, 10/01/2015

⁷⁵ The daily New Age, 14/01/2015

⁷⁶ Report sent by human right defender associated with Odhikar from Noakhali.

⁷⁷ The daily Amar Desh (online) 13/05/2015. Mahmudur Rahman has been in jail for 26 months due to reports in his paper criticising the Government and the Judiciary, He was tortured in police remand prior to being sent to jail custody.

⁷⁸ Report sent by human rights defender associated with Odhikar from Munshiganj.

63. On June 18, 2015 a news relating to human trafficking and drugs (Yaba) smuggling was published in the daily Prothom Alo. In protest of this news, former member of Teknaf Union Parishad, Kalu Mia, threatened to kill the Prothom Alo Teknaf correspondent, Giasuddin, when Giasuddin was at a meeting held under a banner of Teknaf Municipality unit Jubo League, in front of Teknaf Upazila unit Awami League office.⁷⁹
64. Odhikar expresses grave concern over acts of pressure on the media, threatening and filing cases against journalists and closing down newspapers. Such actions violate the freedoms of speech and expression.

Freedom of expression

65. On May 20, 2015 Mohammad Kamruzzaman, Deputy Assistant Officer (Land) from Kushdi of Barishab Union under Kapasia Upazila in Gazipur was temporarily suspended as he allegedly criticized the government on his facebook account. Kapasia Upazila Nirbahi Officer (UNO)⁸⁰ Anisur Rahman informed journalists that such action was taken as Kamruzzaman made objectionable comments on his facebook account against the government and the administration. At the same time a departmental decision has been made to file a case against him.⁸¹
66. On June 10, 2015 the International Crimes Tribunal-2 punished the founder Director of Gonoshasthaya Kendra (a public health centre) Dr. Zafrullah Chowdhury on the allegation of Contempt of Court. The Tribunal gave him punishment by making him stand in the Court dock for one hour and he was also fined Taka five thousand. Failing to pay, would result in one month detention in jail. On June 16, 2015 Justice Hasan Foyez Siddiqui of the Appellate Division of the Supreme Court stayed the monetary punishment, given by the International Crimes Tribunal to Dr. Zafrullah Chowdhury, till July 5. It is to be mentioned that the International Crimes Tribunal-2 on December 2, 2014 punished to journalist David Bergman for 'spreading confusion' regarding under-trial matters of the case, through writing on his blog. In protest of that, a statement of 50 citizens was published in the daily newspapers. 26 persons out of the 50 who made statement, were acquitted from the charge of the Contempt of Court by taking unconditional mercy. One of them had withdrawn his name from the statement. On April 1, 2015 the International Crimes Tribunal-2 issued a rule against 23 persons for Contempt of Court.⁸²

⁷⁹ The daily Prothom Alo, 19/06/2015

⁸⁰ Upazila (Sub-district) Executive Officer.

⁸¹ The daily Manabzamin, 24/05/2015.

⁸² The daily Jugantor, 11/06/2015 and the daily Manabzamin, 17/06/2015

Use of the repressive Information and Communication Technology Act 2006

67. The repressive Information and Communication Technology Act 2006 (amendment 2009 & 2013) is still being applied. The latest amendment to the ICT Act was made on October 6, 2013. Section 57⁸³ of the ICT Act 2013, states that publishing or transmitting in a website in 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 and a fine of Taka 10 million. This law has curtailed the freedom of expression and the government is using this Act against human rights defenders, journalists, bloggers and people who have alternative opinions. According to Odhikar documentation, from January to June, 2015, 14 persons were arrested under the Information and Communication Technology Act 2006.
68. On January 23, 2015 police of Ramna Model Police Station arrested Firdatul Muntaha Sanjida, a student of the English Department at the World University, for allegedly commenting and uploading pictures mocking the Prime Minister Sheikh Hasina and her son Sajib Wazed Joy on facebook. On January 21, 2015 a photographer of Bangladesh Television named Sayeed Ibne Masud filed a case against Sanjida and her relative Gofran Mia under the Information and Communication Technology Act 2006 (amendment 2009 & 2013). It was alleged in the case that a facebook account was opened using Masud's name and photograph and making defamatory comments against the Prime Minister Sheikh Hasina and her son Sajib Wazed Joy. Regarding this matter, Sayeed Ibne Masud said that Gofran Mia was his business partner. Later they were separated due to various reasons which led to disputes between the two.⁸⁴
69. On February 8, police arrested a youth named Rubel Hossain (22), from Majibur Telecom Shop after conducting an operation at Milon Chowdhury Market in Shapahar under Naogaon District, for allegedly uploading mocking pictures of the Prime Minister Sheikh Hasina into a memory card of his cell phone. Police filed a case against both the owner of Majibur Telecom, Sohel

⁸³ 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.

⁸⁴ The daily Manabzamin, 24/01/2015

Rana Majibur and Rubel Hossain under the Information and Communication Technology Act 2006 (amendment 2009 and 2013).⁸⁵

70. On February 20, a 17-year old boy, Rifat Abdullah Khan, was picked up while coming home from an exam and later shown arrested under the Information and Communication Technology Act 2006 (amendment 2009 and 2013).⁸⁶
71. On May 18, 2015 a youth named Roman Palwan (28) was arrested by the Detective Branch (DB) of police from Sadarghat of Bhola and a case was filed against him under section 57(1) of the Information and Communication Technology Act 2006 (Amended 2009 and 2013). It is alleged that he had posted a cartoon image of the Prime Minister, Sheikh Hasina on his facebook account. He is now detained in Bhola District Jail.⁸⁷
72. On June 16, 2014 Dhaka Metropolitan Detective Branch (DB) Police arrested S M Shakhawat Hossain, Editor of an online newspaper 'Islamic News 24.com' for allegations of communal incitement. His family stated that S M Shakhawat Hossain was told to visit the DB office. As a result, on June 16 he went to the DB office. After that he did not return home. The next day DB Police conducted an operation at his home and confiscated some documents, including his laptop. DB Police officers stated that Buddhists in Myanmar are inhumanly suppressing Rohingya Muslims and S M Shakhawat Hossain wrote an online newspaper and posted many status on his facebook account by urging all the Muslim populations in the world, including Bangladesh to resist against this suppression. For this reason, a case was filed against him under section 57(1) of the Information and Communication Technology Act 2006 (amendment 2009 and 2013).⁸⁸

Another draft repressive law on internet usage

73. Apart from the ICT Act 2006, the government has taken an initiative to enact another rigid law on internet usage. In the draft law, the maximum punishment will be 20 years of imprisonment and the accused can be arrested without any warrant. It is said in the proposed draft law, that police can take any necessary measure, including breaking doors and windows, in order to seize computers of the accused persons. Furthermore, any offense relating to the crimes committed outside the territory of Bangladesh can be tried in the domestic court.⁸⁹

⁸⁵ The daily Naya Diganta, 11/02/2015

⁸⁶ See details of his case under the heading of 'Allegations of enforced disappearance against law enforcement agencies' in this report.

