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Human Rights Monitoring Report

March 1-31, 2013

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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, the individual freedoms and democratic aspirations of the citizens - and consequently, peoples' collective rights and responsibilities - must be the foundational principles of the State. The States failure to recognize this at the founding moment, is a continuing curse that people are forced to carry. A State cannot be 'democratic' if the people do not realise and participate as 'citizens' in all sectors of the functioning of the state. The 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 citizens. If all this is not ensured by the State, it cannot be called a 'democratic' state. These civil and political 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. The people's inviolable rights are the foundational principles of the State.

Odhikar, being an organisation of human rights defenders in Bangladesh, has been struggling to ensure these civil and political 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 March 2013, is presented here.

Human rights violations due to the violent political situation

Political violence and extrajudicial killings

1. According to information gathered by Odhikar, in March 2013, 75 persons were killed and 3055 injured in political violence. 27 incidents of internal violence in the Awami League and 10 in the BNP¹ were recorded during this period. In addition to this, two persons were killed and 380 were injured in internal conflicts of the Awami League while 99 were injured in BNP internal conflicts. Some instances are as follows:
2. On February 28, 2013 the International Crimes Tribunal-1 sentenced to death Jamaat leader Delwar Hossain Sayedee, who was accused for crimes against humanity during the liberation war in 1971. In protest of this verdict, Jamaat-e-Islami became violent and initiated attacks and set fires at various places when police and other members of law enforcement agencies opened fire. During this time, Jamaat-Shibir activists set fire to houses and temples belonging to the Hindu community in various places across the country. Police and other law enforcement agencies used different weapons, including submachine guns at protestors and killed at least 47 people by police, BGB and RAB between March 1 to 31, 2013, many of them were not involved in the violence. Due to this killing spree by the police, people attacked the local administrative offices and police stations

¹ BNP: Bangladesh Nationalist Party. The main Opposition party.

in protest. One policeman was killed by the protestors during this period as well. It has been learnt from the information sent by local human rights defenders associated with Odhikar, that among those who were shot dead by security forces, were students, farmers and members of the general public, who were not involved in any political party.

3. Similarly, in protest of the death sentence on Delwar Hossain Sayedee, on March 1, 2013 Jamaat-Shibir activists staged a protest at Sonaimuri upazila under Noakhali district. Clashes took place between the law enforcement agencies and Jamaat-Shibir activists and during this time an electrician named Korban Ali was shot dead by Rapid Action Battalion (RAB). On March 10, 2013 the father of the deceased, Lokman Hossain filed a case at the Court of Judicial Magistrate, Raihanul Islam, against Additional Deputy Director of RAB-11, Mohammad Jasimuddin; Corporal Asnar Uddin; Assistant Sub Inspector Chandan Kumar Chowdhury; Habilder Nur Mohammad; Nayek Mohammad Asaruddin; PC Mohammad Mohsin Ali; Corporal Mohammad Belal Hossain, ASI Mohammad Kamal Hossain, ASI Mohammad Mostafa Kamal; and Deputy Inspector General of Police under Chittagong, accusing all of them for the death of his son. He alleged that the members of RAB shot his son, when Korban Ali was coming out of the mosque after Jumma Prayer. The Court has taken this case under cognizance and ordered the Officer-in-Charge of Sonaimuri Police Station to submit an investigation report by May 15, 2013.²
4. On March 29, 2013 three persons named Motiur Rahman, Rabiul Islam and Oliullah were shot and killed by 'combined forces' formed with police, RAB and Border Guard Bangladesh (BGB) at Shyampur under Shibganj upazila in Chapainabaganj district. At least 50 people, including a Magistrate and policemen were injured during the clash. On the same day, two men named Yunus Hossain and Faridul Islam were killed in a clash between police and BNP-Jamaat-Shibir activists over the arresting of a Jamaat activist at Belkuchi in Sirajganj district.³
5. Odhikar condemns this killing spree and also demands punishment for the responsible persons immediately through a proper investigation.
6. In March 2013, 52 incidents of extrajudicial killings were recorded by Odhikar. Of these, 47 killings took place by police, BGB and RAB firing. Five incidents of 'crossfire' were also reportedly carried out - two by RAB and three by police - during this time.
7. Odhikar believes that the responsibility for taking decisions to shoot at the protestors rests upon the Home Minister and the termination of the Home Minister must be considered as necessary in order to avoid further killings in the future. The grievances created for this reason in society will be

² Fact finding report of Odhikar, 11-13 March 2013

³ The Daily Ittefaq, 30/03/2013

amplified and the situation will be more insecure if the Home Minister does not take responsibility for the deaths of so many.

