

Human Rights Monitoring Report:

January 01 –March 31, 2011

Reported statistics show that every 3 days 1 person is killed extra-judicially

Bangladeshi girl killed and hung on barbed wire fence by BSF

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Widespread violence against women

Odhikar defends civil, political, social, economic and cultural rights of the people and as part of its mission, observes reports and analyses the human rights situation of Bangladesh. Odhikar documents and records violations of human rights and receives information from its

network of human rights defenders as well as from monitoring media reports in twelve national daily newspapers. Odhikar conducts detailed fact-finding investigations where serious violations occur.

In line with this campaign, an account of the human rights situation of Bangladesh covering the 3 months of January, February and March 2011 is presented below:

Every 03 days 01 person is reported killed extra-judicially

1. According to Odhikar, 33 people were extra judicially killed by law enforcement agencies during the last three months. It means on an average every 03 days 01 person is reported killed extra-judicially.
2. On January 26, 2011, the Home Minister Advocate Sahara Khatun said, “the law enforcement agencies will continue their work, regardless of whatever is being said about extrajudicial killings. The criminals are supposed to be killed when law enforcers shoot at them in self defense.”¹
3. On January 11, 2011, Imtiaz Hossain Abeer (19), a first year student of Northern College, was shot dead by police at the Pallabi area in Dhaka city. The family of the deceased alleged that Abeer was shot dead by police. There was no case or General Diary against Abeer in any police station.²
4. On February 3, 2011 the Prime Minister stated, at a press conference, that “I have always taken a stand against extra-judicial killings. Such killings are continuing for a long time, which can not be stopped over night.”³ A member of Purba Banglar Communist Party (Red Flag), Abdul Hamid had been shot dead in a ‘gunfight’ with police in Pabna, when the Prime Minister was delivering her speech at a press conference. The next day, a youth named Nurul Islan Shumon had been shot dead by police at the Botanical Gardens in Mirpur in the Dhaka Metropolitan Area.⁴
5. The Prime Minister has addressed the issue of extra-judicial killings for the first time in two years of assuming power. Before that, the government officials at different levels, including the Home Minister, had been denying the practice of extra-judicial killings. However, the Prime Minister’s statement “Extra-judicial killings can not be stopped over night” will only encourage the people involved in such acts.

Types of death

Crossfire/encounter/gun fight:

6. It has been alleged that 28 persons were killed in ‘crossfire/encounters/gun fights’. Of these deaths, 19 were killed in the hands of RAB, 06 by police and 03 by RAB-police jointly.

¹ The daily Jugantor, 27/01/2011

² Fact finding report of Odhikar, dated 03/02/2011

³ The daily Prothom Alo, 04/02/2011, 1st page, reported by special correspondent, <http://www.prothom-alo.com/detail/date/2011-02-04/news/128857>

⁴ The daily New Age, 04/02/2011; the daily Amar Desh, 05/02/2011, 1st page, staff reporter/Jheniadah correspondent, <http://amardeshonline.com/pages/details/2011/02/04/66532>

Death due to torture:

7. Of the deceased, 04 were allegedly tortured to death. Among them, 03 were allegedly tortured to death by police and 01 by jail authority.

Beaten to death:

8. Of the deceased, 01 person was allegedly beaten to death by police.

Identities of the deceased

9. Of the 33 deceased, 01 was an Awami League activist, 02 were from Purbo Banglar Communist Party (Red Flag), 01 from Purbo Banglar Communist Party (Jonojuddho), 04 were from Gonobahini, 02 were unidentified youths, a 52-year-old man, 01 was a student of Northern College, 01 was a construction worker, 02 were prisoners and 18 were alleged criminals.

Death in custody

10. From January to March 2011, 38 persons died in custody. Among them, 25 persons died in jail. Among those, 21 persons allegedly died due to ‘sickness’; an 18 month old child was kept in prison with her mother, where she died within 12 days due to lack of treatment; and 3 persons died due to unknown reasons. Another 12 persons were allegedly killed extra judicially while under custody of RAB and police and the jail authority respectively. One former BDR jawan also died during this time while in custody.

Bangladeshi girl killed and hung on barbed wire fence by the BSF

11. Human rights violations by the Indian Border Security Force (BSF) at border areas continue in 2011. The BSF are killing Bangladeshi nationals either by shooting at them or torturing them. BSF have also killed farmers at work in the fields by intruding into Bangladesh territory. On January 7, 2011, a 15-year old girl, Felani Khatun, was shot and killed by the BSF while she was entering Bangladesh from India, near the international 947 pillar of the Anantapur border in Phulbari Upazila under Kurigram district. The BSF took down Felani’s body after 5 hours and handed her body over to BGB after 30 hours.⁵
12. BSF Director General Raman Sribastav stated, in a joint press briefing on March 12, 2011, after a 5-day DG level conference between Bangladesh Border Guard (BGB) and BSF held in New Delhi, that “non-lethal weapons will be given to the border guards at the sensitive areas in India-Bangladesh frontiers. This is an experimental decision. If it is succeeded, it would be implemented in 4096 kilometers border areas between the two countries.” He said that BSF does not want to kill any Bangladeshi citizens.⁶
13. The BSF allegedly killed 907 unarmed Bangladeshis between 1 January 2000 and 31 March 2011.

⁵ Fact finding report of Odhikar, dated 16/01/2011

⁶ The daily Prothom Alo, 13/03/2011, Page 1, reported by New Delhi correspondent

14. Odhikar believes that the Government of Bangladesh has the responsibility to demand for international investigations regarding such killings of Bangladeshi citizens by the BSF residing at the border areas.
15. According to information gathered by Odhikar, from January – March 2011, along the India Bangladesh border, the BSF reportedly killed 05 Bangladeshis. Of the deceased, 03 were allegedly shot and 02 tortured to death. 30 Bangladeshis were injured by BSF's atrocities. Furthermore, 03 persons were reported abducted by the BSF during this period.

