

Human Rights Monitoring Report

August 01-31, 2012

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Odhikar believes that 'democracy' is a form of the State and not merely a process of electing a ruler. Democracy is the product of the peoples' struggle for inalienable rights, which become the fundamental premise to constitute the state and to define collective aspirations and responsibilities. Therefore, individual freedom and democratic aspirations of the citizens and consequently, peoples' collective rights and responsibilities must be the foundational principle of the state. Failure to do so at the founding moment is a continuing curse that people are forced to carry. Democratic legitimacy of the state is directly related to its commitment and capacity to ensure human rights such as rights to life and livelihood, rights to environment and health; and the dignity and integrity of individuals, including freedom of speech and association. These rights, as the foundational principles of the State, must remain inviolable; and accordingly, the Parliament, Judiciary and Executive cannot and should not have any power to abrogate them through any legislation, judicial verdict or executive order.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure these rights. Odhikar stands against all forms of human rights violations and accordingly participates and remains directly involved in the human rights movement in Bangladesh. Odhikar brings to the movement the strategic perspective

that in its demand for civil, political, economic, social and cultural rights, the human rights movement not only endeavours to protect the victims, but also, in countries like Bangladesh, is constitutive of a democratic state. The movement to establish the rights and dignity of every individual is part of the struggle to constitute Bangladesh as a democratic, political community.

As part of its mission, Odhikar monitors the human rights situation of Bangladesh to report violations and defend the victims. In line with this campaign, an account of the human rights situation of Bangladesh, in August 2012, is presented here.

Political violence

1. According to information gathered by Odhikar, in August 2012, 17 persons were killed and 1106 injured in political violence. 35 incidents of internal violence in the Awami League and 14 in the BNP were also recorded during this period. In addition to this, 04 persons were killed and 530 were injured in internal conflicts of the Awami League while 181 were injured in BNP internal conflicts. Some examples are as follows:
2. On August 12, 2012 Rashed Chowdhury (24), Relief Affairs Secretary of Chittagong North unit Jubo League¹ died and 10 others injured due to internal clashes between two factions of Jubo League at Rajanagar Ranirhat Bazar under Rangunia upazila in Chittagong district. Meanwhile at least 50 people, including bystanders, police and journalists were injured during a clash between supporters of Abdul Ahad Kajol, Convener of Upazila unit Jatiyatabadi Chhatra Dal²; and his rival Shahin Mia at Bahubol in Habiganj district on the same day.³
3. Odhikar expresses concern over the continuation of political violence and criminalisation of politics. Odhikar believes that legal action should be taken by the Government against those responsible for violence, in order to stop political violence and the law enforcing agencies need to play effective roles for the greater interest of the country, out of political influence.

Police stop meetings of medical college admission candidates

4. On August 15, 2012 students were protesting peacefully against a government decision to base medical and dental admissions on the marks obtained in SSC and HSC examinations instead of a traditional admission test system. On August 27, 2012 an assembly of this kind was dismissed by police at *Shaheed Minar*¹. Police attacked the agitating students and took their banner and circular. As a result at least six students were injured.

¹ Youth wing of Awami League, the ruling party

² Student wing of Bangladesh Nationalist Party (BNP), the Opposition

³ The daily Naya Diganta/Manabzamin, 13/08/2012

5. On August 27, 2012 police halted a meeting organised by the candidates for admission to the different medical colleges at the central Shahid Minar in Dhaka. They were protesting against the government's decision on admission to the medical colleges based on GPA grade marks. During this time, police baton charged the protestors and took away their banner and leaflets.⁴
6. Similarly the meetings called by candidates for admission to the medical colleges at the Shahid Minars in Chittagong and Dhaka were also stopped by police on August 28, 2012. Police arrested eight students during the protest. The students demand that the government change its decision and base admissions on entrance examinations and not under the Higher Secondary grading system. The protestors said that they were observing a peaceful meeting for their demands but the government began beating students instead.⁵
7. Odhikar condemns the incidents of repression on students by police and expresses its concern over this situation. Odhikar believes that such actions are a violation of democratic rights. Organisation of peaceful meetings and processions is fundamental right as guaranteed in Article 37 of the Constitution of the People's Republic of Bangladesh. Violation of such rights amounting to shrinking of the democratic space.