Violence during hartals

8. According to information gathered by Odhikar, in March 2013, 29 hartals were called by the Opposition BNP and Jamaat-e-Islami across the country. Among them, 9 hartals were observed nationwide and 20 were regional hartals observed in various districts. During the hartals, clashes occurred in many places, including Dhaka, between law enforcement agencies and hartal supporters. Several people were killed in police firing during this time. The day before the hartals and during the hartals, a number of vehicles, including buses were also vandalised and set on fire by hartal supporters. This also resulted in burn injuries. However, the BNP also claimed that the ruling party activists were involved in these acts of violence.
9. On March 18, 2013 truck driver, Nur Mohammad succumbed to injuries he sustained from hartal supporters in Dagonbhuiyan upazila under Feni district on March 17, the night before hartal.⁴
10. On March 17, 2013, the night before hartal, Dr. Omar Faruk, Dr. Rakibul Alam and Dr. Raihan Sharif were attacked with petrol bombs by criminals when they were passing through a road at Hatirjheel in Dhaka by car. They were admitted to Dhaka Medical college Hospital with burns.⁵
11. On March 19, 2013 a Chhatra League leader and 4th year Honours student of Dhaka College, Imran Hossain (24) was killed when BNP activists attacked the anti-hartal procession brought out by the local Awami League at Gopalpur under Tangail district.⁶
12. On March 20, 2012 a Jamaat-e-Islami activist, Golam Rabbani (29) was shot dead by police when a clash took place between police and Jamaat activists in front of Polli Bidhyut office at Biswanath during a hartal called by Jamaat-e-Islami in Sylhet.⁷
13. Odhikar expresses grave concern regarding the incidents of vandalising and setting fire to vehicles by hartal supporters before and during the hartals, bomb attacks at different places by pro and anti-hartal groups, arrest of innocent people by police and the use of Mobile Courts during hartals.
14. Odhikar believes that the state repression and political violence has taken an alarming turn. If it is not controlled immediately, the country's unrest will amplify and the administration will collapse. In many districts, the local administration has lapsed into inefficiency and society has divided into two. In order to overcome this division, the media and civil society have to

⁴ The daily New Age, 20/03/2013

⁵ The daily Prothom Alo, 18/03/2013

⁶ The Daily Ittefaq, 20/03/2013

⁷ The Daily Ittefaq, 21/03/2013

disregard their bias and be united immediately to protect human rights. The State should not instigate or encourage confrontational politics or the use of violence by its law enforcers. Rather the State should take effective measures to ensure human rights and bring all political parties into systematic politics. Odhikar is also anxious over the absence of an environment for dialogue among the political parties.

Attacks on Hindu citizens and vandalism, looting and acts of arson on temples

15. The human rights of the Hindu community have been grossly violated during the violent political situation created after the passing of the death sentence on Delwar Hossain Sayedee on February 28, 2013.
16. On March 1, 2013 at around 1:00 am, criminals set fire to Boradi Garangol Durga Mandir (temple) in Gouranadi under Barisal district. Police of Gouranadi Police Station informed Odhikar that Jamaat-e-Islami and BNP activists were involved in the act. Police arrested three persons in this regard. At the same time, Goila Kaali Mandir and the houses adjacent to the temple were set on fire by criminals in Aagoiljhora upazila. Later, local people brought the fire under control. The families of the victims were too scared to name the culprits.⁸
17. On March 1, 2013 at around 1:00 am a group of criminals poured kerosene on and set fire to the house and shop of Narayan Chandra Basu Chowdhury, a resident of Bongram village and President of Bongram Union unit Awami League under Morelganj in Bagerhaat. Local inhabitants brought the fire under control. Narayan Chandra Basu alleged that he had some enmity with the unit President of BNP, Abdus Samad Molla for a long time. He believes that BNP activists might have set fire to his house due to the current violent political situation in the country. At the same time, the house of Taposh Sen, son of Gopal Sen in neighbouring village Bohorbula was bunt down by criminals, which resulted in huge damages. Taposh Sen was not willing to name the criminals.⁹
18. On March 1, 2013 at around 1:00 am, criminals set fire to Dumuria Sarbojanin Durga Mandir in Dumuria village at Ramchandrapur union under Morelganj upazila in Bagerhaat district. The president of the Temple Committee, Arun Kumar was not willing to name the criminals due to security reasons.¹⁰

