



Bangladesh

Human Rights Monitoring Report

July 01–31, 2011

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Odhikar's activities are all geared towards defending the civil, political, social, economic and cultural rights of the people; and as part of its mission, it observes, reports and analyses the human rights situation of Bangladesh.

Odhikar documents and records violations of human rights and obtains information from its network of local human rights defenders and by monitoring media reports in twelve national daily newspapers. Odhikar conducts detailed fact-finding investigations into occurrences of serious infringements of human rights.

In line with this campaign, an account of the human rights situation of Bangladesh covering the month of July 2011 is presented below:

Fifteenth Amendment Bill 2011 passed in Parliament

1. The Fifteenth Amendment to the Constitution Bill 2011 was passed in the absence of the Opposition in Parliament on June 30, 2011. The Constitution (Fifteenth Amendment) Bill 2011 was passed in Parliament, including 55 politically sensitive changes, ignoring protests by the main Opposition, other political parties and various sectors of society. The process of passing amendments was made through two occasions of division votes, with a protest from lone independent parliamentarian Mohammad Fazlul Azim; and in the absence of the main Opposition, BNP. Two hundred ninety one (291) parliamentarians voted in favour of the Bill and only one vote was casted against during the final voting. Although such amendments were made as per verdict of the Supreme Court, regarding cancellation of the fifth, seventh and thirteenth amendments, however, the full judgment regarding the seventh and thirteenth amendments have not been published yet.
2. On July 21, 2010, a 15-member Parliamentary Special Committee for Constitutional Amendment was formed in order to make amendments to the Constitution, where the main Opposition, BNP had no representation – the opposition party did not accept the membership to the Committee given on behalf of the government. The said Committee organised 27 meetings. Moreover, opinions from political parties, a group of experts and professionals were taken. However, the Committee finalised its report without incorporating all the recommendations given by them or explaining the reasons for exclusion¹; which suggests that the amendments are essentially based on partisan thought and articulates a divisive line of politics.
3. The Cabinet approved the recommendations of the Committee on June 20, and the approved recommendations were tabled in the Parliament as a

¹ The daily Jugantor, 01/07/2011

Bill on June 25, 2011. The Bill was sent to the Standing Committee on Law, Justice and Parliamentary Affairs on the same day to report back to the House two weeks after scrutiny. On June 29, the Committee placed its report in the House recommending a total of 55 changes to the Constitution. The next day, June 30, 2011, the Fifteenth Amendment Bill was passed within five days after tabled in Parliament.

4. The Constitution incorporated the Bill on July 3, 2011 after getting the consent of the President. With this acceptance, both massive and fundamental changes have been made to the Constitution of Bangladesh as well as to its law and the nature of the State. Under the Fifteenth Amendment, the subsequent elections will be held under the political governments as the Caretaker Government system has been abolished. Earlier, while revoking the Thirteenth Amendment, the High Court gave a verdict that the next two elections may be conducted under a caretaker government, however, that possibility has vanished due to the Fifteenth Amendment. Meanwhile, it is uncertain whether the Election Commission is capable of conducting elections without the interference and dominance of the ruling party; existing constitutional arrangements and the laws can not ensure that the executive power co-operates fully or remains under the Election Commission during the election process, in order to conduct a free and fair election. An independent and neutral role can hardly be anticipated after the 15th Amendment. The tenure of the present Election Commission will end shortly. At this point, the appointment of new Commissioners would create a volatile situation. The four party alliance led by the BNP protested the abolition of the Caretaker Government and called for 48 hours hartal, opposing the amendment to the Constitution. The appointment of new Commissioners to the Election Commission during this regime will only add fuel to the already volatile political arena.
5. It has been triggered to a dangerous situation on civil and human rights inserting new articles while the grave consequences of the 15th Amendments demands a thorough analysis and empirical observation, Odhikar would like to note some obvious areas of critical concern. Insertion of two new Articles after Article 7 through this amendment is an