Torture in custody

8. According to Odhikar's documentation, 04 persons were allegedly tortured by police and one by RAB in August 2012. Among them one was tortured to death by police. Examples of torture are as follows:
9. It is alleged that RAB tortured a person named Kamal Hossain (30) and tried to force him to make a confessional statement in connection to the murder of Dr. Narayan Chandra Dutta. On August 30, 2012 Kamal Hossain told 'Prothom Alo' that after he was arrested on 25 August, 2012 RAB members inflicted electric shock on him and forcibly tried to make him confess that he was involved in the murder and dacoity case. The police of Detective Branch (DB), who were investigating the case, said that Kamal Hossain was not involved in that case.
10. On August 20, 2012 a university student named Anwar Hossain was arrested by police of Lal Mohon Police Station from his father, Manik Soudagar's, business centre at Lal Mohon in Bhola district. Anwar Hossain is a final year student of Fashion Design at Shanta Mariam University in Dhaka. Sub Inspector (SI) Mostafa, the Second Officer of the police station, severely beat a blindfolded and hand-cuffed Anwar in the wireless operator's room. He was released the next morning after being detained the whole night in the police station.⁶
11. Odhikar believes that torture during remand or interrogation is a serious violation of human rights. Despite the claim of 'zero tolerance' on torture, the Government has not taken steps or effective measures to curtail torture and

⁴ The daily Prothom Alo, 28/08/2012

⁵ The daily Prothom Alo, 29/08/2012

⁶ Report from Afzal Hossain, human rights defender of Odhikar at Bhola, 25/08/2012

other forms of custodial violence and acts of impunity by law enforcement officers.

Public lynching

12. In the month of August 2012, 06 people were allegedly killed due to public lynching.
13. Due to the weak criminal justice system, the tendency of taking the law into one's own hands is increasing, as people are losing their confidence and faith in the police and judiciary.

Police submitted final report on the case filed by Limon's mother and attack his family

14. On August 14, 2012 police of Rajapur Police Station in Jhalkathi district submitted a final report on the case filed by Limon Hossain's mother against RAB for shooting and disabling Limon. Six accused members of RAB, including the then Deputy Assistant Director (DAD) of RAB-8, Md. Lutfar Rahman; Corporal Mazaharul Islam; Constable Mohammad Aziz; Nayak Muktadir Hossain; Nayak Prohlad Chandra; and Sepoy Kartik Kumar Biswash had been recommended to be acquitted from the allegation of attempt to murder in the final report.⁷
15. It is to be mentioned that on March 23, 2011, Limon Hossain (16), son of day-labourer Tofazzal Hossain, of Saturia village under Rajapur Upazila in Jhalokathi district, and a HSC examinee of Kathalia PGS Polytechnic College, was returning home after grazing cattle, when a team of RAB-8 led by Deputy Assistant Director (DAD) Mohammad Lutfar Rahman, caught him and inquired about his identity. Limon replied that he was a student. RAB members shot his left leg despite knowing his identity. On April 10, 2011 Limon's mother Henoara Begum, filed a case at the Chief Judicial Magistrate Court in Jhalokathi, not being able to file a case with the police station. After 13 months and 10 days, the investigating officer, Sub Inspector Abdul Halim Talukdar of Rajapur Police Station submitted a final report without informing the plaintiff.
16. On August 20, 2012 on the day of Eid, Limon, his mother and brother Sumon were attacked by a RAB informer, Ibrahim Hawlader alias 'Leader Ibrahim' near Rajapur Idurbari Bridge when they were returning home to Kaukhali in Pirozpur from their village at Saturia, Rajapur in Jhalokathi. Limon's mother Henoara Begum had been admitted to Rajapur Health Complex with injuries and Limon and Sumon were given primary treatment. Hearing this news, Ibrahim's brother-in-law, Forkan journeyed to the area and fell sick in front of Saturia Hafizia Madrasah, a half kilometer away from the place of incidence and died there. It is to be mentioned that Limon's family have been living in a rented house at Kaukhali in Pirozpur after Limon's amputation, leaving their village home in