Killers of Upazila Chairman threatening complainant after bail

16. On October 8, 2010, BNP leader and Boraigram Upazila Chairman Sanaullah Noor alias Babu was beaten and stabbed to death when attacked in a procession in Natore. Former General Secretary of the Awami League-backed Chhatra League⁷ and former Information and Research Secretary of the District Awami League Zakir Hussein led a group of miscreants, including Awami League-backed Chhatra League General Secretary of Boraigram Upazila Shafiqul Islam, Jubo League⁸ leaders Rakib, Jamil and Babu allegedly attacked the political procession. A video footage of this incident was released and aired on the television channels.⁹
17. In spite of this very public attack by Jubo League and Chhatra League of the Awami League, on October 12, 2010, Prime Minister Sheikh Hasina commented on the death of Sanaullah Noor Babu that “The BNP’s internal-conflicts were responsible for the killing of the chairman of Baraigram Upazila in Natore. They have murdered their own man and are now filing cases.”¹⁰
18. On October 13, 2010, Awami League parliament member of Boraigram-Gurudashpur constituency, Abdul Quddus, in a meeting at Bonpara, made a statement reassuring the individuals charged with the murder of Sanaullah Noor Babu that “There is nothing to be scared of. Awami League is currently governing the state. Nothing will happen to those who have been accused of being involved in this murder case.”¹¹
19. On March 6, 2011, a Divisional Bench of the High Court Division comprising of Justice Mohammad Shamsul Huda and Justice Abu Bakar Siddique granted bail of the 11 accused, for six months, over satisfaction of the Chief Judicial Magistrate of Natore.¹²
20. Local Awami League and Shechchashebok League received the 11 men freed on bail with flowers soon after their release and a grand reception was given to them at the Shahid Minar at Boraigram Upazila Parishad. The principal accused of the murder of Sanaullah Noor Babu, former General Secretary of the Awami League-

⁷ Student wing of Awami League

⁸ Youth wing of Awami League

⁹ The daily Jugantor, 09/10/2010

¹⁰ The daily Amader Shomoy, 13/10/2010

¹¹ The Daily Star, 14/10/2010

¹² The daily Prothom Alo, 11/03/2011, Natore correspondent

backed Chhatra League and former Information and Research Secretary of the District Awami League Zakir Hussein, threatened businessmen by saying “Businessmen at Bonpara demonstrated against the killing by shutting down their shops. Despite being innocent, we had suffered because of them. Now we will see what they will do for us. The businessmen of Bonpara will have to prove in seven days that we were involved with Sanaullah Noor Babu’s killing; otherwise we vow that we will make decisions about them after 7 days.” Bonpara Municipality Awami League Convener Khokon Molla said in his speech that “Not in seven days, they will have to do what they can for us in the next 72 hours. Otherwise action will be taken against them.”¹³

21. On March 13, 2011, the High Court Division issued a rule regarding the killing of Boraigram Upazila chairman and BNP leader Sanaullah Noor Babu as to why the bail of the accused should not be annulled. A High Court Division Bench comprising of Justice Mohammad Shamsul Huda and Justice Abu Bakar Siddique issued a suo-moto rule.¹⁴
22. On March 28, 2011, the High Court Division Bench ordered the 11 accused persons, who were released on bail, to submit undertakings that the plaintiff and witnesses of the cases would not be threatened. At the same time, the Court was adjourned till April 6, 2011 for hearing of the rule.¹⁵

President’s clemency for accused of murder

23. President Zillur Rahman granted mercy to Ahsan Habib Titu, principal accused for the murder of lawyer Abdur Razzaque, who was also former BNP President of Dewanganj Upazila under Jamalpur district. On October 12, 1999, Awami League and Chhatra League activists attacked a procession and stabbed to death Abdur Razzaque. The prime accused of the murder case Ahsan Habib Titu had avoided arrest by absconding for 9 years. The Court ordered the life sentence by reducing his punishment, based on Ahsan Habib Titu’s appeal before the Court after Awami League assuming power in 2009. However, his lifetime imprisonment had also been repealed after submitting a mercy petition to the President.¹⁶
24. It is to be noted here that President Zillur Rahman pardoned 20 prisoners who were on death row in the Sabbir Ahmed Gama murder case. The jail authority received the mercy order in this regard on September 6, 2010. On August 24, 2006, 21 accused persons were sentenced to death. The accused persons appealed in the High Court Division, challenging this verdict. But they withdrew the appeal before the completion of the hearing and appealed for mercy to the President, through the Home Ministry on April 15, 2010. On September 2, 2010, the President signed the mercy petition. 14 prisoners have been released from jail following the general amnesty given by the President. Six other prisoners could not be released as they

¹³ Ibid

¹⁴ The daily Prothom Alo, 13/03/2011

¹⁵ The daily Prothom Alo, 29/03/2011

¹⁶ The daily Prothom Alo, 19/03/2011

were involved in other cases. It is to be mentioned that Sabbir Ahmed Gama was stabbed and shot dead on February 7, 2004 at Ramsharkazipur Amtali Bazar under Naldanga Upazila in Natore.¹⁷

25. Odhikar observes with deep concern that this kind of clemency will hinder the justice delivery system and people will lose their confidence in Judiciary if clemency is given before trial. Nevertheless, such practice for convicted prisoners undermines the judicial process and demonstrates injustice to the victims. It is also to be mentioned that Jhintu, a convicted prisoner, who was on death row had been pardoned by bringing him back from abroad during the BNP regime.¹⁸

Criminal cases withdrawn out of ‘political’ consideration’

26. The Government is withdrawing cases of murder, rape, robbery, corruption, extortion and for keeping illegal arms, by considering those ‘politically motivated cases’, bypassing the judiciary or any judicial process. Those cases have been withdrawn under political consideration and kept for ‘future consideration’; most of them were filed against ruling party leaders and activists. Furthermore, some cases have also been withdrawn where the plaintiff and accused were not even involved in politics. Considered as ‘politically motivated’ on January 11, 2011 a total of 1479 cases were proposed for withdrawal at the 25th meeting of the ‘National Committee on reviewing the cases for withdrawal’. Of them, 900 cases have no recommendations from the District Committees. According to the government rule, no case can be proposed for withdrawal at the National Committee without recommendations from the District Committees. However, these cases have been proposed with the influence of Ministers, Parliamentarians and leaders of the ruling party, without recommendations of the District Committees. 56 out of 1479 cases have been recommended for withdrawal and 837 cases were kept for later consideration. It has been reported that about 6750 cases were withdrawn under political consideration in the last two years since the present Awami League led Grand Alliance government assumed power. Among them, 5303 cases have been fully withdrawn while the names of the accused have been partly withdrawn in 1444 cases. It is to be noted that between 2001 and 2006, during the tenure of the four party alliance led by BNP, 5888 cases were withdrawn under ‘political consideration’ and a several numbers of accused persons had been acquitted from 945 ‘politically motivated’ cases. A total of 73,541 accused persons had been acquitted in this process.¹⁹
27. Odhikar expresses its concern over withdrawing significant cases in the name of ‘political consideration’, which were filed against ruling party activists. Odhikar believes it would be contrary to the rule of law, if the criminal cases are withdrawn randomly under ‘political consideration’ which will further extend the culture of impunity in Bangladesh and will be a grave injustice to the victims.