outright threat to the rights of the citizens. A newly inserted Article 7A says, “If any person, by show of force or use of force or by any other unconstitutional means – (a) abrogates, repeals or suspends or attempts or conspires to abrogate, repeal or suspend this Constitution or any of its Articles; or (b) subverts or attempts or conspires to subvert the confidence, belief or reliance of the citizens to this Constitution or any of its Article, such act shall amount to sedition and such person shall be guilty of sedition.’ The new Article also says that such persons shall be handed the highest sentence prescribed by the existing laws, which means he/she shall be punished with death. The objective of this law is to discourage a military takeover. But unclear and vague phrases such as ‘show of force’ or ‘use of force’ can be wrongly explained and abused, opening up the possibilities to violate the civil and fundamental human rights of the citizens by the State and government. Odhikar believes that the only guarantee to hinder the unconstitutional take over of the state power by the Armed Forces is to install a truly democratic Constitution which articulates the will of the people and ensures the participation of all the citizens in the democratic polity.

6. The Bill also inserts a new Article 7B, by which the existing power of the Parliament to amend the Constitution (Article 142) has been curbed with notions such as ‘basic provision’ and ‘basic structure’ of the Constitution. Odhikar has always been critical of Article 142 by which the constituting power and the legislative power of the State are merged by which Parliament can also act as the constituting assembly in detriment to the will of the people. However, the present Amendment of 7(B) is more paradoxical. It is by which a legislative assembly is curbing the power of the next Parliaments. It says that, “the Preamble, all Articles of Part III, subject to the provisions of Part IXA, all Articles of Part III, and the provisions of Articles relating to the basic structures of the Constitution including Article 150 of Part XI shall not be amendable...” The amendment has also deleted the provision for referendum. It means that the new insertion, that denies the rights of the citizen, are passed without any referendum. This has violated the sovereign power of the people to

decide whether they at all want such drastic and fundamental changes to the Constitution. By forbidding the amendment of many Articles of the Constitution, the overall affect has been imposition of an undemocratic and dictatorial prescription that has no relation with the people's democratic consensus. People must have the right to have an opinion and to insert, change or repeal or suspend the Constitution in order to ensure their civil and political rights are guaranteed and safeguarded. This right has been taken away.

7. The 15th Amendment privileged Islam as a state religion but also ensured "equal status" to all other religions, rejecting the principle of a democratic state. On the other hand, a contradictory situation has been created, incorporating secularism separately. According to Article 12 "the principle of secularism shall be realized by the elimination of the granting by the State of political status in favour of any religion." While the 15th Amendment is itself 'abuse of religion for political purposes, the amendment aims to eliminate such abuse. Such type of contradictory Articles severely undermines the foundation and fabric of the Constitution. Similarly, the rights of the other ethnic minority communities has been denied by adopting "Banglaee Nationalism' privileging one language and nation by replacing Article 9. It says, "The unity and solidarity of the Bangalee nation, which, deriving its identity from its language and culture, attained a sovereign and independent Bangladesh through a united and determined struggle in the War of Independence, shall be the basis of Bangalee nationalism".
8. Odhikar expresses deep concern over such bias changes to the Constitution in such an imposing and nontransparent manner, disregarding the need for any democratic consensus or referendum. The engagement and opinions of the Opposition and those who were called on by the Constitution Amendment Committee were neglected as well. Odhikar believes that the amendment will push the country into a legal and constitutional crisis and trigger severe political instability.

9. Odhikar also warns the likelihood of violations of civil and human rights, which may ultimately result in social and political instability seriously spoiling democratisation process of Bangladesh.

Hartal and political situation

National Committee for the protection of Oil, Gas, Mineral Resources, Power and Port calls hartal

10. The National Committee for the protection of Oil, Gas, Mineral Resources, Power and Port called a half day hartal on July 3, 2011 at Dhaka in protest against an agreement signed between the government and a USA based company Conoco-Philips in order to explore for gas in the Bay of Bengal. Police baton charged the students by entering the Teachers-Student Centre (TSC) at Dhaka University during the hartal and arrested 20 students. Moreover, police obstructed a procession that came out in favour of the hartal and also arrested about 200 people from different places.²