⁸ Reports sent by human rights defenders associated with Odhikar

⁹ Report sent by Mohammad Azad, Correspondent of the local daily Probaho, 04/03/2013

¹⁰ Report sent by Mohammad Azad, Correspondent of the local daily Probaho, 04/03/2013

19. On March 1, 2013 at around 1:15 am, a group of criminals set ablaze Mangaolbaria Kaali Mandir in No. 6 Purbadhola union under Purbadhola Police Station in Netrokona.¹¹
20. On March 1, 2013 criminals set fire to Seba Ashram Kaali Mandir in Gaiyerchor village at Uttar Chorababil union under Raipur upazila in Laxmipur. Hearing this news, local inhabitants came to the spot to stop the criminals, who ran away. The president of the temple committee, Nitya Gopal Mazumder informed Odhikar that criminals set fire to the Purna Brahma Shree Shree Haripada Guru Chand Thakur and Swami Bibekananda Smriti Seba Ashram Radha Gobinda Mandir at night. Nitya Gopla Mazumder was unwilling to name the criminals due to security reasons.¹²
21. On March 3, 2013, at around 10:30 pm, criminals vandalized four idols of the goddess Kaali and set fire to the Kaali Mandir in Goalimandra Monipara village at Haldiya union under Louhajang upazila in Munshiganj district. Hearing this news, local people came and doused the fire. The Officer-in-Charge of Louhajong Police Station, Mohammad Zakiur Rahman said that the perpetrators could not be identified.¹³
22. On March 5, 2013 at around 10:30 am, BNP activists attacked and set fire to 10 houses belonging to Kartik Das, Kingkor Das, Amio, Sona Das, Subal Das, Mukti, Tara Rani Das and Shankar Das, at Dhopapara of Amadi union under Koira Police Station in Khulna, during the dawn-to-dusk hartal called by BNP. Furthermore, two men named Liton (25) and Abu Sayeed (20), residents of Khirrol village, were apprehended and handed over to police by villagers while the men were vandalizing the houses of Polash Das and Shyam Prashad Singh. The Officer-in-Charge of Koira Police Station, Mir Khairul Kabir said, BNP-Jamaat activists attacked the houses belonging to the Hindu community while in a procession. 15 persons were arrested in this regard.¹⁴
23. Odhikar observes with concern that citizens belonging to the Hindu community are under constant threat of political violence and were attacked by criminals. Moreover, temples of the Hindu community were vandalised intentionally in many districts. Odhikar expresses serious concerns over these acts of violence against religious minority groups and also condemns the government's failure to protect the life and livelihood of the citizens belonging to the Hindu community under these circumstances. Odhikar also observes with gratitude that those citizens, who helped put out the temple fires and help their Hindu neighbours, did so with absolutely no religious or social bias. The general population of Bangladesh still know how to live in peace with each other.

¹¹ Information gathered from local people and Mandir Committee, 04/03/2013

¹² Report sent by Masudur Rahman Bhutto, human rights defender associated with Odhikar in Laxmipur

¹³ Report sent by Arafatuzzaman, human rights defender associated with Odhikar in Munshiganj

¹⁴ Report sent by Nuruzzaman, human rights defender associated with Odhikar in Khulna

Attacks at meetings and police operation in political party office

24. On March 6, 2013 the Bangladesh Nationalist Party (BNP) organised a protest meeting in front of their party office at Paltan, Dhaka. During the meeting, cocktails were exploded and BNP leaders and activists tensed. At that time, police marched towards the BNP office from Fakirapool and Nightingale Mor and fired towards the meeting point from an armoured vehicle. At the same time, police and RAB threw tear gas shells and sound grenades at BNP leaders and activists. As a result, the meeting stopped. During this time, 31 people, including BNP's Standing Committee member Nazrul Islam Khan, Joint Secretary-General Amanullah Aman and Dhaka Metropolitan City BNP's Member-Secretary Abdus Salam were shot and injured.¹⁵
25. On March 11, 2013 BNP activists set fire to tyres and threw bricks at the buildings in protest of the cocktail¹⁶ explosions at a meeting organised by BNP led 18-party alliance near the BNP office. Police stopped the meeting by firing rubber bullets and throwing tear gas shells on those gathered. Police initiated an operation at the BNP Paltan office after stopping the protest meeting. During this operation, police searched each and every room of the party office and arrested many leaders, including BNP's Acting Secretary General, Mirza Fakhru Islam Alamgir; Chief Whip of the Opposition, Joynal Abedin Faruque; Vice Chairman, Sadek Hossain Khoka and Altaf Hossain Chowdhury; Joint Secretary General Ruhul Kabir Rizvi; Amanullah Aman; and Mohammad Shahjahan, by breaking the doors of the Chairperson's office on the first floor, the Secretary General's room on the second floor, the conference hall and office secretary's room. Police claimed that they recovered six cocktails from the party office during this operation.¹⁷ Meanwhile BNP leaders claimed that police exploded cocktails in order to stop BNP's meeting and they arrested BNP leaders by planting cocktails in the party office.
26. Odhikar believes that violent political programmes of both the ruling and opposition party were responsible for creating a violent and volatile political situation in Bangladesh. The ruling party and the opposition should stop playing the blame game and come to a compromise immediately by respecting democracy; otherwise this violent situation will lead the country towards an unanticipated destination. Odhikar urgently urges the Government to call a meeting between the two to stop dragging the country towards more insecurity.