¹⁷ The daily Prothom Alo/The daily Amar Desh, 07/09/2010

¹⁸ The daily Prothom Alo, 19/03/2011

¹⁹ The daily Prothom Alo, 11/01/2011, reported by Rozina Islam, Page 1, <http://www.prothomalo.com/detail/date/2011-01-11/news/122536/> / The daily Amar Desh, 12/01/2011, staff reporter, Back page <http://www.amardeshonline.com/pages/details/2011/01/12/62771>

Public lynching

28. In the last three months a total of 37 persons were killed by mob violence.
29. Odhikar observes that the tendency to take law into one's own hands proves lack of public confidence in the criminal justice delivery system.

Political violence continues

30. From January 01 to 31 March 2011, according to information gathered by Odhikar, 30 persons were killed and 2527 injured in political violence. 90 incidents of internal violence in the Awami League and 20 in the BNP were also recorded during this period. In addition to this, 04 were killed and 1135 people were injured in Awami League internal conflicts while 01 was killed and 191 persons were injured in BNP internal conflicts.

Whereabouts remain unknown after being picked up by RAB

31. On February 15, 2011, a grocer, Rafiqul Islam (41), was picked up by some plain clothed and uniformed RAB members from 620 North Shahjahanpur of Dhaka city and his whereabouts are unknown since his arrest. The family members of Rafiqul Islam informed Odhikar that they have searched in vain for him at various places, including the RAB-3 office and at the local police station. The eye-witnesses of this incident told Odhikar that 15/20 uniformed and plain clothed RAB members picked up Rafiqul from a shop. RAB did not say why Rafiqul had been picked up. Many people, including his fellow shopkeepers and passers-by witnessed Rafiqul's arrest. His home district is Gaibandha.²⁰
32. Many persons have 'disappeared' after being detained by men claiming to be members of law enforcement agencies. The families of the victims claim that it is the members of the law enforcement agencies who are making the arrests.
33. Odhikar expresses deep concern over such incidents of arrest and disappearance and demands that the Government arrange for the search and rescue of lost persons and also take action against those involved with such acts.

Corruption may increase if the present Anti Corruption Commission Bill is passed

34. On February 28, 2011, a Bill on the Anti Corruption Commission (Amendment) Act 2011 has been tabled in Parliament with a provision that the prior permission of the government is to be required in order to file cases against government officials and public representatives.
35. Odhikar is concerned that political and administrative corruption may increase if the Bill is approved by the Parliament.

²⁰ Fact finding report of Odhikar/The daily Amar Desh, 18/02/2011, Page 2, staff reporter

Government disperses meetings of Lamppost, Chhatra Gonomancha and Arial Beel Rakkha Committee

36. On January 9, 2011, a discussion meeting organised by Lamppost to demand the release of garments workers leader Moshrefa Mishu, at the Dhaka University campus, was stopped by Dhaka University Proctor KM Saiful Islam Khan and Awami League-backed Chhatra League activists. Chhatra League activists alleged that Lamppost was a banned organisation on campus and cannot hold any meeting here. Ashish Koraya, General Secretary of Lamppost informed Odhikar that Lamppost is not a banned organisation and when the Proctor was asked this question, he could not give any answer.²¹ Lamppost has been under watch by the security forces since the 5 July 2009 incident regarding a Lamppost procession in front of the Indian High Commission against the Tipaimukh dam in India and Indian interference in Bangladesh politics.
37. On January 22, 2011, Chhatra Gonomoncho (Student Platform) organised an open study circle at the Dhaka University Central Student Union (DUCSU) building to protest against the killing and torturing of Bangladeshi citizens by the Indian BSF. About 50 Awami League-backed Chhatra League activists led by Zahurul Huq Hall unit President of Chhatra League, Reaz Uddin Shumon, attacked and blocked the programme. At least 15 activists of Chhatra Gonomoncho were injured in this attack.²²
38. On January 26, 2011 a procession organised by Arial Beel Rakkha Committee (Arial Lake Protection Committee) to protest against the construction of an airport at the Arial Lake area, was disrupted when police obstructed it. When the activists of the committee gathered at the Muktangaon in Dhaka in the evening to participate in a scheduled programme, police took away their banner and imposed a blockade. Later the committee shifted to the National Press Club and tried to make a human chain in front of the club, but the police spoiled that initiative as well. The people who gathered for a human chain took shelter at the press club when police chased them. Arial Beel Rakkha Committee alleged that police spoiled their peaceful programme despite having written permissions from the Dhaka City Corporation and Dhaka Metropolitan Police. They also complained that police obstructed people to attend this procession and three protestors received bullet injuries.²³
39. Odhikar believes that any citizen of the State has the right to form groups or organisations and carry out activities through peaceful means and also criticize the Government. Article 38 and 39 of the Constitution also guarantee the rights of the citizens to organise meetings and peaceful processions.