Hartal called by BNP and Sommilito Islami Dol

11. A number of incidents relating to human rights violations occurred in relation to the continuous hartal called by the Opposition. BNP called a 48-hour long hartal on July 6-7 in protest against the abolition of caretaker government, the intolerable price hike, the deteriorating law and order situation and the crisis of gas, electricity and fuel. On July 5, 2011, the day before the hartal, a number of vehicles were vandalised and some buses torched. Incidents of clashes took place during the hartal between law enforcement agencies and supporters of hartal in different areas across the country, including Dhaka. On July 6, 2011, during the hartal, police dispersed parliamentarians belonging to BNP by charging with batons when they tried to bring out a procession at the Parliament area. At least 10 people, including the Chief Whip of the Opposition, Joynal Abedin Faruque, were injured. Police arrested about 450 people across the country and 10 were sentenced to imprisonment for different terms

² The daily Manabzamin, 04/07/2011

through the mobile court.³ It has been alleged that many of the arrested persons sentenced by mobile courts were ordinary pedestrians.

12. On July 5, 2011 at 8.10 pm, Senior. Assistant Officer of Reliance Insurance Co. at the Mohakhali branch, Khondkar Ashaduzzaman was arrested by police from in front of the Mohakhali kitchen market. He was sentenced to 6 months imprisonment by Magistrate Dr. Rahima. An official of Reliance Insurance Co., Mohakhali branch, told Odhikar that he and his colleague Khondkar Ashaduzzaman were going home after office. At that time some unknown people set fire to a private car but police arrested Ashaduzzaman. Later on, a mobile court sentenced him to 6 months imprisonment. Ashaduzzaman alleged that police forced him to sign a false confessional statement by torturing him.⁴
13. On July 7, 2011, a number of clashes took place between police and picketers during the country-wide hartal. More than 100 people were injured. Police arrested 77 persons from various places. Furthermore, cases were filed accusing around 1000 activists of the Opposition. Five people have been sentenced to imprisonment in different terms through mobile courts.⁵
14. Sommilito Islami Dol called a 30-hour hartal on July 10-11, 2011 protesting the omitting of "Trust and faith in Allah" from the Constitution. During hartal a number of clashes occurred in various places across the country, including Dhaka between police and pro hartal activists. Over 100 people, including policemen, were injured in the clashes. Police arrested 280 people across the country in relation to the hartal and 27 people in Dhaka were sentenced to different terms after summary trials.⁶
15. Odhikar expresses concern over vandalising vehicles; setting buses on fire, police atrocities and attacks on the Chief Whip of the Opposition and the activists of Islami Dol on the eve and during the day of hartal. Odhikar also condemns the incidents of arresting innocent passersby and pushing

³ The Daily Ittefaq, 07/07/2011

⁴ Fact-finding report of Odhikar

⁵ The daily Amader Shomoy, 08/07/2011

⁶ The Dially Ittefaq, 11/07/2011

them immediately through mobile courts, without any defense or proper trial.

16. Odhikar believes that punishing arrested people through mobile courts is contrary to fundamental rights. Odhikar urges the government to refrain from applying the mobile courts during hartal or political programmes in future.
17. According to information gathered by Odhikar in July 2011, 07 persons were killed and 1247 injured in political violence. 26 incidents of internal violence in the Awami League and 08 in the BNP were also recorded during this period. In addition to this, 249 people were injured in Awami League internal conflicts and 61 were injured in BNP internal conflicts.

Interference in political meetings and assemblies

Meeting of the Committee for the Protection of Oil, Gas, Mineral Resources, Power and Port stopped

18. Police dispersed the meeting organised by the Munshiganj branch of the National Committee for the protection of Oil, Gas, Mineral Resources, Power and Port. On July 2, 2011, Munshiganj District branch of the Committee tried to organise a meeting in front of the Office of the Deputy Commissioner in protest of the agreement signed between the Bangladesh Government and the US Company, Conoco Philips for oil and gas exploration and extraction in the Bay of Bengal. This was dispersed by the police. Police attacked the Committee members and snatched away the banner and dispersed the gathering when the Committee members tried to assemble again near the Bar Association. Five people, including a member of the Committee, Nasiruddin Nasu and Rajib were injured in police baton charge.⁷