⁸⁷ The daily Prothom Alo 19/05/2015.

⁸⁸ The daily Naya Diganta, 18/06/2015

⁸⁹ The daily Prothom Alo9, 15/06/2015

Killing of bloggers

74. On February 26 at around 8:45 pm, US citizen and blogger Avijit Roy (42) and his wife Rafida Ahmed Bonnya (35) were attacked by two criminals while they were waiting for tea at a road side stall in front of Suhrawardy Uddan adjacent to TSC⁹⁰ in the Dhaka University campus, after coming out of the Ekushey Book Fair⁹¹. Two armed criminals attacked them in the presence of police and fled the scene after stabbing them indiscriminately with sharp weapons. Both were admitted to the Dhaka Medical College Hospital, where Avijit Roy succumbed to his injuries at around 10:30 pm. At the time of the incident, there was huge gathering at the TSC area due to the annual book fair; and three layers of police security surrounded the book fair too. Despite the tight security presence, the criminals were able to attack the couple and escape.⁹²
75. On May 12, 2015 blogger Ananta Bijoy was killed by four masked men at Subidhbazar Nurani Dighirpar area of Sylhet in broad day light, while he was going to Pubali Bank at Jawabazar in Chhatak. In the afternoon, a so-called 'outfit', Ansarullah Bangla Team acknowledged his killing in a twitter message. Two hours before his death Ananta Bijoy had criticized the Member of Parliament of Sylhet-3⁹³, who had wished to whip Professor Jafor Iqbal of Shahjalal Science and Technology University and had also mentioned that the present Parliament was an unelected one.⁹⁴
76. Odhikar expresses grave concern as the freedom of expression is being violated. Odhikar believes that it is a misuse of power to arrest and harass persons whose opinions go against the government. Odhikar demands the government repeal the draconian Information and Communication Technology Act 2006 (Amended in 2009 and 2013) and also expresses concern over taking initiative to enact a new more repressive law on internet usage. Odhikar demands justice through impartial investigations into the killings of bloggers.

Barriers to meetings and assemblies

77. 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. Moreover, putting up barriers to the holding of peaceful

⁹⁰ The Teacher-Student Centre of the University of Dhaka is an important social and activity centre which is equally a historically significant architectural monument.

⁹¹ Ekushey Book Fair is called *Amar Ekushey Boi Mela* in Bengalee which means Book Fair of Immortal 21st of February. This book fair is the biggest book fair as well as national book fair of Bangladesh. Ekhushey Book Fair is held every year in February in the Bangla Academy premier for a month.

⁹² The daily Prothom Alo, 27/2/2015 and 28/02/2015

⁹³ Mahmud Samad Chowdhury Kayes.

⁹⁴ Report sent by human rights defender associated with Odhikar from Sylhet.

meetings by police, is a violation of constitutional and fundamental human rights. The government is putting bars on meetings and assemblies of the opposition and groups with alternative beliefs; and also engages the police and party activists to attack such gatherings and conduct mass arrests. The BNP led 20-Party Alliance took initiatives to organise a meeting in Dhaka, declaring January 5 as 'death of democracy' day to commemorate one year of the holding of the controversial January 5, 2014 Parliamentary Elections. The government barred that meeting and BNP Chairperson Khaleda Zia was confined in her political party office at Gulshan, Dhaka; which resulted in massive political violence across the country for about three months.

78. Between January - June 2015, many incidents of barring and attacking on meetings and assemblies have taken place. Some such incidents are given below:

79. On March 3, 2015 at around 11:15 am, members of the Progotishil Chhatra Jote⁹⁵ were gathering together to hold a meeting in protest of the death of blogger Avijeet Roy, after a protest rally on the Rajshahi University campus. A group of police, led by Assistant Commissioner of Rajshahi Metropolitan Police, Rakibul Alam came and stopped the meeting. Activists of Progotishil Chhatra Jote asked the police if Chhatra League⁹⁶ activists were allowed to hold meetings and rallies on campus and if so, why can't they? ACP Rakibul Alam said, "only Chhatra League is allowed to conduct meetings and rallies on this campus, you are not". Progotishil Chhatra Jote could not hold the meeting due to police obstruction. On the same day the Chhatra League brought out a procession and conducted a meeting on the University campus.⁹⁷

80. On April 23, 2015 the Awami League supported Projonmo League⁹⁸ attacked a human chain organised by Jatiyatabadi Sangskritik Jote⁹⁹ in protest of attacks on the motorcade of Khaleda Zia, in front of the National Press Club.¹⁰⁰ 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 Forum¹⁰¹ in protest of attacks on the motorcade of Khaleda Zia. During the attack BNP executive member and former parliamentarian, Khaleda Yeasmin, was beaten.¹⁰²

81. Many women became victims of sexual harassment on the Dhaka University campus during the celebration of Bangla New Year on April 14, 2015. On May

