

MONTHLY HUMAN RIGHTS MONITORING REPORT ON BANGLADESH*01-30 November, 2008***STATE OF EMERGENCY MUST GO****HUMAN RIGHTS MUST BE IN PARTY MANIFESTO****INDIAN BORDER SECURITY FORCE MUST STOP KILLING BANGLADESHIS**

Odhikar, a human rights organisation, is committed to uphold the civil, political, economic, social and cultural rights of the people and as part of its commitment, monitors the human rights situation in Bangladesh. Odhikar presents below a report on the state of human rights during 01-30 November, 2008.

Immediately lift the State of Emergency

Government has not yet lifted the State of Emergency to create an enabling environment for the general election now rescheduled for 29 December 2008. Some provisions of the Proclamation of Emergency and Emergency Rules have been removed, invalidating further any justification to continue the State of Emergency.

Odhikar calls upon the government to immediately lift the State of Emergency since it believes that State of Emergency in Bangladesh is incompatible to internationally guaranteed human rights and as such, it has consistently demanded its withdrawal. An election, which is the only legitimate way to transit to democracy, cannot be held while the oppression of the State of Emergency is in place. Emergency is inherently abusive, anti-human rights and anti-democratic and must therefore be totally lifted.

Human rights must be in party manifesto

In the upcoming elections, Odhikar demands that political parties not only clearly state their commitments and adherences to human rights, but should also elaborate measures to be taken, should they be elected, to protect and further basic human rights to all. Human rights, rule of law, justice, and good governance should be the core basis of all activities and parties must amplify their position how they plan to proceed in these areas. A mere reference to human rights would not be sufficient. A party must state, in its manifesto, categorically how it will ensure furtherance of rights, adopt non-discriminatory policies, offer access to all and in particular, protect the rights and dignity of ethnic, religious and other minorities, rights of the women, children, disabled and other marginalised segments of the population.

Odhikar also urges voters to exercise their voting rights with utmost prudence and vote for those with impeccable commitments and good record in working for securing human rights and freedoms, regardless of gender.

Stop killing Bangladeshis

The Indian border security force (BSF) must stop the indiscriminate and random killing of Bangladeshis. On 16 November at 10 p.m. BSF members intruded into Bangladesh territory and gunned down an infant, his mother and another person without any provocation.

Between 1 and 30 November, the Indian Border Security Force (BSF) reportedly killed 5 Bangladeshis, injured 16 and 10 Bangladeshi were reported abducted in this period.

Odhikar calls upon the Bangladesh government to take proper and effective initiatives under international law to stop the killing of Bangladeshi civilians by the Indian BSF.

Extrajudicial Killings

According to Odhikar records, in November a total of 6 persons were reportedly killed by law enforcement agencies.

➤ **Circumstances of deaths**

Among those 6 persons, 4 were allegedly killed by RAB and 2 by police.

Crossfire/ encounter/gunfight/shootout

A total of 5 incidents of crossfire/ encounter/ gunfight/ shootout¹ were recorded. Among them 3 persons were killed in RAB crossfire and 2 in police crossfire.

Torture to death

1 person was allegedly tortured to death by RAB.

➤ **Identities of the victims**

According to reports, 1 was from Purbo Banglar Communist Party (Red Flag), 4 were alleged criminals and 1 was an alleged extortionist.

➤ **Absolute Impunity**

No punitive action was taken against the perpetrators. The culture of impunity prevails in such killings.

Freedom of Expression

The Election Commission has initiated a new guideline for the print and electronic media regarding elections, which has been opposed by the representatives of the media. According to media reports, the Chief Election Commissioner, ATM Shamsul Huda made public a draft Code of Conduct for the media in election coverage, suggesting the media

¹ Reports in the press have used more than one of the terms “crossfire”, “encounter”, “gunfight” and “shootout” in one article to describe the same incident. It is, therefore, not possible for Odhikar to determine which of these descriptions best describes an incident of extra-judicial killing. Odhikar has, therefore, grouped these incidents together and consider as “crossfire”.

should not broadcast or publish unofficial election results before the announcement by the Election Commission. Odhikar believes that this interferes with the Constitutional guarantee of freedom of expression, thought and speech and would like to remind the Election Commission to act in such a manner as to protect the freedom of the media.

From 1 to 30 November it is reported that 6 journalists were attacked and another 6 were reportedly assaulted.

Rape

During 01 to 30 November a total of 15 women and girls reportedly became victims of rape. Among them 9 were women and 6 were children aged below sixteen. Out of these incidences 7 were gang raped. Out of the 9 women, 5 were reportedly killed after rape and 6 were victims of gang rape. One girl was a victim of gang rape.