⁷ Report from human rights defender, Munshiganj, 02/07/2011

Imposition of Section 144

19. On July 9, 2011, the local administration stopped a meeting organised by the Krishok Shromik Janata League by imposing Section 144⁸ of the Code of Criminal Procedure at Palima in Tangail. The local administration was informed earlier about the meeting and it had been announced around the area by megaphone. Meanwhile, the local Awami League called a meeting at the same place, at the same time which resulted in the imposition of Section 144 of the Cr.PC.⁹
20. As per Odhikar's statistics in July a total of eleven instances of Section 144 recorded as being imposed on Dhaka, Chittagong, Rajshahi, Khulna, Rangpur and Barisal division.
21. Odhikar observes with deep concern that despite receiving permission to organise meetings, the local administration stops the programmes by imposing Section 144 of the Cr.PC. Furthermore, the administration obstructs even peaceful meetings. The ruling party and police administration play an active role in each of these incidents.
22. Any citizen of the State has the right to form associations or organisations and carry out activities through peaceful means. Article 38 and 39 of the Constitution also guarantees the rights of citizens to organise meetings and peaceful processions without hindrance. Odhikar vehemently condemns such incidents.

Dhaka University student tortured by police

23. Abdul Qader, a Master's degree student of the Bio-Chemistry Department of Dhaka University, was tortured after being arrested by police of Khilgaon Police Station. The family of Abdul Qader alleged that on July 15, 2011 police arrested and allegedly tortured Qader while he was returning to the university residential hall from his aunt's house at night. Police filed

⁸ Section 144 of the Code of Criminal Procedure, 1898 –power to issue order
http://bdlaws.minlaw.gov.bd/sections_detail.php?id=75§ions_id=20789

⁹ The daily Manbamin, 10/07/2011 and human rights defender of Odhikar from Tangail

- a robbery case under Sections 399/402 of Penal Code and Section 19A under the Arms Act 1878 accusing Qader including six other persons.¹⁰
24. On July 30, 2011 the Officer-in-Charge of Khilgaon Police Station, Helaluddin and Sub Inspector Alam Badsha and Assistant Sub Inspector Shahidur Rahman were temporarily suspended as ordered by the High Court Division, for arresting and torturing Abdul Qader.¹¹
25. Odhikar condemns the incident of torture on Qader. It also observes with concern that law enforcing agencies often arrest people without justification and inflict torture on them for extracting information or confessional statements. Odhikar demands exemplary punishment for the members of law enforcers who were involved in such offence.

President's clemency for person accused of murder

26. The President of Bangladesh, Zillur Rahman has granted mercy to AHM Biplob, a son of Laxshmipur Municipality Chairman and Awami League leader Abu Taher, and a death row inmate accused in the murder of Advocate Nurul Islam, former BNP Organising Secretary of Laxshmipur district. On September 18, 2000, Nurul Islam was abducted by Biplob, Labu and Tipu, sons of Abu Taher. The same night Nurul Islam was hacked to death at the residence Abu Taher in front of his wife Nazma Taher and thrown in the river. After this incident, the then President of Laxshmipur District Bar Association, H M Tareque Uddin Mahmud filed a kidnapping case with the local police station. In 2003 the Court gave the verdict and gave the death penalty to Biplob for the murder of Nurul Islam. Meanwhile, Biplob surrendered to the Court on April 4, 2011 after hiding in exile for more than 10 years. Later, his father Abu Taher submitted a mercy petition to the President. As a result, President Zillur Rahman granted mercy to Biplob.¹²
27. It is to be noted that this kind of clemency will hinder the justice delivery system and people will lose their confidence in the Judiciary if clemency

¹⁰ The daily Prothom Alo, 27/07/2011

¹¹ The daily Amardesh, 31/07/2011

¹² The daily Prothom Alo, 20/07/2011 and human rights defender of Odhikar at Laxshmipur

is given without trial. Such practice for convicted prisoners undermines the judicial process and demonstrates injustice to the victims and their families. It is also to be mentioned that the current President Zillur Rahman pardoned 20 prisoners who were on death row in the Sabbir Ahmed Gama murder case in September 2010. During the BNP regime, Jhintu, a convicted prisoner tried and given the death sentence in absentia, was pardoned and brought back from abroad.

Extrajudicial Killings

28. According to information gathered by Odhikar, in July 2011, 01 person who was a pirate was allegedly killed in crossfire by RAB.