⁷ The daily Prothom Alo, 16/08/2012

Jhalokathi in fear of RAB informer Mohammad Ibrahim Hawlader, Manik Jomaddar, Mansur Jomaddar, Badsha Hawlader and others.⁸

17. On August 23, 2012 Ibrahim Hawlader filed a murder case against Limon and his family members for the alleged murder of his brother-in-law, Forkan at the Court of Senior Judicial Magistrate, Nusrat Jahan. The Magistrate took the allegation into cognizance and ordered the police of Rajapur Police Station to investigate the matter.⁹
18. On August 30, 2012 Limon's mother Henoara Begum submitted a no-confidence petition at the Judicial Magistrate's Court, Jhalokathi against the police report of August 14, 2012.
19. Odhikar expresses deep concern over this matter. Odhikar believes that the evidences highlighted in the media and the comments and clarifications which were made by the law enforcement agencies have established that RAB was responsible for Limon's amputation. But the charge sheet could not be submitted against the accused RAB members due to criminalization and constant impunity of the law enforcement agencies by the government. Odhikar urges the government immediately to form an independent and neutral inquiry committee to bring to justice the RAB members who were responsible for Limon's disability. Odhikar also demands that the government take steps to arrest the attackers on Limon and his family and bring them to justice.

School Teacher assaulted by RAB

20. On August 8, 2012 members of RAB-11 made a requisition for a microbus (Dhaka Metro Cha-13-2580) through a Sergeant on duty from Shimrail Mor at Shiddhirganj in Narayanganj. The driver of that microbus told RAB members that the vehicle contained goods belonging to the head teacher of Power Development Board High School, Rashedul Motin Milton. RAB members asked the driver to unload the goods and got into the microbus. Later the microbus went to head teacher's house and he protested the requisition of the vehicle by RAB. The head teacher Rashedul Motin Milton was assaulted by RAB members inside the power centre when an altercation took place between him and RAB. He was picked up and taken to the RAB-11 office and detained by RAB for one and half hours. Later Abdul Karim Sarkar, Manager of the Power Development Board; and local Councilor Shafique brought him out of the RAB-11 office by furnishing a bond. Hearing this, journalists went to RAB-11 office and asked officer, SI Jane Alam on duty at the main gate about the incident. SI Jane Alam misbehaved with journalists and told them not to interfere in RAB internal matter.¹⁰
21. Odhikar observes that a group of members of the law enforcement agencies continuously misbehaved with people and unlawfully detain anyone over trifling matters. The government does not take any punitive action against accused law

⁸ The Daily Iffefaq, 23/08/2012

⁹ The daily Manabzamin, 24/08/2012

¹⁰ The daily Amar Desh, 09/08/2012

enforcers, despite repeated allegations. As a result, they are enjoying indefinite impunity and misbehaving towards people, which has broken internal discipline among these law enforcement agencies.

Allegations of disappearance after being picked up by members of law enforcing agencies

22. In August 2012, two people became victims of enforced disappearance.¹¹
23. On August 24, 2012 at around 7.00 pm Mohammad Firoz Khan (25), Joint Convener of Barisal city unit Chhatra Dal¹², was picked up by 5/6 plain clothed men claiming to be members of the Detective Branch (DB) of Police in a black microbus (Chittagong-Metro Cha-15-9906) with a CID sticker, from a tea stall the beside Munsurabad Wapda Colony Jame Mosque under Halishahar, in Chittagong Metropolitan city. His wife alleged that he was disappeared by the law enforcing agency due to his involvement in the BNP, the major opposition party.¹³
24. On August 13, 2012 former Joint General Secretary of Pallabi Thana unit Chhatra Dal, Tariqul Islam Tara was allegedly picked up by some men who identified themselves as the members of law enforcing agency from Pallabi at Dhaka. Saiful, a friend of Tara informed that some unknown people were roaming around the area on August 13 in the afternoon. He believed that they were watching Tara. Realising he was being watched, Tara went to his friend Zamir's resident at night to sleep. Zamir informed that at around 2.30 am some unknown people knocked at the door and tried to enter the home. During this time, his friend's wife asked for their identity, and they told her that they came from Pallabi Police Station. Later five men entered to their house with guns and asked their names. After knowing Tara's identity they took him away in a microbus at gun point. Baby Akhter, wife of Tariqul Islam Tara filed a General Diary with Pallabi Police Station in this regard.¹⁴
25. Odhikar expresses grave concern regarding the incidents of 'enforced disappearance' and demands that the Government rescue or recover the victims of enforced disappearances and take stern action against those responsible.