²¹ Shomen Chakma, human rights defender of Odhikar, 09/01/2011

²² The daily Naya Diganta, 23/01/2011,
http://dailynayadiganta.com/2011/01/23/fullnews.asp?News_ID=257813&sec=2

²³ The Daily Ittefaq, 27/01/2011, <http://ittefaq.com.bd/content/2011/01/27/news0262.htm>

Clashes between police and demonstrators protesting a new airport at Arial Beel: Cases filed against demonstrators

40. On January 31, 2011, a police officer was killed and more than 100 people, including policemen and journalists, were injured in clashes between the police and local people during a protest rally and blockade of the Dhaka-Mawa highway against the proposed International Airport at Arial Beel. Finally the government was compelled to cancel its plan due to justified protests by the local people against the construction of a new airport at Arial Beel and on agricultural land. After the incident, the government filed cases against the Dhaka University teacher and Professor Emeritus, Dr. Sirajul Islam Chowdhury; Nuclear scientist Dr. Foyzur Rahman Al Siddiqui; Dr. Fakhru Islam Chowdhury; former Adviser of the caretaker government Engineer Amanul Islam Chowdhury; the leaders of the Arial Beel Protection Committee; and 22 thousand local people. In the mean time Jalil Master, Joint Convener of the Arial Beel Protection Committee, was arrested. It has been alleged that the supporters of the ruling party and policemen are now harassing local people, ransacking and looting their houses.²⁴
41. Odhikar urges the Government to withdraw the cases against the leaders of Arial Beel Protection Committee and 22 thousand local people and also urges that the harassment in the name of ‘police operation’ be stopped.

Government’s unwillingness to approve Odhikar’s project and its HRDs are victims of harassment

42. Odhikar has become a victim of numerous acts of harassment by the government agencies. The NGO Affairs Bureau has kept pending its approval and fund clearance of Odhikar’s two projects for 8 and 3 months respectively; and human rights defenders of Odhikar are under surveillance of the intelligence agency.
43. According to its Rules of Business, the NGO Affairs Bureau has to issue a decision on a proposed project within 45 days after the reception of all relevant information.
44. Odhikar sent a letter to the NGO Affairs Bureau (NGOAB) on July 7, 2010 demanding approval of project titled ‘*Promotion of Human Rights in Bangladesh through Documentation, Fact-finding and Advocacy*’ (funded by the Finnish NGO Foundation for Human Rights – KIOS), and another on December 28, 2010 for the project titled ‘*Education on the Convention against Torture and OPCAT Awareness Programme in Bangladesh*’ (funded by the European Union). Odhikar has already clarified a number of queries made the NGOAB. The Bureau is still to provide approval for the two projects.
45. Previously, through a letter dated February 11, 2010, the NGO Affairs Bureau had refused to grant extension of one of Odhikar’s projects.
46. Human rights defenders of Odhikar are under the scrutiny of the national security agencies and they have also been facing numerous acts of harassment.

²⁴ Weekly Budhbar, 09/02/2011 at 2nd page by Ahmed Foyez/ Report from Jahangir Hossain Akash, human rights defender of Odhikar, Munshiganj

47. Odhikar is committed to protect and promote human rights. Odhikar demands a clear explanation from the government as to why it has been facing numerous acts of harassment by government agencies.

Pourashava (Municipality) Elections 2011 and other elections

48. About two years after the scheduled time, elections were held in 252 Pourashavas out of 310, on 12, 13, 17, 18 and 27 January 2011 in seven divisions across the country. Pourashava Elections were marked by attacks on opponents, irregularities, intimidation of voters, violence and snatching of ballot boxes. The Returning Officers cancelled the polling processes in two centres, at Borhanuddin in Bhola and Mehendiganj in Barisal, due to allegations of various irregularities and violence. The re-elections have taken place in these centres on March 20, 2011. The polling process was also suspended in eight centres at Kaliakoir Pourashava under Gazipur district due to errors in the voters' list. Furthermore, the result of a polling centre at Ghatail Pourashava under Tangail district was suspended. The Election Commission suspended polling at Senbagh Pourashava in Noakhali due to allegations of snatching ballot papers and ballot boxes while the declaration of results were suspended due to suspension of polling in two centres at Kabirhaat under Noakhali district and Nangolkot under Comilla district.
49. Dawn to dusk Hartal²⁵ called by the local BNP, was observed in Noakhali, Lakhipur and Feni on January 19, 2011 after the election day, due to the capturing of polling centres by supporters of the ruling party during Pourashava elections and for the demand for re-polls. Incidents of bomb explosions on buses and vandalism took place during the Hartal.²⁶
50. During the Pourashava (Municipality) Elections 02 were allegedly killed and 527 persons were injured.

Attacks on religious minority communities in post election violence

51. Post election violence took place in Shaikupa under Jhenaidah district on January 13, 2011 after the Pourashava election. At least 20 persons were injured in this incident. The supporters of Awami League backed candidate Toiyabur Rahman attacked people at different areas, physically assaulted businessmen and forcefully locked up their shops after Toiyabur Rahman lost the election. It has been alleged that shops that were under attack, mostly belonged to businessmen from the religious minority community. Most of the jewelry shops, owned by religious minority communities, in Shaikupa town have shut down after this incident. A victim of this attack, Kajjol Dey, Proprietor of Priyanka Jewelers, was treated at the Shaikupa hospital. Kajjol Dey informed Odhikar that he had never been involved in politics. He was allegedly attacked for casting his vote. Police arrested three persons in connection with this incident.²⁷

²⁵ Hartal: a general strike

²⁶ The daily Amar Desh, 20/01/2011, Page 1,
<http://www.amardeshonline.com/pages/details/2011/01/20/64058>

²⁷ Report from local human rights defender of Odhikar at Jhenaidah, 14/01/2011

By-elections in two constituencies

52. On January 27, 2011 by-elections was held in Brahminbaria-3 and Habiganj-1 constituencies. A number of clashes occurred between the activists of Awami League and BNP during the by-polls.²⁸
53. The Returning Officer did not pay heed to the application for suspending polling in eight polling centres over allegations of rigging and intimidation at Brahminbaria-3. Two persons, including a journalist, were wounded during an attack by Awami League backed Chhatra League supporters outside the polling centre. Furthermore, leaders and activists of the Awami League ran after the leaders and activists of the BNP in many places including Chinair, Chapoir, Monipur and Basudev. The polling agents of BNP backed candidates were allegedly driven out from most of the polling centres in these areas.²⁹ Supporters of Awami League and voters in queue at Chinair Anjumanara School and College became agitated due to interruption in polling for a while as the presiding officer was delayed in supplying ballot papers. Policemen chased away people who gathered around the polling centre several times.³⁰
54. On January 30, 2011 BNP called a dawn to dusk hartal due to rigging in by-elections in the Brahminbaria-3 constituency and demanded a re-election by opposing the election results and the resignation of the Chief Election Commissioner. Police baton charged the supporters of the hartal during their picketing. Three persons were reported injured in this incident.³¹