Death in Jail

29. In July 09 persons died in jail

Public Lynching

Six college students beaten to death by mob

30. Six college students were beaten to death by a mob in Aminbazar on the outskirts of the capital. On July 17, 2011 local residents of Barodeshi village of Aminbazar, killed six students on suspicion of robbers. The deceased were – Ibrahim Khalil (24), Touhidur Rahman Polash (20), Kamruzzaman Kanto (18), students of Mirpur Bangla College; Setab Zabir Manib (22), student of Bangladesh University of Business and Technology; Shams Rahim Shammam (20), A-Level student of Mastermind International School and College; and Tipu Sultan (20), student of Tejgaon College. The lone survivor, Al Amin, a student of Darussalam College was admitted to the hospital in a critical condition.

31. It was learnt that the students had gone to Amin Bazar together on rickshaws after offering prayers on the night of Shab-e-Barat, to spend the night roaming the area. Local residents, seeing unknown people in the area so late, thought the young men were dacoits and also announced the arrival of dacoits through the megaphone of a local mosque. Hearing this, hundreds of people came to the spot and surrounded the students and

attacked them. Some enthusiastic people beat them with iron rods, sticks and stabbed them with sharp weapons in front of the Savar police.¹³

32. The area where the incident took place was known to be a crime zone. Many incidents of killing have taken place there before. It was learnt that drugs including *Ganja*, *Phensidyle* and *Yaba* are allegedly sold in the area. The villagers used to guard the village as the law and order situation was bad. Meanwhile, police have been insisting that the students were out on Keblarchar to rob villagers. The police asked Al Amin to admit that they had gone to Keblarchar to commit robbery. The owner of Shahadat Enterprise, Abdul Malik filed a robbery case on July 18, 2011 with the local police station.¹⁴ In the mean time, two persons named Sanowar Hossain and Selim were arrested for being involved in the lynching of the six students.¹⁵

33. During the month of July 2011, a total of 20 people died in mob beating. Odhikar believes that the people are taking the law in their own hands due to the frail criminal justice system, which has resulted in a lack of confidence in justice delivery. The recent rise in mob violence has a direct social impact and each deaths amount to extrajudicial killings. If anyone is found to be suspicious or is committing a crime he is likely to be badly beaten rather than handed over to police. Odhikar expresses deep concern about public lynching. This signifies a desperate situation where people have lost confidence in the law and institutions in charge of maintaining law and order, and have taken to protecting themselves by all means possible.

Anti-Terrorism Act 2009 amended

34. On July 11, 2011, the Cabinet approved, in principle, the draft amendment of the Anti-Terrorism (Amendment) Bill 2011 after making some changes in the sections and incorporating provisions of strict punishment. Apart

¹³ Jugantor, July 19, 2011

¹⁴ Jugantor, July 10, 2011

¹⁵ Kaler Kontho, July 26, 2011

from Banks, other financial institutions have also been included in this new amendment in order to prevent 'terrorism'. The punishment for being involved in 'terrorism' and engaging in its financial help was amplified in the amendment. The term of punishment has been increased to four years instead of three years and additional fine imposed. In the amendment, the proposed fine is twice the value of relevant property or 10 hundred thousand Taka. Any transactions through banks or any other financial institutions or 'hundi'¹⁶ for terror financing will now come under the coverage of the anti-terrorism law. Under this amendment any property belong to a person involved in 'crime' can be seized in accordance with the request of any foreign country or organisation or international, regional or bilateral treaty, UN Conventions or decisions taken in the Security Council of the UN.

35. On February 19, 2009, the Government, in a Cabinet meeting, approved the Anti-Terrorism Bill to be made into law, without due consideration or feedback from the people. This Bill was later passed by the Parliament in 2009. An Anti-Terrorism Ordinance 2008 was promulgated by the military-backed 'Caretaker' Government on June 11, 2008, and 'terrorism' and 'terrorist activities' have been redefined. The given definitions were so wide and unclear that it left scope for the possibility of misuse.
36. Odhikar expressed concern over the Anti-Terrorism Ordinance 2008 when it was promulgated by an unelected and military backed 'caretaker government' as it was prepared without any review or taking due consideration from the people.
37. Odhikar believes that it would extend the possibilities of human rights violations by taking action against any person or institution on the pretext of bilateral or regional agreement, since the Cabinet of the current Government sanctioned the law of 2009 with more stringency. Odhikar demands the repeal of all repressive laws including the Anti-Terrorism Act, 2009.