⁹⁵ Progressive Students Alliance

⁹⁶ Student wing of Awami League

⁹⁷ The daily Manabzamin, 04/03/2015

⁹⁸ A pro-Awami League organisation

⁹⁹ BNP supported cultural alliance

¹⁰⁰ The daily Manabzamin, 26/04/2015

¹⁰¹ A pro-BNP organisation

¹⁰² The daily Jugantor, 26/04/2015

- 10, 2015 leaders and activists of Progatishil Chhatrajote¹⁰³ and Anti-Colonialism Student Alliance, brought out a rally in order to surround DMP¹⁰⁴ Headquarters in protest of police failing to arrest the criminals who were involved in sexual harassment on the Dhaka University campus.¹⁰⁵ At that time police barred them in front of the officers' quarters adjacent to the DMP Headquarters. The protestors sat on the street, chanting slogans ignoring the police barricade. They also asked police for the specific time when the attackers would be arrested. At one stage, police baton charged the protesting students and also used a water cannon and threw tear gas shells. During this atrocity, women activists were also physically attacked by male police. A female activist named Ismat Jahan was seen being kicked and pulled by her hair by male police. This incident was published in various media.¹⁰⁶
82. On June 3, 2015 police arrested three activists of the left-leaning organisation, Jatiya Mukti Council, namely Obaidur Rahman, Sumon Mallik and Foysal Ahmed Bappa from in front of the National Press Club, while they were distributing leaflets in protest of the Indian Prime Minister Narendra Modi's visit to Dhaka.¹⁰⁷ Later they were taken into one day remand.
83. On June 6, 2015 some left-leaning organisations, including the Jatiya Mukti Council, organised gatherings in front of the National Press Club, Dhaka, in protest of the killing of Bangladeshi citizens by the Indian BSF and Indian aggression, including making a unilateral barrage on the 54 undivided international rivers, including the Ganges-Teesta-Brahmaputra, during the Indian Prime Minister Narendra Modi's visit to Dhaka. At that time police attacked the leaders and activists of organisers when they started chanting slogans against Indian interference on Bangladesh. Some activists were injured. Police also arrested seven persons from the place of incident. Arrestees were Ahmed Mohiuddin from Jatiya Mukti Council; Deepa Mollik from the Chhatra Federation; Zafar Hossain and Zakir Sumon from Naya Gonotantik Gonomorcha; and Shariful Islam, Tapati Barman Toma and Sayema from Somajtantrik Chhatra Front.¹⁰⁸
84. Every citizen has the right to freedom of assembly and the holding of peaceful meetings, 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 and also violations of human rights.

¹⁰³ An alliance of progressive students.

¹⁰⁴ Dhaka Metropolitan Police.

¹⁰⁵ The daily Prothom Alo, Jugantor, 15/04/2015.

¹⁰⁶ The daily Manabzamin, 11/05/2015.

¹⁰⁷ Press release of Jatiya Multi Council

¹⁰⁸ The daily New Age, 07/06/2015 and press release from Jatiya Mukti Council

B. Approval of draft Mobile Court (amendment) Act 2015

85. On June 22, 2015 the Cabinet approved the 'Mobile Court (amendment) Act 2015' by increasing the authority of the mobile courts. If the Law is passed, the power of the mobile courts function by the Executive Magistrates will increase. There is a provision for giving punishment to the accused by taking into consideration substantial evidence and statements of the witnesses, even if the accused do not confess to the offense. Furthermore, the provision of using information technology has also been included in the proposed amendment. The present mobile courts can only punish if the accused persons acknowledge their crime. It is to be noted that Mobile Court Act was enacted in 2009 after giving a declaration of the separation of the Judiciary from the Executive.¹⁰⁹
86. Odhikar expresses concern over the approval of the draft Mobile Court (amendment) Act 2015 by the Cabinet. Through this amendment, the authority of the mobile court has been increased. In the past, several incidents of instant punishment took place through mobile courts after police arrested innocent passers-by. Odhikar believes that there will be an immense possibility of misuse of this law as the power of the present mobile courts has been increased. Giving punishment through the mobile courts is contrary to fundamental rights, because there is no scope for self defense.

C. Public lynching

87. According to Odhikar documentation, from January to June 2015, 68 persons were killed, allegedly due to public lynching by mobs.
88. Odhikar believes that the lack of respect for law; distrust of law enforcement agencies; and due to the weak criminal justice system, the tendency of taking the law into one's own hands is increasing, as people are losing their confidence and faith in the police and Judiciary.

D. Myanmar and Indian Border issues

89. Like the Indian Border Security Force (BSF), the Border Guard Police (BGP) of Myanmar is now violating the human rights of Bangladeshi citizens by entering into Bangladesh territory along the Bangladesh-Myanmar border. It is to be noted that three sides of Bangladesh shares a border with India and the South-Eastern part of the country has a border with Myanmar.
90. Issues relating to human rights violations at the border by BSF and refusal of water sharing from 54 undivided rivers with India, have become barriers to Bangladesh for a friendly relationship with India. Till date, Bangladesh's

¹⁰⁹ The daily Prothom Alo, 23/06/2015

position and its right to get a proper share of water from 54 undivided rivers are not recognised. Bangladesh was repeatedly assured water flow from Teesta river, but it was never implemented. No agreement was signed in this regard during the Indian Prime Minister Norendra Modi's recent visit to Bangladesh. In addition to that, incidents of human right violations, including killing and torturing Bangladeshi citizens by BSF at the border continue. Over the years, BSF has also been repeatedly 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 a threat to the sovereignty of Bangladesh.

91. According to information collected by Odhikar, between January and June 2015, 23 Bangladeshis were killed by the Indian Border Security Force (BSF). Of them 13 were gunned down, eight were tortured to death, one Bangladeshi youth was picked up by the BSF members and later, he died at a hospital in India and one was slaughtered by a sharp weapon by the BSF. During this period, 35 Bangladeshis were injured. Of them 24 were injured by bullets, seven were tortured, one was stabbed and three were injured by BSF by bow and arrow and catapult. In addition, 17 Bangladeshis were allegedly abducted by BSF.