Union Parishad Elections

55. Union Parishad (UP) elections were held in 337 unions on March 29, 30 and 31, 2011 at the costal areas under Chittagong, Khulna and Barisal divisions. On March 29, 2011, elections were allegedly marked by rigging, violence and chases in various polling centres in Bhola Sadar and Doulatkhan Upazila under Bhola district. Supporters of a UP member candidate Mohammad Lokman Patowari were allegedly beat three policemen on duty when the policemen were trying to stop them distributing money to voters in queue in Hajirhat M Hossain Registered Primary School centre at Bheduria union under Bhola district. They also tried to stamp ballot papers entering in the polling booths. As a result, a clash occurred between the supporters of two candidates.³²
56. On March 30, 2011, clashes occurred between supporters of two UP Member candidates, Mominullah and Mohammad Siraj, over distributing money among voters at Charjangia village in Hajirhat union under Komolnagar upazila in Lakshampur. A man named Abul Bashar Mishtri (45) died in clash.³³

²⁸ The daily Naya Digonto, 28/01/2011

²⁹ The Daily Ittefaq, 28/01/2011, <http://ittefaq.com.bd/content/2011/01/28/news0250.htm>

³⁰ Report from election observation team of Odhikar

³¹ The daily Amar Desh, 31/01/2011

³² The daily Prothom Alo, 30/03/2011

³³ The daily Manabzamin, 31/03/2011, Page 1, http://www.mzamin.com/index.php?option=com_content&view=article&id=6319:2011-03-30-17-16-03&catid=48:2010-08-31-09-43-22&Itemid=82

57. Violence took place between supporters of two UP Chairman candidates, Akhter Hossain and Akter Hossain Jhontu over ‘capturing’ a polling centre at Torabganj Registered Primary School during the election held on 31 March 2011 in Kalma Union under Lalmohon Upazila in Bhola. 30 people were injured during the clash. Another clash at Purba Romaganj Government Primary School centre in Romaganj Union under the same upazila occurred between supporters of UP Member candidates, Abdus Shahid and Mohammad Zahar Noybawar over false voting. At least 15, including a police constable Khokon Chakroborty were injured during the clash.³⁴
58. Odhikar statistics show that six persons died and 1072 people were reported injured in Union Parishad election related violence between 03 and 31 March, 2011.

Arrests under the Anti Terrorism Act 2009 and allegation of torture

59. On February 21 and 25, 2011, five members of the banned political organisation Hizb-ut Tahrir were arrested for sticking anti government posters on walls. Later they were shown as arrested under the Anti Terrorism Act of 2009.³⁵ Furthermore, at least 20 members of Hizb-ut Tahrir were arrested by police across the country in the month of February 2011 for anti-government campaigns.³⁶
60. On February 14, 2011, the Public Relations Department of Hizb-ut Tahrir Bangladesh forwarded written allegations to human rights organisations that the members of Hizb-ut Tahrir were tortured by law enforcement agencies at the Task Force Interrogation (TFI) Cell. It has been alleged in the statement that after banning the Hizb-ut Tahrir on October 22, 2009, many were arrested, including Professor Mohiuddin Ahmed, Kazi Morshedul Huq and Professor Syed Golam Mawla. They are still detained in jail. On December 22, 2010 and on January 19, 2011, police arrested more Hizb-ut Tahrir members and they were allegedly tortured in various ways at the TFI Cell in ‘remand’ for extracting information. They were reportedly subjected to electric shocks applied at their genitals. They were stripped naked, tied and suspended upside down. They were also squashed between slabs of ice for long periods of time.³⁷
61. It is to be mentioned that many people were allegedly tortured in the TFI Cell during interrogation in the same way after the declaration of the State of Emergency in January 2007 and that the trend continues even after the present government assumed power on January 6, 2009.
62. Torture during interrogation in remand is not only a criminal offence but also a serious violation of human rights. Odhikar is alarmed by the fact that despite ‘zero tolerance’ on torture, the government has not taken any effective step to stop acts amounting to torture by law enforcement agencies; rather it is inspiring the law enforcers by ignoring such incidents of human rights violations.

³⁴ The daily Prothom Alo, 01/04/2011, Page 1, <http://www.prothom-alo.com/detail/date/2011-04-01/news/143425>

³⁵ The daily Jugantor, 23/02/2011 at page 20, <http://jugantor.us/enews/issue/2011/02/23/news0901.php>

³⁶ The daily Amader Shomoy, 27/02/2011, Page 8, Shahjahan Akond Shuva, Abdullah Titu, <http://www.amadershomoy.com/>

³⁷ Appeal released by the public relations department, Hizb-ut Tahrir Bangladesh, dated 14.02.2011

Freedom of media

63. On March 19, 2011 a senior reporter of Channel I and the Editor and Publisher of a local daily published from Narayanganj ‘The Daily Juger Chinta’, Morshalin Babla was allegedly threatened by Nasim Osman, Parliament Member of Jatiya Party elected from Narayanganj-5 constituency and his brother Shamim Osman, former MP and a leader of Awami League. Journalist Morshalin Babla informed Odhikar in writing that Nasim Osman and Shamim Osman threatened him for publishing reports against their misdeeds in the Daily Juger Chinta.³⁸
64. Between January 1 and 31 March 2011, 20 journalists were injured, 20 threatened and 10 journalists assaulted and 03 cases were filed against journalists.

Workers rights

Situation at the readymade garment sector

65. Garments workers leader Moshrefa Mishu is still behind bars since her arrest on December 13, 2010 for protesting on behalf of the workers. Odhikar demands her immediate release.
66. From January 01–March 31, 2011, 02 workers were killed and 319 were injured and 04 were arrested.

