



National Advocacy Meeting

On

Human Rights Violation at the India Bangladesh Border

November 24, 2012

Spectra Convention Centre, Gulshan Dhaka

As part of Odhikar's campaign to stop human rights violations at the India-Bangladesh border by Indian Border Security Force (BSF), Odhikar organised a National Advocacy Meeting on November 24, 2012 under the topic 'Human Rights Violations at the India-Bangladesh Border'. The meeting was presided over by Mr. Adilur Rahman Khan, Secretary of Odhikar. The key note paper¹ of Odhikar was presented by Ms. Taskin Fahmina, Senior Researcher/Programme Coordinator of Odhikar. The special guests in the meeting were Mr. Rashed Khan Menon, Member of Parliament, Chairman, Workers Party of Bangladesh and Chairman, Parliamentary Standing Committee of Education; Mr. Shamsher Mobin Chowdhury, Bir Bikram, Vice Chairman, Bangladesh Nationalist Party.



Figure 1: Ms. Taskin Fahmina, Mr. Rashed Khan Menon MP, Mr. Adilur Rahman Khan Mr. Shamsher Mobin Chowdhury Bir Bikram (from left)

¹ The paper is attached in Annex1.

At the beginning of the meeting, testimonies² of two victims were presented. Habibur Rahman Habu, in his statement he described how he was tortured on December 09, 2011 by BSF. Another testimony of Safiqul Islam described how his brother in law Mohammad Sanaul Haq was shot to death on July 25, 2012 by BSF. Both of them described the story of their misfortune and demanded justice.



Figure 2: (Left) Habibur Rahman Habu and of Safiqul Islam (on behalf of Sanaul Haq) described the atrocities of BSF

Mr. Shamsher Mobin Chowdhury, Bir Bikram, Vice Chairman, Bangladesh Nationalist Party (BNP) said that this issue is very important. The statistics of violation at India-Bangladesh border that was presented at the meeting reflects a terrifying scenario. The victims were unarmed and innocent and they were living near the borders to earn their living. He found it as an irony to the history as regards to the decline of trust between the two States after fighting a war together in 1971. The two countries have 6.5 kilometres of border area unresolved due to some formalities out of 4000 kilometres they share. In 1974 there was a border treaty between the head of the two States, Sheikh Mujibur Rahman and Indira Gandhi. Still now that treaty was not implemented. There are about 160 enclaves which have no rightful owner. It is a matter of surprise that still now these countries are not resolving the issue, though both parties agreed to resolve the problem. This is one of the main reasons of this mistrust between the countries. Furthermore, indifferent water distribution of river, sea areas, trade deficit between the countries are causing a negative effect on the bilateral relationship for a long time. The on going severe human rights violation is pathetic. He asked, if the relationship between the States was so good then why India always gives the commitment of minimising the conflicts, why not work for zero conflict? What could be the intension of the BSF soldiers who fire bullet at farmers or cattle traders of Bangladesh? It is not heard that the same is committed by India on other borders that they share with Pakistan,

² The testimonies are attached in Annex 2 and Annex 3

China or Nepal. Why India's atrocities are only found against the people of Bangladesh? He asked.

Mr. Rashed Khan Menon, MP, Chairman, Workers Party of Bangladesh and Chairman, Parliamentary Standing Committee of Education, said that he cannot deny with the facts and figures Odhikar placed in the meeting. The border killings have always been major barrier in the relationship between the two countries. Every time BSF personnel commit about minimising these incident at the meeting with BGB, they fail to live up to it. They also committed to use rubber bullets – less harmful weapons – but still border killings keep continuing. He added that the good news is that the demarcation process is almost complete and it is pending approval at India's Parliament. It is however, a matter of regret that Mujib-Indira treaty has still not been approved at India's Parliament. From the end of Bangladesh, all the government since liberation failed to resolve the crisis or bring the death toll to zero. In most of the cases, cattle traders are becoming the victim though it is a popular cross-border trade especially at the time of Eid-ul-Azha. This issue should come under cross-border trading policy. The farming at border should also come under policy. Some Border Haat or markets (markets for cross border trading) are already active which he said is a very good initiative. Cross-border peace should also be considered as an important issue. Everyone should get united within the country instead of blaming each other. When a state representative visits other countries, he or she should consult with the opposition parties to get a better idea of situations, which is a practice in India as well. Even non government institutes can play an active role to improve the situation.