¹⁵ The Daily Ittefaq, 07/03/2013

¹⁶ Cocktail – a homemade explosive device

¹⁷ The Daily Ittefaq, 12/03/2013

Freedom of the media

27. Several attacks on journalists have been recorded in March 2013. According to Odhikar's documented statistics, 21 journalists were injured, seven were threatened and four were assaulted.
28. On March 6, 2013 cocktails exploded in front of the BNP party office during a protest meeting organised by BNP at Paltan in Dhaka. At that time police marched towards the meeting from Fakirapool and Nightingale Mor by firing from an armored vehicle. Police threw tear gas shells, rubber bullets and baton charged at people present in the area. Saiful Islam, photojournalist of the daily Ittefaq; Nur Hossain, reporter of the daily Naya Diganta; Badal, a photojournalist of Banglanews 24; Nayeem Ahmed Zulhas, correspondent of the daily Independent; and Ali Ahsan Mintu of the daily New Age were injured during the police attack.¹⁸
29. On March 7, 2013 the local Awami League brought out an anti-hartal procession at the Bashabo area in Dhaka. During this time, Awami League activists attacked ATN News reporter Ferdous Rahman and cameraman Giasuddin Al Mahmud; ETV's reporter Moinul Islam and cameraman Farid Ahmed when they were covering the news. They held the journalists captive in a local club after beating them and snatched away memory cards from their cameras. Police were present there at that time but did not take any action.¹⁹
30. In the night of March 11, 2013 a bomb was thrown at a car belonging to the Editor of the daily Amader Aurthoniti, Naimul Islam Khan, at Jahangir gate in Dhaka, when he and his wife were returning home. Naimul Islam Khan and his wife were injured in this attack.

Human rights violations continue along the border by BSF

31. According to information of Odhikar, several incidents of human rights violations on Bangladeshi citizens were committed by the Indian Border Security Force (BSF) in March 2013. During this period, two Bangladeshi citizens were shot dead by BSF. Furthermore, BSF tortured four Bangladeshis, one was injured by BSF's bullet shot and another one was injured when BSF hurled a cocktail against him. During this period, 16 persons including six children were abducted by the BSF during this period. Later six children were released.
32. According to the Memorandum of Understanding and related treaties signed between the two countries, if citizens of both countries illegally cross the border, it would be considered trespass and as per law those persons should be handed over to the civilian authority. However, we have noticed that

¹⁸ The Daily Ittefaq, 07/03/2013

¹⁹ The daily New Age, 08/03/2013

- India has been repeatedly violating treaties, shooting at anyone seen near the border or anyone trying to cross the border; and illegally entering Bangladesh, which is a clear violation of international law and human rights.
33. Odhikar believes that the role of the Government of Bangladesh should be effective as an independent and sovereign state. No independent and sovereign country can ever accept the killing, torture and abduction of its citizens by another country.

Public lynching continues

34. In March 2013, 10 people were allegedly killed due to public lynching/mob violence.
35. Many people are killed by mobs in various places in the country. The lack of respect for law, distrust for the police and instability in the country has increased the fear and insecurity among the people. Odhikar believes that 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 both the law enforcement authorities and Judiciary.

Situation of readymade garment factory workers

36. In March 2013, 75 injuries occurred in readymade garment factories.
37. Most of the violence in this sector was caused due to protests of late payment of overdue wages and over demands for an increase in salaries.

Violence against Women

38. Acts of violence against women in Bangladesh are high. Odhikar believes that such violence increases when the perpetrators are not punished and potential violators are thus encouraged.