¹⁶ Hundi – informal method of transferring money, which is illegal.

People struggling for self determination arrested

38. Champion R Sangma, Chairman of Garo National Liberation Army, an organisation for self determination in Meghalaya in India, was arrested recently from Modhupur of Tangail district in Bangladesh. This was also reported in the media in Meghalaya and Assam. It was reported in some newspapers, including Garo Hills and Meghalaya News that the leader of the GNLA, Champion R Sangma has been detained in Bangladesh.¹⁷
39. The leaders who were engaged in the struggle for self-determination took shelter in Bangladesh to protect their life. Article 25(1) (C) of the Bangladesh Constitution states, 'The State shall base its international relations on the principles of respect for national sovereignty and equality, non-interference in the internal affairs of other countries, peaceful settlement of international disputes, and respect for international law and the principles enunciated in the United Nations Charter, and on the basis of those principles shall—(c) support oppressed peoples throughout the world waging a just struggle against imperialism, colonialism or racialism.'

Human rights violations by Indian BSF at the border

40. Human rights violations by the Indian Border Security Force (BSF) at border areas took place in July 2011. The BSF are killing Bangladeshi nationals either by shooting at them or torturing them. Recently, Indian Home Minister P. Chidambaram on July 30 said in a conference held in Bangladesh that India has ordered Border Security Force not to shoot any one crossing Indo- Bangladesh border no matter what the circumstances are. He also said BSF would fire in self defense.¹⁸
41. According to information gathered by Odhikar, in July 2011, along the India-Bangladesh border, the BSF allegedly killed 03 Bangladeshis, of them 01 was shot dead and 02 were tortured to death. Furthermore, 01 was shot and wounded by BSF. During this time 01 person was abducted by BSF.

¹⁷ The daily Amardesh, 07/07/2011

¹⁸ The daily Star, 30/7/11

Bangladesh-India joint land survey suspended amid protests

42. The joint land survey by Bangladesh and India, at the Sonarhat border of Goainghat of Sylhet has been suspended amid protests. It was found that a joint land survey team of Bangladesh and India initiated a survey of land about 150 yards inside Bangladesh territory in 1264 no. Mouja from pillar 1S. Upon receiving news of such occurrence, the inhabitants of that area started protesting. The local administration deployed Border Guard Bangladesh (BGB) and police in the area to prevent the demonstration. However, police and BGB had to return back due to the people's resilience. The third phase of joint survey was started on July 6, 2011 after suspension of survey in protest of local people.
43. It is to be mentioned that the government was compelled to suspend the survey by the strong protest of Bangladeshis at Tamabil and Padua border areas on June 18 and 20 2011. Earlier on June 4 and 5 2011 at the Padua border, from pillar 1270 to 1271-7S from BSF post, about 350 acres of land in total, across 3 locations, was handed over to India. It has been learnt by the report published on July 29, 2001 that the BSF 'captured' 261 acres of land in the Sylhet border. It is alleged that agitated inhabitants at the border areas, who were protesting against the acquiring of lands belonging to Bangladesh, are being harassed by law enforcement agencies.
44. Odhikar believes that giving up Bangladeshi land in the name of a joint survey is to belittle the country's sovereignty. Odhikar calls on the government to refrain from such shameless and anti-people conduct, which also threatens the sovereignty of Bangladesh.

Freedom of media

45. Police arrested Mohammad Ekramul Huq, Editor of the online daily and news agency Shirsho News dotcom and weekly Shirsho Kagoj. His wife, Mahbuba Huq said that her husband was arrested on July 31, 2011 at around 4.00 am by a group of plain clothed and uniformed policemen led by SI Shariful Islam of Kalabagan Police Station. SI Shariful Islam told Odhikar that Ekramul Huq was arrested on a specific case of extortion,

which was filed with the Chief Metropolitan Magistrate's Court by a businessman named Giasuddin Talukdar on July 28, 2011.¹⁹

46. It is to be mentioned that Shirsho News dotcom and weekly Shirsho Kagoj Editor Mohammad Ekramul Huq came under fire from the government for reporting against acts of corruption and irregularities of some influential people belonging to government agencies.²⁰ On July 31, 2011, Ekramul Huq was produced before the Court, which granted a prayer to take him into remand for two days for further questioning.