Actual figures are likely to be much higher since all such violations are not reported to police or police sometimes do not file rape cases and favour the perpetrators. Another reason is the associated social stigma.

Dowry related violence

The most common reason for violence against women occurs due to dowry² demands. Between 01 and 30 November 2008, a total of 15 women reportedly became victims of dowry demands. Due to dowry related violence, a total of 11 women were killed, 3 were tortured and 1 woman allegedly committed suicide.

Acid Violence

Between 01 and 30 November reports show that a total of 7 women became victims of acid violence.

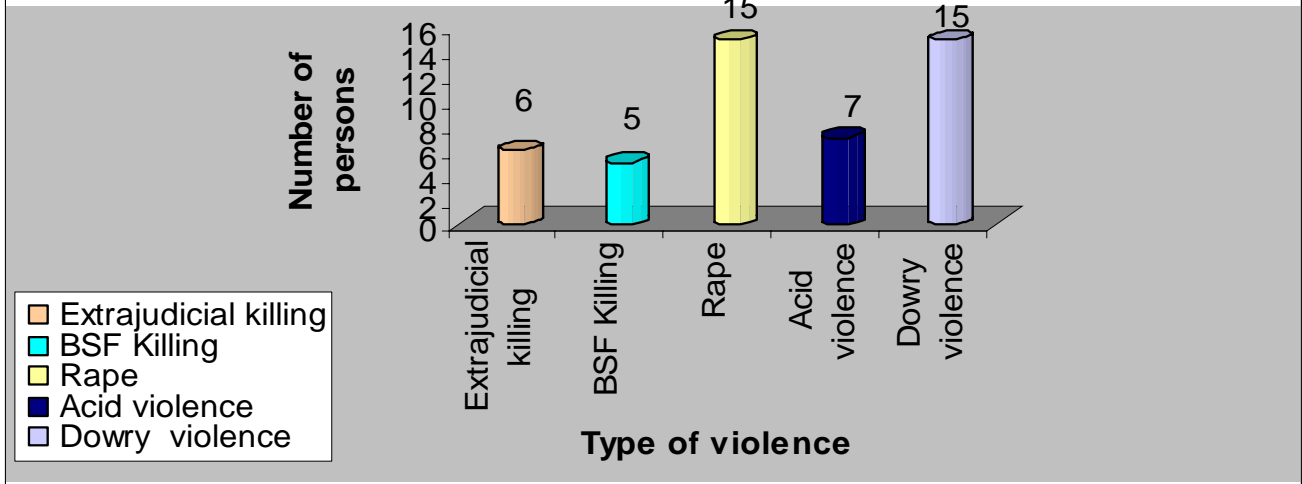
Death in Jail

Between 1 and 30 November 2 persons reported died in prison due to illness.

<i>Statistics of Human Rights violations</i>	
<i>01 -30 November 2008</i>	
Type of violence	Number of victims
Extrajudicial killing	6
BSF Killing	5
Rape	15
Acid violence	7
Dowry related violence	15

2. **The Dowry Prohibition Act 1980** makes the giving or taking/demanding of dowry an offence, punishable with imprisonment and/or fine.

Statistics of Human Rights Violations: 1- 30 November 2008



Recommendations

- The State of Emergency must be lifted in total. Elections must be held in a free, fair and transparent manner.
- The issues of human rights, justice and good governance and a total commitment to uphold all three must be included in the political party manifestos.
- The government should take immediate and effective steps to stop killing, injuring and abduction of Bangladeshi citizens by the Indian Border Security Force (BSF).
- Odhikar demands an immediate end to the cultures of crossfire, absolute impunity and extrajudicial killings.
- The Government should take effective measures to stop violence against women. It must be pro-active in bringing perpetrators under the law and offer practical assistance to victims/survivors. It must ensure that victims and witnesses are protected so that perpetrators cannot intimidate and re-victimise them. In this regard, Odhikar calls upon the government to set up a fund specially to give both physical and psychological support to victims of gender violence and to offer adequate compensation.

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Notes:

1. Odhikar seeks to uphold the civil, political, economic, social and cultural rights of the people.
2. Odhikar documents and records violations of human rights and receives information from its network of human rights defenders and monitors media reports in twelve national daily newspapers.
3. Odhikar conducts detailed fact-finding investigations into some of the most significant violations.
4. Odhikar is consistent in its human rights reporting and is committed to remain so.