Figure 3: (Left) Mr. Shamsheer Mobin Chowdhury, Bir Bikram, Mr. Rashed Khan Menon, MP,

The first working session was presided over by the Secretary of Odhikar, Adilur Rahman Khan. He introduced the discussants of this session and invited Mr. Ashraf ud Doula as the first discussant.



Figure 4: (Left) Mr. Mahmudur Rahman, Acting Editor, daily Amar Desh; Mr. Adilur Rahman Khan Secretary Odhikar; Mr. Ashraf ud Dowla, former Secretary and Ambassador; Major General (Retd.) A L M Fazlur Rahman, former Director General of Bangladesh Rifles; Mr. Abu Sayeed Khan Managing Editor of Daily Samakal

Mr. Ashraf ud Dowla, former Secretary and Ambassador, said during the liberation he took arms training from India and participated in the war and liberated Bangladesh. Naturally the expectation was that there would be a very good relationship between the two States but the current situation is very depressing. During the rule under Pakistan he never heard an incident of border killing though India was considered as an enemy State of Pakistan since its birth. He used to live near border during the rule of Pakistan and used to cross the border along with family without fear. He said now Bangladesh, despite being a friend of India, does not find as much of the friendly attitude from its neighbour. Many people are trading cross-border with life risk but the killing and torture they are facing could not be an example of a civilized nation. If there was case where a Bangladeshi was caught with illegal drugs or weapons then border killings could have possibly been looked into and investigated. However not even a single case could be shown of this type. In all the cases there were innocent people who were not even carrying a knife. If India is really a friend of Bangladesh, this is not the kind of expression the people of Bangladesh should receive. This issue should be raised with importance with organisation in India and mention that these are not friendly attitude and there would be no friendship between the two countries if the death toll does not comes down to zero.

Mr. Abu Sayeed Khan, Managing Editor of Daily Samakal, reminded that more than 100 years ago there was no border in this subcontinent. On the contrary Europe was divided by borders and was engaged in wars. But presently, getting a visa to visit India is a matter of huge hassle which is known by those who have attempted acquiring a visa. On the other hand, in Europe, cross-border activities are very relaxed. The attitude India shows to Bangladesh is not friendly. A teenage girl like Felani, who the Indian BSF shot to death, cannot be acceptable in any circumstances. India's behaviour towards Bangladesh is undemocratic as well. The attitude of Bangladesh is friendly but it doesn't mean that we have to be submissive. In many cases Bangladesh does not even show the sense of self respect. The dealing of diplomacy is very weak for Bangladesh. Sometimes there is lack of data and also lack of skill which leads to failure to achieve results in favour of the country. Even if the victims of border killings were cattle smugglers they cannot be killed in this manner. They can be caught and punished through due process of law. If the human rights violation continues at the border area, no bilateral issues can be resolved between the countries.

Mr. Major General (Retd.) A L M Fazlur Rahman, former Director General of Bangladesh Rifles (BDR- presently BGB), said that the definition of lie has changed. A liar is he who always speaks truth and never lies but doesn't speak about the real matter. The time has come to speak the real matter. The liberation war was a war which was fought by Bangladesh for freedom and fought by India to divide Pakistan. Bangladesh and India fought together and both sides have to be grateful to each other. If Pakistan was not divided than there was supposed to be a nuclear power station in Bangladesh portion which would have become a great threat for India. So India should be more grateful to Bangladesh. He also recalled the way Indian army looted Bangladesh just after the liberation war. It is said that cattle smugglers are killed at border by BSF but the fact is that the cows are produced in India, the businessmen who sell cows to Bangladesh are Indian, and the border gates are controlled by India. Then why the poor Bangladeshi citizens are called smugglers. I have never heard a Phensidyl smuggler was killed by BSF and within 10 kilometres inside Indian border there are thousands of factories which are producing this illegal substance. In my village at Dinajpur, every family was affected by Phensidyl addiction. This problem could be considered as the biggest threat to the security of Bangladesh. If this problem is not solved then after 10 years Bangladesh would not find any healthy youth at work. BSF has to put flood light at the border by which they could see one kilometre inside Bangladesh border and observe the activities of the BGB. According to the border guide treaty 1975, if anyone is caught by BSF then that person has to be handed over to the local law enforcement agencies and should be punished according to the local legislation and if there is any mutual understanding between the two sides, then BSF would hand the person over to Bangladesh. Though there are laws but it is often violated by BSF. No man's land is a place that consists 150 yards of land both inside India and Bangladesh. If someone goes near the border to bring