47. According to information gathered by Odhikar, 13 journalists were injured, 03 received threats, and 03 journalists were assaulted, 01 was attacked and one was arrested during the month of July 2011.

Attacks on religious minority communities

48. On July 2, 2011 supporters of District Awami League leader Miraz Khan, who was a chairman candidate of Falsuti Union Parishad in Faridpur, attacked the house of Keshab Chandra, a member of the Hindu community, of Rampasha village. Attackers beat and left severely injured Keshab Chandra's brother Chitto Saha, his son Chanchal Saha and another brother Sachin Kumar Saha. They allegedly looted gold ornaments and cash and also assaulted the women of the house.

49. Odhikar expresses deep concern over such incident and urges the government to take immediate action against the criminals and deny them political shelter.

Situation of ready-made garments

50. On July 5, 2011, workers of Sicotex Fabrics at Siddhirganj under Narayanganj district came out to protest the acts of violence against workers, non payment of due wages and of overtime. Violence between workers and supporters of the factory owner occurred when the agitated

¹⁹ Shirsho News dotcom, 31/07/2011 and an interview with his wife by Odhikar

²⁰ Ibid

workers were demonstrating. At least 15 workers were injured in this incident.²¹

Violence against women

Sexual harassment/stalking

51. On July 25, 2011 Nurul Islam Apel was stabbed to death by Chhatra League activists for protesting the stalking of his wife, in front of the Comilla Government College. Apel was also an activist of the Awami League backed Chhatra League. It was learnt that Bipu and Apu of Bagichagaon area used to stalk Ayesha Akter, wife of Apel and a first year student of the college, ever since she had been admitted to the college. When Apel came to know about the stalking against his wife, he went to the college and was locked in an altercation with Bipu and Apu over the issue. At one point, he was stabbed in the chest with a sharp knife. Apel was taken to the Comilla District Hospital where doctors on duty declared him dead.²²

52. The police have taken no initiative to comply with an Order of the High Court, given five months ago, that requires every police station to form a separate team of officers to deal with complaints of sexual harassment. The government has also failed to amend the Nari-O-Shishu Nirajon Damon Ain 2000²³ which the Court ordered it to do on an urgent basis, incorporating a new definition of sexual harassment, and also to take 'immediate steps' to enact laws for protection of the victims and witnesses of sexual harassment. Inspector General of Police Hasan Mahmud Khandker admitted that no police station had set up a separate cell or team to deal with complaints of stalking.²⁴

53. During the month of July 2011, according to information gathered by Odhikar, a total of 60 girls and women were victims of sexual harassment. Among the 60 females, 06 committed suicide, 04 were injured, and 11

²¹ The daily Amardesh, 06/07/2011

²² The daily Manabzamin, 26/07/2011

²³ The Prevention of Repression against Women and Children Act 2000

²⁴ New Age, 04/07/2011

assaulted and 01 was the victim of attempted rape. In protest against such acts of sexual harassment against women, 01 man was killed and 05 men and 07 women were injured during this time.

Dowry-related violence

54. On July 10, 2011 Aleya Khatun (22), a housewife, was beaten and strangled to death over dowry demands by her husband Nazrul Islam in Aaigbari Parkol village under Shahjadpur municipality area in Sirajganj.²⁵
55. In July 2011, according to Odhikar data, a total of 53 women were subjected to dowry related violence. Of these women, it has been alleged that 37 women were killed because of dowry, 15 were ill-treated in various other ways for dowry demands and 01 woman committed suicide. During this time two children were burnt to death along with their mother as their uncle set fire to their house, because their mother could not fulfill the dowry demands of her in-laws.

Rape

56. On July 10, 2011 the body of a woman called Morium Murmu, who belonged to an ethnic minority community, was recovered tied to a tree in Godagari in Rajshahi. It has been learnt that criminals strangled her to death after violating her and tied her to a tree.²⁶
57. During July 2011, a total of 70 women and girls were reportedly raped. Among them, 23 were women and 46 were girls and 01 was a mentally impaired female, whose age could not be ascertained. Of the adults, 02 were killed after being raped and 06 were victims of gang rape. Of the 46 child victims, 04 children were killed after being raped and 10 were victims of gang rape.