Incidents along India-Bangladesh Border

92. On February 2, 2015 a group of Bangladeshi peasants were irrigating a paddy field near the main pillar 295 at Chapra border in Binail Union under Birampur Upazila in Dinajpur District. At around 10:00 am, they stopped their work and went to a pond nearby to wash up. At that time, a group of BSF members aimed their rifles at the farmers. One of the farmers named Nazrul asked the BSF what they wanted; and he was shot in the chest and died on the spot. Another worker named Sahajul was injured. The BSF attacked them in Nayapukurpar, at least 50 yards inside Bangladesh territory.¹¹⁰
93. On March 22, 2015 a Bangladeshi citizen named Tariqul Islam (35) was shot dead by BSF at the Wahedpur border under Charpaka union of Shibganj Upazila in Chapainawabganj District in Bangladesh. On March 22 at around 1:00 am, Tariqul Islam, son of Yusuf Ali of Jamaipara village, along with four others were trying to enter India through international pillar 16/4-S to bring over cows. At that time, 20-Battalion BSF members of Chandnichok Camp shot at them. Tariqul Islam was shot and his associates rescued him and brought him home, where he died at around 2:30 am.¹¹¹

¹¹⁰ The daily Prothom Alo, 03/02/2015

¹¹¹ Report sent by human right defender associated with Odhikar from Chapainawabganj.

94. 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 that they were returning from India together. They bought some gifts for relatives after reaching the Petrapole check post. After clearance of immigration and customs, suddenly BSF members from no-man's land caught Hashura and took her to the camp before she could enter the Bangladesh side. At that time BSF demanded a bribe from her for taking Indian goods to Bangladesh. Hashura was beaten and became unconscious as she refused to give bribes. Later BSF sent her off towards the Bangladesh check post on a rickshaw van.¹¹²
95. On May 14, 2015 a Bangladeshi cattle trader named Antor Islam was shot dead by BSF at sub pillar no. 1 of main pillar 843 of the India-Bangladesh border in Patgram under Lalmonirhat District. The BSF also took away his body. Later in a Battalion Commander level flag meeting between BSF and BGB, BSF members returned the body of Antor.¹¹³
96. On June 11, 2015 a Bangladeshi cattle trader named Shahidul Islam (30) was slaughtered by BSF near the sub-pillar 3S of the main pillar no. 237 at Kolmudanga border under Shapahar Upazila in Naogaon District.¹¹⁴

Incidents along the Bangladesh Myanmar border

97. At the end of 1991, the then Myanmar Border Guards Nasaka attacked Reju Fatrajhiri BDR¹¹⁵ Camp at Ghundhum border in Naikkhongchhori and looted arms and ammunition after killing a BDR member of Bangladesh. Due to this, acts of human rights violations occurred at the border area during that time and as a result, about 250,000 Rohingyas took shelter in Bangladesh. On May 28, 2014 Border Guard Police (BGP) of Myanmar opened fire at Border Guard Bangladesh (BGB) members of newly set up Painchhori BOP when a patrol team of that Camp reached Dochhori and Techhori connecting areas of a canal at Naikkhonchhori border in Bandorban District. At that time BGB's Nayek Subeder, Mizanur Rahman was shot and died on the spot. Such incidents continue at the Myanmar-Bangladesh border.
98. In June 2015, Border Guard Police (BGP) of Myanmar shot one member of the Border Guard Bangladesh (BGB) and abducted another BGB member by entering into Bangladesh territory, from the Naf River in Teknaf.

¹¹² Report sent by human right defender associated with Odhikar from Jessore.

¹¹³ The daily Jugantor, 15/05/2015.

¹¹⁴ The daily Jugantor, 12/06/2015

¹¹⁵ BDR: Bangladesh Rifles was the previous name of Bangladesh border security force. Now it has been re-named as Border Guard Bangladesh (BGB) after the BDR mutiny in February 2009.

99. On June 17, 2015 a six-member team of BGB led by Nayak Abdur Razzak were searching two boats, suspecting of drug smuggling at Bangladesh water territory while they patrolling the Naf River in Taknaf under Cox's Bazaar District. At that time BGP members of Roigadong Camp of Myanmar entered into Bangladesh territorial waters by a trawler and stopped near the trawler of the BGB. BGP members forcibly took Nayak Abdur Razzak onto their trawler when he told BGP to leave Bangladesh territory. When other members of BGB obstructed this, an exchange of fire occurred between the two groups. As a result, BGB jawan Biplob Kumar was shot and injured. Later, on June 18 at 12:40 am, three pictures of the arrested Nayak Abdur Razzak were uploaded onto BGP's facebook page. Blood was coming out from Abdur Razzak's nose and he was in handcuffs. BGP members were also seen standing behind him.¹¹⁶ On June 25, 2015 BGP handed Nayak Abdur Razzak over to the BGB after a flag meeting at Mongdu in Myanmar.¹¹⁷
100. Odhikar believes that it is the duty of the Bangladesh government to ask an explanation from the Indian government, regarding the killings, abduction and torture of Bangladesh citizens by BSF. Furthermore, Bangladesh government has also to ask for explanation to the Myanmar government regarding the attack and abduction of BGB member Abdur Razzak.

E. Violence against religious minority communities

101. Attacks on religious minority communities and their places of worship have become a common phenomenon. The apathy of the government and the administration regarding attacks on religious minority and their places of worship is the single most worrying issue for human rights defenders concerned about the safety and security of these communities. Such incidents happen repeatedly due to the failure of arresting and punishment of perpetrators. Furthermore, the systematic politicization of these incidents and the ensuing blame game makes the situation more vulnerable. Some influential and vested interest groups are attacking citizens belonging to the Hindu community, taking opportunity of the violent political situation and also vandalising and setting fire to places of worship.¹¹⁸
102. On January 5, 2015 the Criminal Investigation Department (CID) submitted a charge sheet in Abhoynagar Cognizance Court in Jessore on the case relating to the attacks at Malopara in Abhoynagar during parliamentary elections on January 5, 2014. About 100 local BNP, Jamaat-Shibir leaders and activists were

¹¹⁶ The daily Prothom Alo, 18 and 20/06/2015

¹¹⁷ The daily Jugantor, 26/06/2015

¹¹⁸ It has been seen since the independence of Bangladesh that after every elections the religious minority communities have been deliberately targeted for political and financial benefits. Awami League, BNP, Jamaat and Jatiya Party - all are allegedly involved in this attack.