An agitated worker shot dead by police in Narayanganj

67. One died and over 50 workers were injured when a clash took place between the workers – who took to the streets for their 6-point demand at the ACI Pharmaceuticals Company – and the police in Siddirganj under Narayanganj District. On January 21 and 22, 2011, workers stopped their work and demanded an increase in wages and permanent jobs³⁹ and in protest against the termination of a worker named Gopal. The workers, on January 23, 2011, stopped their work as no result came out of the meeting between workers and the authority. An argument occurred between the workers and Ishtiaque Ahmed, General Manager of the company. At one stage workers became annoyed and a clash commenced when the General Manager asked police to intervene. A worker named Enamul Huq (25) died in police firing and at least 50 workers were injured with rubber bullets shot during this clash.⁴⁰
68. Odhikar demands the government take action against the persons who were responsible for this incident and to force the owner of the company to compensate the family of the deceased worker and the injured workers.

Verdict of the BDR mutiny cases

69. The verdict of the BDR mutiny at the 15 Rifles Battalion, Naikkhongchori in Bandarban, was given on January 4, 2011. In the verdict, 35 accused BDR Jawans

³⁸ Written statement by senior reporter of Channel I and the Editor and Publisher of ‘The Daily Juger Chinta’, Morshalin Babla, dated 21/03/2011

³⁹ There are about 750 temporary workers at ACI Pharmaceuticals Company, according to this report

⁴⁰ The daily Jugantor, 24/01/2011, <http://jugantor.us/enews/issue/2011/01/24/index.php> and The Daily Ittefaq, 24/01/2011, <http://ittefaq.com.bd/content/2011/01/24/news0061.htm>

were punished and received various sentences with fine.⁴¹ The verdict of the BDR mutiny case at Khagrachhori was declared on January 13, 2011. The court declared the verdict of the BDR mutiny case by accusing 46 out of 47 BDR jawans who were sentenced to different terms of imprisonment, with fine.⁴² The judgement of the BDR mutiny at the 40 Rifles Battalion of Phulbari in Dinajpur was delivered on January 16, 2011. In the verdict, 23 BDR jawans were sentenced to different terms of imprisonment and fine.⁴³

70. The verdict of the BDR mutiny at the 43 Rifles Battalion at Naogaon was given on January 24, 2011. In the verdict, 25 BDR jawans were sentenced to different terms of imprisonment with fine.⁴⁴
71. On January 31, 2011, the verdict of the BDR mutiny case at Sylhet was declared. In the judgement, 61 BDR jawans were sentenced to different terms of imprisonment with fine.⁴⁵
72. The verdict of the BDR mutiny at the 9 and 18 Rifles Battalion in Rangamati was given on February 5, 2011. In the verdict, 95 accused BDR Jawans were punished and received various sentences with fine.⁴⁶
73. The verdict of the BDR mutiny case at the 46 Rifles Battalion in Naogaon was declared on February 20, 2011. The court declared the judgement of the BDR mutiny case by accusing 11 BDR jawans who were then sentenced to different terms of imprisonment, with fine.⁴⁷
74. The judgement of the BDR mutiny at the 42 Rifles Battalion in Teknaf was delivered on February 23, 2011 in the Special Court-16. In the verdict, 51 BDR jawans were sentenced to different terms of imprisonment and fine.⁴⁸
75. The verdict of the BDR mutiny case at the 17 Rifles Battalion in Cox's Bazar was declared on February 24, 2011. The court declared the judgement of the BDR mutiny case by accusing 71 BDR jawans who were sentenced to different terms of imprisonment, with fine.⁴⁹
76. The verdict of the BDR mutiny case at the 27 Rifles Battalion in Kurigram was declared on February 28, 2011. The court declared the judgement of the BDR mutiny case by accusing 49 out of 50 BDR jawans, who were sentenced to different terms of imprisonment, with fine. One BDR jawan was acquitted from the charges.⁵⁰

⁴¹ Report from Basu Das, human rights defender of Odhikar at Bandarban, 05/01/2011

⁴² The daily Prothom Alo, 14/01/2011, Khagrachhori correspondence, <http://www.prothomalo.com/detail/date/2011-01-14/news/123407>

⁴³ Report from Wahidul Islam Defence, human rights defender of Odhikar at Dinajpur, 17/01/2011

⁴⁴ Report from Selim Chowdhury, human rights defender of Odhikar at Naogaon, 25/01/2011

⁴⁵ Report from Muhibur Rahman, human rights defender of Odhikar at Sylhet, 31/01/2011

⁴⁶ Report from Bijoy Dhar, human rights defender of Odhikar at Rangamati, 06/02/2011

⁴⁷ Report from Selim Chowdhury, human rights defender of Odhikar at Naogaon, 21/02/2011

⁴⁸ The daily Manabzamin, 24/02/2011, Page 7, staff reporter, http://www.mzamin.com/index.php?option=com_content&view=article&id=3524:2011-02-23-16-25-31&catid=62:2011-01-03-21-36-54&Itemid=93

⁴⁹ The daily Amar Desh, 25/02/2011, Page 13, Desk report, <http://amardeshonline.com/pages/details/2011/02/25/69690>

⁵⁰ Report from Ahsan Habib Nilu, human rights defender of Odhikar at Kurigram, 28/02/2011

77. The verdict of BDR mutiny case in Rangpur was declared on February 28, 2011. The Special Court-13 declared the judgment by accusing 11 BDR jawans who were sentenced to different terms of imprisonment.⁵¹
78. On March 3, 2011, the judgement of the BDR mutiny at Satkhira was delivered. In the verdict, 99 BDR jawans were sentenced to different terms of imprisonment.
79. The verdict of the BDR mutiny case at Jamalpur declared on March 16, 2011. In the verdict, 52 BDR jawans were awarded to different terms of imprisonment. Of them, 5 BDR jawans were sentenced to maximum terms of 7 years of rigorous imprisonment.⁵²
80. The verdict of BDR mutiny case in Netrokona was declared on March 16, 2011. The Court declared the judgment by accusing 53 BDR jawans who were sentenced to different terms of imprisonment.⁵³
81. On March 16, 2011, the Court declared judgement of the BDR mutiny at Mymensingh. In the verdict, 42 BDR jawans were sentenced to different terms of imprisonment.⁵⁴
82. On March 24, 2011, the Court declared judgement of the BDR mutiny at Khagrachori. In the verdict, 89 BDR jawans were sentenced to different terms of imprisonment.⁵⁵
83. The judgement of the BDR mutiny at the 14 Rifles Battalion in Moulavibazar was delivered on March 30, 2011. In the verdict, 44 BDR jawans were sentenced to different terms of imprisonment with fine.⁵⁶
84. Odhikar urges the government to ensure transparency and accountability in the trials of BDR mutiny cases and at the same time it also demands that the full investigation report prepared by the government regarding BDR mutiny be made available to the public.