his cattle which is there to eat grass, he also has every possibility to get killed by BSF. The BSFs are trigger happy because they are brought from India- Pakistan border like Kashmir and they continue to fire people as if they are in war zones like those places. They are not even aware of the harmony that exists among the people of both sides of border for many years. India is not solving the disputed 6.5 kilometres border because they want to take over adversely possessed lands and enclaves. Bangladesh is a unique country which has people who have almost same religion, same regional identity. This is a great force that can help defending the country along with army. Major General (Retd.) A L M Fazlur Rahman emphasised that when he was a DG of BDR, he conducted a survey and found that around five lakh people from India were living in Bangladesh for job. By now it may have exceeded to ten lakh. Compared to that there are not so many people from Bangladesh living in India for job. 'Connectivity' is a word that is often mentioned by the foreign minister of Bangladesh. Bangladesh is providing corridor to the seven sisters of India in return of connectivity with Nepal or Sikkim. Currently, Bangladesh has economic opportunities in the market of seven sisters. By providing corridor, Bangladesh is going to lose the market. To contain the economic gain, Bangladeshi TV channels are barred from entering the Indian market.

Mr. Mahmudur Rahman, Acting Editor, daily Amar Desh, mentioned that the previous speaker is the best person to understand the reality as he worked in the field directly. He mentioned Bangladesh-India border as the bloodiest border in the world. He mentioned an incident where BSF shot an eight-year-old child and its mother to death in their home inside Bangladesh territory. Indian government however, continuously denies such facts and claims that the people who are getting killed by BSF are cattle smugglers. Indira-Mujib treaty was almost the same treaty that Feroz Khan Noon of Pakistan and Nehru, who was concurrent president of India in 1958 signed. He wondered how a friendly state failed to implement the treaty for last 54 years. He said, they didn't implement the treaty just for some land and they are killing Bangladeshis at the border. An undeclared war is going on between India and Bangladesh, as these kinds of killings are not seen in other borders of India. When these issues are raised a section of the society prefers to remain quiet instead of protesting against these incidents. Those who try to protest are labelled as anti-Indian or fundamentalist. According to Nehru Doctrine, the subcontinent will unify again. So India's help in 1971 was not out of kindness only. At Roumari there was a glorious incident where BDR successfully fought against BSF when they illegally entered Bangladesh, where the previous speaker Major General (Retd.) A L M Fazlur Rahman, former Director General of Bangladesh Rifles (BDR- presently Border Guard Bangladesh was at the leading point. However, the Indian government forced the then Awami League government to remove him from BDR for that incident and afterwards pressurised BNP government to remove him from Army. Recently the opposition party leader visited India and ensured that the land of Bangladesh would never

be used against India but can't we expect that India's land would not be used against Bangladesh? India is constitutionally a secular state but in practice they are not. In the India-Bangladesh border area, human rights violation continues unabatedly. Human Rights Watch warned about the situation several times but the Government of Bangladesh has kept quiet so as to not upset India. Present advocacy programmes will not help stop human rights violation in border area. Only unification at national issues can solve the problem by ignoring political division.

The first session ended by opening the floor to the audience for questions. The second working session was presided over by Advocate Ruhul Amin Bhuiyan, Member, Executive Committee of Odhikar. He invited the first discussant Mr. ASM Nasiruddin Elan, director of Odhikar.



Figure 5: (Left) Mr. ASM Nasiruddin Elan, Director, Odhikar; Mr. Razekuzzaman Ratan, Member of Central Committee of Socialist Party of Bangladesh; Mr. Shahiduzzaman, chief of the correspondent at New Age; Advocate Ruhul Amin Bhuiyan, Member Executive Committee of Odhikar, Advocate Abdus Salam, Member of Central Coordination Committee of Gono Shanghati Andolon; Mr. Goutom Das, Editorial member of fortnightly Chintaa; Professor Ishrat Shamim, Department of Sociology, Dhaka University and President, Centre for Women and Children Studies.