Home Ministry report indicates RAB's involvement in the disappearance of Tushar Islam Titu

26. The Inquiry Committee formed by the Ministry of Home Affairs shows RAB responsible for the disappearance of Jubo League¹⁵ leader Tushar Islam Titu, who was disappeared on July 2008. The Home Ministry submitted an inquiry report to the National Human Rights Commission on July 27, 2012. The Committee headed

¹¹ Odhikar only records enforced disappearances when the victim's family allege that those responsible for the arrest, prior to the disappearance, were or stated they were members of the law enforcing agency.

¹² Student wing of BNP

¹³ Report from Osman Jahangir and Shahin Aziz, human rights defenders of Odhikar at Chittagong and Barisal, 25/08/2012

¹⁴ The daily Manabzamin, 15/08/2012

¹⁵ Youth wing of Awami League

by Joint Secretary (Law and Planning) of the Home Ministry, Shawkat Mostafa, prepared the report based on statements of seven witnesses and relevant information gathered during investigation. It was mentioned in the inquiry report that members of RAB arrested Tushar and the Committee found evidence of that. On July 22, 2008 Tushar was arrested from Dhukuria Bera Bazar under Belkuchi upazila in Sirajganj district and taken to Dhaka by RAB on two motorbikes. The next day RAB-3 authority handed over the motorbikes to Belkuchi Police Station through a General Diary. However, the concerned RAB members denied the arrest of Tushar to the Inquiry Committee. They claimed that no one was taken to Dhaka from Dhukuria Bera Bazar. But it was learnt during investigation by analysing two General Dairies (GD No. 656 and 680) lodged with Belkuchi Police Station that RAB members used two motorbikes to bring a man to Dhaka. It was mentioned in the inquiry report that five RAB members were involved in arresting Tushar. The responsible RAB members were: Deputy Assistant Director of RAB-3, Mohammad Hanif; Assistant Sub Inspector, Firoze Ahmed (presently posted in Special Branch of Police); Corporal, Amin Ullah Apu (presently Engine fitter of the Air force); Assistant Sub Inspector, Humayun Farid (presently posted in Munshiganj Police Station); and Deputy Assistant Director of RAB-2, Mokhlesur Rahman. The Home Secretary, CQK Mostak Ahmed told the daily Prothom Alo on August 11, 2012 that, "It has been proved by our investigation that RAB was responsible for this incident. Therefore, action must be taken against those RAB officers." He also said that the investigation report was sent to RAB Headquarters for necessary action. Regarding this matter, Commander M. Sohail, Director (Legal and Public Relations) of RAB told the daily Prothom Alo that, "we do not have any headache with such type of report. This kind of reports were submitted earlier involving RAB on the killings of Bappi, Arif and Babu. These kinds of reports do not matter for us." He claimed that "some human rights organizations and officials of the Ministry prepare fabricated reports, by taking various facilities, which has no legal basis."¹⁶

27. It is to be mentioned that Odhikar came to know about this incident a year after it occurred through its local human rights defender in Sirajganj and conducted fact-finding into this matter on July 27-28 2009. The fact-finding report was sent to the Prime Minister, Sheikh Hasina; Home Minister, Shahara Khatun; the then Home Secretary, Abdus Sobhan; the then Inspector General of Police, Nur Mohammad; and the then Director General of RAB on October 26, 2009. On November 3, 2009, the family of Tushar organised a press conference based on this fact-finding report by Odhikar, which was published in the daily Samakal and Naya Diganta on November 4, 2009. On November 9, 2009 the National Human Rights Commission (NHRC) requested the Home Ministry to investigate the matter. Later, the Home Ministry formed an Inquiry Committee headed by a Deputy Secretary. The inquiry report of this Committee was sent to NHRC on June

¹⁶ The daily Prothom Alo, 12/08/2012

3, 2010. As the report was with errors, the NHRC requested the Home Ministry on July 22, 2010 to re-investigate the case by an officer of the rank of Joint Secretary. The Ministry did not take any measures at that time. Later the NHRC again requested the Ministry in May 2012 and an Inquiry Committee was formed headed by a Joint Secretary (Legal and Planning) Shawkat Mostafa.

