

OPEN LETTER - THE OBSERVATORY

OPEN LETTER TO MS. SHEIKH HASINA, PRIME MINISTER OF THE PEOPLE'S REPUBLIC OF BANGLADESH

Geneva-Paris, February 18, 2010

Re: Concern following the denial of extension of a human rights project led by Odhikar

Dear Prime Minister,

The Observatory for the Protection of Human Rights Defenders, a joint programme of the World Organisation Against Torture (OMCT) and the International Federation for Human Rights (FIDH), wishes to express its deepest concern regarding the recent decision of the Bangladeshi authorities to cancel, for the second consecutive time, a human rights project led by the human rights organisation Odhikar.

As stated in the Open Letter we addressed to you on September 3, 2009, last August 31, the NGO Affairs Bureau sent a letter to Odhikar, informing them that they had cancelled its project entitled "Human Rights Defenders Training and Advocacy Programme in Bangladesh"¹ due to the objection of the Ministry of Home Affairs. This project had earlier been approved by the NGO Affairs Bureau on April 28, 2009, which is under the Office of the Prime Minister, and Odhikar had already organised several events around the issue of torture, including district level advocacy programmes on the criminalisation of acts of torture, a tribunal against torture and roundtables on issues relating to torture and organised campaign programmes for the signature of the Optional Protocol to the Convention against Torture (OP-CAT) by Bangladesh.

Odhikar subsequently filed a writ petition (No. 6550/2009) to the High Court Division of the Supreme Court of Bangladesh challenging the cancellation of the project. On October 11, 2009, the High Court Division of the Supreme Court issued a rule against the Government and at the same time stayed the impugned order. Odhikar therefore resumed the implementation of its project until its completion date, on December 31, 2009, highlighting cases of torture and ill-treatment by law enforcement agencies.

After December 31, 2009, and following the European Union's approval to extend the project until March 2010, the Rehabilitation and Research Centre for Torture Victims (RCT) asked Odhikar to extend the project for three more months. As part of the renewal process, on January 17, 2010, Odhikar submitted the project again to the NGO Affairs Bureau, along with the project budget and prescribed government forms for the three-month extension.

However, on February 11, 2010, the NGO Affairs Bureau refused to give permission for the extension of the project, based on the previous objection from the Ministry of Home Affairs. The application for the renewal of the project was therefore cancelled by the Bureau.

¹ The project is funded by the Rehabilitation and Research Centre for Torture Victims (RCT) in Denmark, which is part of a larger project on the OP-CAT funded by the European Union. As part of this project, Odhikar has organised district level advocacy programmes on the criminalisation of acts of torture, a tribunal against torture and roundtables on issues relating to torture as well as campaign programmes for the signature of the Optional Protocol to the Convention against Torture by Bangladesh.

The Observatory is deeply concerned by this decision of the NGO Affairs Bureau as no reasons were given except the reference to the Ministry of Home Affairs. The authorities failed to provide any legal basis for this action, which seems to merely aim at silencing the human rights activities of this organisation.

The Observatory condemns the restrictions placed on the work undertaken by human rights defenders and the exercise of freedom of expression. The Observatory also urges the authorities to immediately withdraw the decision of cancellation of the project in conformity with their public declarations as 'zero tolerance on torture'.

The Observatory calls upon the Bangladeshi authorities to comply with the 1998 United Nations Declaration on Human Rights Defenders and guarantee the respect of human rights and fundamental freedoms, in accordance with the Universal Declaration on Human Rights and other international human rights instruments ratified by Bangladesh.

We express our sincere hope that you will take these considerations and requests into account.

Yours sincerely,

Souhayr Belhassen
FIDH President

Eric Sottas
OMCT Secretary General