The first discussant, **Mr. ASM Nasiruddin Elan**, director of Odhikar, shared findings of Odhikar through investigation and statistics. He said the number of killing in border areas have been on a rise. Odhikar has protested these incidents through its human rights defenders in respective areas. On the other hand, on January 21, 2012, Syed Asrafur Islam, General

Secretary of Awami League said that Bangladesh is not worried about these incidents at border as it will continue to exist and the State has other important affairs to deal with. On the same day, finance minister of that time and current president of India, Pranab Mukharji mentioned that in India such incidents occur in the border area regularly. On April 05, 2012, in Birampur upazila of Dinajpur district, 15-20 BSF personnel entered Bangladesh and attacked a home and tried to take away two men Samsul Alam and Shofiqul. BSF failed to take them when family members and neighbours resisted. BSF eventually left the place after injuring 3 men and 7 women. The ruling parties usually overlook these kinds of intrusions. India is always breaking the treaties that are signed between the two states. Bangladesh should play a very active role to compel India to stop killing its people.

Advocate Abdus Salam, Member of Central Coordination Committee of Gono Shanghati Andolon said, the government is liable to provide personal and collective protection of its civilians. Theoretically, India is considered as a friendly state of Bangladesh but the unfriendly attitude towards Bangladesh like border killing, barbed wire fences, economic aggression, etc. speak otherwise. The ruler of India does not represent the people of India. The main problem of India is to keep India undivided. To understand India and to settle behaviour with them, it is important to know that the existence of Bangladesh is a threat for India. Bangladesh was born out of a struggle for language. Movements inside India on struggles for language has at times threatened the country's unity. These are complex issues and organisation like Odhikar should provide information, which would enable the people of the country to understand these issues. The treaties that are signed between foreign countries should be discussed at the Parliament but as they have not been discussed, people of the country remain uninformed about these treaties. The people therefore, fail to put pressure on the government to implement these treaties that are beneficial for the country.

Professor Ishrat Shamim, Department of Sociology, University of Dhaka and President, Centre for Women and Children Studies, said that she worked at the field of women and children trafficking in the border area and observed some incidents. She found that the law and order situation is not maintained in the enclaves. In Dinajpur, she saw how cows are smuggled into Bangladesh. She was also informed that Bangladeshi cattle traders pay Indian cattle traders full amount before crossing the border to Bangladesh. Soon enough they become victims of BSF firing. On the contrary, when women and children are smuggled, they do not receive any bullet from BSF. She sought a detailed research and inquiry of the statistics that have been presented in the meeting. She said if the two States are not enemies of each other, they should resolve the long pending issues through memorandum of understanding (MOU).

Mr. Goutom Das, Editorial member of fortnightly Chintaa, believed there is no such thing as 'friendly state'. A state is formed with friends and anyone outside the state is enemy. The interest of Bangladesh will not match with the interest of the people of India. So the enmity between the States cannot be ignored. The word 'friendly state' is like a 'plate of gold and rock', which can never match. Some discussants mentioned about being grateful towards India for it helped us become independent in 1971. India had their interest in favour of the war of 1971. The interest may match between two States for a temporary period of time. As time passed the relationship between the two States has changed. The word 'friendly state' is a diplomatic word, which does not mean the same as said. Any criminal offence or intrusion from other countries should be dealt by civil administration not by army. The BGB or BSF is under home ministry of respective States, which is a civil administration. At the time of war, these killings would not be considered as crime but as India did not declare any war against Bangladesh, this is a serious criminal offence perpetrated by India. This issue should be resolved legally. Another reason for this kind of behaviour by India is the stereotyping 'Islam'. They want to create an impression that Bangladesh is vulnerable to become terrorised because of so called 'Islamic terrorists'. But there is no record that they have arrested or killed any terrorist. Most of the people who were killed or tortured were cattle traders or farmers near the border. There is no security threat for India. There are many Phensidyl factories in the border from where Phensidyls enter Bangladesh. There is market for onion in Bangladesh where India legally supplies onion but in case of cows they are not entirely clean about the business. This indicates that India wants to continue border killings. What is more disappointing is Bangladesh's attempt to clarify in favour of India, whereas the latter remains indifferent. If India wants to achieve anything from Bangladesh without the consent of the people of Bangladesh, India will never be successful. Both the countries' policymakers should understand this.

Mr. Shahiduzzaman, chief of the correspondent at New Age, said that the reports and discussions indicate human rights violation committed by India. BSF does not stop phensidyl smugglers but when someone tries to bring a cow he guns down or tortured. These killings are not mere human rights violation. These actions are usually politically influenced, as the perpetrators are never punished. Civil resistance (Gono Protirokkha) can work in this case and it should be patronised by the state.