Acid violence

58. On July 9, 2011 a housewife was burnt with acid by her husband in Rashulpur under Satkhira district. Md. Liton Sardar threw acid on his wife

²⁵ The daily Amardesh, 11/07/2011

²⁶ The daily Amardesh, 11/07/2011

Manzila Khatun for filing a case against him for marrying a second time. Manzila Khatun was admitted to Satkhira Sadar Hospital with severe burns.²⁷

59. According to information gathered by Odhikar, during the month of July 2011, it was reported that 05 persons were victims of acid violence. Of these affected persons, 04 were women and 01 was a girl.

Statistics: January 01 - July 31, 2011*									
Type of Human Rights Violation		January	February	March	April	May	June	July	Total
Extra-judicial killings	Crossfire	7	15	5	3	2	5	1	38
	Tortured to death	0	1	3	2	4	0	0	10
	Beaten to death	0	1	0	0	0	0	0	1
	Shoot	0	0	0	0	1	0	0	1
	Total	7	17	8	5	7	5	1	50
Human rights violations by Indian BSF	Bangladeshi Killed	4	1	0	5	4	3	3	20
	Bangladeshi Injured	3	6	21	12	1	6	1	50
Death in Jail		4	10	12	7	15	13	9	70
Attack on journalists	Injured	8	8	4	9	6	36	13	84
	Threatened	4	6	10	0	14	0	3	37
	Assaulted	4	1	5	3	1	5	3	22
Political violence	Killed	14	10	6	8	14	13	7	72
	Injured	664	1015	848	1229	630	1127	1247	6760
Acid violence		6	7	17	7	14	4	5	60
Dowry related violence		24	37	46	30	48	34	55	274
Rape		33	52	58	61	58	51	70	383
Sexual harassment /Stalking against women		54	88	72	58	46	34	60	412
Public lynching		8	18	12	18	11	8	20	95

* Odhikar's Documentation

²⁷ The Daily Ittefaq, 11/07/2011

Recommendations

1. Odhikar urges all the political parties to take initiative to resolve the present Constitutional crisis through discussions and to ensure people's mandate for any resolution of this crisis.
2. The agreement signed with Conoco-Philips should be made public. The state owned company BAPEX should be strengthened and engaged in lifting oil-gas. Parliament discussions are vital before the signing of any kind of agreement and a complete draft agreement should be uploaded in the government website for public opinion.
3. The Government must take legal action against perpetrators in order to stop political and election related violence. Law enforcement agencies need to play a proactive role to stop violence. Those who are involved in political violence should be brought to book regardless of affiliation with any party. During hartal or political activities, the Government must stop using the mobile court.
4. Torture in 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.
5. The Police and Judiciary must be strengthened and free to political influence so that people's confidence is brought back in police and the administration of justice in order to stop incidents of public lynching.
6. The Government should refrain from shrinking the space for the practice of democracy and also abstain from acts of repression on opponent political activists.
7. The clemency of the President and criminal cases being withdrawn out of political consideration undermines rule of law and the rights of the victims; such clemency will seriously hinder the justice delivery system and people will lose their confidence in the Judiciary. The Judiciary must be strengthened to bring back people's confidence in it.
8. The need for a law protecting victims and witnesses is becoming more and more urgent. Odhikar urges the government to take up this matter as soon as possible.

9. All repressive laws, including the Anti-Terrorism Act of 2009 must be repealed.
10. The Bangladesh Government should investigate the incidents of all killings and torture of Bangladeshi citizens 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 ensure the security of its citizens residing at the border areas.
11. In the name of joint survey, the Bangladesh Government must refrain from anti people activities by giving away the Bangladeshi land to India. Such activities are contrary to the sovereignty of Bangladesh.
12. 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 and overtime to the workers.
13. 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. The relevant authorities need to be proactive in providing adequate legal support to the victims. Public awareness regarding the rights of women, prevention of violence against women and children as well as related laws must be incorporated into the primary, secondary and higher secondary school books.

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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.