accused in the charge sheet. The inhabitants of Malopara stated that the principal accused persons of this case were not incorporated in the charge sheet and some irrelevant names were also included. One of the wounded men and a resident of Malopara, Shekhar Kumar Barman said, “Many innocent people have been included in the charge sheet, which is absolutely wrong”.¹¹⁹

103. On January 9, 2015 a group of unknown criminals entered the Shree Krishna Goshai temple by breaking the gate and vandalized idols and set fire to objects used for worship, in Krishnapur village under Madhabpur Upazila in Habiganj District.¹²⁰
104. Jessore District Sanaton Bidyarthi Sangsad alleged that 31 Hindu families of Shakharipota village under Sharsha Upazila were forced to leave the country due to repression by the General Secretary of Bahadurpur Union unit Awami League, Mofizur Rahman, under Benapole in Jessore. On January 19, 2015 a human chain protesting this, was organised by Jessore District Sanaton Bidyarthi Sangsad where the President of this Sangsad, Proshenjeet Thakur made this allegation.¹²¹
105. Criminals attacked a Hindu temple and some houses belonging to Hindu families in Bongram area under Gazipur City Corporation; and they looted and vandalized valuables. Locals, including a Bongram inhabitant, Sunil Chandra Barman stated that on the night of April 19, 2015 a group of 50-60 criminals led by a local influential persons, Rafiqul Islam, fired blank shots near ‘Bongram Sree Sree Sudhonya Kripamoyee Kali Mandir’ (Hindu temple) in 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.¹²²
106. On May 1, 2015 two families belonging to the Hindu community, headed by Shamoren Mandol and Bipul Mandol, had to leave their houses in fear of local criminals and extortionists in Nathpara village under Shoilokupa Upazila in Jhenaidah District. Furthermore, another family belonging to the Hindu community, that of Dendranath Biswas of the same village, had left the village in fear of criminals in April, 2015. Locals stated that Samoren Mandol and Bipul Mandol had sold 12 decimals¹²³ of land. Soon after that, criminals of the adjacent Aushia village demanded money from them. Criminals were regularly threatening them at home. As a result, they were forced to leave the

¹¹⁹ The daily Prothom Alo, 07/01/2015

¹²⁰ The daily New Age, 10/01/2015

¹²¹ Report sent by human right defender associated with Odhikar from Jessore; the daily Manabzamin, 21/01/2015

¹²² Report sent by human right defender associated with Odhikar from Gazipur.

¹²³ 1 decimal= 1/100 acre (40.46 m²).

village for a few days.¹²⁴ Recently they have returned to their home but they are living in fear.

107. Odhikar urges the government to ensure the security of all citizens belonging to the minority communities in Bangladesh. Odhikar strongly condemns the incidents and also urges the government to bring the perpetrators before justice.

F. Workers' rights

Ready-made garment industries

108. According to information gathered by Odhikar, from January to June 2015, 96 workers were injured during workers unrest. Among them, 85 were injured by the police and 11 workers were injured by the garment factory authorities. Besides this, eight were injured by fire, 22 were injured in stampedes caused due to panic in factory fires and for other reasons.
109. Garment manufacturing factories are a very large source of revenue for Bangladesh and the factory workers are one of the main contributing factors to this success. However, many factories were closed without notice, sudden termination of workers and not providing wages on time are the main reasons of workers unrest.
110. 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) and Munni (21) were shot and injured. The injured persons were rescued by their fellow workers and taken to Khanpur 300 Bedded Hospital.¹²⁵
111. 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 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 resulted in 10 workers being injured.¹²⁶

¹²⁴ The Daily Ittefaq, 06/052015.

¹²⁵ Report sent by human right defender associated with Odhikar from Narayanganj.

¹²⁶ Report sent by human right defender associated with Odhikar from Narayanganj.

112. Odhikar believes that the workers need to be brought under synchronized security programmes and it demands the government take necessary measures to build the infrastructure of the factories systematically with sufficient facility.

G. Violations of human rights of migrants on the open seas

113. On May 1, 2015 Thai security forces recovered 32 mass graves of Bangladeshi and Myanmar citizens from a jungle in Sadao District under the Shongkhal Province of Thailand, along the Malaysian border. It is believed that the deceased were traveling to go abroad by sea as illegal migrant workers. At the same time, Thai police also found some abandoned camps where migrants were detained by their traffickers. It was learnt that more than 10 thousand poor Bangladeshis and citizens belonging to the Muslim minority Rohingya population of Myanmar, enter Malaysia for work through this notorious human trafficking route.¹²⁷ Syndicates of human traffickers from Bangladesh, Myanmar, Thailand and Indonesia have also been trafficking poor citizens of Bangladesh and Myanmar by luring them with jobs in Malaysia.¹²⁸ On May 16, 2015 at least 104 people died in a clash amongst migrants for food on a boat floating near a Malaysian beach.¹²⁹ Furthermore, on May 24 and 25, 139 more graves of victims of human trafficking were marked in 17 camps in villages and towns under Perlis Province in Malaysia.¹³⁰ Meanwhile about five thousand people from Sirajganj, Satkhira, Bhola, Banskhali of Chittagong and Kurigram, who were travelling to Malaysia with human traffickers are still missing.¹³¹
114. Odhikar expresses grave concern regarding human rights violations of migrants floating on the seas. There is no accurate statistics regarding the number of migrants still floating on the seas. Moreover, the media is publishing reports on missing people who were travelling to Malaysia from different districts of Bangladesh by sea. The economic growth of Bangladesh is about 6.1 percent¹³², however, people belonging to the extreme rich social strata and the ultra poor have mainly flourished. As a result, poor people are taking risk and travelling beyond borders through illegal human traffickers, due to lack of livelihood. In the meanwhile, the Bangladesh government did not give shelter to Rohingya refugees who are suffering in the camps in Chittagong. Odhikar urges the government immediately to send ships and bring the Bangladeshi citizens back; and demands that the government find

¹²⁷ The daily Bangladesh Protidin, Prothom Alo and Manabzamin, 02/05/2015.

¹²⁸ The daily Prothom Alo, Jugantor, 02/05/2015.

¹²⁹ The daily Jugantor, 18/05/2015.

¹³⁰ The daily Prothom Alo, 29/05/2015.