28. Odhikar is alarmed at the way the RAB Director rejected the investigation report prepared by the Home Ministry. Odhikar believes that the members of such forces are becoming too comfortable in violating constitutional and legal barriers due to the culture of impunity, which is an indicator of human rights violations. Odhikar demands that the government take immediate action against accused persons based on the above mentioned report.

Freedom of the media

29. In August 2012, according to Odhikar's documented statistics, seven journalists have been injured, one has been threatened, three journalists have been assaulted and cases were filed against 10 journalists. The following is an example:

30. On August 4, 2012 Monir Hossain Badal, Patuakhali district correspondent of *Shomoy TV*; and Mostafizur Rahman Sujon, correspondent of the daily *Dakshinanchal*, were attacked by a group of 10/12 criminals led by Jubo League city unit General Secretary Monir Khan and local dredger contractor Ashraf Talukder when they were taking photographs of a procession stopped by police. Both the journalists went to the Bandghat area in Patuakhali to cover the protest of hundreds of people over the act of filling sand on disputed land. The criminals grabbed the video camera from journalists and threw it into the river.¹⁷

31. Odhikar considers attacks on journalists tantamount to suppression on the freedoms of speech, thought, expression and conscience.

Imposition of Section 144¹⁸ of the Code of Criminal Procedure

32. According to Odhikar's statistics, in August 2012, a total of 12 instances of the imposition of Section 144 of the Cr.PC were recorded across the country, mainly to stop political gatherings and rallies from occurring.

33. Kolapara Upazila of Patuakhali BNP arranged an *Iftar*¹⁹ on August 8, 2012; and the Chhatra League²⁰ declared they would organise an *Iftar* party in a mosque at the same place on the same date, which created tension from August 7, 2012. On August 7, 2012 about 50/60 criminals attacked the residence of BNP leader Musa Tauhid Nannu Munshi. Kolapara upazila unit BNP claimed at a press conference

¹⁷ The daily Amar Desh, 05/08/2012

¹⁸ Section 144 of the Code of Criminal Procedure, 1898 provides power to the Magistrate to issue orders to stop any meeting or gathering. See http://bdlaws.minlaw.gov.bd/sections_detail.php?id=75§ions_id=20789

¹⁹ Iftar refers to the evening meal when Muslims break their fast during the Islamic month of Ramadan.

²⁰ Student wing of Awami League

that 15 BNP leaders and activists were injured due to this attack and cows were stolen from Musa Tauhid Nannu Munshi's house. The local administration imposed Section 144 of the Cr.PC in the area where *Iftar* was to be organised due to this reason. As a result, Kolapara upazila unit BNP had to cancel their *Iftar* party.²¹

34. Odhikar believes that every citizen has the right to organise peaceful meetings and processions in consonance with the freedom of association, as guaranteed in Article 37 of the Constitution of the People's Republic of Bangladesh.

Government's harassment on NGOs

Government stops activities of three NGOs operating at Cox's Bazar

35. The local district administration has stopped activities of three NGOs working with Rohingyas in Cox's Bazar. On July 30, 2012 an order was issued and signed by the Assistant Commissioner, Selina Kazi on behalf of Cox's Bazar district administration. The organisations were: Doctors without Borders (MSF) and Action against Hunger (ACF) of France and Muslim Aid of the United Kingdom. It was mentioned in the letter that these three organisations were supporting the citizens of Myanmar, who were living illegally in Cox's Bazar, without taking approval from the NGO Affairs Bureau. The letter also alleged that the said organisations have been providing negative information to the international media and tarnishing the image of Bangladesh.²² The government has also decided to control the activities of domestic NGOs working in Cox's Bazar. Even organisations not working with Rohingyas are being harassed by the authority.²³
36. The NGO Affairs Bureau (NGOAB), under the Prime Minister's Office, drafted a proposed Bill, named the Foreign Donations (Voluntary Activities) Regulation Act, 2012 that has been developed by amending the Foreign Donations (Voluntary Activities) Regulation Ordinance, 1978 (XLVI of 1978) and integrating the Foreign Contributions (Regulation) Ordinance, 1982 (XXXI of 1982), in order to regulate NGO activities. Odhikar believes that the proposed Law will violate freedom of expression and association; and will control more human rights and voluntary organisations, which is contrary to the Bangladesh Constitution and the UN Declaration on Human Rights Defenders.