Mr. Razekuzzaman Ratan, Member of Central Committee of Socialist Party of Bangladesh said that human rights violation is a severe accusation against a State but the action of Bangladesh does not reflect it. This is also an attack on our dignity as well. In India cows can't be slaughtered for religious reason but they export these to Bangladesh. He said that huge profit is earned from Phensidyl smuggling. So even when India has economic interest in

Bangladesh, the latter is always found kneeling down to India. Bangladeshi leaders should maintain their dignity.

With the speech of Mr. Razekuzzaman Ratan the second session ended. The chair then opened floor to the audience to ask questions.

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Odhikar's keynote paper in Annex i,
Statement of Mohammad Habibur Rahman Habu in Annex ii,
Statement of Safiqul Islam, brother-in-law of the deceased Mohammad Sanaul Haq in Annex
iii, Programme Schedule in Annex iv.

Annex: i

Odhikar's Keynote paper

Human Rights Violations at the India -Bangladesh Border by BSF

Bangladesh shares its border with India on three sides. Human rights violations by the Indian Border Security Force (BSF) have been going on for a long time along these borders between Bangladesh and India. Instances of Indian Border Security Forces (BSF) shooting, killing, torturing and abducting unarmed Bangladeshi civilians³ in the border areas violate international norms and treaties. Members of the BSF also illegally enter Bangladesh territory and attack people residing along the border, shoot and kidnap Bangladeshis. Children such as Felani Khatun (15), Hasnat Halsham Inu (15) or farmer working at Bangladeshi land such as Durul Huda or BDR⁴ member Abdul Hannan and Krishnapada Pal and names of many more persons are well documented as victims of BSF's human rights violations⁵. Even India is occupying some lands belonging to Bangladesh since independence. This also creates tension in border areas.

A quick overview of human rights violations perpetrated by BSF extracted from Odhikar's fact finding reports can be presented through following examples:

On May 16, 2012, at around 3:30 am, BSF members entered Bangladeshi territory and shot at farmer Mohammad Durul Huda (24) of Hudmapara village under Shibganj thana of Chapainawabgonj district, while he was guarding a corn field near the 181/8 S pillar of the Bangladesh border. Severely injured Durul Huda died on the same day at around 9.45 am while undergoing treatment at the Rajshahi Medical College Hospital.

³ See Odhikar's monthly reports at www.odhikar.org. Many of the victims were farmers. Victims of BSF atrocities are also children and women.

⁴ Bangladesh Rifles, now renamed Border Guard Bangladesh (BGB) is force responsible to ensure security of border.

⁵ See www.odhikar.org for fact-finding reports.

15-year old girl, Felani Khatun, was shot and killed by the BSF while she was entering Bangladesh from India, near the number 947 international pillar of the Anantapur border; in Phulbari Upazila under Kurigram district on January 07, 2011. She was left hanging on the barbed fence for 5 hours, after which the BSF took her body down. She was subsequently buried in Bangladesh.

On the night of July 17, 2008, a speedboat and an engine boat of the Indian Border Security Force (BSF) crossed the border near Roghunathpur of Shibganj, Chapainawabganj, one and a half kilometres in Bangladesh on the Padma River shared by Bangladesh and India. At around 11:45 pm, when a patrol boat of Bangladesh Rifles (BDR)⁶ tried to surround the Indian intruders, the speedboat managed to escape and a BSF officer fired from the engine-run boat towards the BDR officers. BDR officers Abdul Hannan and Krishnapada Pal were killed in the shooting.

Between January 01, 2000 to October 31, 2012 a total of 966 Bangladeshis were killed, 754 were injured and 1032 were abducted by BSF. In 2012, 33 Bangladeshis were killed, among them 18 were gunned down, 13 were tortured to death and among remained two one was stabbed to death and another died due to cocktail blast allegedly by BSF members. During this period BSF allegedly injured 82 Bangladeshis either by shooting or torture and 58 Bangladeshis were abducted. India has persistently violates border practices and international norms and follows a shoot-to-kill policy⁷.