People struggling for self-determination handed over to the Indian authority

85. Members of the Border Guard Bangladesh (BGB) handed over three leaders of the United Liberation Front of Asom (ULFA), Captain Antu Chaudang, Second Lieutenant Prodeep Chetia and Corporal Shourav, to the Indian authority. Indo-Asian News Service reported that the ULFA leaders were handed over to the Indian Border Security Forces (BSF).⁵⁷
86. Odhikar expresses concern over the stance taken by the Government of Bangladesh regarding the struggle for self-determination of oppressed people.

⁵¹ The daily Amar Desh, 01/03/2011, Page 16, staff reporter

⁵² The daily Kaler Kantho, 17/03/2011, Page 16

⁵³ Ibid

⁵⁴ The daily Prothom Alo, 17/03/2011, Page 4

⁵⁵ The daily Prothom Alo, 25/03/2011, Page 4

⁵⁶ Report from Chowdhury Bhaskar Home, human rights defender of Odhikar at Moulavibazar, 30/03/2011

⁵⁷ The daily Amar Desh, 06/02/2011, Page 2, Shirsho News,

<http://amardeshonline.com/pages/details/2011/02/06/66929/> The daily New Age, 06/02/2011, Page 2, UNB,

<http://newagebd.com/newspaper1/national/7758.html>

Violence in the Chittagong Hill Tracts

87. On February 17, 2011 some ethnic minority community people were injured when local Bengali settlers attacked them at Rangipara and Gulshakhali villages under Longudu Police Station in Rangamati. The attackers allegedly set fire to the houses of some ethnic minority community people. It was learnt that a local Bangali wood-cutter, Saber Ali, went missing on February 15, 2011 when he went to the jungle to collect wood. His body was found at Rangipara on February 16, 2011. In protest of this incident, local Bengali settlers brought out a procession and attacked the ethnic minority community people. People of the ethnic minority communities alleged that the Border Guard Bangladesh (BGB) members were present when Bengali settlers attacked them.⁵⁸
88. Odhikar condemns the killing of wood-cutter Saber Ali and the attacks on the members of the ethnic minority community. It urges the government to arrest the people who were involved in the attacks and bring them to justice.
89. Odhikar also urges the government to take immediate action in order to ensure human rights and peace for the Bangali and ethnic minority communities at the CHT, failing which, the situation might become unstable.

Begging by children and protest against expulsion of beggars

90. On January 2, 2011, the High Court Division of the Supreme Court issued a rule to the government and law enforcement agencies as to why begging would not be stopped as per Dhaka Metropolitan Police Ordinance of 1986, after news titled “Children handicapped and made into beggars” was published in the newspapers on 30 December 2010.⁵⁹
91. A vested interest group forcibly engaged children in begging by first crippling or marring them and sexually harassing them and it has been reported that the police were allegedly involved in supporting this group.
92. Odhikar condemns the cruel and inhuman treatment towards children. The government should take effective steps to stop begging by children and introduce a compulsory food for education programme for the poor children.
93. The Government temporarily evicted beggars in Dhaka City and Chittagong City in February for the World Cup Cricket tournament.
94. Odhikar expresses concern over this act. Odhikar believes that the eviction and detention of helpless and poor people without taking any rehabilitation measure contravenes human rights norms.

Violence against women

95. Between January 01 and 31 March 2011, many women were victims of rape, dowry related violence, acid attacks and stalking. There were several incidents of sexual harassment as well and many people died as a result of this act. A victim of illegal fatwa Hena Akhter died due to this reason. On January 26, 2011, the High Court

⁵⁸ Report from Shomen Chakma, Odhikar’s human rights defender, 18/02/2011

⁵⁹ The daily Amader Shomoy, 13/01/2011, <http://www.amadershomoy.com/> the daily Manabzamin, 03/01/2011, staff reporter

Division ordered incidents of eve-teasing to be considered ‘sexual harassment’ and to be incorporated into law. A Division Bench of the High Court Division of the Supreme Court, comprising of Justice Iman Ali and Justice Sheikh Hasan Arif, delivered this verdict. At the same time, the High Court Division Bench declared the inclusion of all Government and private places in the proposed Prevention of Repression on Women and Children Act 2000 (Amendment) as areas of sexual harassment rather than sticking to the educational institutions and working places only. Stalking through SMS, E-mail, telephone and mobile phone are also being included in the law as a criminal offence. Furthermore, the Court asked that necessary measures be taken in order to make registration for cyber cafés compulsory and record the identity of users.⁶⁰

Sexual harassment and stalking:

96. During the period of January – March 2011, according to information gathered by Odhikar, a total of 203 girls and women were victims of sexual harassment. Among those 203 females, 12 committed suicide, one was killed, 24 injured, 43 assaulted, 06 abducted and 03 were the victims of attempted rape. To protest against sexual harassment against women, 04 men were killed and 74 men were injured by stalkers. During this time another 14 women were also injured and 01 was assaulted by the stalkers as they protested against sexual harassment.

Victim of illegal fatwa and discrepancy in autopsy report:

97. Hena Akhter died on January 31, 2011 being a victim of illegal fatwa at Noria in Shariatpur district due to lashings by locals in mediation on January 24, 2011. Police could not arrest 11 of the 18 accused persons in the Hena murder case.
98. The second post mortem report of Hena Akhter was submitted to the Bench of the High Court Division of the Supreme Court, comprising of Justice Shamsuddin Chowdhury and Justice Sheikh Mohammad Zakir Hossain on February 9, 2011. The 2nd autopsy report states that Hena died due to hemorrhage as she was injured by blunt weapons. Deputy Attorney General ABM Altaf Hossain said that there was a huge difference between the previous and new (second) post-mortem report. Eight marks of injuries have been indicated in the new post-mortem report although ‘no sign of hurt’ was mentioned in the previous post-mortem report. The High Court Division stated that the first post-mortem report was prepared deliberately by officers to make justice fail.⁶¹
99. The investigation report submitted to the High Court, on March 23, 2011, by the Directorate of Health, mentioned that the first post-mortem report was ‘unclear’ and the second one was ‘accurate’.⁶²
100. The High Court Division ordered a case be filed against four doctors for spoiling vital evidence in the case, hiding information and for deliberately making justice fail. The doctors are- Golam Sarwar, Civil Surgeon of Shariatput, Nirmal