Harassment on Odhikar

37. The NGO Affairs Bureau is already executing the proposed Bill 'Foreign Donations (Voluntary Activities) Regulation Act 2012', unlawfully even before it is passed as an Act. The Bureau sent a letter to Odhikar on June 14, 2012 (which Odhikar received on July 4, 2012) after giving its approval on Odhikar's project 'Human Rights Research and Advocacy' in 2010, asking it to bring a clearance certificate from the Deputy Commissioners in the project areas. Odhikar provided the DC offices with all the necessary documents as per the requirements of the DC

²¹ The daily Amader Arthoniti, 09/08/2012

²² The daily Samakal, 02/08/2012

²³ The Manabzamin, 07/08/2012

offices in the project areas (Rangpur, Sylhet, Rajshahi, Khulna, Barisal and Chittagong). The DC offices have been asking for unnecessary explanations from Odhikar, such as why Odhikar does not have field offices at the district level? Why local human rights defenders are not paid? etc. Though all the documents are kept in the NGOAB office. The DC office at Chittagong and Rajshahi issued certificates to Odhikar respectively on August 8 and 12, 2012, mentioning its activities were satisfactory. But in a letter dated August 12, 2012 the DC office at Khulna mentioned that certificate cannot be issued as Odhikar does not have any field office at Khulna. Basically the NGOAB is unlawfully using the provisions of the proposed Bill and asking Odhikar to collect certificates from the DC offices even before the Bill has become approved into a Law.

38. Odhikar considers this another form of harassment by the Government on human rights defenders.

Human rights violations by Indian BSF

39. According to information gathered by Odhikar, incidents of human rights violations along the India-Bangladesh border occurred in August 2012. During this period, four Bangladeshi citizens were allegedly killed by the Indian Border Security Force (BSF). Three Bangladeshis were injured and five Bangladeshi citizens were abducted by the BSF during this period. Some instances are as follows:

40. On August 6, 2012 two Bangladeshi citizens named Zahidul Islam Laltu (30) and Shahinur were shot by the BSF at Moheshpur border in Jhenaidah. The family of the victims informed that the BSF opened fire at Laltu and Shahinur when they went to Lebutola border of Moheshpur near the fence. Laltu later died under treatment at Jessore General Hospital.²⁴

41. The BSF kill Bangladeshi citizens either by shooting or torture at the border. They do not pay any heed to protests in relation to the killings and torturing of people. Despite repeatedly raising this issue at the Government level and during the flag meetings between border guards of the two countries, India has not stepped back from its aggressive policy of shooting at anyone seen near the border or anyone trying to cross the border. This violates international law and human rights.

Workers of the Readymade Garment Sector

42. In August 2012, workers unrest erupted in many readymade garments factories and, as per Odhikar's data, 149 workers were injured during the protests against the termination of workers, closing of factories and for overdue wages.

43. On August 6, 2012 the workers of Apex Holding Limited stopped their work and brought out a procession demanding Eid²⁵ bonus at Purba Chandra in Gazipur. Police baton charged factory workers when they started vandalizing shops near

²⁴ The daily Manabzamin, 07/08/2012

²⁵ Eid is a religious festival of Muslims

the factory. At least 60 people, including police, were injured during this incident. Meanwhile, the workers of Magpie Sweater Factory protested for overdue wages and Eid bonus at Ashulia in Savar of Dhaka district on August 6 2012.²⁶

44. Odhikar condemns such instances of attacks on workers; harassment by the police; and the keeping of wages and overtime pay pending. These amount to human rights violations.