Despite repeatedly raising this issue at the Government level; and at the regular meetings between border guards of the two countries, nothing is being done to stop the violations perpetrated by the BSF. On September 29, the BSF Director General, U K Bansal after 4 day conference in Dhaka said that “Six Bangladeshis were killed along the Bangladesh-India border between January and September 2012”⁸. However, according to information gathered by Odhikar, from January to September, 2012 it is alleged that 28 Bangladeshis were killed in border areas by BSF. Killing or torturing any Bangladeshi citizen at the border is not acceptable under any circumstances.

On March 12, 2011, the then BSF Director General Raman Srivastava stated, in a joint press briefing after a 5-day DG level conference between Border Guard Bangladesh (BGB) and BSF in New Delhi that “non-lethal weapons will be given to the border guards at the sensitive areas of the India-Bangladesh frontiers. This is an experimental decision. If it is successful, it will be implemented along 4096 kilometres of border area between the two countries.” He

⁶ BDR is the border-guarding force of Bangladesh.

⁷ All data from Odhikar documentation.

⁸ The daily Prothom Alo, 30/9/2012

said that BSF did not want to kill any Bangladeshi citizen.⁹ However BSF continues its killing spree and is still using lethal weapons on unarmed Bangladeshis.

Apart from the killing, the BSF also abduct and torture Bangladeshis by beating, kicking, stamping and, allegedly even injecting petrol into victims¹⁰.

BSF have long been implicated in numerous cases of indiscriminate use of force, arbitrary detention, torture, and killings without adequate investigation or punishment.

Such acts by the Indian BSF are violations to an independent and sovereign state – without the slightest provocation from Bangladesh. These acts are both gross violations of human rights and of international law.

To stop border violence the recommendations from Odhikar are:

1. Odhikar urges the Bangladesh Government to include the issue of border killing in the pursuit of its foreign policy with India and take effective steps to stop illegal intrusion killing, torture, abduction by the BSF. The Bangladesh Government must ensure security and start strong social safety net programme for the people who live along the border areas
2. Odhikar demands a proper investigation of all incidents, punishment of guilty BSF members under international law and compensation for the victims from the Indian Government.
3. Odhikar also calls upon the UN bodies to take a position and investigate such violations of international law and human rights.
4. Odhikar urges human rights organisations all over the world to take up this issue and pressure India to stop such kind of violence upon the citizens of another independent sovereign State.
5. Odhikar urges the Government of Bangladesh to take a stronger, international stand against such violations to its sovereign territory. Bangladesh did not fight for independence just to have another threat on its sovereignty thrust upon it.

Annex ii:

Statement of Mohammad Habibur Rahman Habu

I am Mohammad Habibur Rahman Habu. My father's name is Mohammad Saidur Rahman. I hail from Shatero Rashia village under Shibganj upazila of Chapainawabganj district. I am a

⁹ The daily Prothom Alo, 13/03/2011, Page 1, reported by New Delhi correspondent

¹⁰ See www.odhikar.org for fact finding reports.

poor farmer. Besides cultivation I ferried toys for a living. On December 6, 2011, one of my neighbours told me that I would get commission if I could bring cows from India to Bangladesh. My neighbour gave me the addresses of two cow traders in India and Bangladesh. According to the address given, I went to one cow trader, Babu's house at Khanpur Char under Motihar Police Station of Rajshahi District in Bangladesh. Babu went to Khanpur border and contacted a broker by passing the border. At that time, the broker asked for 200 taka to help me cross the border. When I gave him the amount, the broker took me near the pillar no. 163-1S of the border and introduced me to a BSF member. The broker kept 50 taka and gave the remaining 150 taka to the BSF member. I entered India near the pillar no. 163-1S at night. I went to the house of the cow trader, Muktar Hossain of Kaitapara at Katlamari village under Raniganj Police Station of Murshidabad, West Bengal of India.