¹³¹ The daily Manabzamin, 14/05/2015.

¹³² Asian Development Bank (Fiscal Year June 2014), <http://www.adb.org/countries/bangladesh/economy>

out the people involved in human trafficking and bring them to justice. Odhikar also urges the government to ensure food and work for all people by taking into consideration the huge numbers of people leaving the country; and reduce the disparity between rich and poor.

H. Violence against women

115. Violence against women is widespread in Bangladesh. Between January – June 2015, a significant number of women were the victims of rape, dowry related violence, acid attacks and sexual harassment. Odhikar believes that women are being victimized mainly due to a patriarchal system and negative mindset; lack of implementation of laws; failure of the Judiciary; lack of victim and witness protection; corruption and criminalisation of the members of law enforcement agencies; economic instability; and weak administration. Since the perpetrators of violence against women escape punishment due to various reasons, potential violators are encouraged and incidents of violence increase.

Dowry-related violence

116. According to Odhikar documentation, between January – June 2015, 84 women were subjected to dowry violence. Of these women, 57 were killed and 24 were physically abused in various other ways for dowry demands and three women allegedly committed suicide. During this period, a victim's parents and her son were injured by her husband.

117. On February 4, 2015 a housewife named Ruba (35) was strangled to death by her husband Alam over dowry demands in Munshipara area under Thakurgaon District. Later Alam threw Ruba's body in a septic tank from where police recovered her body.¹³³

118. On June 5, 2015 a housewife named Lata Monica (20) was strangled to death over dowry demands of 30 thousand taka and her body was allegedly hung from a ceiling fan in Elahinagar under Sonargaon Upazila in Narayanganj District. Her father-in-law Zahed Ali, mother-in-law Momtaz and brother-in-law Mahbub are absconding since the incident. Monica's husband left for Dubai a few days after marriage.¹³⁴

Rape

119. During the first six month of 2015, a total number of 298 females were reportedly raped. Among them, 107 were women, 187 were children below the age of 16 and the age of four victims could not be determined. Of the

¹³³ Report sent by human right defender associated with Odhikar from Thakurgaon

¹³⁴ The daily Naya Diganta, 09/06/2015

women, 17 were killed after being raped, 58 were victims of gang rape and one committed suicide. Out of the 187 child victims, 15 children were killed after being raped, 62 were victims of gang raped and two children committed suicide. Furthermore, 37 women and girls were victims of attempted rape.

120. On January 3, 2015, an 11-year old girl was killed after being raped by criminals in Kahetergaon village of Borochema Union under Monohardi Upazial in Narshingdi District. Police arrested one man named Kiran in this regard.¹³⁵
121. On June 10, 2015 Kabir Mia, a resident of Dirai Upazila under Sunamganj District and his wife hired a room at the Sunlight Residential Hotel at Jagannathpur town in Sunamganj. At around 11:00 pm, a criminal named Selon Mia and 4-5 youths entered their room and raped his wife after tying up Kabir Mia at gun point.¹³⁶

Sexual harassment and stalking

122. According to information gathered by Odhikar, a total of 75 girls and women were victims of sexual harassment between January – June 2015. Among them, five committed suicide, two were killed, five were injured, 12 were assaulted, one was abducted, and 50 were sexually harassed in various ways. During this period, three men were killed, 11 men were injured and six women were injured by the stalkers when they protested against such acts.
123. On April 14, 2015 on the occasion of Bengali New Year criminals began sexually harassing women in front of the gate of Suhrawardy Udyan¹³⁷ at the northern side of the Raju Sculpture on Dhaka University campus. Women, from the 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 Union¹³⁸, Liton Nandi and others from the hands of the attackers. Furthermore, there was clear evidence of some of the incidents as they were recorded on CCTV cameras. Some of the perpetrators were also revealed from the recordings of the CCTV cameras in the area. The police were inactive during the incident and even let five criminals free after they were handed over to them.¹³⁹ 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

¹³⁵ The daily Amader Shomoy online, 06/01/2015

¹³⁶ The daily Manabzamin, 15/06/2015

¹³⁷ 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.

¹³⁸ Student wing of the Communist Party of Bangladesh

¹³⁹ The daily Manabzamin and Prothom Alo, 16/04/2015

- a suo moto rule asking the government what measures were taken to bring the accused to justice, after investigating the incidents of sexual harassment.
124. 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, stopped 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 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.¹⁴⁰
 125. 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 also pulled at her scarf. After this incident the female teacher filed a written complaint to the University authority; and 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 General Secretary S M Sirajul Islam, attacked the police and snatched Aroj Mia from their custody.¹⁴¹
 126. A girl student of class VII, Momtaz Khatun (12) was stalked by a criminal named Harun Mia on her way to and from school at Chowhari Upazial under Sirajganj District. On June 14, 2015 Harun verbally abused Momtaz over her cell phone. Momtaz could no longer bear the mental pain and committed suicide at her sister's house in Rupsha village.¹⁴²

Acid violence

127. According to information gathered by Odhikar, between January – June 2015, it was reported that 25 persons became victims of acid violence. Of them, 13 were women, five were men, one was a boy and six were girls.
128. On January 15, 2015 a youth named Mohammad Shamim threw acid at a second year female student of Ishwarganj Girls College in Mymensingh due

¹⁴⁰ The daily Manabzamin, 17/04/2015

¹⁴¹ The daily Amader Shomoy, 27/04/2015

¹⁴² The daily Prothom Alo, 16/06/2015

- to her refusal of his proposal of love. Her forehead and one eye were burnt with the acid. She was admitted to Mymensingh Medical College Hospital.¹⁴³
129. On June 13, 2015 a housewife named Parvin was burnt with acid by members of her in-laws in Agoiljhora Upazila under Barisal District. Garment worker Parvin had a love-marriage with Shohag as she was living in Dhaka. But Shohag's family did not accept this marriage and threw acid at her.¹⁴⁴
130. Incidents of acid throwing are occurring due to lack of implementation of the Acid Crimes Prevention Act 2002 and the Acid Control Act 2002, as well as ineffective investigation and a weak criminal justice system.