Trial of the BDR²⁷ mutiny²⁸

45. The verdict of the BDR mutiny for all units and RSB (Rifles Sports Board) was delivered on August 12, 2012. 37 BDR jawans out of 336 were sentenced to seven years of imprisonment and seven were acquitted by the Special Court. 292 BDR members were sentenced to different term of imprisonment from six years to four months. The head of the panel Judges Brigadier General Mohammad Nasiruddin Ahmed, gave the verdict in the Special Court-11 at the Pilkhana Darbar hall.²⁹
46. On August 13, 2012 Advocate Khandker Shahjahan, defense lawyer of one of the accused BDR members, alleged at the Dhaka Metropolitan Special Session Court that his client Habilder Mohammad Selim Bhuiyan's legs were injured with a drilling machine during remand in the CID. Habilder Mohammad Selim Bhuiyan was kept in the custody of CID 10 days before he was taken to Court. His lawyer also said that there were marks of torture on the knees of his client. The Court did not want to see the evidence. Another lawyer Jamal Khandker told the Court that there were marks of torture on his client Nayak Subeder Alauddin's nose but the Court did not want to see that evidence either.³⁰
47. On August 28 the Special Court sentenced 665 accused of the 44 Battalion, to different terms of imprisonment. Eight persons were acquitted. Judge Col. Ehiya Azam Khan in the Special Court of Pilkhana Darbar Hall gave this verdict.³¹
48. Odhikar urges the government to ensure transparency and accountability with regard to the BDR mutiny trials. It also demands that the plaintiffs follow the process of identification of accused as according to the law and allow the defense lawyers to questioning plaintiffs and witnesses. The accused BDR members should be entitled to talk with their lawyers and they should not be in fetters during the trial. It is to be mention that former BDR members were not given permission to question the witnesses through their lawyers.

²⁶ The daily Samakal, 07/08/2012

²⁷ BDR: Bangladesh Rifles. Now know as the Border Guard Bangladesh (BGB)

²⁸ On 25-26 February 2009, a mutiny was carried out allegedly by junior officers and members of the Bangladesh Rifles, at the BDR Headquarters in Dhaka. The mutiny resulted in the death of 78 BDR officers, and spread to BDR camps across the country. Many lower ranking BDR personnel were arrested and trials are being held in Special Courts.

²⁹ The Daily Ittefaq, 13/08/2012

³⁰ The Daily Star, 14/08/2012

³¹ Amader Orthony, 29/8/12

Violence against Women

49. In August 2012, a significant number of women were the victims of dowry related violence, sexual harassment, rape and acid violence.

Dowry-related violence

50. During the month of August 2012, 27 women and one 15-year-old girl, who is also a victim of early marriage, were subjected to dowry related violence. Of these women, it has been alleged that 16 were killed because of dowry and eleven were ill-treated in various ways for dowry demands. In addition to this, two girl children were suffocated to death by their father as their mother could not fulfill his dowry demand. One example:

51. A housewife named Salma Arzina Begum was allegedly killed by her husband Zakir Hossain and her in-laws over dowry demands in Ajoatri village under Phulbari upazila in Kurigram district. Police arrested the deceased's mother-in-law, Zahera Begum in this regard.³²

Sexual harassment and stalking

52. According to information gathered by Odhikar, a total of 34 girls and women were victims of sexual harassment in August 2012. Among them, one committed suicide, one was injured, five were victims of attempted rape, five were victims of assault and 21 were sexually harassed in various ways. Furthermore, one man was killed, three injured and 12 were assaulted by stalkers when they protested against such acts.

Rape

53. A total of 48 females were reportedly raped in August 2012. Among them, 18 were women, 29 were children below the age of 17 and one person's age could not be determined. Of the women, six were victims of gang rape. Out of the 29 child victims, one child was killed after being raped and five were victims of gang rape. Two children committed suicide during this period.

54. On August 15, 2012 one Luton Mondol (25), resident of Abhoynagar upazila in Jessore raped a girl student of class ten when she was returning home after private tuition. The girl committed suicide on August 23, when the matter became public.³³

55. On August 21, 2012 a police constable Rashel Rana of Atoltila Police Camp raped an 11-year child of the ethnic minority community at Dighinala upazila in Khagrachhari when she went to graze a cow near the police camp. The child was admitted to Khagrachhari General Hospital and the police arrested Rashel Rana.³⁴

³² The daily Manabzamin, 10/08/2012

³³ The daily Prothom Alo, 24/08/2012

³⁴ The daily Naya Diganta, 24/08/2012

Acid violence

56. According to information gathered by Odhikar, during the month of August 2012, it was reported that 15 persons became victims of acid violence. Of these affected persons, five were women, three were men, four were girls and three were boys.