The cow trader refused to give me any cow as I am a novice. Thus, on December 9, 2011, around 10:30 at night I was returning to Bangladesh following the trail of other cow traders. Half an hour later, when I reached at the place of 105 Battalion of Char Mourushi BSF camp near the Kahar Para border of Murshidabad, West Bengal, BSF members let the other cow traders get away with cows by taking money. They caught me and took me to the camp. At first they demanded a cell phone, 4,000 taka and 10 electric torches as bribe from me. However, BSF members chased me with sticks, being terrified I ran away. Then BSF members chased with a tractor to catch me and took me to the camp. I said that I did not have those. Eight BSF men then surrounded me. All of them possessed arms, batons and torches. They used abusing words while they started to talk with me. One of them had a big dagger and threatened to cut off my ear. Another BSF member asked my name and address. When I answered, they verbally abused me again. One of them tied my hands with my woollen scarf, another hit me with a stick on my legs. When I fell on the ground, one of them stepped on my chest and another took off my jacket and vest. They untied the muffler and tied my hands from behind with a rope and stepped on my throat. After sometime BSF men untied my legs and took my clothes off. They beat me up so much that I fell down me and then they ordered me to get up again. As I could not get up they continued to beat me and verbally abused me. Then they tore my lungi¹¹ into half and put a bamboo between my wrists. Two members held two corner of the bamboo and other members continued to hit me in the abdomen, waist and legs. I begged for my life and I said that I would never enter India again, but they continued to beat me. One of the BSF members took a video of the torture with his cell phone. At one stage, they laid me on my back and stood on my chest, held my legs up and beat the sole of my feet. Simultaneously, I was being beaten from the front and kicked from behind. I was rolling on the ground, crying. One of them made me stand and others beat me in the waist, ribs and legs. When I was screaming, BSF members smashed my face. While the beating

¹¹ A sarong-type garment worn by men in Bangladesh

continued, they poured petrol on my genital and anus. After I became weak, I was tied against a pole and guarded by one of the BSF members. On December 10, 2011 at around 4:00am, BSF members returned and tortured me again. At one stage I fainted. Around 7:00am when I gained consciousness, I found that I was lying in a crop field and my hands were tied with a bamboo rod. Some people were passing by in the fog. I requested them to untie me. They untied me and gave me a blanket and towel as I was naked. I requested them to take me to Bangladesh, but they feared that the BSF might catch them and so they left me there.

I came to the Khanpur village under Motihar Police Station of Rajshahi, Bangladesh near the 163-1S border pillar and stayed in the house of Babu. Later Babu's wife called a village doctor Parvez Hossain, who gave me treatment. On December 10, 2011, at around 11:00pm I called my home and told my family that I have been tortured by the BSF. The next day, at 11:00 in the morning, my uncle, Kamrul Islam Mukul along with his neighbours Rubel and Tutul Hossain Kalo went to Babu's residence. They took me to my home at around 4:00 in the afternoon. Another village doctor, Ismail Hossain Sentu treated me there.

Fearing harassment by the police and BGB¹², I did not tell anybody about the torture. But on January 14, 2012 some people in my locality told me that they had found a video of a tortured person by the BSF members and asked whether I was that person or not. When I saw the video I admitted to the incident. Later BGB members summoned me to the Monakosha Border Camp. Subedar Abul Hossain, the Company Commander of the Monakosha Camp took down my statement.

That video was made public as one of the Indian satellite news channels, NDTV, on January 18, 2012 telecasted a little of the footage. On January 19, 2011, I described the horrendous incident to the Bangladeshi media.

Still now I can't walk properly. I lost my ability to work. Though the government repeatedly assured to help, I did not find any assistance. I demand that the Government of Bangladesh will take initiatives to stop the violation of human rights along the border and conduct an investigation into this matter and make the Indian Government compensate me.

¹²BGB: Border Guard Bangladesh (BGB) is the paramilitary force of Bangladesh. It is responsible for protecting the borders, preventing smuggling, human and drug trafficking.

Annex iii:

Statement of Safiqul Islam

I am Safiqul Islam. My home is at Tarapur Morolpara village of the Monakosha union parishad of Shibganj upazila in Chapainawabganj district. Sanaul Haque, son of Abdur Rashid from the same village is my wife's younger brother and my brother-in-law as well. Sanaul was a farmer. On July 25, 2012, at around 1:50pm, Sanaul went to irrigate crops in his paddy field. The field was within 100 yards of the 1S pillar of 169. There, Sanaul was shot to death by Indian Border Security Force (BSF).