⁶⁰ The daily Prothom Alo, 27/01/2011

⁶¹ The daily Ittefaq, 10/02/2011, Page 1, Ittefaq report, <http://ittefaq.com.bd/content/2011/02/10/news0568.htm>

⁶² The daily Prothom Alo, 24/03/2011

Chandra Das, Hosne Ara and Rajesh Mazumder. The Inspector General of Police instructed the Deputy Commissioner of Shariatpur and Superintendent of Police to follow this order. At the same time, the Court ordered the Director General of the Directorate of Health to take departmental action against the four doctors. Furthermore, the Bangladesh Medical and Dental Council have been asked to take action against them regarding their certificates as per rule. The developments regarding the implementation of the aforesaid orders are to be submitted to the Court by April 24, 2011.

101. The accurate completion of a post-mortem and the preparation of proper, unbiased and non-conflicting reports are very important for identifying the genuine causes of death. The steps taken by the High Court Division regarding post-mortem of Hena, against the accused doctors, will help create responsible and proper conducting of post-mortems without any temptation or fear.

Rape

102. During the period of January – March 2011, a total of 127 women and girls were reportedly raped. Among them, 52 were women and 73 were girls and two females, whose age could not be ascertained. Of the adults, 17 were killed after being raped and 31 were victims of gang rape. Out of 73 child victims 06 children were killed after being raped and 19 were victims of gang rape. Furthermore, 02 woman and 04 children allegedly committed suicide after being raped. During this time one child and one adult females were raped by an Ansar and an Army personnel respectively.

Dowry-related violence

103. During the last three months, a total of 101 women and 03 children were subjected to dowry related violence. Of these women, it has been alleged that 62 women were killed because of dowry, 32 were ill-treated in various other ways for dowry demands and 07 women committed suicide. During this period, 03 children were victimized in dowry related violence along with their mothers. Among them 02 were burnt with hot milk and palm syrup and 01 was attempted to bury alive.

Acid violence

104. According to information gathered by Odhikar during the period of January – March 2011, it was reported that 29 persons were victimised due to acid violence. Of these affected persons, 16 were women and 08 were men, 04 boys and 01 girl.

Statistics: 01 January - 31 March 2011*					
Type of Human Rights Violation		January	February	March	Total
Extra-judicial killings	Crossfire	7	16	5	28
	Tortured to deaths	0	1	3	4
	Beaten to deaths	0	1	0	1
	Total Extra-judicial killings	7	18	8	33
Human rights violations by Indian BSF	Killed	4	1	0	5
	Tortured	3	6	21	30
Custodial deaths	Extra-judicial killings (custodial)	2	4	6	12
	Deaths in jail (custodial)	4	9	12	25
	BGB Jawans (custodial)	0	1	0	1
	Total	6	14	18	38
Attack on journalists	Injured	8	8	4	20
	Threatened	4	6	10	20
	Assaulted	4	1	5	10
Political violence	Killed	14	10	6	30
	Injured	664	1015	848	2527
Acid violence		6	7	16	29
Dowry related violence		24	36	44	104
Rape		31	51	45	127
Sexual Harassment /Stalking against women		48	86	69	203
Readymade garment sector	Killed / Died	1	1	0	2
	Injured	134	95	90	319
Public lynching		8	18	11	37

* Odhikar's documentation

Recommendations

1. Extra-judicial killings must come to an end as per the election manifesto of the ruling party and the declaration made by the Government in the UN Human Rights Council. The Government must bring all involved in extrajudicial killings before justice through proper and independent investigation.
2. The Bangladesh Government should investigate the incidents of all killings and torture of Bangladeshi citizens, including Felani, by the BSF and strongly demand from the Indian Government adequate compensation for the families of the victims and trial and punishment for the perpetrators. The Government should also ensure the security of those citizens residing at the border areas.
3. Random withdrawal of criminal cases under ‘political consideration’ and the President’s clemency for convicted prisoners only make people lose confidence in the Judiciary. This should be stopped and the culture of impunity be abandoned. The Judiciary must play an effective and impartial role in order to restore public confidence in the administration of justice.
4. The Government should be responsive and transparent in order to stop political violence. It must take effective action against those involved in violence, irrespective of political belief. The law enforcement agencies need to be proactive to stop violence and carry out their duty in an independent, unbiased manner.
5. The Bill on Anti Corruption Commission tabled in Parliament on February 28, 2011 must be withdrawn in order to make the Anti Corruption Commission, an independent, transparent and effective institution.
6. The Government should immediately give clearance to Odhikar’s human rights projects and the harassment on its human rights defenders must be stopped.
7. Torture during remand and other forms of custody must end. The recommendations made by the High Court Division on remand in the 2003 case of BLAST vs. Bangladesh must be implemented.
8. Wages of the readymade garment workers must be paid on time. The government should monitor the implementation of the tripartite agreement so that the owners of the garment factories regularly pay wages to the workers. Garments workers leader Moshrefa Mishu should be released immediately.
9. Scope must be given to the accused BDR jawans to present statements through their lawyers. Full investigation reports prepared by the Government regarding BDR massacre must be made public.
10. The Government should refrain from shrinking the space for the practice of democracy and also abstain from repression on opponent political activists.
11. The Government should take steps so that children are not engaged in begging and a stable rehabilitation programme be taken for the poor who engaged in begging. The Government should also ensure a social security for disadvantaged people.
12. The post-mortem in relation to deaths due to torture and ill-treatment are not being conducted accurately. As a result, incidents of beatings or torture are often passed off in the autopsy reports as death caused by ‘illness, ‘suicide’ or ‘accident’. Appropriate action must be taken against doctors and officers if the post-mortems are not being conducted in a proper manner.

13. The incidents of violence against women have been increasing due to the fact that most of the perpetrators are not being punished. The Government must take appropriate measures to stop violence against women and the offenders must be brought under the purview of the law to ensure that justice is served.

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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.