Dowry-related violence

39. In March 2013, a total of 27 brides were subjected to dowry related violence, among them four were also the victims of child marriage. Of these brides, it has been alleged that 15 were killed because of dowry, among them three were underage brides; and 11 were ill-treated in various other ways. Moreover, one sixteen year old bride committed suicide over dowry demands during this period. In March a father of a bride was killed and two other male relatives were physically abused by the groom and his relatives for dowry.
40. On March 2, 2013, Nilufa (21) was beaten to death by her husband Rakib Hossain for failing to bring the motorcycle of his choice as dowry, in west Madhabnagar village under Sadar Upazila in Natore district. As per the

dowry condition, Nilufa's father gave a Freedom motorcycle to his son-in-law, Rakib Hossain. But Rakib demanded a motorcycle from the 'Pulsar' range and beat Nilufa to death over the wrong model.²⁰

Rape

41. In March 2013, a total number of 66 females were reportedly raped. Among them, 23 were women, 41 were children below the age of 17 and the age of two victims could not be determined. Of the women, two were killed after being raped and nine were victims of gang rape. Out of the 41 child victims, four children were killed after being raped and ten were victims of gang rape.

Sexual harassment/stalking

42. According to information gathered by Odhikar, a total of 42 girls and women were victims of sexual harassment in March 2013. Among them, three committed suicide in shame, two were injured, 16 were victims of attempted rape, two were abducted, two were assaulted and 17 were sexually harassed in various ways. During this period, one man was killed and 23 men were injured by stalkers when they protested against such acts of harassment.

43. On March 12, 2013 a student of class 8, Trishna Rani Mandal, committed suicide by taking poison due to not being able to bear sexual harassment in Joypurhat. While going to and returning from school, Trishna was stalked by Sajal Chandra of Chandrakola village under the adjacent district of Naogaon. Trishna's father made a complaint to the Head Teacher against Sajal Chandra when Trishna informed this matter to her family. This annoyed Sajal and he with his friends Ershad and Gulzar tried to abduct Trishna on a motorcycle. Later Trishna committed suicide due to humiliation when the matter became public knowledge in locality.²¹

²⁰ The daily Naya Diganta, 05/03//2013

²¹ The Daily Ittefaq, 13/03/2013

Statistics: January-March 2013*					
Type of Human Rights Violation		January	February	March	Total
Extra-judicial killings	Crossfire	5	7	5	17
	Torture to death	0	1	0	1
	Shot to death	2	72*	47*	121
	Beaten to death	2	1	0	3
	Total	9	81	52	142
Torture (Alive)		4	3	3	10
Disappearances		2	1	0	3
Human rights violations by Indian BSF	Bangladeshis Killed	5	1	2	8
	Bangladeshis Injured	16	7	6	29
	Bangladeshis Abducted	9	3	16	28
Deaths in Jail		3	6	6	15
Attack on journalists	Killed	0	0	0	0
	Injured	20	18	21	59
	Threatened	2	3	7	12
	Attacked	0	7	0	7
	Assaulted	1	5	4	10
Political violence	Killed	17	86	75	178
	Injured	1643	2772	3055	7470
Acid violence		5	3	1	9
Dowry related violence (including women victims, their children and relatives)		35	38	30	103
Rape		108	83	66	257
Sexual harassment /Stalking of women		44	28	42	114
Section 144 of Cr.PC		9	10	4	23
Public lynching		17	8	10	35
RMG	Killed	7	0	0	7
	Injured	235	178	75	488

* According to Odhikar's documentation, 119 persons were gunned down by the law enforcement agencies . This number has also been added with the statistics of political violence.

Note: Some monthly data has been updated after receiving information in March 2013.

Recommendations

1. The Government has to resolve the current political crisis by fostering and respecting human rights and rule of law. The government must ensure that the police cease all repressive action, including extrajudicial killings. Those members of law enforcement agencies who have already committed

- extrajudicial killings in the name of preventing violence, must be brought to justice and the Home Minister should take responsibility and resign.
2. The members of law enforcement agencies have to follow principles of human rights and also the Basic Principles of the use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement officials.
 3. The Government must protect the life and property of all its citizens, especially those from minority communities. Those criminals who destroyed the properties of the citizens belonging to the Hindu community and vandalised their temples should be identified, arrested and taken to trial.
 4. Incidents of attacks on journalists must be properly investigated and perpetrators of such acts must be brought to justice.
 5. 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.
 6. Human rights violations against RMG workers should be stopped; and their demands for their well being must be reviewed.
 7. The Government must ensure proper trial and punishment of the perpetrators of violence against women under the purview of the law, to ensure that justice is served. The Government should also execute mass awareness programmes, broadly including the media 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.