I came to know about the incident from my father-in-law who was also an eye-witness to the incident. He was standing on the aisle of the paddy field beside the machine room that contained the water pump to irrigate the field, situated in the northeast of sub pillar 1S of pillar 169 in the Shingnagar border area. At around 1:50pm, he heard sounds of two rounds of gunshots. He immediately lowered himself down on the aisle amongst the paddy fields as soon as he heard the gunshots being fired. After some time he raised his head, still terrified and saw a vehicle of BSF with 5/6 members parked at the Daulatpur border. He also saw that among the BSF members, who were pointing their guns at the Bangladesh border, one of them was in plainclothes and assumed that he was a high official of BSF. Upon seeing that, he put his head down again. A few moments later he heard another gunshot, the third one. After some time when he did not hear anymore gunshots he raised his head slightly and saw the BSF members leaving on their vehicle. When he stood up and looked around, he saw Sanaul lying beside the ditch, used to water the crops, near the paddy field. He screamed and called people nearby for help. My father-in-law figured that the BSF members of the 20th battalion Boistobpur Police Station in Maldaho district of Doulatpur border opened fire at Sanaul from Shingnagar border and shot him to death.

He assumed that the third bullet, fired by BSF must have hit Sanaul under his right eye and as a result he died on the spot. He informed the news of Sanaul's death to Sanaul's parents and Commander Nayek Subedar Mohammad Abdur Rashed of the BGB Shingnagar Camp. In a flag meeting, Commander Abdur Rashed of BGB Shingnagar Camp wanted to know the reason of killing of Sanaul from Daulatpur Camp Commander of BSF India, AC Naven. Naven denied the allegation and said that miscreants must have shot Sanaul.. His Family seeks justice.

As Sanaul was the only earning member of their family, his family is suffering from financial constraints. Sanaul's wife is leading an inhuman life with their one-year-old child Sha Aziz. I demand to the government a fair investigation regarding the death of Sanaul by BSF firing.

Also, I demand an end to the killing and torture of Bangladeshi citizens by BSF and reparation from Indian Government for the victims' families.

Annex iv: Programme Schedule

<p>National Advocacy Meeting On Human Rights Violation at the India Bangladesh Border November 24, 2012 Spectra Convention Centre, Gulshan Dhaka Organized by Odhikar</p>

9:00 AM – 9:30 AM	Registration
9:30 AM – 11:00 AM	Inaugural Session
Session presided by	<ul style="list-style-type: none"> • Mr. Adilur Rahman Khan Secretary, Odhikar
Presentation of Topic	<ul style="list-style-type: none"> • Ms. Taskin Fahmina Programme Coordinator, Odhikar
Testimonies of Two Victim/families	<ul style="list-style-type: none"> • Habibur Rahman Habu, tortured victim by BSF • Brother in law of victim Mohammad Sanaul Haq who was killed by BSF
Special Guests	<ul style="list-style-type: none"> • Mr. Shamsheer Mobin Chowdhury, Bir Bikram Vice Chairman, BNP • Mr. Rashed Khan Menon, MP Chairman, Workers Party of Bangladesh and Chairman, Parliamentary Standing Committee on Education
11:00 AM – 11:30 AM	Tea Break
11:30 AM – 1:15 PM	Working Session 1
Presided by	<ul style="list-style-type: none"> • Mr. Adilur Rahman Khan Secretary, Odhikar

	<p>Discussants</p> <ul style="list-style-type: none"> • Major General (Retd.) A L M Fazlur Rahman Former Director General, Bangladesh Rifles • Mr. Mahmudur Rahman Acting Editor, Daily AmarDesh • Mr. Ashraf ud Doula Former Secretary and Ambassador • Mr. Abu Sayeed Khan Managing Editor, Daily Samakal
12:45 PM – 1:15 PM	<p>Open Floor:</p> <ul style="list-style-type: none"> ▪ Question & Answer Session
1:15 PM – 2:15 PM	Lunch
2:15 PM – 3:30PM	Working Session 2
Presided by	<p>Advocate Ruhul Amin Bhuiyan Member, Executive Committee, Odhikar</p>
	<p>Discussants</p> <ul style="list-style-type: none"> • Advocate Abdus Salam Member, Central Coordination Committee of Gono Shonghati Andolon • Professor Ishrat Shamim Department of Sociology, Dhaka University and President, Centre for Women and Children Studies • Mr. Goutam Das Editorial Member, Fortnightly Chintaa • Mr. Razekuzzaman Ratan Member of Central Committee Socialist Party of Bangladesh • Mr. Shahiduzzaman Chief of the Correspondent, New Age • Mr. ASM Nasiruddin Elan Director, Odhikar
3:30 PM – 4:00 PM	<p>Open Floor:</p> <ul style="list-style-type: none"> • Question & Answer Session
4:00 PM -4.30 PM	Refreshments