I. Activities of Odhikar hindered

131. Odhikar, as a human rights organisation, has come under government fire during various regimes, for highlighting and being vocal against human rights violations and for campaigning to stop them. The present Grand Alliance government, led by the Awami League, after assuming power in 2009 started harassment on Odhikar for its reports on the human rights situation of the country. On August 10, 2013 at 10:20 pm, Odhikar's Secretary Adilur Rahman Khan was picked up by persons claiming to be from the Detective Branch (DB) of police, for publishing a fact finding report on extrajudicial killings during a rally organised by the religious group Hefazate Islam on May 5-6, 2013. The police, at first, denied detaining him. Adilur and Odhikar's Director ASM Nasiruddin Elan, were charged under section 57(1) of the Information and Communication Technology Act, 2006 (Amended 2009). They were in jail custody and were released on bail after spending 62 and 25 days in prison respectively. On August 11, 2013 at night, the DB police raided the Odhikar office and confiscated two CPUs (Central Processing Unit) and three laptops, which contained sensitive and confidential information and documents relating to victims of human rights abuses. Odhikar regularly faces harassment by different organs of the government. Adilur Rahman Khan, staff members of Odhikar and the office are under surveillance by intelligence agencies. 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 of Odhikar in order to stop its human rights activities. The Organisation is still operating with a small of dedicated staff and the volunteer services of grassroots level human rights defenders associated with Odhikar and their commitment to human rights activism.

¹⁴³ The Prothom Alo, 19/01/2015

¹⁴⁴ The daily Jugantor, 15/06/2015

132. 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 harassing Odhikar, everyone associated with the organisation, local level HRDs and victims of human rights violations and their families; gagging their voices by hampering Odhikar's activities.

Statistics: January-June 2015*								
Type of Human Rights Violation		January	February	March	April	May	June	Total
**Extrajudicial killings	Crossfire	12	30	9	8	14	6	79
	Shot to death	5	5	2	1	0	3	16
	Beaten to death	1	0	0	0	1	0	2
	Strangled to death	0	1	0	0	0	0	1
	Tortured to death	0	0	1	0	2	0	3
	Others	0	2	0	0	1	0	3
	Total	18	38	12	9	18	9	104
Shot on legs by law enforcement agencies		2	16	8	1	3	0	30
Disappearances		14	10	10	3	0	1	38
Human rights violations by Indian BSF	Bangladeshis Killed	2	5	1	9	3	3	23
	Bangladeshis Injured	11	7	5	4	2	6	35
	Bangladeshis Abducted	4	9	3	0	0	1	17
Attack on journalists	Injured	6	3	16	16	5	0	46
	Threatened	1	1	0	2	10	15	29
	Assaulted	2	1	0	0	0	0	3
	Tortured	0	0	1	0	0	0	1
	Arrested	2	0	1	1	1	0	5
Political violence	Killed	48	40	33	11	5	11	148
	Injured	1947	722	580	262	272	320	4103
Dowry related violence against women		13	15	12	13	17	14	84
Rape		33	44	40	42	79	60	298
***Sexual harassment /Stalking of women		19	9	19	6	9	13	75
Acid violence		8	4	3	5	4	1	25
Public lynching		12	7	8	15	15	11	68

*Odhikar's documentation

**During January-March five persons were allegedly extra judicially killed by the law enforcement agencies at the time of 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 victim women did not report, so that in the statistical part of sexual harassment/stalking of women couldn't be added.

Recommendations

1. A political crisis has been created due to the forcible assumption of power through conducting connived and controversial elections on January 5, 2014. The political crisis has already become the cause of severe human rights violations. There is no alternative other than holding a free, fair and credible election immediately by ensuring the participation of all political parties, under a neutral government or under the supervision of the United Nations, in order to resolve this. 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.
2. The use of petrol bombs is becoming a common practice during hartals and extreme political violence. Ordinary citizens are the victims of such attacks. This has led to several deaths and many more have become permanently maimed. Odhikar urges human rights organisations and citizens of Bangladesh to remain vigilant against such attacks.
3. Incidents of extrajudicial killings and torture 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". The Government should ratify the Optional Protocol to the UN Convention against Torture; and effectively implement the Torture and Custodial Death (Prevention) Act, 2013 without any controversial or bias amendment.
4. Accountability of all members of the law enforcement agencies must be ensured and the government should take appropriate measures to stop the impunity they enjoy.
5. The Government has to explain all incidents of enforced disappearance and killings allegedly perpetrated by law enforcement agencies. The Government must bring the members of the security and law enforcement forces who are involved in the incidents of enforced disappearance and killing 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.
6. The Government should refrain from attacking peaceful public events and from carrying out repressive, unconstitutional activities. Arbitrary and mass arrests and human rights abuses in prisons must be stopped. Freedom of opinion and expression and of the media must be ensured. 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. The detained Acting Editor of the daily Amar Desh, Mahmudur Rahman should be released.

7. Attacks and repression on religious minority communities must be stopped. The Government should take all measures to protect the rights of the citizens belonging to religious and ethnic minority communities and ensure their security.
8. 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.
9. Ready-made garment factories need to be brought under synchronized security programmes and the factories should be made with adequate infrastructural and other facilities. Human rights violations, including termination of workers, pending wages and harassment by Industrial Police against readymade garment factory workers must be stopped.
10. The Government must ensure the effective implementation of laws to stop violence against women and the offenders must be effectively punished under the prevalent laws. The Government should also 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 & 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 should be stopped. The government must release the funds of Odhikar urgently to enable it to continue its human rights activities.