Statistics: January-August 2012*										
Type of Human Rights Violation		January	February	March	April	May	June	July	August	Total
Extra-judicial killings	Crossfire	5	11	10	9	3	0	3	0	41
	Torture to death	0	2	1	1	0	1	0	1	6
	Shot to death	1	0	1	1	0	1	3	0	7
	Total	6	13	12	11	3	2	6	1	54
Disappearances		0	5	3	5	1	1	0	2	17
Human rights violations by Indian BSF	Bangladeshis Killed	2	2	2	4	3	1	5	4	23
	Bangladeshis Injured	9	3	14	17	3	2	11	3	62
	Bangladeshis Abducted	3	4	12	4	1	1	2	5	32
Deaths in Jail		9	6	6	2	2	2	5	7	39
Attack on journalists	Killed	0	2	0	0	0	1	1	0	4
	Injured	21	8	1	16	26	5	34	7	118
	Threatened	6	3	26	1	7	3	3	1	50
	Assaulted	7	3	13	0	12	0	5	3	43
Political violence	Killed	16	9	17	24	10	7	14	17	114
	Injured	1884	727	1052	2528	1563	762	1123	1106	10745
Acid violence		9	9	7	10	7	12	6	15	75
Dowry related violence		47	50	82	84	111	96	73	30	573
Rape		48	59	87	94	82	81	66	48	565
Sexual harassment /Stalking of women		33	31	40	49	45	54	47	34	333
Section 144 of Cr.PC		13	12	8	5	7	7	5	12	69
Public Lynching		13	6	15	8	13	8	15	7	85

* Odhikar's Documentation

Note: Some monthly data has been updated after receiving information in August 2012

Recommendations

1. The Government must take effective action to stop all forms of political violence and criminalisation of politics; legal action must immediately be taken against persons responsible for such violence. The law enforcement agencies need to play a proactive role to stop political violence and to take legal measures against perpetrators and carry out their duty towards the citizens in an accountable and unbiased manner.
2. The Government should retract their decision to allow admission in Medical and Dental Colleges on the basis of the numbers achieved in GPA.
3. Acts amounting to torture by law enforcement agencies must be stopped and perpetrators tried as per Criminal Law. The Government must also accede to the Optional Protocol to the Convention against Torture.
4. Punitive action should be taken against the members of law enforcing agencies who misuse their power and misbehave with people.
5. The persons responsible for the disappearance of Tushar Islam Titu must be brought to justice immediately. The Government should rescue or recover the victims of enforced disappearances. Odhikar urges the government to accede to the International Convention for the Protection of All Persons from Enforced Disappearances, which was adopted by the UN General Assembly on December 20, 2006.
6. The Government should take appropriate action against the perpetrators of attacks and torture and threats to journalists.
7. All international organisations including the UN should come forward to protect Rohingyas in Myanmar and the NGOs working for the protection of Rohingyas should be given approval to work on the issue.
8. The Foreign Donation (Voluntary Activities) Regulation Bill 2012, drafted by the NGO Affairs Bureau, appears to be a repressive law, which will put up barriers to human rights defenders. As such, it violates freedoms of expression and association.
9. Non-violent political programmes should not be obstructed. The Government should refrain from stopping political meetings of the Opposition by imposing Section 144 of the Code of Criminal Procedure.
10. The Government should protest strongly against human rights violations on Bangladeshi citizens by the BSF; and investigate all incidents and 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 safety and security of the Bangladeshi citizens residing at the border areas.
11. The full investigation reports with regard to the BDR mutiny, conducted by the government must be made public; and the trials be conducted in a transparent and accountable manner.

12. Termination of RMG workers without notice must be stopped and wages should be given to the workers in time and harassment of workers must be stopped by police and factory authorities.
13. The Government must respond appropriately to stop violence against women and the offenders must be brought under the purview of the law to ensure that justice is served. The Government should execute mass awareness programmes broadly in order to eliminate violence against women.

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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.