SOME MAJOR CONVENTIONS AND TREATIES RATIFIED BY BANGLADESH

SL NO.	CONVENTION	DATE OF RATIFICATION	RESERVATIONS/ DECLARATIONS
1	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1966	Acceded in 1979	

2	Convention on the Elimination of All Forms of Discrimination against Women 1979	Acceded in 1984	Declaration The Government of the People's Republic of Bangladesh does not consider as binding upon itself the provisions of article 2, and 16 (1) (c) as they conflict with Sharia law based on Holy Quran and Sunna.
3	International Convention on the Suppression and Punishment of the Crime of Apartheid 1973	Acceded in 1985	
4	Convention on the Rights of the Child 1989	Signed and ratified 1990	Article 14, paragraph 1 Article 21 applies subject to the existing laws and practices in Bangladesh
5	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984	Acceded in 1998	Declaration The Government of the People's Republic of Bangladesh will apply article 14 para 1 in consonance with the existing laws and legislation in the country.
6	Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages 1964	Acceded in 1998	Reservations Article 1: Consent to marriage Article 2: Minimum age for marriage
7	International Covenant on Economic, Social and Cultural Rights 1966	Acceded in 1998	Declarations: "Article 1: It is the understanding of the Government of the People's Republic of Bangladesh that the words "the right of self-determination of Peoples" appearing in this article apply in the historical context of colonial rule, administration, foreign domination, occupation and similar situations. Articles 2 and 3: The Government of the People's Republic of Bangladesh will implement articles 2 and 3 in so far as they relate to equality between man and woman, in accordance with the relevant provisions of its Constitution and in particular, in respect to certain aspects of economic rights viz. law of inheritance. Articles 7 and 8: The Government of the People's Republic of Bangladesh will apply articles 7 and 8 under the

			<p>conditions and in conformity with the procedures established in the Constitution and the relevant legislation of Bangladesh.</p> <p>Articles 10 and 13: While the Government of the People's Republic of Bangladesh accepts the provisions embodied in articles 10 and 13 of the Covenant in principle, it will implement the said provisions in a progressive manner, in keeping with the existing economic conditions and the development plans of the country."</p>
8	Convention on the Prevention and Punishment of the Crime of Genocide 1949	Acceded in 1998	<p>Declaration</p> <p>Article IX: For the submission of any dispute in terms of this article to the jurisdiction of the International Court of Justice, the consent of all parties to the dispute will be required in each case.</p>
9	Convention on the Political Rights of Women, 1953	Acceded in 1998	<p>Reservations</p> <p>Article 3: Consonance with Constitution</p> <p>Article 9: Consent of disputing parties</p>
10	Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women 1999	Signed and Ratified in 2000	<p>Declaration</p> <p>The Government of the People's Republic of Bangladesh declares in accordance with Article 10 (1) thereof, that it would not undertake the obligations arising out of Articles 8 and 9 of the said Optional Protocol.</p>
11	International Covenant on Civil and Political Rights	Acceded in 2000	<p>Declarations:</p> <p>"Article 10: So far as the first part of paragraph 3 of Article 10 relating to reformation and social rehabilitation of prisoners is concerned, Bangladesh does not have any facility to this effect on account of financial constraints and for lack of proper logistics support. The last part of this paragraph relating to segregation of juvenile offenders from adults is a legal obligation under Bangladesh law and is followed accordingly.</p> <p>Article 11: Article 11 providing that "no one shall be imprisoned merely</p>

		<p>on the ground of inability to fulfil a contractual obligation,” is generally in conformity with the Constitutional and legal provisions in Bangladesh, except in some very exceptional circumstances, where the law provides for civil imprisonment in case of willful default in complying with a decree. The Government of People’s Republic of Bangladesh will apply this article in accordance with its existing municipal law.</p> <p>Article 14: So far as the provision of legal assistance in paragraph 3(d) of Article 14 is concerned, a person charged with criminal offences is statutorily entitled to legal assistance if he does not have the means to procure such assistance.</p> <p>The Government of the People’s Republic of Bangladesh, notwithstanding its acceptance of the principle of compensation for miscarriage of justice, as stipulated in Article 14, paragraph 6, is not in a position to guarantee a comprehensive implementation of this provision for the time being. However, the aggrieved has the right to realise compensation for miscarriage of justice by separate proceedings and in some cases, the court suo moto grants compensation to victims of miscarriage of justice. Bangladesh, however, intends to ensure full implementation of this provision in the near future.”</p> <p>Reservation:</p> <p>Article 14:“The Government of the People’s Republic of Bangladesh reserve apply paragraph 3 (d) of Article 14 in view of the fact, that, while the existing laws of Bangladesh provide that, in the ordinary course a person, shall be entitled to be tried in his presence, it also provides for a trial to be held in his absence if he is a fugitive offender, or is a person, who being required to appear before a court, fails to present himself or to explain the reasons for non-appearance to the satisfaction of the court.”</p>
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12	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography 2000	Signed and ratified in 2000	
13	Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict 2000	Signed and ratified in 2000	<p>Declaration</p> <p><i>Declaration:</i></p> <p>“In accordance with Article 3 (2) of [the Optional Protocol], the Government of the People’s Republic of Bangladesh declares that the minimum age at which it permits voluntary recruitment into its national Armed Forces is sixteen years for non-commissioned soldiers and seventeen years for commissioned officers, with informed consent of parents or legal guardian, without any exception. The Government of the People’s Republic of Bangladesh further provides hereunder a description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced: The process of recruitment in the national Armed Forces is initiated through advertisement in the national press and the media for officers and other ranks without exception. The first induction of new recruits is conducted invariably in a public place such as a national park, school ground or a similar place. Public participation is welcomed in such programmes. Before a recruit presents himself he has to submit a written declaration from his parents or legal guardians consenting to his recruitment. If the parent or legal guardian is illiterate the declaration is verified and counter signed by the Chairman of the Union Parishad. The recruit is required to present birth certificate, matriculation certificate and full school records. All recruits whether officers or other ranks have to undergo rigorous medical examination including checks for puberty. A recruit found to be pre-pubescent is automatically rejected. Officers and other ranks without exception are required to undergo two years of compulsory training. This ensures that they are not</p>

			assigned to combat units before the age of 18. All officers and other ranks are carefully screened before being assigned to combat units. These tests include tests of psychological maturity including an understanding of the elements of international law of armed conflict inculcated at all levels. The Government of the People's Republic of Bangladesh declares that stringent checks in accordance with the obligations assumed under the Optional Protocol will continue to be applied without exception.”
14	The Convention against Corruption 2005	Ratified in 2007	Reservation to Art. 66
15	Convention on the Rights of Persons with Disabilities 2006	Signed and ratified in 2007	

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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.